



NEW YORK STATE BUILDING OFFICIALS CONFERENCE CENTRAL CHAPTER INC

CONSTITUTION AND BY-LAWS

Adopted by membership
December 15, 1991

Amended
April 15, 1994
September 8, 2008
February 17, 2012
February 21, 2013
December 19, 2013
December 18, 2014
February 16, 2017
October 17, 2019
December 19, 2024

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Article I
NAME OF CORPORATION

Section 1 - Name of Corporation The name of this Corporation shall be the NEW YORK STATE BUILDING OFFICIALS CONFERENCE CENTRAL CHAPTER, INC.

Section 2 - Incorporation. Pursuant to the New York State Domestic Not-For-Profit Corporation Law, a Certificate of Incorporation of the New York State Building Officials Conference Central Chapter, Inc. was filed with the Secretary of State on August 7, 1991.

Article II
PURPOSE AND METHODS OF ATTAINMENT

Section 1 - Purpose. The purpose of this Corporation shall be:

- (a) to cooperate with and assist the Eastern States Building Officials Federation, the International Codes Conference, the New York State Conference of Mayors and other municipal officials, the New York State Assessors' Association, the National Academy of Code Administrators, the Association of Towns of the State of New York, in achieving their aims and ideals to the extent same shall not be inconsistent with the purpose herein expressed;
- (b) to provide assistance to members in various ways in the performance of their duties as public officials;
- (c) to elevate the position of Building Officials compatible with the responsibilities and obligations placed upon them;
- (d) to promote efficiency in the administration of Building Departments;
- (e) to foster cooperation between members and others directly and indirectly allied with the building industry;
- (f) to exchange ideas, information and facts concerning matters and problems of common interest;
- (g) to create good fellowship and mutual understanding among members and officials of all New York State municipalities;
- (h) to foster the acceptance of performance standards for building materials, building equipment and construction methods, and;

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- (i) in collaboration with other interested agencies to formulate and conduct programs of related subjects for the edification of the membership in the field of building construction.

Section 2 - Methods of Attainment. The methods of achieving the purposes and aims of the Corporation shall be:

- (a) by distributing information to the members and to the public in general concerning public safety, health, and welfare;
- (b) by sponsoring legislation of benefit to members and the general public;
- (c) by furnishing legal assistance to members during litigation in which the welfare of the Corporation is involved;
- (d) by holding meetings at various times;
- (e) by publicizing the existence and activities of this Corporation through contact with public officials in other branches of government and with the general public;
- (f) by collection of annual dues;
- (g) by such other means as the Officers may from time to time determine, not inconsistent with the express purpose of this Corporation; and
- (h) by enrollment in New York State Building Officials Conference

Article III
Membership
[Amended 2/16/2017]

Section 1. Active Membership. Any Code Enforcement Official, members of inspection agency under contract with a municipality, or others actively engaged in an official capacity within the State of New York in any governmental department or bureau engaged in enforcement, administration or formulation of laws or ordinances relating to building, housing, fire and zoning regulations.

Section 2. Associate Membership. Any research organization, architect, engineer, an employee of a private provider, certified or registered general, building or residential contractor and their related associations, manufacturers or dealers in building materials or equipment, other individuals or partnerships may become a non-voting associate member upon payment of the membership dues.

Section 3. Honorary Membership.

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- (a) Honorary membership may be conferred upon individuals of distinction who have rendered outstanding services in the furtherance of the purposes and objectives of this Corporation. Such membership shall be conferred by a majority vote of the active members present at any regular or meeting. Nominations for such membership shall be made to the Board of Directors and their approval obtained before said nominations are brought before the membership for a vote.
- (b) Honorary membership shall also be conferred, by the Board of Directors, upon any member who has completed at least ten years of consecutive service as an elected officer of the corporation in any one or multiple offices.
- (c) Active members in good standing who are elected to honorary status shall retain all the privileges of active membership, including the right to hold an elective office.
- (d) Honorary members shall be relieved of payment of annual dues.

Section 4. Retired Membership. Retired membership shall be opened for any active member or former associate member who is retired.

Section 5. Election of Members. Applications for membership made pursuant to the foregoing section of this Article and the type of membership selected for members shall be subject to the New York State Building Officials Conference Central Chapter Inc. Constitution and By-Laws approval of a majority vote of the Board of Directors. The Secretary of the Corporation shall promptly record the names of all members and issue a membership card.

Section 6. Form of Application and Certificate of Membership. The Board of Directors may prescribe the form of application for membership. Each member, which is a member in good standing, shall receive and shall be entitled to retain, a Certificate of Membership in the Corporation.

Section 7 - State Delegate. The State Delegate, selected by the Chapter, shall serve on the Board of Delegates and represent the interest of this Chapter. In their capacity as a member of the Board of Delegates, they shall also perform such duties as may be required of them by the President or by the Board of Delegates.

Section 8. Disciplinary Action. Any member may be censured, suspended, or expelled from the Chapter, or put on probation if, in the judgment of the Board of Directors, as evidenced by a two-thirds vote of the Board of Directors, it shall be determined that such member is guilty of conduct detrimental to the best interests of the Chapter and its members. Notice and a copy of the charges being preferred against a member shall be sent by United States Post Office Certified Mail, return receipt requested, to such member, and such notice shall specify a time, date and place where the member may

appear before the Board of Directors and be given a fair opportunity to present their defense to the charges, The hearing date shall be at least ten (10) from the date that the notice was mailed. A vote of two-thirds of the Board of Directors shall be required to reinstate any member who has been suspended or expelled pursuant to the provisions of this section.

Section 9. Members in Good Standing. Members in good standing shall mean members who have paid their annual dues pursuant to Article V, Section 1 and have attended a minimum of either two chapter meetings and/or training events annually.

Article IV Voting Rights

Section 1 - Voting Rights. [Amended 12/19/2013; 12/18/2014]

- (a) Active members in good standing of the Corporation shall have the right to vote at any meeting they are present.
- (b) Honorary members, who were active members at the time they became honorary members, shall have the right to vote at all meetings at which they attend.
- (c) Retired active members, with at least ten years of active service, upon payment of annual dues shall retain voting rights and privileges.
- (d) Each Central Chapter Board of Director member shall have only one vote per chapter business.

Section 2 - Discussion Privileges. At all meetings of the Corporation, members of all classes shall be entitled to the privileges of the floor for discussion, including the right to make and second motions.

Article V Dues [Amended 2/16/2017]

Section 1 - Annual Scale of Dues. The annual scale of dues for each class of membership in this Corporation shall be as established annually by resolution of the Board of Directors. If the Board fails to establish fees the fees from previous years shall apply.

Section 2 - Payment of Dues. Dues shall become payable on January 31st for the calendar year January 1st to December 31st.

Section 3 - Default in Payment. Any person who defaults in payment of their annual dues for a period of four months shall not thereafter be considered a member in good standing. Failure of any person to pay such dues within thirty (30) days following the mailing by the Secretary of a notice to make payment shall be deemed to constitute a resignation, and such person may thereafter be reinstated as a new member only by a majority vote of the membership.

Article VI Meetings

Section 1 - Annual Meeting. There shall be an annual meeting of the Corporation held between the first day of November and the last day of December, such meeting to take place within the geographical limits of the Central Chapter at a place to be designated by the membership. Written notice thereof shall be given to each member in good standing by the Secretary or by other means, not less than thirty (30) days prior to the date of such meeting. At the annual meeting there shall be elected the delegate-officers of the Corporation and there shall be transacted such other business as may properly come before the meeting. [Amended 2/17/2012]

Section 2 - Regular Meetings. Regular meetings shall be held bi-monthly during the months of February, April, June, August, October and December. [Amended 2/17/2012]

Section 3 - Quorum. At any meeting of the membership a quorum shall consist of 15 members in good standing and entitled to vote. [Added 2/17/2012]

Section 4 - Special Meeting. [Renumbered 2/17/2012]

- (a) Special meetings of the Corporation may be held within the geographical boundaries of the State of New York at any time upon the call of the President.
- (b) Special meetings may also be called by filing a written request with the Secretary, with a copy to the President, signed by at least fifteen (15) active members in good standing. The Secretary shall establish a time and place within the geographical boundaries of the State of New York for such a meeting upon each member not less than ten (10) days prior to such meeting,
- (c) Unless otherwise stated herein, due notice shall be given to the membership, in good standing, of any scheduled special meetings.
- (d) A quorum for a special meeting shall be the same as called for at the Annual Meeting.

Section 5 - Parliamentary Procedure. In the business of the Chapter, either in general session, Board meetings or committee meetings, Roberts Rules of Order, Summary

Version, (© 1997 Beverly Kennedy and found in Appendix B of these By-Laws.) shall govern with respect to all questions of a parliamentary nature unless otherwise herein provided. [Added 12/18/2014]

Article VII Governing Body

Section 1 – Board of Directors. The property, business and affairs of the Corporation shall be managed and transacted by the Board of Directors consisting of the following persons: President, 1st Vice-President, 2nd Vice-President, Secretary, Treasurer, Historian, Past Presidents and the State Delegates of the Corporation while holding active or honorary membership. [Amended 5/19/1994]

Section 2 – Officers of the Board. The President of the Corporation shall be and act as Chairman of the Board. In the absence of the President, the 1st Vice-President shall act as Chairman of the Board, In the absence of the Secretary, the Chairman shall select one of the Board members to act as Secretary Pro Tempore.

Section 3 – Vote of the Board. All decisions and acts of the Board shall require the assenting vote of majority thereof of those present and any votes pre-registered with the Secretary from those Board members not present. Such votes may be rendered either by voice vote at the Board Meeting or by mail addressed to the Secretary, if the written communication is received by the Secretary before the date of the meeting.

Section 4 – Distribution of Assets Upon Dissolution or Termination of the Corporation.

- (a) The Corporation upon dissolution or termination as an organization, shall disburse any and all remaining assets on deposit in any bank or banks, or cash held in the name of the Corporation by an officer or member, to an organization or organizations which are classified as being tax exempt by the Internal Revenue Service to satisfy the provisions of Section 501(c)(6) of the Internal Revenue Code, at the time of dissolution.
- (b) The organization or organizations to receive the assets of the New York State Building Officials Conference, Central Chapter, Inc. shall be selected by the Board at the final meeting of the Corporation.

Article VIII Officers

Section 1 – Officers. [Amended 5/19/1994; 10/17/2019]

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- (a) The officers of the Corporation shall consist of a President, First Vice-President, Second Vice-President, Secretary, Treasurer, Historian, Immediate Past President, and delegates who shall be elected at the annual meeting of the Corporation from among the active members in good standing, and who shall hold office until their duly qualified successors are elected.
- (b) In addition, the Corporation shall elect one or more State Delegate(s) who shall be a member of this Chapter. At least one alternate State Delegate, shall be designated by the Board of Directors. [Amended 12/18/2014; 10/17/2019]

Section 2 – Change of Membership Status. Any officer whose membership status changes during their term of office may continue in such official capacity for the remainder of their term with the consent of the membership but shall not be re-nominated for office by the nominating committee, nor shall hold future office in the Corporation unless his status reverts to that of an active member.

Section 3 – President. The President shall preside at all meetings of the Corporation. The President shall appoint all committees including the chairman thereof, except as hereinafter provided, and shall perform such duties as may be required of this officer by the membership or by these By-Laws.

Section 4 – First Vice President. The First Vice-President shall perform the duties of the President during the latter's absence or disability, and shall perform other duties as may be required of this officer by the President or by the Board.

Section 5 – Second Vice President. The Second Vice President shall perform the duties of the First Vice President in the latter's absence, and shall coordinate the Constitution and By-laws Committee, Membership Committee, Scholarship Committee, and Equipment Committee, and shall perform other duties as may be required by this officer by the President or by the Board. [Added 5/19/1994]

Section 6 – Secretary. The Secretary shall keep the minutes and records of all meetings of the Corporation and Board and shall conduct correspondence thereof as directed by the President or by the membership.

Section 7 – Treasurer. The Treasurer shall receive and administer the funds of the Corporation in accordance with the provisions of these By-Laws. If so directed, the Treasurer shall furnish the Corporation with a Surety Bond, the expense of which shall be borne by the Corporation. The face value of such bond is to be determined by the Board of Directors. [Amended 2/17/2012]

Section 8 – Historian. The Historian shall collect, preserve and correlate all data in connection with the Corporation, past and present.

Section 9 – Immediate Past President. The Immediate Past President shall perform the duties as may be required of this officer by the President or by the membership.

Section 10 – Delegate. The Delegate shall act as representative of the Chapter to the State Board of Delegates and perform any other duties as may be required by them by the President or by the membership.

Section 11 – Reports. The President, Treasurer, Historian and Committee Chairman shall submit annual reports in writing to the Corporation upon request of the Board. All reports shall be filed with the records thereof. The Treasurer shall submit financial statements from time to time as required by the Board. [Renumbered 12/18/2014]

Section 12 – Other Duties. All of the officers shall perform such other duties as may be prescribed by the Board or by the President or by these By-Laws. [Renumbered 12/18/2014]

Section 13 – Removal. Any officer may be removed from office by a two-thirds (2/3) vote of the voting members at a regular or special meeting, provided that a quorum is present. [Renumbered 12/18/2014]

Section 14 – Vacancies. A vacancy in any office except the Presidency may be filled by appointment by the President for the remainder of the unexpired term; A vacancy in the Presidency shall be filled by the Board for the remainder of the unexpired term. [Renumbered 12/18/2014]

Section 15 – Term of officers. Officers will be elected for a term of two years or until their successors are elected. Officers shall take office at the conclusion of the annual meeting at which they are elected. There shall be no limit to the number of times an officer may be elected to an office. [Amended 10/17/2019]

Section 16 – Limitations. Each member may be elected to only one office at a time, except the delegate(s). If a delegate becomes an officer for the state chapter, the Central Chapter alternate delegate would step in and take his/her place.

Article IX Committees

Section 1 – Education Committee. The President shall appoint annually a member in good standing of the Corporation as Chair of the Education Committee, who shall select additional members to serve with this Chair. Duties; The Education Committee shall plan and develop continuing education seminars and courses, make all arrangements for the annual meeting of the Corporation, and to provide other programs to benefit the Chapter and its members; including obtaining guest speakers for general membership meetings. [Amended 12/18/2014]

Section 2 – Nominating Committee. The President shall appoint a Nominating Committee at least sixty (60) days prior to the Annual Meeting consisting of three (3)

members in good standing. The personnel of the Nominating Committee shall be composed of two (2) members in good standing and one (1) officer. The Committee shall meet on the call of the Chair and shall make the nominations for the positions of the Officers. The Nominating Committee shall make its report to the Corporation on or before the Annual Meeting. [Amended 09/08/2008; 12/18/2014]

Section 3 – Grants (scholarships). The President shall appoint annually a member in good standing of the Corporation as Chair of the Education Committee, who shall select additional members to serve with this Chair. Duties: To develop all necessary policies, procedures, and strategies in order to provide grant (scholarship) award(s) to one or more members or the son, daughter, or grandchild of a member in good standing who exhibits academic achievement and a financial need. The purpose of the award(s) is to minimize educational expenses to academically deserving student(s). [Amended 12/19/2024]

Section 4 – By-Laws. The President shall appoint annually a member in good standing of the corporation as Chair of the By-Laws committee, who shall select additional members, as necessary, to serve with the Committee Chair. Duties: To review, revise and update the chapter constitution and by-laws as needed to reflect current conduct and practice of the Chapter. The committee shall report to the membership at least annually. [Added 12/18/2014]

Section 5 – Legislative. The President shall appoint annually a member in good standing of the corporation as Chair of the Legislative committee, who shall select additional members, as necessary, to serve with the Committee Chair. Duties: To keep abreast of any change in state or federal laws, or regulations which may affect the construction and code enforcement industries, and to keep the membership informed of same; draft any proposed changes to current legislation or codes, which the Chapter may wish to present to the State Association, the State Fire Prevention and Building Code Council or the ICC for consideration. [Added 12/18/2014]

Section 6 – Additional Committees. Additional committees may be appointed by the President whenever such committees are deemed advisable in carrying out the work of the Corporation. The active members, by a majority vote at any Annual, special or regular meeting may direct the President to appoint additional committees that are in the interests of the Corporation. [Amended 12/18/2014]

Article X By-Laws Adoption and Amendments

Section 1 — Effective Date. These By-Laws shall take effect following their adoption at the first annual meeting in 1991, and as otherwise provided by these By-Laws. [Adopted 12/15/1991]

Section 2 — Amendments.

- (a) These By-Laws may be amended at any annual or monthly meeting of the Corporation by a three fourths (3/4) vote of the voting members present, provided a quorum is present. Notice of any proposed amendment shall be mailed to the Secretary not less than thirty (30) days prior to the date of such meeting, or otherwise disseminated to the membership in a manner comparable to the Secretary's notification, including e-mail notification and posting on the Chapter website. Such Notice of proposed change shall consist of Section No. of Article No. and verbatim quote of the contents of such section indicating matter sought to be eliminated, to be shown with a line through it revised and new matter to be underlined. It is hereby established that it is considered unnecessary to publish the entire Constitution and By-Laws in order to effect a routine amendment.

- (a) Changes may be made to any proposed amendments on the floor of the meeting without further notice by a three quarter (3/4) vote of the voting members present, provided a quorum is present.

Article XI
INDEMNIFICATION
[Added 12/18/2014]

Section 1. The Chapter shall indemnify its directors, officers, committee members, and employees for reasonable attorney fees and justifiable expenses stemming from liabilities which are deemed by the Executive Board to have been reasonably incurred as a result of a legal proceedings to which the indemnified person is made a party by reason of having been a director, officer, committee member or employee of the Chapter at the time an actionable cause arose except where the director, officer, committee member or employee is deemed by a hearing officer to have been guilty of willful malfeasance, misfeasance or nonfeasance in the performance of his or her obligations to the Chapter. In order to properly indemnify directors, officers, committee members or employees of the Chapter, the Executive Board may authorize adequate insurance to cover the indemnification authorized by this Article.

**Appendix A Dues -
Local Chapter (Including
State NYSBOC Dues)**

[Adopted 12/19/2024; Effective 1/1/2025]

<u>Membership Type</u>	<u>Amount</u>
Active	\$65.00
Associate	\$65.00
Honorary	No charge
Retired	\$30.00

Appendix B

Robert's Rules of Order - Summary Version

For Fair and Orderly Meetings & Conventions

Provides common rules and procedures for deliberation and debate in order to place the whole membership on the same footing and speaking the same language. The conduct of ALL business is controlled by the general will of the whole membership - the right of the deliberate majority to decide. Complementary is the right of at least a strong minority to require the majority to be deliberate - to act according to its considered judgment AFTER a full and fair "working through" of the issues involved. Robert's Rules provides for constructive and democratic meetings, to help, not hinder, the business of the assembly. Under no circumstances should "undue strictness" be allowed to intimidate members or limit full participation.

The fundamental right of deliberative assemblies require all questions to be thoroughly discussed before taking action!

The assembly rules - they have the final say on everything!
Silence means consent!

- Obtain the floor (the right to speak) by being the first to stand when the person speaking has finished; state Mr./Madam Chairman. Raising your hand means nothing, and standing while another has the floor is out of order! Must be recognized by the Chair before speaking!
- Debate can not begin until the Chair has stated the motion or resolution and asked "are you ready for the question?" If no one rises, the chair calls for the vote!
- Before the motion is stated by the Chair (the question) members may suggest modification of the motion; the mover can modify as he pleases, or even withdraw the motion without consent of the seconder; if mover modifies, the seconder can withdraw the second.
- The "immediately pending question" is the last question stated by the Chair!
Motion/Resolution - Amendment - Motion to Postpone
- The member moving the "immediately pending question" is entitled to preference to the floor!
- No member can speak twice to the same issue until everyone else wishing to speak has spoken to it once!
- All remarks must be directed to the Chair. Remarks must be courteous in language and deportment - avoid all personalities, never allude to others by name or to motives!
- The agenda and all committee reports are merely recommendations! When presented to the assembly and the question is stated, debate begins and changes occur!

The Rules

- Point of Privilege: Pertains to noise, personal comfort, etc. - may interrupt only if necessary!
- Parliamentary Inquiry: Inquire as to the correct motion - to accomplish a desired result, or raise a point of order
- Point of Information: Generally applies to information desired from the speaker: "I should like to ask the (speaker) a question."
- Orders of the Day (Agenda): A call to adhere to the agenda (a deviation from the agenda requires Suspending the Rules)
- Point of Order: Infraction of the rules, or improper decorum in speaking. Must be raised immediately after the error is made
- Main Motion: Brings new business (the next item on the agenda) before the assembly
- Divide the Question: Divides a motion into two or more separate motions (must be able to stand on their own)
- Consider by Paragraph: Adoption of paper is held until all paragraphs are debated and amended and entire paper is satisfactory; after all paragraphs are considered, the entire paper is then open to amendment, and paragraphs may be further amended. Any Preamble can not be considered until debate on the body of the paper has ceased.
- Amend: Inserting or striking out words or paragraphs, or substituting whole paragraphs or resolutions
- Withdraw/Modify Motion: Applies only after question is stated; mover can accept an amendment without obtaining the floor
- Commit /Refer/Recommit to Committee: State the committee to receive the question or resolution; if no committee exists include size of committee desired and method of selecting the members (election or appointment).
- Extend Debate: Applies only to the immediately pending question; extends until a certain time or for a certain period of time
- Limit Debate: Closing debate at a certain time, or limiting to a certain period of time
- Postpone to a Certain Time: State the time the motion or agenda item will be resumed
- Object to Consideration: Objection must be stated before discussion or another motion is stated
- Lay on the Table: Temporarily suspends further consideration/action on pending question; may be made after motion to close debate has carried or is pending
- Take from the Table: Resumes consideration of item previously "laid on the table" - state the motion to take from the table
- Reconsider: Can be made only by one on the prevailing side who has changed position or view
- Postpone Indefinitely: Kills the question/resolution for this session - exception: the motion to reconsider can be made this session

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- Previous Question: Closes debate if successful - may be moved to "Close Debate" if preferred
- Informal Consideration: Move that the assembly go into "Committee of the Whole" - informal debate as if in committee; this committee may limit number or length of speeches or close debate by other means by a 2/3 vote. All votes, however, are formal.
- Appeal Decision of the Chair: Appeal for the assembly to decide - must be made before other business is resumed; NOT debatable if relates to decorum, violation of rules or order of business
- Suspend the Rules: Allows a violation of the assembly's own rules (except Constitution); the object of the suspension must be specified

Parliamentary Procedure At A Glance - your guide of what to say and when to say it...							
TO DO THIS:	YOU SAY THIS	May you interrupt the speaker?	Do you need a second?	Is it debatable?	Can it be amended?	What vote is needed?	Can it be reconsidered?
Adjourn Meeting	"I move to adjourn."	NO	YES	NO	NO	Majority	NO
Call an Intermission	"I move to recess for..."	NO	YES	NO	YES	Majority	NO
Complain about heat, noise, etc.	"I rise to a question of privilege."	YES	NO	NO	NO	No Vote	NO
Temporarily suspend considering an issue	"I move to lay the motion on the table."	NO	YES	NO	NO	Majority	NO
End debate and amendments	"I move the previous question."	NO	YES	NO	NO	2/3	NO
Postpone discussion for a certain time	"I move to postpone discussion until..."	NO	YES	YES	YES	Majority	YES
Give closer study of something	"I move to refer the matter to committee."	NO	YES	YES	YES	Majority	YES
Amend a Motion	"I move to amend the motion by..."	NO	YES	YES	YES	Majority	YES
Introduce Business	"I move that..."	NO	YES	YES	YES	Majority	YES

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THE MOTIONS LISTED ABOVE ARE IN ORDER OF PRECEDANCE... BELOW, THERE IS NO ORDER...							
TO DO THIS	YOU SAY THIS	May you interrupt the speaker?	Do you need a second?	Is it debatable?	Can it be amended?	What vote is needed?	Can it be reconsidered?
Protest breach of conduct or rules	"I rise to a point of order."	YES	NO	NO	NO	No Vote	NO
Vote on a ruling of the chair	"I appeal from the chair's decision."	YES	YES	YES	NO	Majority	YES
Suspend rules temporarily	"I move to suspend the rules so that..."	NO	YES	NO	NO	2/3	NO
Avoid considering an improper matter	"I object to consideration of this motion."	YES	NO	NO	NO	2/3	YES 2
Verify a voice vote by having members stand	"I call for a division," or "Division!"	YES	NO	NO	NO	No Vote	NO
Request Information	"Point of information ..."	YES	NO	NO	NO	No Vote	NO
Take up a matter previously tabled	"I move to take from the table..."	NO	YES	NO	NO	Majority	NO
Reconsider a hasty action	"I move to reconsider vote on..."	YES	YES	YES	NO	Majority	NO

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