

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
REGIONAL CODES COORDINATING COMMITTEE AND ADVISORY BOARDS

COMMITTEE BYLAWS

SECTION 1: PURPOSE

The primary purpose of the Regional Codes Coordinating Committee (RCCC) is to enhance public safety and community resilience by encouraging the adoption and enforcement of current construction codes through fostering municipal and county government and private industry cooperation in promoting the standardization of construction codes used within the North Central Texas Council of Governments (NCTCOG) region. Standardization is defined as the adoption of the NCTCOG Recommended Codes and Regional Amendments, the reduction of variation of local amendments by all jurisdictions in the region and the consistent interpretation of these codes by public and private construction personnel. The work of the RCCC is an extension of the work initiated in 1967 by the Regional Codes Strategy Committee of NCTCOG which: documented the wide disparity of codes in use by the region's local governments at that time; cited the advantages of code standardization; and outlined steps to be taken to correct the situation.

NCTCOG provides administrative support to the RCCC at the discretion of the RCCC.

SECTION 2: MEMBERSHIP

Membership on the RCCC shall consist of twenty-eight members appointed by the Executive Board. Members are appointed for their technical expertise and should place regional interests above those of their individual jurisdiction for the purposes of this committee. Potential members nominated for appointment to the RCCC will ideally have prior experience serving on one of the RCCC's Advisory Boards to ensure understanding of the procedures and processes undertaken by the committee. The composition of the committee shall include representation from the various technical code disciplines and be representative of the region geographically. Specifically, membership representation shall be as follows:

- Thirteen professionals involved in municipal inspections with a city or county in North Central Texas who possess technical expertise in construction codes (building, plumbing, electrical, mechanical, or residential).
- Three professionals involved in municipal inspections with a city or county in North Central Texas who possess technical expertise in fire codes.
- Two professionals involved in either city or county management, city or county planning or community development.
- Nine professionals from the private sector - such as architects, engineers, builders, or contractors - who are involved with municipal building and construction codes and are interested in the regional standardization of codes.
- One energy professional from the Texas A&M University Energy Systems Laboratory.

Advisory Board Membership: Every municipality and county in the North Central Texas region and any interested industry associations (trade/professional) shall have the opportunity to seek membership on each Advisory Board. On an as-needed basis, NCTCOG will solicit member interest to fill needed Advisory Board vacancies. It will be the responsibility of municipalities, counties, and associations to nominate members to NCTCOG for potential appointment to the Advisory Boards. Members of these Advisory Boards shall be appointed by the RCCC by a majority vote of those present and shall:

- 1) be a representative of a public jurisdiction or a professional association; and,
- 2) have technical expertise in that board's area of interest; and,
- 3) be inclined to act in the interest of the region.

The overall number of Advisory Board members may change from time to time as approved by the RCCC, as long as at least two-thirds of advisory board members are from the public sector. Members shall be appointed in an effort to satisfy representation from municipalities of varying size and geographic location across the region.

The RCCC shall appoint the chairperson and vice chairperson of each Advisory Board. These persons must be active public or private sector members of the representative Advisory Board and may or may not be members of the RCCC. Priority shall be given to active public sector members over private sector members. The RCCC may remove the chairperson or vice chairperson at any time by vote as per Section 6 below.

SECTION 3: TERMS OF OFFICE

Each October, members of the RCCC shall be appointed by the Executive Board to two year staggered terms with one-half of the members of the RCCC appointed each year. In order to be nominated for appointment to the RCCC, a nomination form must be submitted by potential new members. NCTCOG will notify current members of the RCCC whose terms are expiring and current advisory board members that the opportunity to serve on the RCCC is available. NCTCOG will collect the nomination forms and the RCCC will review and vote on which prospective members will be appointed or reappointed to the RCCC.

The RCCC shall vote to appoint one member as chairperson and another as vice-chairperson. There is no limit to the number of terms a member may serve.

SECTION 4: ATTENDANCE

After missing either three consecutive meetings or four meetings in the previous twelve months, the RCCC will vote on the removal of the member. Removal may be appealed to the RCCC for reason of extenuating circumstances. If the appeal process is not successful and a vacancy is declared, the vacancy will be filled in accordance with the procedures outlined in SECTION 2: MEMBERSHIP of this document.

Members may send alternates when necessary to avoid an absence being counted. The alternate will have the same voting rights as the member. It is the member's responsibility to sufficiently brief the alternate on the RCCC meeting agenda items.

Records of attendance will be maintained by NCTCOG and presented at each meeting as part of the RCCC summary notes.

SECTION 5: MEETINGS

The RCCC shall meet approximately once every quarter for the purpose of transacting business.

The first meeting of every NCTCOG fiscal year (from October 1 – September 30) will be to recognize new and retiring members, examine progress, and set future goals.

Meetings are open, but because their primary purpose is the exchange of ideas between RCCC members, non-members who wish to speak at a meeting must notify NCTCOG or the chairperson prior to the meeting and submit to the chairperson's wishes regarding the length of time they will be allowed to speak. Members are encouraged to seek a variety of opinions and evidence on matters of substantial controversy. Information should be presented in a concise methodical fashion (see Section 9: Policy for RCCC and

Advisory Board Activities). Roberts Rules of Order shall be followed in making motions and conducting meetings.

ADVISORY BOARD MEETING POLICY

Based upon current fiscal considerations, this section outlines the meeting policy for the Advisory Boards of the RCCC. This meeting policy is not intended to limit the work of the Advisory Boards. The goal is to encourage thorough code review and the preparation of recommendations prior to Advisory Board meetings. The additional preparation should allow for more productive and efficient Advisory Board meetings.

1) Number of Meetings

During NCTCOG's fiscal year (which runs from October through September), the Advisory Boards will have no more than twenty-five full-day NCTCOG-hosted meetings. This allows five meetings per Advisory Board. Since a code review cycle spans two fiscal years, each Advisory Board may have ten full-day meetings for the purpose of code review during a code review cycle. If additional meetings are necessary, Advisory Boards may hold off-site meetings. However, NCTCOG will not be responsible for preparing handouts or meeting summaries for off-site meetings.

Advisory Boards may share meeting days. For example, if the Fire Advisory Board meets in the morning and the Electrical Advisory Board meets in the afternoon, only one full-day meeting will be counted. Further, if the Fire Advisory Board only needs four meetings for the year, another Board may use the extra meeting. Task Force meetings do not count toward the twenty-five meeting limitation if they do not require NCTCOG attendance.

2) Meeting Attendance

Attendance at NCTCOG-hosted Advisory Board meetings will be recorded. After missing three consecutive meetings or four meetings in the previous twelve months, the advisory board will vote to determine whether or not the member shall be removed from the board. Removal may be appealed to the RCCC for reason of extenuating circumstances. If the appeal process is not successful and a vacancy is declared, the Advisory Board Chair, Advisory Board, or NCTCOG shall be asked to recommend a new representative for approval by the RCCC. Members may send alternates when necessary to avoid an absence being counted. The alternate will have the same voting rights as the member. It is the member's responsibility to sufficiently brief the alternate on the Advisory Board meeting agenda items. Records of attendance will be maintained by NCTCOG and provided at each meeting as part of the meeting summary notes.

3) Recommendations to the RCCC

In order to forward recommendations to the RCCC, a quorum must be present. A quorum consists of a simple majority of the current roster membership of Advisory Board members.

Recommendations to the RCCC require a two-thirds vote of those members present. The Advisory Boards are primarily working subcommittees where full and frank discussions may occur; therefore, each member of the Advisory Board shall be given the opportunity to speak at length to the issues at hand. Meetings are open, but because their primary purpose is the exchange of ideas between Board members, non-members who wish to speak at them must notify the chairperson prior to the meeting and submit to the chairperson's wishes regarding the length of time they will be allowed to speak. Members are encouraged to seek a variety of opinions and evidence on matters of substantial controversy. Information should be presented in a concise methodical fashion.

Roberts Rules of Order shall be followed in making motions and conducting meetings.

SECTION 6: VOTING

A quorum and a positive vote of two-thirds of those members of the RCCC present is required to send a recommendation to the Executive Board and establish or abolish subcommittees or other special groups. This ensures the RCCC advice to the Executive Board represents a consensus of the RCCC and recognizes the stature of RCCC Advisory Boards or other subcommittees. All other actions require a quorum and only a majority vote of those members of the RCCC present.

A quorum consists of a simple majority of the current roster membership of RCCC.

SECTION 7: ADVISORY BOARDS ESTABLISHED BY THE RCCC

The following Advisory Boards are hereby created:

- Building and Residential Advisory Board - Provides support and technical advice to the RCCC on a wide range of building issues.
- Fire Advisory Board - Provides support and technical advice to the RCCC on a wide range of fire issues.
- Plumbing and Mechanical Advisory Board - Provides support and technical advice to the RCCC on a wide range of plumbing and mechanical issues.
- Electrical Advisory Board - Provides support and technical advice to the RCCC on a wide range of electrical issues.
- Energy and Green Advisory Board - Provides support and technical advice to the RCCC on a wide range of energy and green building issues.

Additional Advisory Boards/subcommittees may be created or any of the Advisory Boards/subcommittees may be abolished by the RCCC following the voting procedures in SECTION 6: VOTING.

SECTION 8: COMMITTEE BYLAWS

Changes to these bylaws can only be made by a positive vote of two-thirds of the RCCC's membership or by the NCTCOG Executive Board.

SECTION 9: POLICY FOR RCCC AND ADVISORY BOARD CODE ACTIVITIES

This policy is established to define appropriate avenues for RCCC and Advisory Board code activities and to ensure that recommendations to the Executive Board represent a consensus of opinion among the region's public and private construction professionals.

The four sets of code activities in which the RCCC and Advisory Boards are involved include:

1) Model Codes Standardization

Code standardization will occur when all localities in the region adopt the NCTCOG recommended construction codes, local amendments are eliminated or replaced by NCTCOG Regional Amendments, and there is consistent interpretation of these codes by public and private construction personnel.

Toward this end, the RCCC and NCTCOG: 1) recommend construction codes from those developed by various national codes organizations for adoption by the region's local governments 2) provide periodic documentation of codes disparity between the region's cities 3) provide code classes and informational seminars for public and private construction personnel and 4) provide information and technical assistance to localities which have expressed an interest in adopting the recommended codes and/or amendments.

2) Recommending Regional Amendments to the NCTCOG Executive Board and submitting Code Change Proposals to the code publisher

a. Regional Amendment Development and Code Change Process

A "Regional Amendment" is defined as a proposed regional change to a model code that is needed because of conditions unique to this region or because of deficiencies or errors in the code. Regional amendments recommended because of deficiencies or errors in the code should be submitted as code change proposals to the code publisher.

Each Advisory Board will have the option to carry out their activities utilizing the process outlined below:

- i. The process of developing amendments will be open and the public will be invited to submit proposals. The RCCC will forward proposals to the appropriate Advisory Board or Task Force(s).
- ii. Each Advisory Board will conduct up to approximately five day-long meetings at NCTCOG during NCTCOG's fiscal year to review all proposals and comments submitted by the Task Forces and the general public. To facilitate discussion and instant editing, NCTCOG staff will provide a laptop, projector, and screen. Attendees will be encouraged to bring their own hard copies of the applicable code books, recommendations, and comments. During these meetings, all amendments will be finalized.
- iii. If necessary, Advisory Boards may split into Task Forces to review specific sections of the applicable codes and to recommend amendments. Each Task Force will select one member to be responsible for setting the date, time, and location for the Task Force's meetings and for compiling recommendations, interpretations, and/or comments into one document.
- iv. Each Advisory Board will decide if its Task Forces should prepare meeting summaries. Task Force members will be responsible for meeting summaries, not NCTCOG. NCTCOG will take meeting notes and prepare meeting summaries for the Advisory Board meetings.
- v. Advisory Boards will submit recommendations to NCTCOG for publication on the codes web page. Advisory Board members and the general public will be encouraged to review the recommendations and submit comments to NCTCOG staff, by email or on electronic media.
- vi. Amendments will be forwarded to the RCCC, and upon an approval vote as per Section 6 above, then forwarded to the Executive Board. After Executive Board approval, the finalized amendments will be advertised and posted on the codes website.

- vii. Each Advisory Board will review their recommended regional amendments for amendments that should be submitted as code change proposals to the code publisher. Code change proposals should consist of amendments that are not based on regional conditions or that have not already been submitted to the code publisher. Advisory Board members will be responsible for formatting code change proposals in the format required by the code publisher and for submitting the proposals to the publisher by the publisher's deadline.

3) Marketing Regional Amendments

After the Executive Board approves an Advisory Board's regional amendments, NCTCOG will post the amendments online and advertise their availability to NCTCOG local government members, applicable professional and industry associations and other federal, state, non-profit and private-sector partners. The RCCC and Advisory Boards may also assist in marketing the amendments.

4) Development of Position Papers and Opinion Statements on matters involving the codes

A Position Paper is a collection of opinions representing different perspectives on a codes issue. An Opinion Statement is a written RCCC or Advisory Board opinion to an individual, organization, or locality, which at staff's discretion might be submitted to the Executive Board for approval. Position Papers and Opinion Statements may consist of:

1. An Advisory Board's interpretation of an unclear section of a code.
2. An Advisory Board's opinion of a local amendment that was sent to the Advisory Board by a locality for review and comment. This would include the reasons for the opinion and possible alternative wordings.
3. An Advisory Board's opinion of a proposed code change for a code publisher's subcommittee or private organization. This opinion is to be construed only as advice and not as the official position of the Advisory Board, RCCC, or Executive Board.

SECTION 10: ROLE OF NCTCOG STAFF

NCTCOG will serve in an advisory and administrative support capacity to the RCCC and Advisory Boards. NCTCOG will prepare all meeting notices, agendas and support materials, keep attendance records, record the proceedings of each NCTCOG-hosted meeting, and otherwise provide support functions (such as facilitate technical assistance requests, maintain websites and rosters, and compile resources) within the limits of fiscal resources.

Advisory Board members will develop and write any proposals they wish to submit to the RCCC in the format necessary for action to be taken on them.

Adopted October 15, 2019 by the Regional Codes Coordinating Committee.