Adopted 4.19.2012, as amended 9.17.2015 and 1.7.2016

GOVERNMENT OF THE DISTRICT OF COLUMBIA
CONSTRUCTION CODES COORDINATING BOARD

BYLAWS

ARTICLE 1- GENERAL

Section 1— Name

The name of this Board shall be the District of Columbia Construction Codes Coordinating Board, hereinafter referred to as the "Board." The Board is established, with administrative and staff support from the Department of Consumer and Regulatory Affairs ("DCRA"), pursuant to Mayor's Order 2009-22, dated February 25, 2009.

Section 2 — Purpose

The purpose of the Board shall be to promote the health, safety and welfare of the occupants or users of buildings and structures and the general public by the promulgation of Construction Codes for the District of Columbia to meet present-day demands for adequate and safe construction and maintenance of new and existing buildings and structures through the use of comprehensive and up-to-date codes and regulations.

Section 3 — Duties and Responsibilities

In furtherance of the stated purpose, the Board shall:

a. Review, update and maintain the District's codes, regulations and standards in accordance with the Construction Codes Approval and Amendments Act of 1986, as amended (DC Law 6-216, D.C. Official Code §6-1401, *et. seq.* (2012 Repl., 2015 Supp.)), to reflect the current state of the art in the construction industry;

b. Meet regularly on a schedule established by the Chairperson to carry on the business of the Board and make decisions on matters coming before the Board;

c. Establish and coordinate technical advisory groups ("TAG") that will function as subcommittees to the Board;

d. Consider proposed amendments and recommendations of the TAGs , and other relevant information;

e. Submit for adoption, by rulemaking, such amendments to Title 12 of the District of Columbia Municipal Regulations ("DCMR") or recommend revisions to other titles of the DCMR or D.C. Official Code as necessary to effectuate the Board's purpose.

f. Conduct all meetings in accordance with the most recent revised edition of Robert's Rules of Order, except where inconsistent with these Bylaws or any special rules of order the Board may adopt; and

g. Carry out any other function as shall be provided by law or regulation.

Section 4 — Powers

In order that it may effectively fulfill its purpose, the Board shall have the power to:

a. Elect officers and approve the appointment of individuals to TAG;

b. Execute and accomplish actions authorized by the Board; and

c. Take any and all other actions necessary to fulfill its purpose.

ARTICLE 2 — BOARD MEMBERS

Section 1 — Composition

The Board shall be comprised of those members appointed to the Board in accordance with Section IV of Mayor's Order 2009-22, and any subsequent amendments thereto.

Section 2 — Resignation

Should a member of the Board resign, the position shall be filled in accordance with Sections IV and V of Mayor's Order 2009-22 and any subsequent amendments thereto.

Section 3 — Voting

Each Board member, except the Chair, shall have one vote. Only Board members shall have the right to vote. All actions of the Board shall be approved at a duly authorized meeting with a quorum, through a favorable vote of a majority of Board members present. All Board decisions relating to the approval of proposed Construction Codes amendments shall require affirmation by at least a majority of the members serving on the Board at the time of the vote.

Section 4 — Quorum

No official action may be taken by the Board unless a quorum shall be present. A quorum of two-thirds of the members appointed to the Board shall be required to vote on Board matters at duly authorized meetings.

Section 5 - Conflict of Interest

No Board member shall use his or her official position or office to obtain financial gain for himself or herself, any member of his or her household, or any business with which he or she or a member of his or her household is associated. A Board member shall notify the Board of any instance in which he or she has a direct financial interest in an action before the Board, and a Board member shall not participate in the deliberations of or vote on any motions related to a matter where he or she has a direct financial interest, unless a majority of the disinterested members of the Board voting on the matter decide otherwise. A Board member may be excused from participating in matters to avoid an actual or perceived conflict of interest, but recusal will not be required except in cases involving a direct financial interest.

Section 6 - Board Statements

Individual Board members, unless authorized by a majority vote of the Board, shall not make public policy statements for the Board or assume obligations for the Board. Any individual Board member may communicate his or her views on any issue within the scope of his or her jurisdiction to any government entity; provided, however, that unless such communication has been approved by the Board as an official action, such Board member shall indicate in such communication that he or she is speaking as an individual Board member, and not for the Board itself.

Section 7 — Reimbursement for Expenses

Board members shall not be eligible for reimbursement of expenses for Board activities.

ARTICLE 3 — MEETINGS

All meetings shall occur in compliance with the requirements of the Open Meetings Act (D.C. Official Code §§ 2-571 *et seq.* (2012 Repl. and 2015 Supp.))

Section 1 — Regular Meetings

Regular meetings shall be held to consider matters before the Board and to conduct routine official business. The Board shall meet on the dates set by the Chairperson and approved by the Board; provided, that the Board may meet at least once each month. The meeting time and place shall be designated by the Chairperson. Notice of the meeting shall be published in the District of Columbia Register and on the DCRA website (dcra.dc.gov) or on the central calendar of public body meeting dates on the Office of Open Government, Board of Ethics and Government Accountability website.

Section 2 — Special Meetings

A special meeting may be called at the discretion of the Chairperson; provided, that the Chairperson provides no less than two (2) business day's notice of the special meeting to each Board member via electronic mail, fax, or first class mail and posts notice of the meeting on the DCRA website of the Department of Consumer and Regulatory Affairs (dcra.dc.gov) or on the central calendar of public body meeting dates on the Office of Open Government, Board of Ethics and Government Accountability website. ..

Section 3 — Public Meeting Requirement

All meetings of the BoardTAG, including committees or working groups composed of two-thirds or more of the Board members appointed to the Board, shall be open to the public in accordance with the requirements of the Open Meetings Act (D.C. Official Code §2-575 (2012 Repl.)) and shall take place at a location served by public transportation.

Section 4 — Procedures for Board Consideration

Acceptance of matters for the Board's consideration shall be done in conformance with this section:

a. All matters for consideration by the Board at any meeting shall be presented in a form and by a date established by the Chairperson;

b. To be accepted for consideration, matters must be considered relevant to the Board's purpose as judged by the Chairperson.

c. Proponents of matters rejected for consideration by the Chairperson have the right to appeal this rejection to the Board. Any matter, upon a motion approved by the Board, must be accepted for consideration by the Chairperson.

d. Upon acceptance, the Chairperson shall introduce the matter to the Board and determine whether the matter shall be voted upon immediately, deferred to a time certain or directed to the appropriate TAG(s) for review. However, upon a motion carried by a majority vote of the Board, new business shall be permitted to be discussed and voted upon at a current meeting.

e. Upon the completion of its review, the TAG shall report its recommendations to the Board.

f. The Board meeting immediately following the meeting in which the TAG presented its report is the earliest the Board can consider voting on the TAG's report.

g. Approved items shall be included in the proposed rulemaking the Board shall promulgate to amend the Construction Codes.

Section 5 — Minutes

All open meetings and executive sessions of the Board shall be recorded as required by the Open Meetings Act. Final meeting minutes shall be published on the Board's webpage on the DCRA website (dcra.dc.gov) or on the central calendar of public body meeting dates on the Office of Open Government, Board of Ethics and Government Accountability website. . Meeting minutes shall be distributed to all Board members at the following duly authorized meeting for review and approval.

Section 6 — Manner of voting

The voting on elections, motions, and resolutions shall be by roll call voice vote with the results determined by the Chairperson. Voting by proxy shall not be permitted. In lieu of a voice vote, a Board member may request a roll call or show of hands vote. The roll call or show of hands vote shall be conducted after a request by any Board member.

For standing TAGs TAG or working groups, only group members, appointed by the chairperson of the group, shall be allowed to vote.

Section 7 — Electronic Communications

All matters for consideration, minutes of meetings, and membership rosters may be made available by electronic mail and posting on the Board's webpage on the DCRA website located at dcra.dc.gov.

Section 8 - Attendance by Teleconference

With prior approval of the Chairperson, any Board member may participate in a regular or special meeting through the use of any means of communication by which all Board members participating in the meeting and members of the public present at the meeting venue may simultaneously hear one another during the meeting, provided that (1) a majority of the Board members participating in the meeting is physically present at the meeting venue; (2) any votes taken during a Board meeting with teleconferencing shall only be by roll call; and (3) the Chairperson (or the Vice Chairperson if the Chairperson is unable to serve) shall be present at the meeting venue. A Board member participating in a meeting by teleconference shall count towards establishing a quorum, and shall be deemed to be present at the meeting, with full rights and duties of a Board member, as if physically present at the meeting venue.

ARTICLE 4 - COMMITTEES

Section 1— Establishment of Committees

The Board may establish committees upon the action of a majority of Board members present and voting. The Board may create standing and special committees. Standing committees are those created permanently; special committees are those created temporarily by the Board.

Section 2 — Standing Technical Advisory Groups

a. Standing TAG shall review all proposed changes to the Construction Codes whenever assigned to do so by the Chairperson or whenever the chairperson of a TAG believes a proposed change would impact upon the provisions of the Construction Codes normally reviewed by his or her TAG .

b. The Board may establish the following standing TAGs and such additional groups or committees as are deemed necessary to fulfill the Board's purpose:

- Issues and Policies
- Fire and Life Safety
- Accessibility
- Structural
- Electrical
- Residential
- Mechanical (Plumbing, Mechanical, Boiler and Fuel Gas)
- Elevator

- Energy
- Existing Buildings
- Property Maintenance
- Green
- Building

c. Members of a TAG shall be appointed and approved by the Board by motion, upon recommendation by the TAG chairperson, in accordance with this Article 4.

d. Members of a TAG may or may not be Board members with the exception of the TAG chairperson who must be a Board member; provided, that the individuals who are not Board members must be qualified in the relevant subject matter and disclose any business or professional conflicts of interest on forms provided by the Board; and provided further, that the total number of appointed individuals, including the chairperson of the TAG , but excluding the Board Chairperson, shall be an odd number.

e. Any member of the Board may serve as a member of a standing TAG ; provided that such Board member shall not be a voting member of the TAG unless appointed and approved by the Board pursuant to section c above; and provided further, that the number of Board members appointed and approved as voting members of any one TAG shall be less than two-thirds the number of Board members appointed to the Board.

f. TAG members, appointed and approved by the Board pursuant to this Article 4, shall have full voting rights within the TAG and may be included in determining a quorum for TAG actions. The chairperson of each TAG has authority to designate non-voting members of his/her TAG, without Board approval and to allow such non-voting members to participate in TAG discussions; provided that any non-voting members shall not be included in determining a quorum and shall not be allowed to vote. All actions of a TAG shall be approved by a majority vote of the duly qualified voting TAG members present. A quorum of three (3) TAG members shall be required to vote on TAG matters, provided that, if the TAG has more than 7 voting members, a quorum of four (4) TAG members shall be required to vote.

g. The Board Chairperson shall appoint a chairperson for each TAG. The chairperson shall preside at all meetings of the TAG, and appoint members with the approval of the Board as provided in this Article 4. Chairpersons of TAGs shall have voting rights. The chairperson of each TAG must be a Board member.

h. The Board shall charge a TAG with its mission, including its reporting requirements. The Chairperson shall ensure that items requiring TAG action are referred to the appropriate group as provided in Article 3, section 4 above. Each TAG shall establish the procedure which, in its opinion, will facilitate achievement of its mission, consistent with these bylaws and applicable federal and local laws. TAGs may not speak for the Board.

i. Meetings of TAGs shall be open to the public and shall take place at a location served by public transportation. Notice of TAG meetings shall be posted on the website of

the District of Columbia Department of Consumer and Regulatory Affairs or on the central calendar of public body meeting dates on the Office of Open Government, Board of Ethics and Government Accountability website

Section 3 - Attendance by Teleconference

With prior approval of the Chairperson, any TAG member may participate in any meeting through the use of any means of communication by which all TAG members participating in the meeting and members of the public present at the meeting venue may simultaneously hear one another during the meeting, provided that (1) any votes taken during a TAG meeting with teleconferencing shall only be by roll call; and (2) the Chairperson shall be present at the meeting venue. Any voting TAG members participating in a meeting by teleconference shall count towards establishing a quorum, and shall be deemed to be present at the meeting, with full rights and duties of a voting TAG member, as if physically present at the meeting venue.

ARTICLE 5 - OFFICERS

Section 1— Officers

The Officers of the Board shall be a Chairperson, Vice-Chairperson, and such other officers as may from time to time be deemed advisable by the Board. Officers, with the exception of the Chairperson, shall be chosen by the Board from among the Board members. All officers shall be elected by the Board to serve for a term of one year or until their successors are elected. The Chairperson shall be appointed by and shall serve at the pleasure of the Mayor.

Section 2 — Nominations

Each candidate shall be nominated by a Board member and must be seconded by another Board member. A Board member may nominate himself or herself but may not second the nomination.

Section 3 — Duties of Chairperson

The Chairperson shall serve as an *ex officio* member of the Board and of each standing TAG, but shall not have voting rights on the Board or any TAG.

The Chairperson shall coordinate and manage the operations of the Board, and have such other powers and duties as are prescribed in the Bylaws or designated from time to time by the Board. The Chairperson may develop and use effective staff support as necessary to carry out the duties and functions of the Board. The Chairperson shall preside at all meetings of the Board, take attendance and record the minutes. The Chairperson may rule on motions and procedural questions. Such rulings may be overturned by a majority vote of the Board. The Chairperson may make and second motions;; present proposed policies of the Board for consideration; and represent the Board before other appropriate groups, at public meetings and conferences, or designate an alternate.

Section 4 — Duties of Vice Chairperson

The Vice Chairperson shall be a member of the Board and shall perform the duties of the Chairperson in all cases in which the Chairperson is unable to serve. The Vice Chairperson shall serve as alternate to the Chairperson and assist in such matters as may be delegated to him/her by the Chairperson. If the Vice Chairperson cannot continue to serve or resigns from his or her position as an Officer, the Board shall appoint an acting Vice Chairperson to hold office until the next election of officers.

Section 5 — Election of Officers

Election of Officers, with the exception of the Chairperson, shall take place each year at the September meeting. Nominations from the floor, if any, shall also be made at this time. The Board shall vote for Officers by open ballot. In the event of a vacancy among the Officers of the Board, an election shall be held at the next regularly scheduled meeting of the Board to fill that vacancy.

Section 6 — Removal

Removal of any Officer shall be undertaken at a special Board meeting, which shall be called if at least one-half of the Board members request in writing that the Chairperson take such action. Provided a quorum is present at the special Board meeting, the vote of a majority of the Board members present shall remove the Officer from his or her office. Upon removal, the vacancy shall be filled in accordance with the election procedures set forth in these Bylaws.

ARTICLE 6 - AMENDMENTS

Section 1 — Revision of Bylaws

Proposed amendments to the Bylaws shall be sent to all members at least 20 days before the meeting at which the amendments will be voted on. Changes to the Bylaws require a favorable two-thirds vote of the Board members present and voting.

Section 2 — Bylaws Consistent with Laws and Regulations

These Bylaws shall be consistent with any and all applicable federal and District laws and regulations, including Mayor's Order 2009-22 and subsequent amendments thereto, and any inconsistencies are to be held null and void, and shall not invalidate any of the remaining provisions of these bylaws.