

Construction Codes Advisory Council Bylaws

Article I -- Membership

Section 1. The membership of the Construction Codes Advisory Council ("CCAC") consists of 18 members, as prescribed by Minnesota Statutes, section 326B.07, subdivision 1. Each council member shall appoint an alternate to serve in their absence.

Section 2. A member may be replaced as provided elsewhere in these Bylaws, and as authorized in Minnesota Statutes, section 15.059.

Article II -- Meetings

Section 1. The council shall meet a minimum of four times per year. The Council may increase its meeting frequency by an affirmative vote of a majority of the members of the Council.

Section 2. Special meetings may be called at any time by the Chair or a majority of the members of the Council. There must be reasonable notice of such meeting given to every member. Notice may be given either by email, mail or telephone. The notice shall state the purpose of such meeting.

Section 3. A majority of the voting members of the Council constitutes a quorum. The Council may take testimony and discuss agenda items without a quorum present, but no question may be decided in the absence of a quorum.

Section 4. Agenda.

a. The agenda for all regular meetings of the Council shall include the following:

1. Call to Order
2. Roll call and declaration of quorum
3. Safety Announcements
4. Approval of Meeting Agenda
5. Approval of minutes of the preceding meeting and actions thereon
6. Reports of subcommittees
7. Reports of technical advisory groups
8. Department Report
9. New Business
10. Open Forum
11. Council Member Discussion
12. Announcements
13. Adjournment

b. At all special meetings of the Council, the following shall be the order of business:

1. Roll call and declaration of quorum
2. Reports concerning the purpose for which the meeting is called
3. Discussion of the purpose for which the meeting is called

Section 5. Meeting agendas shall be prepared by the Chair or a member of the Council appointed by the Chair. If a member of the Council desires to have an issue placed on the agenda, that member of the Council shall give notice to the Chair no less than 10 days prior to the meeting either by email, mail or telephone. The notice shall state the topic to be placed on the agenda.

Section 6. Meeting Minutes.

a. The chair of the Council and any subcommittee chair shall cause minutes to be kept. The minutes must include:

1. The time and location of the meeting;
2. A list of Council members present;
3. The names of all persons attending the meeting;
4. The disposition of each item on the agenda;
5. The substance of each motion, the person so moving, and the result on any vote on the motion; and
6. A summary of other important discussion related to the work of the Council.

b. Minutes of Council meetings shall be reviewed and approved at the next regular meeting of the Council. Minutes of subcommittee meetings shall be approved by the subcommittee chair.

Section 7. Public Meetings. All Council meetings, including subcommittee and Technical Advisory Group meetings, shall be open to the public and are to be held at the Department of Labor and Industry offices located at 443 Lafayette Road North, Saint Paul, Minnesota. As provided in Minnesota Statutes, section 326B.32, subdivision 7, meetings employing telephone or other electronic means may be conducted.

Section 8. Robert's Rules of Order may be used to help the Council conduct its meetings.

ARTICLE III -- Attendance

Section 1. A member of the Council that is absent from two consecutive regular meetings without satisfactory excuse shall receive written notice indicating that, in the event three consecutive meetings are unattended without satisfactory excuse, a recommendation may be sent to the appointing authority to remove that member from the Council. This notice shall come from the Chair to the specific member.

Section 2. A member of the Council that is absent from five consecutive regular meetings, regardless of satisfactory excuses, shall be deemed to have resigned his/her membership on the Council. A recommendation will be made to the appointing authority for filling a vacancy.

ARTICLE IV -- Voting

Section 1. Each member of the Council shall receive one vote.

Section 2. Alternate members have voting privileges.

Section 3. Proxy voting is prohibited.

ARTICLE V -- Subcommittees and Technical Advisory Groups

Section 1. There may be an Executive Committee consisting of the Chair, and four other members elected by the Council. The Chair of the Council shall be the Chair of the Executive Committee. The Executive Committee may advise and assist the Chair on determining agenda items, Council work plans, and the general direction of the Council. The Executive Committee may also evaluate proposed changes to the Bylaws. The Executive Committee shall not act on any policy, position or opinion without authority of the Council.

Section 2. Subcommittees may be formed to consider and report on subjects requiring special study. Members of Subcommittees shall include representation from other interested entities and organizations. The members should be diverse in background and have experience with the subjects being studied by the group. The number of Subcommittees or members shall be determined by the Council. Members shall be nominated and appointed by the Council. a. Subcommittees will be charged with an issue for study as determined by the Council. The Subcommittee responsibility will be to review the issue and make recommendations back to the Council in a time and manner determined by the Council.

Section 3. Technical Advisory groups

a. Technical Advisory Groups (TAGs) shall be established and members appointed as in items 1-10 of this section when requested by the Department to review existing Rule chapters for revision and new model codes for adoption into the State Building Code. TAGs shall consist of a minimum of six (6) members, two of which will be from the Department with one serving as the group leader. The remaining members shall include the following representation.

1. Administration TAG: two municipal building officials; residential building industry; local unit of government
2. Residential building code TAG: municipal building official; residential building industry, one from a state association and one from a metro-area association; affordable housing advocate

3. Commercial building code TAG: municipal building official; municipal fire code official; licensed architect; commercial building industry
4. Existing Building Code TAG: municipal building official; licensed architect; municipal fire code official; commercial building owners and managers
5. Accessibility Code TAG: municipal building official; licensed architect; State Council on Disability; commercial building owners and managers
6. Mechanical & fuel gas code TAG: municipal building official; municipal mechanical inspector; mechanical contractor; licensed engineer
7. Energy code TAG: municipal building official; residential building industry; commercial building industry; energy conservation association.
8. Elevator code TAG: municipal building official; municipal elevator inspector; municipal fire code official; commercial building owners and managers
9. Structural TAG: municipal building official; municipal structural plans examiner; residential building industry; licensed engineer
10. Fire code compatibility TAG: municipal building official; municipal fire code official; State Fire Marshal; licensed architect.

b. The Department will solicit candidates for Technical Advisory Groups from among the associations representing each of the member categories including those on the Council. The chair will submit to the Council a list of TAGs and names for membership consideration. TAG candidates shall be nominated and appointed by the Council. Additional members and/or TAGs may be established and members appointed if requested by the Department or Council.

c. Technical Advisory Groups shall recommend changes to the Minnesota State Building Code in accordance with the following:

1. TAGs shall review existing rule chapters for revision and new model codes for adoption. This includes reviewing changes in the model codes and comparing them with the purpose in M.S. 326B.101, verifying compatibility with other regulations, and considering Minnesota's climatic conditions. The group leader will provide a list of the changes in the model code to each TAG member to review and will compile a record of their completed evaluations. The compiled evaluations will be included in a TAG report that will be sent to the Council chair for distribution to the Council.
2. TAGs may recommend and draft amendments to the model codes where it is determined to be needed and reasonable by all TAG members. Any proposed amendments will be included in the TAG report to the Council chair.

d. The energy code TAG shall conduct or provide for the research and analysis on new model energy codes in accordance with Minnesota Statutes, section 326B.118.

Article VI – Role of the Council:

Section 1. In accordance with Minnesota Statutes, section 326B.106, subdivision 1 (a), the Council shall advise the Commissioner on recommended changes to the Minnesota Building Code.

Section 2. In accordance with Minnesota Statutes, section 326B.07, subdivision 2, the Council shall review laws, codes, rules, standards, and licensing requirements relating to building construction; recommend, review, comment and advise on changes in laws or rules governing building construction; and report its findings and recommendations to the Commissioner.

Section 3. In accordance with Minnesota Statutes, section 326B.118, the Council shall review new model residential energy codes; evaluate required research and analysis; and make recommendation to the Commissioner.

Section 4. When reviewing existing Rule chapters for revision or new model codes for adoption, the Council, at regular or special meetings, shall:

- a. appoint Technical Advisory Groups and their members;
- b. review TAG reports and meet with TAG members regarding their recommendations;
- c. forward TAG reports and any Council recommendations to affected stakeholders for stakeholder review and feedback;
- d. hold informational meetings with interested stakeholders on code issues;
- e. review and comment on department rule drafts; and
- f. submit final recommendations to the commissioner prior to rules being published for public comment in the State Register.

Article VII -- Responsibilities of Council members:

Section 1. Members of the Council are expected to:

- a. prepare for active discussion in meetings and to serve on committees;
- b. act as liaison between constituent group and CCAC and inform constituent groups of CCAC activities;
- c. abstain from voting when conflict of interest might exist; and
- d. refrain from writing letters or other communication in the name of CCAC, except as authorized elsewhere in these Bylaws.

Article VIII -- Expenses

Section 1. Council members' expenses shall be reimbursed in accordance with Minnesota Statutes, section 15.059, subdivision 3.

Article IX -- Amendments to Bylaws

Section 1. Any member of the Council may propose an amendment to these Bylaws provided such a proposal is submitted to the Chair forty-five days prior to a regular meeting.

Section 2. All proposed amendments shall be reviewed by the Chair and submitted to the entire Council membership at least thirty days prior to being placed on the agenda for action.

Section 3. Proposed amendments must be passed by two-thirds (2/3) affirmative vote of the Council at a regular meeting at which a quorum is present.

Article X -- Scope

These Bylaws apply to the Council and all its committees, subcommittees, and Technical Advisory Groups.

ADOPTED: June 18, 2009

REVISIONS ADOPTED: March 16, 2017