

CONSTITUTION OF THE NEW MEXICO LEAGUE OF ZONING OFFICIALS

A Subsection of the New Mexico Municipal League

ARTICLE I. NAME

The name of this organization shall be the New Mexico League of Zoning Officials (NMLZO).

ARTICLE II. HEADQUARTERS

The New Mexico League of Zoning Officials is a subsection of the New Mexico Municipal League, with headquarters at Santa Fe, New Mexico.

ARTICLE III. PURPOSE

The purpose of the NMLZO shall be to identify, foster and promote academic and technical educational programs for zoning officials, and to establish state/regional/national certification in order to provide better governmental response to the needs of all citizens, and to establish and maintain a line of communication and open dialogue among participants at all levels of the planning and zoning process.

ARTICLE IV. MEMBERSHIP

SECTION 1. ELIGIBILITY:

- A. Each individual person who is involved in the planning, administration or enforcement of zoning regulations in a municipality or county shall be eligible for full membership in the NMLZO. Appointed or elected boards or commissions who are involved in the planning, administration or enforcement of zoning regulations in a municipality or county shall be eligible for full group membership in the NMLZO. Mailings shall be to the board/commission in care of the corresponding municipality or county. It shall be the duty of the President to invite each eligible person to exercise rights to such membership.
- B. Former zoning officials, state government officials and private sector representatives shall be eligible for associate membership in the NMLZO. Students and Faculty involved in the study of planning, zoning and enforcement of zoning codes, shall also be eligible for associate membership in the NMLZO. Application for such membership shall be approved by the Executive Committee before election to membership.

- C. Honorary members shall be chosen because of distinguished service and advancement of the zoning profession. They shall be proposed by at least three (3) active members, and shall be elected only upon a unanimous vote of the members present at a semi-annual meeting. An election of an honorary member shall be cancelled if an acceptance is not received within six (6) months after the candidate has received notice of election.
- D. Eligibility for any class of membership shall be as determined by the Executive Committee.
- E. The New Mexico Municipal League allows the NMLZO President to serve on its Board of Directors. Because the representative must be a municipal member, the NMLZO Executive Committee shall designate one of its members to serve on the Board of Directors of the New Mexico Municipal League when a county member is elected to the position of NMLZO President.

SECTION 2. VOTING RIGHTS:

Each individual full member whose dues are current shall be allowed one (1) vote on each matter submitted to the NMLZO. A full member may designate, in writing to the Executive Committee, another full member or associate member to cast that full member's vote by proxy. Each full group membership shall have one vote. A group voting member shall be designated by the group and shall notify the Executive Committee in writing.

Associate and honorary members shall not be granted voting privileges.

SECTION 3. EXPULSION OF MEMBERS:

The Executive Committee may, upon the preferring of written charges by four (4) or more full members setting forth reasons, censure, suspend or expel any member for cause. Notice of such proposed action and reasons therefore shall be mailed or given the accused within ten (10) days after charges have been preferred; and the accused shall have ten (10) days after notice to answer such charges in writing directly to the Secretary-Treasurer for consideration by the Executive Committee, or to request a hearing before the Executive Committee to be held at such time, place and manner as may be designated by the Executive Committee. The Executive Committee shall, in determining the time, place and manner of such hearing, consider the case within thirty (30) days after the accused has been given notice. The Executive Committee shall, in any event, consider the case within thirty (30) days after the accused answer or, if no answer is presented, within thirty (30) days after the accused has been given notice. An appeal from the decision of the Executive Committee may be taken at the next semi-annual meeting of the NMLZO, where, by a majority vote of full members present, such decision may be sustained, reversed, or modified. If suspension is imposed, the period of such suspension shall not exceed one (1) year. A member who has been expelled may only be restored to membership by a three-fourths (3/4) majority vote of all members at a semi-annual meeting.

SECTION 4. RESIGNATION:

Any member may resign membership by a written notice to the Executive Committee, after which the resignation shall be accepted.

ARTICLE V. OFFICES AND COMMITTEES

SECTION 1. OFFICERS:

The officers of the NMLZO shall be a President, a President-Elect, a Vice-President, and a Secretary-Treasurer. The Secretary-Treasurer shall always be the Executive Director of the New Mexico Municipal League. Election procedures for the President-Elect and Vice-President shall be as specified in the By-Laws of this League.

SECTION 2. EXECUTIVE COMMITTEE:

The Executive Committee shall consist of the President, the President-Elect, the Vice-President, the Secretary-Treasurer, the Immediate Past President, one county member elected at large, one city member elected at large, and one member elected at large.

SECTION 3. EXECUTIVE COMMITTEE MEETING ATTENDANCE:

An Executive Committee member with two or more absences from Executive Committee Meetings may be subject to removal at the Board of Directors discretion.

SECTION 4. STANDING AND SPECIAL COMMITTEES:

The President shall appoint, with the approval of the Executive Committee, such standing and special committees as the majority of the Executive Committee may deem advisable.

ARTICLE VI. DUES

SECTION 1. AMOUNT:

The annual dues shall be specified in the By-Laws, but shall not be less than thirty-five dollars (\$35.00) for full members and twenty dollars (\$20.00) for associate members. Dues shall be due and payable in full on or before the first day of each fiscal year. Honorary members shall not pay dues.

SECTION 2. FISCAL YEAR:

The fiscal year shall begin on the first day of July and end on the last day of June of the following calendar year.

SECTION 3. DELINQUENCY:

Any full or associate member whose dues are in arrears for a period of three (3) months shall be suspended from membership and notified by the Secretary-Treasurer of suspension.

ARTICLE VII. CHECKS, DRAFTS AND NOTES

All checks and drafts or other orders for the payment of money and all notes or other evidence of indebtedness issued in the name of the NMLZO shall be signed by the President or designated representative and by the Secretary-Treasurer.

ARTICLE VIII. GIFTS AND SOLICITATIONS

SECTION 1. GIFTS:

The Secretary-Treasurer may accept on behalf of the NMLZO any contribution, gift, bequest, or devise for the general purpose or for any specific purpose of the NMLZO.

SECTION 2. SOLICITATIONS:

No subscriptions or solicitations shall ever be made in the name of the NMLZO unless approved by the Executive Committee and the Board of Directors of the New Mexico Municipal League.

ARTICLE IX. AMENDMENT OR REPEAL

SECTION 1. VOTE REQUIRED:

This constitution may be amended or repealed by a two-thirds' vote of the full members of the NMLZO present at a semi-annual meeting, provided at least one-third of the full members are present at the meeting.

SECTION 2. NOTICE:

Any proposed amendment shall be submitted to the Executive Committee not less than sixty (60) days prior to the meeting at which the amendment is to be considered, and the Executive Committee shall report the proposed amendment and its recommendation to the membership not less than two (2) weeks prior to the meeting.

SECTION 3. EFFECTIVE DATE:

Any amendment adopted by the NMLZO shall become effective upon approval by the Board of Directors of the New Mexico Municipal League.

ARTICLE X. SAVING CLAUSE

SECTION 1. FULL OR ASSOCIATE MEMBERS:

All persons who are full or associate members of the NMLZO on the effective date of this Constitution shall continue in the same category of membership until the end of the fiscal year for which their dues have been paid.

SECTION 2. HONORARY MEMBERS:

All members who are honorary members of the NMLZO on the effective date of this Constitution shall continue indefinitely as honorary members of the NMLZO.

SECTION 3. OFFICERS:

The officers of the NMLZO on the effective date of this Constitution shall continue in the same office until the first regularly scheduled election of the NMLZO.

ARTICLE XI. EFFECTIVE DATE

This constitution shall become effective after adoption by a two-thirds (2\3) vote of the full members present at the meeting during which it is considered, provided at least one-third (1\3) of the full members are present, and upon approval of the Board of Directors of the New Mexico Municipal League.

ADOPTED BY THE NEW MEXICO LEAGUE OF ZONING OFFICIALS THIS 16TH DAY OF OCTOBER 1986, IN THE CITY OF SANTA FE, NEW MEXICO.

Eddie J. Romero, President

AMENDED BY THE NEW MEXICO LEAGUE OF ZONING OFFICIALS ON OCTOBER 1, 1987 AND APPROVED BY THE NEW MEXICO MUNICIPAL LEAGUE BOARD OF DIRECTORS ON NOVEMBER 13, 1987.

AMENDED BY THE NEW MEXICO LEAGUE OF ZONING OFFICIALS ON APRIL 22, 1988 AND ON OCTOBER 7, 1988, AND APPROVED BY THE NEW MEXICO MUNICIPAL LEAGUE BOARD OF DIRECTORS ON FEBRUARY 10, 1989.

AMENDED BY THE NEW MEXICO LEAGUE OF ZONING OFFICIALS ON MAY 12, 1989, AND APPROVED BY THE NEW MEXICO MUNICIPAL LEAGUE BOARD OF DIRECTORS ON MAY 19, 1990.

AMENDED BY THE NEW MEXICO LEAGUE OF ZONING OFFICIALS ON SEPTEMBER 27, 1991 AND APPROVED BY THE NEW MEXICO MUNICIPAL LEAGUE BOARD OF DIRECTORS ON FEBRUARY 5, 1992.

AMENDED BY THE NEW MEXICO LEAGUE OF ZONING OFFICIALS ON SEPTEMBER 26, 1997 AND APPROVED BY THE NEW MEXICO MUNICIPAL LEAGUE BOARD OF DIRECTORS ON OCTOBER 3, 1997.

AMENDED BY THE NEW MEXICO LEAGUE OF ZONING OFFICIALS ON SEPTEMBER 24, 1999 AND APPROVED BY THE NEW MEXICO MUNICIPAL LEAGUE BOARD OF DIRECTORS ON OCTOBER 2, 1999.

AMENDED BY THE NEW MEXICO LEAGUE OF ZONING OFFICIALS ON SEPTEMBER 20, 2002 AND APPROVED BY THE NEW MEXICO MUNICIPAL LEAGUE BOARD OF DIRECTORS ON OCTOBER 5, 2002.

BY-LAWS OF THE NEW MEXICO LEAGUE OF ZONING OFFICIALS

A Subsection of the New Mexico Municipal League

ARTICLE I. DUTIES OF OFFICERS

SECTION 1. PRESIDENT:

The president shall be the principal executive officer of the NMLZO and shall, in general, supervise and control all of the business and affairs of the NMLZO. The President shall, except as provided in Section 2 of this Article, preside at all meetings of the NMLZO and of the Executive Committee. The President shall be the NMLZO Representative on the New Mexico Municipal League Board of Directors, except as provided in the Constitution, Article IV, Section 1-E.

SECTION 2. PRESIDENT-ELECT AND VICE-PRESIDENT:

In the event the President is absent or is unable to perform the duties of the President, the President-Elect shall perform the duties of the President. In the event of the absence or the inability of both the President and the President-Elect, the Vice-President shall perform the duties of the President. The President-Elect and the Vice President shall perform the duties as, from time to time, may be assigned by the President or the Executive Committee. The Parliamentarian duties will be assumed by the Vice-President as follows:

The President, knowing in advance the business to come before the assembly, should confer with the Vice-President (Parliamentarian) before the meetings open, and during recesses, in order to anticipate any problems that may arise and to avoid, as much as he can, frequent consultation during the meetings. There is no set rule for the number of additional functions a Parliamentarian may be asked to perform as a permanent appointee, such as teaching classes, holding officer hours during conventions, and the like.

During a meeting, the work of the Vice-President (Parliamentarian) should be limited to giving advice to the chair and, when requested to any other member. It is also the duty of the Vice-President (Parliamentarian), as inconspicuously as he can, to call the attention of the chair to any error in the proceedings that may affect the substantive rights of any member or may otherwise do harm. Only on the most involved matters should the Vice-President (Parliamentarian) actually be called upon to speak; and the practice should be avoided if at all possible. The Vice-President (Parliamentarian) should be assigned a seat next to the chair, so as to be convenient for consultation in a low voice, but the chair should try to avoid checking with the Vice-President (Parliamentarian) too frequently or too obviously. After the Vice-President (Parliamentarian) has expressed an opinion on a point, the chair has the duty to make the final ruling and, in doing so, has the right to follow the advice of the Vice-President (Parliamentarian), or to disregard it.

SECTION 3. SECRETARY-TREASURER:

The Secretary-Treasurer, or designated alternate, shall keep the minutes of the meetings of the NMLZO and of the Executive Committee in one or more books provided for that purpose; see that all notices are duly given in accordance with the provisions of the Constitution and By-Laws; be custodian of the NMLZO records; keep a register of the post office address of each member, which shall be furnished to the Secretary-Treasurer by such member; have charge and custody of, and be responsible for, all funds and securities of the NMLZO; receive and give receipts for all money payable to or by the NMLZO from any source whatsoever; and perform such other duties as may be assigned by the President or the Executive Committee. The Secretary-Treasurer may designate any member of the staff of the New Mexico Municipal League to perform any of the duties of the Secretary-Treasurer.

ARTICLE II. ELECTION OF OFFICERS

SECTION 1. ELIGIBILITY:

Any full member of the NMLZO whose dues are current shall be eligible for election to any office except that of Secretary-Treasurer who is the Executive Director of the New Mexico Municipal League, and President. The President-Elect automatically assumes the Presidency.

SECTION 2. NOMINATIONS:

- A. Nominations shall be made at the annual business meeting by a nominating committee of not less than three (3) members, appointed by the President with the approval of the Executive Committee.
- B. At the time the nominating committee reports its nominee for each elective office, additional nominations shall be solicited from the floor.

SECTION 3. ELECTION:

The candidate receiving a majority of the votes cast for each office shall be elected. In the event no candidate receives a majority of the votes on the first ballot, another ballot shall be taken between the two (2) candidates receiving the highest number of votes on the first ballot, and the one receiving the majority of votes cast shall be elected. The officers elected shall take office at the conclusion of the annual business meeting and shall hold office for two years, at which time new officers will be elected to take office at the conclusion of the next annual business meeting. All officers shall be limited to two (2) consecutive terms in one office but may be eligible for election to a different office upon completion of present term except in accordance with Article II, Section 4 of these By-Laws.

SECTION 4. FILLING VACANCIES:

In the event any officer, except the Secretary-Treasurer, ceases to be a full member of the NMLZO, the Executive Committee shall declare that office vacant. If the vacancy occurs in the office of President, the President-Elect shall become President. If the vacancy occurs in the office of President-Elect, the Vice-President shall become President-Elect. If the vacancy occurs in any other office, the Executive Committee shall fill such vacancy by appointment from the eligible full membership of the NMLZO. Such appointment shall be effective only for the balance of the current term of office.

ARTICLE III. EXECUTIVE COMMITTEE

SECTION 1. DUTIES:

The Executive Committee shall be the governing body of the NMLZO, and shall have authority to take all appropriate measures and perform all duties required to accomplish the purposes and objectives of the NMLZO.

SECTION 2. MEETING:

The Executive Committee shall convene from time to time at the call of the President.

ARTICLE IV. DUES

The annual dues for each full member shall be thirty-five dollars (\$35.00) and the annual dues for each associate member shall be twenty dollars (\$20.00).

ARTICLE V. MEETINGS

SECTION 1. SEMI-ANNUAL MEETINGS:

- A. Meetings of the NMLZO shall be held at least semi-annually. The annual meeting shall be held during the Fall and the semi-annual meeting shall be held in the Spring. Written notice of the time and place of each semi-annual meeting shall be mailed by the Secretary-Treasurer to all members not less than sixty (60) days prior to the meeting date.
- B. At semi-annual meetings of the NMLZO, the order of business shall be as follows, but may be suspended by a majority vote of full members present: (1) Roll Call; (2) Reading and Approval of Minutes of the Previous Meeting; (3) Reading of Communications; (4) Report of the Secretary-Treasurer; (5) Old Business; (6) Committee Reports (excepting Nominating Committee); (7) New Business; (8) Report of the Nominating Committee (Annual Business Meeting only); (10) Adjournment.

SECTION 2. SPECIAL MEETINGS:

- A. Special meetings may be held upon call of the President or a majority of the Executive Committee. Notice of any special meeting shall be as provided by the Secretary-Treasurer as early as practicable.
- B. The order of business at a special meeting shall be as determined by the Executive Committee.

SECTION 3. RULES OF ORDER:

- A. All questions of order shall be decided by the presiding officer, subject to appeal by any member of the NMLZO.
- B. Any questions coming before the meeting for which no provision has been made in the Constitution or By-Laws shall be governed by the rules laid down in "Robert's Rules of Order."

SECTION 4. QUORUM:

Twenty percent (20%) of the full membership shall constitute a quorum of the NMLZO and a simple majority of the Executive Committee shall constitute a quorum of the Executive Committee.

ARTICLE VI. AMENDMENT OR REPEAL

SECTION 1. VOTE REQUIRED:

These By-Laws may be amended or repealed by a majority vote of the full members present at a semi-annual meeting.

SECTION 2. NOTICE:

Any proposed amendment to these By-Laws shall be submitted to the Executive Committee not less than sixty (60) days prior to the meeting at which the amendment is to be considered, and the Executive Committee shall report the proposed amendment and its recommendations to the membership not less than two (2) weeks prior to the meeting.

SECTION 3. EFFECTIVE DATE:

Any amendment adopted by the NMLZO shall become effective upon approval by the Board of Directors of the New Mexico Municipal League.

ARTICLE VII. EFFECTIVE DATE

These By-Laws shall become effective after adoption by a majority of the full members present at the meeting during which they are considered, and upon approval of the Board of Directors of the New Mexico Municipal League.

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