NEW BRUNSWICK BUILDING OFFICIALS ASSOCIATION

Association des Officiels de la Construction du Nouveau-Brunswick

NEW BRUNSWICK BUILDING OFFICIALS ASSOCIATION | ASSOCIATION DES OFFICIELS DE LA CONSTRUCTION DU NOUVEAU-BRUNSWICK

CONSTITUTION / BY-LAWS

2026

NEW BRUNSWICK BUILDING OFFICIALS ASSOCIATION

Association des Officiels de la Construction du Nouveau-Brunswick

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Consolidated April 9th, 2026

NEW BRUNSWICK BUILDING OFFICIALS ASSOCIATION CONSTITUTION

OBJECTIVES:

1. The name of the association is: THE NEW BRUNSWICK BUILDING OFFICIALS ASSOCIATION.

2. The objectives of the association are:

- Maintain and improve the standards of practice for building inspection.
- Increase the knowledge, ability and competence of our members.
- Influence authorities in the development and revision of applicable legislation.
- Create an environment that enables members to meet, exchange thoughts, ideas and to learn from each other.
- Promote and support a high standard of inspection services in the profession ensuring that the essential elements of public health, life and fire safety, structural sufficiency and accessibility are in keeping with the requirements of the National Building Code of Canada.
- Promote and encourage the uniform application of the National Building Code of Canada.
- Continue to build a viable and visible organization.

SCOPE

3. The operations and activities of the Association are to be carried out within the province of New Brunswick. The head office of the association shall be in the City of Fredericton, New Brunswick.

NEW BRUNSWICK BUILDING OFFICIALS ASSOCIATION BY-LAWS

1. DEFINITIONS

In these By-Laws:

(a) "Association" means The New Brunswick Building Officials Association.

(b) "Building Official" means a person whose name is entered in the register established and maintained under these by-laws.

(c) "Certification" means the process by which members of the association become certified in the approved designation established by the Education Committee.

(d) "Code of Ethics" means the standards set out and approved by the association.

(e) "Executive" means the officers of the association elected at the annual general meeting.

(f) "Registrar" means the Registrar of the New Brunswick Building Officials Association

(g) "*Building Code Qualified Official"* or "*Officiel Qualifié relativement au code du bâtiment"* are designations issued by the association to members who are certified by the association to have achieved a specific level of proficiency and competence in the use and application of the National Building Code of Canada, as adopted by the province of New Brunswick, and related policies and standards as set forth in the Association By-laws. The designations *"BCQO"* and *"OQCB"* shall have the same meaning.

(h) "New Brunswick Certified Building Official" or "Officiel certifié relativement au code du bâtiment du Nouveau Brunswick", are designations issued by the association to members who are certified by the association to have achieved a specific level of proficiency, competence and experience in the application and enforcement the National Building Code of Canada, as adopted by the province of New Brunswick, and related policies and

standards as set forth in the association's By-laws. The designations "NBCBO" and "OCCBNB" shall have the same meaning.

2. MEMBERSHIP

Persons wishing to become a member shall submit a completed membership application form and pay the requisite membership fee. The membership of the association shall consist of the following:

(a) REGULAR MEMBER: Person who is engaged and/or affiliated with the inspection field administering the National Building Code, the National Fire Code or other related legislated standards.

(b) CORPORATE MEMBER: Corporate Members shall be any firm, business or company allied to, or associated with, the building industry and dedicated to the protection and enhancement of public safety excluding municipal, federal, provincial governments and their departments, agencies, commissions etc. Corporate members shall enjoy all the rights and privileges of Regular Members but shall not have the right to vote, to hold Executive office, or to hold a certification. Corporate Members may sit on subcommittees but may not be taken into account for quorum or a vote. Employees of Corporate Members shall not hold a qualification or certification.

(c) HONOURARY MEMBER: Honourary memberships shall be restricted to individuals who have rendered outstanding service to the furtherance of the purposes and objectives of the Association. Honourary membership shall be conferred upon the recommendation of the Executive and approved by majority vote of the members present at the annual general meeting. Any member may nominate an individual for this honour to the Executive. Honourary members shall enjoy all the rights and privileges of Regular Members but shall not have the right to vote, to hold Executive office, or to hold a certification.

(d) RETIRED MEMBER: A person who has retired and has been a Regular Member of the association and is not actively practicing in the field of

building inspection. Retired members shall enjoy all the rights and privileges of Regular Members but shall not have the right to vote or to hold Executive office.

(e) STUDENT MEMBER: Student membership is granted to an individual who is enrolled full-time in a program in New Brunswick relating to the design and construction of buildings at a recognized post-secondary institution. Student Members shall enjoy all rights and privileges of Regular Members but shall not have the right to vote, to hold office or certification. Proper student I.D is required.

(f) ASSOCIATE MEMBER: Associate Membership is granted to person(s) working or engaged in the design, construction, or building safety enforcement sectors. Associate Members shall enjoy all rights and privileges of regular members but shall not have the right to vote, to hold office or to hold certification. Associate Members may sit on subcommittees but shall not be taken into account for quorum or a vote.

(g) BENEFITS OF MEMBERSHIP:

(i) Reduced rates for professional development courses offered by the NBBOA;

(ii) Reduced rates for the annual conference and training sessions.

(iii) Opportunities to interact with the building industry professionals through NBBOA events;

(iv) Opportunities to develop invaluable professional contacts though the national and provincial partnerships maintained through ACBOA;

(v) Receive the NBBOA Newsletter which focuses on fundamental interests, current and upcoming legislation that is of concern to individuals in the building industry;

(h) Where a member of this association changes either employer or their role with their current employer, they shall notify the association in the prescribed form.

(I) Where a change of employer or duty form has been received by the association, the membership committee shall review the current membership category of the member and determine if a change in

membership category is necessary due to the change in duties declared by the member.

3. CERTIFICATION OF MEMBERS

(a) The following classes of certification have been established by the association:

(i) New Brunswick Certified Building Official (NBCBO)

(ii) Building Code Qualified Official (BCQO)

(b) To be eligible for certification, a member must apply to the Certification Committee of the NBBOA in the required form, remit the requisite fees as established by the association, and have completed the applicable certification requirements.

(c) When evaluating out of province certification for equivalency with the NBBOA scheme, the Certification Committee, subject to approval of the Executive Committee, may grant a provisional certificate with such conditions as they deem necessary.

(d) The administration of the association certification program is the responsibility of the Certification Committee. The requirements for this program- are outlined in the association's Policy Manual which may be amended from time to time.

(e) All members of the association who have attained a certification designation are required to maintain their certification by continuing their professional development throughout their career. All certified members are required to maintain certification effective January 1, 2019 or from their most recent date of certification and shall:

(i) complete a building code change course every building code cycle;

(ii) complete 18 learning credits of continuing education and/or professional development credits approved by the association's

Certification Committee within a Three (3) year period; 3 credits of which must be formal building code training;

(iii) complete and submit the Annual Record Form as prescribed by the Certification Committee.

(iv) Where a certified member will not be completing building inspection, review, or enforcement duties for an extended period of time, the timeframe referred to in clause 3. (d)(ii), may be increased at the discretion of the Executive Committee upon receipt of written request.

(f) When the membership for a certified member lapses, their certification shall be suspended or revoked in accordance with the policy adopted by the Executive Committee.

(g) Any previously certified member wishing to be reinstated as a building official is required to reapply for certification. The application will be reviewed by the Certification Committee. The Certification Committee will then forward their recommendations to the Executive Committee for final determination.

4. ANNUAL DUES

The annual dues shall be as follows:

(a) Regular Member - As set by the Executive and voted on at the annual general meeting;

(b) Corporate Member - As set by the Executive and voted on at the annual general meeting;

(c) Honourary Member - Pay no dues;

(d) Retired Member - Pay no dues;

(e) Student Member-pay no dues:

(f) Associate Member-as set by the Executive Committee and voted on at the

AGM.

(g) Members undertaking a leave of absence from the profession of building inspection may request a reduction in dues. Such a request shall be made in the prescribed form to the Executive Committee. A reduction in dues received in this manner shall not affect a member's membership level or their standing.

(h) The Executive Committee shall review any request for a reduction of dues and render a decision to the member requesting the reduction within 31 days of receipt. The Executive Committee may request additional information in relation to a requested reduction. Such a request shall increase the response time to 31 days from the date the response to the request is received from the member.

(i) The Executive Committee may provide a reduction in dues of up to and including the entirety of the dues for a given year.

(j) The Executive Committee may delegate the approval of any reductions in dues to a member of the association or staff member where there exists an administrative procedure approved by the Executive Committee clearly dictating acceptable reductions in dues.

(k) Any request falling outside of this policy must be reviewed by the Executive Committee.

(l) The annual dues are payable on the first day of January for the ensuing fiscal year.

(m) The fiscal year of the association shall commence on the first day of January and end on the 31st day of December of the same year;

(n) Membership in the association shall lapse when dues are six months in arrears. A member shall be automatically suspended and no longer in good standing or entitled to any privilege of membership upon failure to pay annual membership dues and fees by July. The registrar shall give notice to a suspended member that he/she is suspended and the terms upon which such suspension may be lifted.

(o) An application for reinstatement of a regular membership that has lapsed for non-payment of dues may be considered by the Executive Committee,

provided all arrears have first been paid to the Association;

(p) Any member guilty of unethical practices may be expelled from the association by a two-thirds vote of the officers of the association;

(q) An application for reinstatement by a person expelled from the association shall be considered by the Executive Committee and such person may be reinstated by a two-thirds vote of the officers of the association.

5. MEETINGS

(a) Regular meetings of the Executive shall be held as the Executive may determine, or at the call of the President. Six (6) members shall constitute a quorum at such meetings. For time sensitive decisions and when a quorum is not met for a regular meeting, voting may be conducted amongst a quorum of the executive by email or other electronic means.

(b) Special meetings of the association may be called by the President, by decision of the Executive, or where a petition bearing the signatures of a simple majority of the Regular Members of the association is delivered to the Secretary. Ten (10) regular members of the association shall constitute a quorum at such meetings. Where a meeting is triggered by a petition, the meeting must be held within 60 calendar days from the date that the petition is received.

(c) A special meeting of the association called in accordance with 5.(b) may only be used for the removal of officers in accordance with 7.(j) and an election to replace those officers removed.

(d) The annual general meeting shall be held within one-hundred and twenty (120) days after the end of the association's fiscal year. Ten (10) regular members of the association shall constitute a quorum of this meeting. The annual general meeting of the association shall be called and notices thereof mailed to each member not less than thirty (30) days prior to such meeting;

i. The Order of Business at meetings shall be as follows:

Call of Meeting to Order
Roll Call of Officers;
Approval of the Agenda
Approval of Minutes of Previous Meeting;
Business Arising from the Minutes;
Communications;
Reports;
Unfinished Business;
New Business;
Election of Officers;
Installation;
Adjournment;

(e) Robert's Rules of Order shall govern all matters not covered in this Constitution

Voting: All questions before a meeting shall be decided by simple majority unless otherwise provided for in these by-laws. All regular members present shall be entitled to vote. The President shall abstain from voting, except in the case of a tie.

6. EXECUTIVE

(a) The Executive shall consist of:

(i) President
(ii) 1st Vice President
(iii) 2nd Vice President
(iv) Secretary
(v) Treasurer
(vi) Five (5) Zone Representatives & one Representative at Large. An unfilled zone will be opened as a Representative at Large position for the designated term.
(vii) Immediate Past President

(b) The Executive, except the immediate Past President, shall be elected at the annual general meeting. The term of office shall be for 3 (three) years and any member in good standing is eligible to hold office.

(c) The President or the Executive may allow other groups or individuals to participate at Executive meetings. These groups or individuals do not have the right to vote at Executive meetings.

(d) Remuneration, at rates set by the Executive, may be paid to the Executive and/or other members of the association for special or unusual circumstances.

(e) Expenses authorized by the Executive shall be paid for by the association to both the Executive and/or other members of the association.

7. OFFICERS

The Roles and Responsibilities of the Elected Officers of the NBBOA are:

(a) The President:

(i) The President shall preside at meetings of the association and at meetings of the Executive.

(ii) The President shall have general supervision of the affairs of the association. He or she shall be an ex-officio member of all Committees.

(iii) The President shall further the aims and objectives of the association by initiating and acting on matters within these areas of responsibility.

(iv) The President shall attend to all human resource matters relating to the Executive Assistant, including monitoring performance, providing regular direction and guidance, conducting an annual performance review including recommending any adjustments in salary to the Executive, and addressing any disciplinary matters.

(v) Works with the executive and Executive Assistant to set annual workplan for the Executive Assistant.

(vi) Sets the agenda for executive meetings.

(b) The 1st Vice-President:

(i) Should the President be unable or unwilling to fulfill the duties for any reason, the 1st Vice-President shall assume all such Presidential duties.

(ii) The 1st Vice President or designate shall assume an intergovernmental

liaison role.

(c) The 2nd Vice-President:

(i) Shall be responsible for all zone activities and by-law resolutions. Shall assume the position of 1st Vice President if that position becomes vacant.

(d) The Treasurer:

(i) The Treasurer shall oversee and review of all contracts, securities and finances belonging to the association.

(ii) The Treasurer, or designate, shall receive all fees or dues payable to the association and keep the funds of the association deposited in a bank.

(iii) The Treasurer and it's designates shall pay all accounts owing by the association. All cheques issued by the association shall be signed by a minimum of 2 designates with signing authority that have been delegated by the resolution of the Executive Committee.

(iv) The Treasurer, or designate, shall report periodically to the Executive, or upon the Executive's request. The Treasurer, or the designate, shall report on the receipt and disbursement of the association funds and shall prepare an Annual Report for the annual general meeting.

(v) The Treasurer shall be responsible in preparing the annual budget with assistance from the Executive Assistant.

(vi) The Treasurer's Annual Report shall be distributed to all members of the association not less than fifteen (15) days prior to the annual general meeting.

(vii) Some of the above duties may be assumed by the Executive Assistant

(e) The Secretary:

(i) The Secretary shall be responsible for association's correspondence and shall report thereon to the Executive.

(ii) The Secretary shall give due notice of all meetings of the Executive

and of the association.

(iii) The Secretary shall keep the minutes of all Executive, annual general and special meetings of the association.

(iv) The Secretary shall assume such other duties as required by the Executive.

(v) Some of the above duties may be assumed by the executive assistant

(f) Past President:

(i) The role of the Past President is to ensure continuity during governance transitions and organizational change, to help ensure the appropriate succession of Board Members, to support the President in his/her role, and to provide continuity to the association by providing historical context for issues.

(ii) The Past President will chair the Nomination Committee for the election of a new Executive at the annual general meeting.

(iii) At the request of the President, or where the president position is vacant, the past president may assume any and all duties contained under Section 2 (a)(iv).

(iv) The Past President or designate shall assume the role of ACBOA representative.

(g) Zone Representatives:

(i) The five (5) Zone Representatives shall be elected to represent the following regional areas of the province:

(a) Zone 1: Westmorland, Albert and part of King's Counties (Moncton, Sackville, Shediac, Dieppe)
(b) Zone 2: Charlotte, Saint John, Queens and part of Kings Counties (Saint John, Hampton, St. Stephen, St. Andrews, Chipman)
(c) Zone 3: York, Sudbury, Carleton, and part of Victoria Counties (Fredericton, Oromocto, Woodstock, Plaster Rock)
(d) Zone 4: Madawaska and Restigouche and part of Victoria

Counties (Edmundston, Grand Falls, Dalhousie, Campbellton)

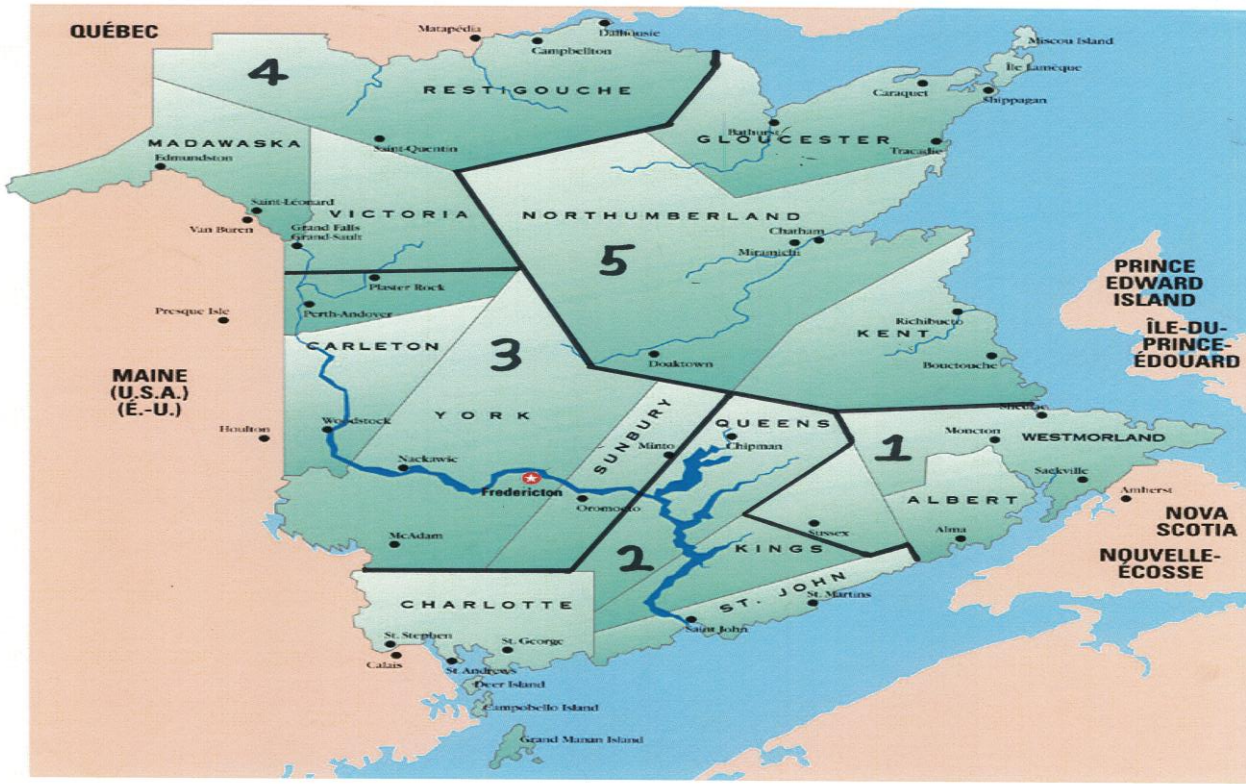
(e) Zone 5: Kent, Northumberland and Gloucester Counties (Bouctouche, Miramichi, Bathurst)

(ii) The Zone Representatives shall be responsible for bringing any questions, comments, or concerns from the members of the zone to the Executive Committee or any other Committee as needed. The Zone Representatives shall contact their zone members quarterly (by email, meeting, call, etc.) to keep a constant line of communication.

(iii) Zone meetings shall have no authority to commit the association at large.

(iv) The Representative(s) at Large shall be elected to represent the membership in all regional areas of the province and can reside in any zone. They will be available for contact by any member from any zone.

The Representative(s) at Large will also assist the Zone Representatives should any of them need help or is unable to fulfill his/her roles and responsibilities *(See map below)*



Vacancies

Should a vacancy occur through resignation or removal from the Executive, the remaining Executive members will solicit nominations from the membership and then appoint a replacement to serve the remainder of the term left by the departing Executive member.

(h) Execution of Instruments

Except as otherwise provided in this section, contract documents, or any instruments in writing requiring the signature of the association may be signed by one of the President or a Vice President together with one of the Secretary, the Treasurer, the Registrar or the Executive Assistant Director. All contracts, documents and instruments in writing so signed shall be binding upon the association.

(i) Alternate Signing Authorities

The Executive shall have power from time to time by resolution, to appoint any officer or officers or any person or person, on behalf of the association either to sign contract documents and instruments in writing generally, or to sign specific contracts, documents, or instruments in writing. Specifically, the Treasurer shall be authorized to make payment of accounts and expenses incurred in the routine operation of the association's business, and for the payment of accounts incurred through direct instruction of the Executive.

(j) Removal

Officers of the association may be removed by a simple majority of the membership at a meeting held in accordance to 5.(b), or by a two-thirds (2/3) vote of the Executive at a meeting held in accordance with 5.(b)

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8. COMMITTEES

(a) The Executive shall be the governing body of the association. In general, the Executive shall enforce the Constitution and the By-Laws of the Association, the Policy Manual as adopted by the Executive and Bill 27 "An Act Respecting Building Officials and the New Brunswick Building Officials Association" and amendments thereto.

(b) The Executive shall appoint:

(i) an Education Committee;
(ii) a Complaints/Discipline Committee; and

(iii) a Membership Committee
(iv) a Certification Committee
(v) an Audit Committee
(vi) any such other Committees as may be necessary

The Executive, in accordance with the by-laws, and after consultation with the committees shall appoint a chairperson for each of the committees. Committee chairs shall manage the membership of their committees.

(c) The Education Committee shall develop and maintain a professional studies program as per the by-laws of the NBBOA. The Education Committee shall set guidelines and develop policies for training and development programs leading to certification.

(d) The Complaints/Discipline Committee shall be responsible for administering and upholding the association's Code of Ethics.

(e) The Membership Committee shall admit members based on the criteria set out in Section 2 - Membership of this Constitution and By-Law. The Membership Committee may make recommendations prescribing the qualifications of all membership categories and to promote and encourage membership in the association.

(f) The Certification Committee shall make recommendations to the Executive on who should be within the provincial certification program and at what stage.

(g) Each Committee shall file and present a written report on its activities at each annual general meeting.

9. APPEAL

Any applicant who is denied membership by the Membership Committee may appeal to the Executive within thirty (30) days of the denial.

10. AUDIT

Before the presentation of the Treasurer's Annual Report, the accounts of the association shall be reviewed by an Audit Committee of two (2) members, as appointed by the Executive.

It shall be the duty of the Audit Committee to examine the accounts of the association, the profit and loss statement, the balance sheet, and the accounts and vouchers relating thereto, and file a report to be affixed to the Treasurer's Annual Report. The report shall state whether, in its opinion, the financial statements present fairly the financial position of the Association

The Audit Committee and/or the Executive may also appoint a recognized accounting firm to audit the Association's books should the need arise.

11. SEAL and LOGO

The Seal and Logo of the association shall not be affixed to any instrument, except by authority of a resolution, whether previous notice thereto has been given or not, and in the presence of such officers of the association as may be prescribed for and by any such resolution. If the resolution is silent as to which officers may witness the affixing of the seal, then the seal may be affixed in the presence of:

(a) two members of the Executive and the Secretary, or
(b) the President of the Association and the Secretary, or
(c) the President of the Association and the Treasurer.

Such officers shall sign every instrument to which the seal of the association is so affixed in their presence.

Witnesses shall evidence their presence by subscribing their signature to the sealed instrument.

The logo of the association is as it appears on the cover of this document and can be reproduced in black and white or in full color. However, such reproduction may only be done by any regular member or zone representative with written consent of the Executive.

12. AMENDMENTS TO THE ASSOCIATION'S BY-LAWS

(a) The association may make additional by-laws and may repeal or amend any of its by-laws by a resolution passed in the manner prescribed within the by-laws.

(b) Notice of intention to make, repeal or amend any by-law shall be given to all members of the association. Proposed changes to the by-laws shall be provided in writing to the membership not less than thirty (30) days prior to the meeting at which the changes will be considered.

(c) Such additions to and changes in the by-laws shall be filed with the

Registrar.

13. INSPECTION

The Books and Accounts of the Association shall be kept by the Treasurer or executive assistant and will be produced upon an order of the Executive.

14. CODE OF ETHICS

(a) All members of the Association shall be subject to the Code of Ethics.

(b) All members, voting or otherwise, of the Association, agree to abide by the Association's Code of Ethics. The Code of Ethics contains the following parts:

PART A: STANDARDS
PART B: COMMITTEE
PART C: DISCIPLINE
PART D: APPEALS

PART A: STANDARDS OF ETHICS

I. STANDARDS

The standards for ethics, professional conduct, professional practice and professional advertising practice are embodied in the following Code of Ethics.

Fundamental Principles

1. The inspection of buildings is an important learned profession. The members of the profession recognize that their work has a direct and vital impact on the quality of life for all people. Accordingly, the services provided by the building official require honesty, impartiality, fairness and equity, and must be dedicated to the protection and enhancement of the public's safety, health and welfare.

2. A building official will recognize that the Code of Ethics of the association is founded upon integrity, ability and loyalty to service in the advancement of essential elements of public health, life and fire safety, structural sufficiency and accessibility in the examination of all buildings.

3. A building official shall only administer and enforce the provisions of the National Building Code of Canada within the scope for which they hold a valid qualification or certification from the association.

Relations with Public

All Members:

4. Will uphold his or her duty to the public as paramount;

5. Will endeavor to enhance the public's interest and appreciation in his/her profession;

6. Will undertake only such work and express such opinions or interpretations of the laws and standards affecting public health, life and fire safety, structural sufficiency and accessibility that he is competent to perform by virtue of his or her training and experience.

7. Will express interpretations and or opinions regarding public health, life and fire safety, and structural sufficiency and accessibility matters only on the basis of adequate knowledge and competence;

8. Will perform all assignments in accordance with all laws and regulations of the province of New Brunswick, including all applicable municipal by-laws;

9. Will prepare a report on all assignments, such report will include: the purpose of the assignment, a description of the property, the date and time of the assignment, any special considerations and any special documentation or information supplied by others involved in this assignment.

Relations with Employers and Clients

All Members:

10. Shall act for his or her employer or client as a faithful agent or trustee and shall act with fairness and justice between his or her employer or client.

11. Shall not accept compensation, financial or otherwise, from more than one interested party to the same service or for service pertaining to the same work without the consent of all interested parties;

12. Shall not disclose confidential information without the consent of his or her employer or client;

13. Shall not undertake any assignments which may create a conflict of interest with his or her employer or client without the full knowledge of his or her employer or client;

14. Shall present clearly to his/her employer or clients the consequences to be expected if his or her professional judgment regarding public health, life and fire safety and structural sufficiency matters is overruled by other authorities in matters pertaining to work for which he is responsible;

15. Shall refrain from unprofessional conduct or from actions which he considers to be contrary to the public good even if he is expected or directed by his or her employer or client to act in such a manner; and

16. Shall not expect or direct an employee or subordinate to act in a manner that his or her employee or subordinate considers to be unprofessional or contrary to the public good;

Relations with Profession

All Members:

1. Shall continue their professional development throughout their careers and shall provide opportunities for the professional development of others under their supervision.

2. Shall collaborate in increasing the effectiveness of his or her profession by commuting information and experience with other building officials and other professions involved with public health and safety;

3. Shall endeavor to improve the competence, status and dignity of his or her profession;

4. Shall not advertise in any brochure, business card, letterhead, yellow pages, radio and television ads or any print or electronic medium holding out that they are members of this association unless they are a member in good standing;

5. Shall not advertise his or her work or merit in a self-laudatory manner and he or she shall avoid all conduct or practice likely to discredit or do injury to the dignity and honour of his or her profession;

6. Shall not attempt to supplant another building official in an engagement after definite commitment has been made toward the others employment;

7. Shall not exert undue influence or offer, solicit or accept compensation for the purposes of affecting negotiations for an agreement;

8. Shall not compete with another member of the association for work by under

bidding, through reducing his/her normal fees after having been informed of the fees named by the other;

9. Shall not use the advantage of a salaried position to compete unfairly with another member of the association; and

10. Shall advise the discipline committee of any practice by another member of his or her profession, which he believes to be contrary to the code of ethics;

Relations with Association

All Members:

1. Shall co-operate with the New Brunswick Building Officials Association and its officers in all matters, including, but not limited, to the investigation, censure, discipline, or dismissal of members, voting or otherwise, who, by their conduct, prejudice their professional status or the reputation of the New Brunswick Building Officials Association; and

2. Shall conduct his or her activities in a manner that will reflect credit upon himself, the profession and the New Brunswick Building Officials Association.

PART B: COMPLAINTS/DISCIPLINE COMMITTEE

I. STRUCTURE AND MANDATE

1. The Complaints/Discipline Committee shall consist of at least three (3) members of the Association, of whom one shall be a member of the Executive, and two other regular members.
2. The Complaints/Discipline Committee shall consider all matters relating to the conduct of, and inspection reports prepared by members of the association, except where the municipality or other governmental authority has jurisdiction.
3. The Complaints/Discipline Committee shall consider those matters brought before it, either through written applications by members, or from other sources, and shall recommend a suitable course of action, except where the municipality or other governmental authority has jurisdiction.
4. There shall be an actual signed complaint before the Complaints/Discipline Committee can take action respecting any ethics/inspection review matter.
5. The Executive Committee may establish a system of fees that must be paid prior to accepting and the review of a complaint.

…

II. RESPONSIBILITIES - COMPLAINTS/DISCIPLINE COMMITTEE

1. The responsibilities and procedures of the Complaints/Discipline Committee shall be any or all of the following, as applicable:

   (a) To receive and review signed complaints from any source and initiate action on any matter it deems necessary.

   (b) Where an investigation is deemed necessary, every reasonable attempt to notify the accused shall be made before the investigation is begun.

   (c) To request copies of inspection reports that are being questioned or complained against.

   (d) Where deemed necessary, to request copies of inspection reports which may have been done on the same property by other inspectors.

   (e) To request, if available and deemed necessary, written proceedings of any hearings, arbitrations or court reporting.

   (f) To study the material and decide if further investigation is warranted.

   (g) Where necessary, to appoint a local investigating sub-committee to consider the materials that has been submitted in connection with the complaint.

   (h) To receive the report from the investigating sub-committee.

   (i) To consider and study all reports and materials and take appropriate action.

   (j) To hold as confidential the contents of all-reports and documents received by the Complaints/Discipline Committee and the sub-committee.

2.

   (a) Where conflict exists, members of the Complaints/Discipline Committee and/or its sub-committee shall abstain from any direct or indirect involvement or interest in any case being dealt with by the Committee or its subcommittee.

   (b) If further investigation is warranted, the investigated member shall be contacted by the Complaints/Discipline Committee, in accordance with Part C: Discipline.

(c) The failure of any member to comply with the written request from the Complaints/Discipline Committee in connection with a complaint shall result in disciplinary action being taken by the Committee based on the information available to the Committee.

(d) Reports of appointed investigating sub-committees must be made only to the Complaints/Discipline Committee.

3. Where the association is named as a defendant in relation to the actions of a member of the association, all action hereunder in relation to the member on the outstanding litigation shall be postponed until such time as all litigation has been completed.

PART C: DISCIPLINE

If the determination of the Complaints/Discipline Committee is that the Code of Ethics has been contravened by a member of the Association, that member shall be subject to the following applicable disciplinary action(s):

1. **Admonishment** - This is written warning calling the attention of the member to the violation. Admonishment is not entered into the member's record. It is not published or made known to the membership or the general public. An admonishment is given by the Complaints/Discipline Committee if the nature of the infraction so warrants; however, a written report to the Executive is required.
   Additional disciplinary action of an educational nature may be required, where, in the opinion of the Complaints/Discipline Committee, the type of violation indicates this to be necessary or desirable.
2. **Reprimand** - This is a serious written warning calling the attention of the member to the violation. A reprimand is entered into the member's record for a period of two years after official notification of the reprimand has been given. It is not published or made known to the membership or the general public. A reprimand is given by the Complaints/Discipline Committee however; a written report to The Executive is required.
   Additional disciplinary action of an educational nature may be required, where in the opinion of the Complaints/Discipline Committee; the type of violation indicates this to be necessary or desirable.
3. **Censure** -This is a formal written expression of criticism and disapproval of the violation and is given by the Executive. A censure is entered into the member's permanent record.

   The censure shall be published and made known to the membership or the general public or both.
   Additional disciplinary action of an educational nature, recommended by the Complaints/Discipline Committee and approved by the Executive, may be required where the type of violation indicates this to be necessary or desirable.

4. **Suspension** - This is a temporary revocation of the rights and privileges of membership in the Association, and is given by the Executive. It commences three days following the dispatch by double registered mail of the order of suspension and ends upon expiry of the period of time stipulated therein. A suspension shall not exceed two years, and during the suspension period, the member may not hold out as an affiliate of the Association in any manner nor be permitted to write any examination conducted through the Association.

   Immediately upon receipt of notice of suspension, a suspended member shall transmit their membership certificate, Certification certificates, membership card and any other evidence of membership to the Association to be held for the period of such suspension.

   At expiration of the period of suspension, and subject to any additional education requirements having been fulfilled, the suspended member shall automatically be restored to previous membership status and the evidence of the membership shall be returned to him or her.

   Although a suspended member is not entitled to the rights and privileges of membership and may not refer to any other affiliation with the Association, the member remains a member for all other purposes, including payment of dues, and any failure to conform to the Association's Constitution and By-Laws or Code of Ethics shall be grounds for further disciplinary action.

   A suspension shall be published and made known to the membership and the general public.

5. **Expulsion** - This is a complete termination of membership or any affiliation with the Association, and is given by the Executive. It becomes effective 72 hours following dispatch of notice of the expulsion, by double registered mail, to the member.

   Immediately upon receipt of such notice, the member so expelled must return to the Association the membership card, Certification certificates and any other evidence of membership in the Association. All reference to membership in or affiliation with the Association must immediately cease.

   Expulsion shall be published and made known to the membership and the general public.

6. **Failure to Comply** - The failure of any member to comply with a written disciplinary order of the Executive, unless notice of appeal is given in accordance with the provisions made for same, may, in the discretion of the Executive, result in expulsion.

Admonishment and Reprimand are given by the Complaints/Discipline Committee. Censure, Suspension and Expulsion are given only by the Executive.

PART D: APPEALS

1. A person wishing to appeal the decision of the Complaints/Discipline Committee shall do so in writing within thirty (30) days of the date of the decision by registered mail to the New Brunswick Building Officials Association and must include the justification for appeal the decision.
2. All appeals of the decisions of the Complaints/Discipline Committee shall be referred to the Executive Committee who will review the appeal and render a decision in no less than 60 days.
3. Where a decision is appealed, the confidentiality of all parties shall be respected by the members of the Executive Committee during the appeal process.
4. The Executive Committee may involve any parties in the undertaking of the appeal, including, but not limited to, witnesses, subject matter experts, lawyers. Disclosing the facts surrounding the appeal to these parties is not considered a violation of confidentiality.
5. Unless deemed appropriate by a majority vote of the Executive Committee, there shall be no formal hearing for an appeal.
6. The decision of the Executive Committee is final, and no further appeals are permitted.

7. Application for Re-instatement

(a) Any member whose membership in the association is suspended by operation of Part C and against whom there is no charge outstanding under the By-laws, may apply in writing to the association (to the attention of the Registrar) to have their membership re-instated.

(c) Upon receipt of an application from a suspended member under paragraph Part C, the Registrar shall notify the Executive, which shall thereupon establish a sub-committee of three (3) officers to form a panel and shall nominate a chairperson for such panel. The Registrar shall forward the application, together with such other relevant material as shall be available to the Registrar, to the Chairperson of the panel for review by the panel. The panel shall thereupon prepare a confidential report and recommendation for action to be taken by the Executive.

(c) The panel shall not complete its review until the resolution of:
- i) any investigation by the Certification Committee into the qualification of the member; or
- ii) any complaint against the member of a breach of the By-laws.

(d) Where an allegation of a breach of the By-laws results in a charge being made against the suspended member, the disposition of which by the Committee causes the suspended member to be expelled from membership before the panel concludes its investigation, the panel shall not proceed further with its investigation and the application made under paragraph (a) shall terminate and be of no further effect.

(e) Upon consideration by the Executive of the report and recommendation of the panel with respect to a suspended member, the Executive is authorized to;

i) maintain the suspension of such member.
ii) terminate the membership of such Member, or
iii) cease the suspension and re-instate the Membership of such Member.

(f) If Membership is to be re-instated, such member shall pay all membership fees and dues to the association accrued but unpaid, if any, during the period of suspension and shall be subject to all Bylaws, rules and regulations applicable to Members generally. The Executive shall be entitled in their discretion to establish conditions for any such member.

(g) The Registrar shall notify the members within 15 days of the decision of the Executive, and conditions imposed (if any).

PART E: APPROVAL AND SIGNING OF BY-LAWS:

This Constitution and these By-laws of the Association were approved at the duly called Annual General Meeting of April 9th, 2026.

Witnessed and sealed by the Association this 9th day of April 2026.

Julien Bouchard, President

Amy Poffenroth Past President
Witness

NEW BRUNSWICK BUILDING OFFICIALS ASSOCIATION

Association des Officiels de la Construction du Nouveau-Brunswick

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CONSTITUTION / BY-LAWS

2026