



## CONSTITUTION AND BY-LAWS

### NORTH CAROLINA CHAPTER (Chapter 24)

#### OF THE

## INTERNATIONAL ASSOCIATION OF ARSON INVESTIGATORS, INC.

### ARTICLE I – NAME AND OBJECT

#### Section 1. Name

This organization shall be known as the North Carolina Chapter of the International Association of Arson Investigators and is hereinafter referred to as North Carolina Chapter.

#### Section 2. Object

The objectives and purposes of the North Carolina Chapter shall be:

- A. To unite for mutual benefit those public officials and private persons engaged in the control of arson and kindred crimes.
- B. To provide for exchange of technical information and developments.
- C. To cooperate with other law enforcement agencies and associations to further fire investigation and the suppression of crime.
- D. To encourage high professional standards of conduct among members and to continually strive to eliminate all factors which interfere with administration justice.
- E. To foster the advancement of the fire investigation profession through the promotion and facilitation of research; and the sponsorship of training, education and professional development.

### Section 3. Professional Conduct.

The North Carolina Chapter shall adopt in its entirety the International Association of Arson Investigators Code of Ethics. All members of the North Carolina Chapter shall comply with the Code of Ethics, set forth by the International Association of Arson Investigators. The International Association of Arson Investigators Code of Ethics is as follows:

#### **Code of Ethics**

I will conduct both my personal and official life so as to inspire the confidence of the public.

I will not use my profession and my position of trust for personal advantage or profit.

I will regard my fellow investigators with the same standards as I hold for myself. I will never betray a confidence nor otherwise jeopardize their investigations.

I will regard it my duty to know my work thoroughly. It is my further duty to avail myself of every opportunity to learn more about my profession.

I will avoid alliances with those whose goals are inconsistent with an honest and unbiased investigation. I will make no claim to professional qualifications which I do not possess.

I will share all publicity equally with my fellow investigators, whether such publicity is favorable or unfavorable.

I will be loyal to my superiors, to my subordinates and to the organization I represent.

I will bear in mind always that I am a truth-seeker, not a case-maker; that it is more important to protect the innocent than to convict the guilty.

### **ARTICLE II – MEMBERSHIP**

#### Section 1. Eligibility for Membership

Membership in the North Carolina Chapter shall be open to public and private officials or other individuals, engaged or interested in the investigation of fires and the suppression of arson, subject to approval by the Board of Directors.

#### Section 2. Active Membership

Any representative of government or of a government agency and any representative of a business or industrial concern who is actively engaged in some phase of the investigation of fires and/or the suppression or prosecution of arson at the time application is made, shall be

eligible to active membership on application, provided such person is not less than twenty-one (21) years of age at the time he/she makes application and provided such person possesses the personal qualifications as set out in Section 5 of the article, and in the discretion of the Board of Directors.

### Section 3. Associate Membership

Persons not qualified for active membership may become associate members after determination of their qualifications by the Board of Directors. Associate members shall have the privileges of an active member, except for the privileges of voting and holding office.

### Section 4. Life Membership

The North Carolina Chapter, upon approval of the Board of Directors, may confer Life Membership upon any person who has met the following requirements:

- A. Nominee is currently or has been in the past a member in good standing.
- B. Must be either a retired member or an active member who has been in good standing for at least 10 years.
- C. Nominee should have contributed outstanding service to the North Carolina Chapter
- D. Nomination must come from within the membership. Nomination shall be in writing in the form of a letter addressed to the North Carolina Chapter Board of Directors stating the reasons the nominee should be considered for Life Membership.
- E. Any Life membership(s) will be announced at the annual banquet
- F. Life membership in the North Carolina Chapter has all the privileges of regular membership with the exception that dues do not have to be paid by life members.
- G. Life Membership in the IAAI, subject to approval by the Board of Directors, carries Life Membership in the North Carolina Chapter.

### Section 5. Honorary Membership

The North Carolina Chapter, upon recommendation of the Board of Directors, and by majority vote of members present at the annual meeting, may confer Honorary Membership upon any person who has met the following requirements:

- A. Nominee is not currently a member of the North Carolina Chapter.
- B. Nominee shall have contributed outstanding service to the North Carolina Chapter or to the field of arson suppression and/or to the field of justice in the field of arson.
- C. Nomination must come from within the membership. Nomination shall be in writing in the form of a letter addressed to the North Carolina Chapter Board of Directors stating the reasons the nominee should be considered for Honorary Membership. The nominee's resume may accompany the nomination letter.

- D. That the membership be informed of the nomination no later than the last quarterly meeting prior to the annual meeting. In the event that a quarterly meeting is either not scheduled or held, then the membership shall be notified by mail or electronic notification no less than thirty (30) calendar days prior to the annual meeting.
- E. Honorary Membership in the North Carolina Chapter has all the privileges of a regular member except for the privileges of voting and holding office. There are no dues for this membership.

No more than two nominations for Honorary Membership may be approved in any Year.

#### Section 6. Personal Qualifications

Prior to voting upon each application, the Board of Directors shall give due consideration to the following, among other qualifications it deems applicable, to wit:

- A. The personal character and reputation of the applicant
- B. The nature, character and reputation of the applicant's business
- C. The general nature, character, and reputation of the applicant's employer and associates.

No person shall be eligible for any class of membership if that person has been a member, or is presently a member, or becomes a member of a subversive organization, or of any organization whose objectives and operations are inconsistent with the purposes of the North Carolina Chapter.

#### Section 7. Membership Separation

- A. Membership in the North Carolina Chapter shall terminate by:
  - 1. Voluntary withdrawal
  - 2. By the Board of Directors when, after notice, such member is in arrears in the payment of dues or any other obligation to the North Carolina Chapter.
- B. Removal from Membership

The Board of Directors shall have the power to remove from membership any officer or member of the North Carolina Chapter for any of the following:

- 1. Violations of the Code of Ethics and/or conduct or actions that would tend to discredit or lead to disrepute of the North Carolina Chapter or the International Association.
- 2. For the good cause as submitted in writing by any officer or member of the North Carolina Chapter.

3. Conviction of any crime for that is punishable by sixty (60) days or greater or any fire related crime.

#### Section 8. Grievance

Any member in good standing may file a grievance. The grievance must be submitted in writing and signed by the member(s) filing the grievance. The grievance must be delivered in person or by certified mail, return receipt requested, to the President or a Vice-President of the association.

Upon the filing of a grievance and review of the grievance by the Board of Directors, the Board of Directors shall, within fourteen (14) calendar days, refer it to the Grievance Committee for appropriate investigation and recommendation(s). The Grievance Committee, after appropriate investigation, shall submit a written report and recommendation(s) for any actions related to the findings of the investigation. The Grievance Committee shall submit the written report within sixty (60) calendar days of the Chairperson receiving the grievance unless the Grievance Committee requests and is granted up to an additional sixty (60) calendar days by the Board of Directors. In any event, the grievance shall be fully investigated and a written report, to include recommendation(s), submitted to the Board of Directors within one hundred and twenty (120) calendar days of the Grievance Committee Chairperson receiving the grievance.

#### Section 9. Sanctions

The Board of Directors may place on probation, censure, suspend, or terminate the membership of any member. The Board may, upon receipt and after initial review of the circumstances, temporarily suspend the membership of any member pending the evaluation by a Grievance Committee, which will consist of four (4) members in good standing to be appointed as needed by the President and with the approval of the Board. Actions requiring referral to the Grievance Committee shall include any of, but are not limited to, the following:

- A. Falsifications or misrepresentations in applications for membership
- B. Conduct in a manner prejudicial to the good name or best interest of the North Carolina Chapter
- C. Exhibited traits of character or conduct inconsistent with the qualifications for membership
- D. Misuse of funds
- E. Other questionable conduct

Following an evaluation of the information by the Grievance Committee and upon its recommendation, the Board shall provide such member with due notice by certified letter, or electronic notification with delivery notification of a hearing, and an opportunity to be heard. A majority vote of the Board present in a duly constituted meeting shall be sufficient to place on probation, censure, suspend, or terminate membership for any reason specified or consistent with this section. Disciplined members shall be notified by certified letter, or electronic

notification with delivery notification of any action taken by the Board of Directors concerning probation, censure, suspension, and/or termination.

Any disciplined member shall have the right to appeal any disciplinary action by the Board, provided the request is received in writing within thirty (30) calendar days following the date of disciplinary action. An Appellate Committee will review the appeal and make a decision on the appeal which will be reported to the Board of Directors within sixty (60) calendar days. The Board of Directors will then act upon the decision that the Appellate Committee recommends. The Appellate Committee will be comprised of the Chairperson of each committee. If any Chairperson has a conflict or perceived conflict with the person(s) being reviewed they will be excused from serving on the committee. The determination of a conflict or perceived conflict will be made by the Board of Directors upon request of the aggrieved member or any member in good standing. The request regarding a determination of a conflict or perceived conflict will be made to the Board of Directors in writing and signed by the member(s) making the request.

#### Section 10. Reinstatement of Sanctioned Members

Any sanctioned former member requesting reinstatement of membership shall make such request in writing to the Board stating why reinstatement should be considered. The written request shall be delivered in person or by certified mail, return receipt requested, to the President or a Vice President who will provide it to the Board of Directors without undue delay. The Board of Directors shall make a determination regarding the request for reinstatement within ninety (90) calendar days.

Any sanctioned former member may be reinstated in the North Carolina Chapter at the discretion of and by the consent of a majority vote of the Board of Directors, provided, however, that if such a sanctioned former member shall have been in arrears in the payment of dues or other financial obligation to the North Carolina Chapter at the time of their separation, they shall be required to pay the North Carolina Chapter all such arrears as a condition to their reinstatement, unless the Board, for good cause, and by a majority vote, shall waive the payment thereof. Any sanctioned member whose membership has been terminated by the majority vote of the Board for any violations may not be re-instated for a period of one (1) year from the date of notice of termination. Reinstatement of membership of any sanctioned member terminated for violations shall be based on a positive follow-up investigation by the Grievance Committee.

### **ARTICLE III – OFFICES, ELIGIBILITY, ELECTION, AND TERMS**

#### Section 1. Officers

The officers of the North Carolina Chapter shall be President, 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President, Secretary and Treasurer,

#### Section 2. Board of Directors

The officers and five (5) other eligible members duly elected by the majority vote of the members present shall constitute the Board of Directors. The immediate Past President shall serve as an Ex-officio member of the Board.

Section 3. Eligibility for the Board of Directors

- A. The pre-requisites for nominees for Board of Directors are as follows:
  - 1. Nominee must have been an active member of the North Carolina Chapter for at least three (3) years immediately prior to the election.
  - 2. Nominee must either be a member of the International Association of Arson Investigators or become a member prior to assuming the elected office.
  - 3. Member shall be nominated to a position of Fire Service, Insurance Industry, or Law Enforcement Director based on their affiliation as recorded in the official membership roster at the time of nomination.
- B. Additional requirements of eligibility for Officers:
  - 1. Nominees for all offices except Secretary and Treasurer must either be currently on the Board of Directors or have previously served on the Board of Directors.

Section 4. Terms of Office

- A. Each duly elected officer shall serve a one (1) year term and can serve two (2) consecutive terms if re-elected.
- B. The Secretary and Treasurer may succeed themselves with no term limit.
- C. The elected Directors shall consist of five (5) members to be broken down as follows:
  - One (1) Fire Service
  - One (1) Law Enforcement
  - One (1) Insurance Industry
  - Two (2) Directors at Large
- D. The elected Directors shall serve the following terms and may succeed themselves.

Law Enforcement and Fire Service two (2) years  
Insurance Industry and At Large two (2) years

Section 5. Vacancies

- A. In the event of a vacancy in the office of President or 1<sup>st</sup> Vice President, the next officer in line shall immediately be directed by the Chapter Board of Directors in a formal session to assume all duties and authorities of the vacant office. The vacancy of the office of Second Vice President, Secretary, or Treasurer shall be filled by the appointment of a qualified member by the President and with the approval of the Board of Directors. This member will serve the unexpired term until the next general election.
- B. In the event of a vacancy on the Board of Directors, the vacancy shall be filled by the President from the list of those persons nominated at the last Annual meeting beginning with the candidate receiving the highest number of votes cast. In the event the vacancy cannot be filled in this manner, the President may make the appointment subject to the rules of eligibility and the approval of the Board. Such newly appointed members shall serve the remaining term until the next general election.

#### Section 6. Removal from Office

The Board of Directors is empowered, for good cause, to depose from office any officer or member of the Board of Directors. Such action will require a two-thirds (2/3) majority vote of the Board.

#### Section 7. Nominating Committee

Prior to August of each year the President shall appoint a nominating committee. The nominating committee will be directed to accept nominations from the membership for all Officer and Board of Director's positions which are open for election at the next Annual Meeting. These nominations shall be submitted to the nominating committee at least sixty (60) calendar days prior to the Annual Meeting. It shall be the responsibility of the nominating committee to verify the nominee's eligibility for office and his or her willingness to accept a nomination. At the close of nominations the nominating committee shall submit a list of all nominees to the Secretary and the Secretary shall then prepare a ballot for use at the next Annual Meeting.

#### Section 8. Elections

- A. Elections for Officers and Board of Directors shall be held at the Annual Meeting.
- B. No member can be nominated for more than one position per election.
- C. Majority vote shall rule. In the event of a tie vote between candidates for the same position, a ballot will be prepared and another vote, consisting of only the members in good standing present at the annual meeting who voted in the original vote, will be conducted for this position only between tying candidates.
- D. To be eligible for voting at the annual election, a member must present either a current membership card or present proper verification from the membership



roster that the member is in fact in good standing with the North Carolina Chapter. Upon proof that the member is eligible to vote, the member shall be issued a ballot to which the member will cast their vote.

- E. The Nominating Committee shall administer the balloting.
- F. The President shall appoint a Sergeant of Arms to assist and oversee the Nominating Committee in the administering of the balloting.
- G. The results of the election shall be announced at the Annual Meeting in which the election is held.
- H. Election results will be turned over to the Secretary and placed in records.
- I. An absentee ballot may be requested from the Membership Director by any member in good standing no more than thirty (30) calendar days prior to the annual meeting. Upon such request, an absentee ballot will be mailed to the member. It will be the responsibility of that member to fill out the absentee ballot and return it to the Membership Director, with a postmark no later than fifteen (15) calendar days prior to the annual meeting.

#### **ARTICLE IV – GOVERNMENT**

##### Section 1. Vested

The Government of the North Carolina Chapter shall be vested in the Board of Directors. Five (5) members present shall constitute a quorum.

##### Section 2. Duties and Powers

The Board of Directors shall have full power to initiate and transact all business necessary to the existence of the organization and the observance of its purposes. The Board of Directors shall determine the date and location of the Annual Meeting and shall outline the program of activities during such meeting. They shall have general powers to direct, control, and supervise the affairs of the North Carolina Chapter.

##### Section 3. Chairperson of the Board of Directors

The Chairperson of the Board of Directors shall be the President of the North Carolina Chapter and shall preside at all meetings of the board.

##### Section 4. President

The President shall be the Chief Executive Officer of the North Carolina Chapter, and it shall be the Presidents responsibility to supervise and coordinate the activities of the North Carolina Chapter and to preside at the meetings of the North Carolina Chapter. The President shall appoint appropriate committees for the conduct of the activities of the North Carolina Chapter and shall require reports at each Annual Meeting, and as otherwise desired from the committees so appointed and from the Officers of the North Carolina Chapter.

##### Section 5. 1<sup>st</sup> Vice President

In the absence of the President, the 1<sup>st</sup> Vice President shall be the Chief Executive Officer and shall act as such. It shall be the duty of the 1<sup>st</sup> Vice President to assure that speakers are obtained for all functions of the North Carolina Chapter.

#### Section 6. 2<sup>nd</sup> Vice President

In the absence of the President and the 1<sup>st</sup> Vice President, the 2<sup>nd</sup> Vice President shall be the Chief Executive Officer and shall act as such. The 2<sup>nd</sup> Vice President shall be the Chairperson of the Audit Committee.

#### Section 7. Secretary

The Secretary shall keep records and minutes of the organization and shall maintain a current roll of members, the constitution, and all other documents of value. The Secretary shall receive and acknowledge all communications of the North Carolina Chapter addressed to the Secretary or that may be submitted to the Secretary by Officers of the I.A.A.I. and perform such duties as assigned by the President.

#### Section 8. Membership Director

The Membership Director shall receive and process all applications for membership in the organization. The Membership Director shall prepare a written report of prospective members to be presented at each Board meeting. The Membership Director shall maintain a current roster of all members. The Membership Director will be appointed annually by the Board of Directors and will not have voting privileges unless he or she is an Officer or Board Member under another title.

#### Section 9. Treasurer

The Treasurer shall be the custodian and sole depositor of the funds of the organization, and shall disburse such funds by check as authorized by the Board of Directors for purposes which promote the welfare and objectives of this organization. The Treasurer shall render a complete summary of all income, disbursements, and balances whenever requested by the Board and to members at each regular meeting. A written copy of this report shall be made available to any member upon request.

#### Section 10. Standing Committees

Committees will be appointed after the annual meeting or at times specified by the by-laws. A Chairperson will be appointed and other members added as needed to fulfill the task of the committees. The President, with the approval of the Board of Directors, may create additional committees to meet the needs of the Association. The Board of Directors has the right to remove any Chairperson or committee member for any reason deemed appropriate by the Board of Directors.

The Standing Committees of the Association are as follows:

Audit  
Certified Fire Investigator  
Constitution and By-Laws  
Grievance  
Legislative  
Membership  
Merchandise  
Nominating  
Photography  
Scholarship & Awards  
Training & Education

Others that may serve the organization and shall be approved by the board are:

Attorney  
Chaplain  
Sergeant at Arms  
Web Master

## **ARTICLE V – MEETINGS**

### Section 1. Annual Meeting

The Annual Meeting shall be held at such time and place as may be fixed by the Board of Directors. Notice hereof shall be mailed or electronic notification made to each member at their last known address or electronic address, not less than thirty (30) calendar days in advance. Elections shall occur and other business may be conducted at the Annual Meeting. When any question comes before the meeting not specifically provided for herein, the actions of the presiding officer shall be in accordance with “Roberts Rules of Order”.

### Section 2. Special Meetings

Special Meetings may be called by order of the Board of Directors at such time and place as fixed by the Board, giving due notice thereof to all members at least ten (10) calendar days in advance.

### Section 3. Board of Directors

The Board of Directors shall meet at any time or place upon call of the president or any four (4) members of the Board. Each Board Member shall attend a minimum of 50% of Board meetings and attend a minimum of two (2) out of the four (4) quarterly North Carolina Chapter meetings. Any Board Member failing to meet the minimum requirements of the meetings shall receive a written notice from the Secretary stating same. The Board Member will be placed on probation and must make the next two (2) scheduled meetings whether the meetings are Board meetings or North Carolina Chapter meetings. After attending the next two (2) scheduled meetings, the Board member will be taken off of probation and must follow the

above meeting requirements. If a Board Member fails to attend the next two (2) scheduled meetings or is placed on probation twice within a two (2) year period; he or she will be replaced. The Board will vote on the new replacement, which will hold the position temporarily until the next scheduled election.

## **ARTICLE VI – FINANCE**

### Section 1. Dues

Dues for active and associate membership in the North Carolina Chapter shall be set by the Board of Directors with the approval by the Chapter membership at the Annual Meeting. Dues shall be paid no later than July 1 of each year. Failure to pay dues by July 31 of the respective year will result in the automatic termination of membership. Any member that was terminated due to non-payment of dues shall be assessed a fifteen (\$15.00) reinstatement fee upon proper application.

### Section 2. Audit

The Audit Committee shall make an audit of the accounts of the treasurer at each Annual Meeting and shall verify all assets and liabilities of the North Carolina Chapter. An outside audit shall be done at least annually or as requested by the majority of the board.

### Section 3. Gifts or Grants

All gifts or grants to the North Carolina Chapter may be accepted at the discretion of the Board of Directors. The Secretary shall make proper acknowledgement of all such gifts or grants accepted.

### Section 4. Other

The North Carolina Chapter shall not be operated for profit, and its fund may not be used to align with any political body, group or group or person to advance the candidacy of any individual.

### Section 5. Other

In the event that the North Carolina Chapter should dissolve or otherwise cease to exist, all assets of the North Carolina Chapter shall be converted to cash and deposited with the North Carolina Burn Center, Chapel Hill, NC.

## **ARTICLE VII – AMENDEMENT**

### Section 1. – Requirements

This Constitution may be amended at any Annual or Special Meeting of the North Carolina Chapter by a vote of two-thirds (2/3) of the members, present providing:

- A. The proposed amendment is presented in a form consistent with and without conflict with the remainder of the existing constitution of the North Carolina Chapter.
- B. The proposed amendment is disseminated to the general membership for review at least thirty (30) calendar days preceding the next regular or special meeting of the North Carolina Chapter.
- C. To authorize the Constitution and Bylaws Committee to review and automatically amend, as necessary, those portions of the Constitution and Bylaws which are in conflict with existing Federal rules, regulations, or laws pertaining to gender/sex discrimination.