

SOUTHERN NEVADA CHAPTER, ICC
CODE OF ETHICS, 2000

I. GENERAL

The International Code Council (ICC) is a nonprofit service organization owned and controlled by its member cities, counties and states. ICC, through its chartered chapters and membership is dedicated to public safety in the built environment worldwide by development and promotion of uniform codes and standards, enhancement of professionalism in code administration and facilitation of acceptance of innovative building products and systems.

The Southern Nevada Chapter, ICC (SNC-ICC) is registered as a chapter of ICC and fully supports the international organization's mission and purpose. SNC-CC functions as a nonstock, nonprofit, Nevada corporation embracing Governmental entities within Clark County, Nevada. The objective of the organization is primarily for educational purposes and is fully defined within its adopted by-laws.

This code of Ethics is the policy of the SNC-ICC and expresses fundamental values. Accordingly, this Code guides the conduct of all Chapter members, and is intended to foster an environment that promotes ethical conduct in carrying out their responsibilities as volunteers within the organization.

II. PERSONAL INTEGRITY

A personal commitment to integrity in all circumstances benefits each individual as well as the organization. Chapter members:

- A. Respect and seek out the truth and avoid misrepresentation.
- B. Ensure fairness and objectivity in all activities.
- C. Set an example, as members of a leading nonprofit organization, for high standards of professionalism.
- D. Avoid the perception of wrongdoing and appearance of a conflict of interest.

III. PROFESSIONAL EXCELLENCE

SNC-ICC promotes professional excellence and encourages open and honest communication among all members. Chapter members:

- A. Refuse to engage in or tolerate any fraud, misuse or abuse of Chapter resources.
- B. Encourage professional growth and self-improvement in themselves and fellow members.
- C. Exhibit respect for all persons they come into contact with.
- D. Comply with all laws and regulations affecting the organization and their personal obligations.
- E. Discuss any questions concerning interpretations or compliance with the code of ethics.
- F. Encourage the reporting of breaches of the Code and protect those who report.

IV. ACCOUNTABILITY AND EFFICIENCY

The Chapter has responsibilities to conduct its business in an efficient manner, ensuring honest, accountable methods. Chapter members shall:

- A. Spend Chapter money in accordance with membership vote making full and fair disclosures of all relevant information.
- B. Be good stewards of membership fees, grants, and other contributions that are utilized by the Chapter and refrain from allowing expenditures of funds that by their nature or amount do not advance the Chapter's mission.

V. RESPONSIBILITIES OF SNC-ICC MEMBERS

Members represent the Chapter and set examples through their ethical conduct and professionalism. Chapter members:

- A. Review the code of Ethics of the Southern Nevada Chapter, ICC and ensure that they adhere to the spirit of the Code when making policy or otherwise managing the affairs of the organization.
- B. Do not knowingly take any action or make any statement intended to influence the conduct of Chapter members in such a way as to confer any financial benefit on such volunteers, their immediate family members, or any organization in which they or their family members have a significant interest as members, directors or officers.
- C. In the event that there comes before the Chapter's Board of Directors or an appointed committee a matter for consideration or decision that raises a potential conflict of interest for any member of the board or committee, the member shall disclose the potential conflict of interest as soon as he or she becomes aware of it, and shall refrain from voting in connection with the matter. The disclosure shall be recorded in the minutes of the meeting; and annual disclosures of potential conflicts shall be filed with the board by each member.

VI. CONFLICT OF INTEREST

To avoid the appearance of a conflict of interest which would undermine the public's trust in the Chapter, members shall:

- A. Avoid any activity or outside interest which conflicts or appears to conflict with the best interest of the Chapter.
- B. Refrain from participating in or influencing any decision or other action of the Chapter with which the member is materially affiliated.
- C. Avoid acceptance of contributions from those regulated by this organization or its members.

VII. PERSONAL GAIN

No member should accept any gratuity or favor for performing Chapter functions or duties. Chapter members:

- A. Do not accept gratuities, gifts or favors, other than promotional gifts of a value not to exceed \$25, for themselves or their families.
- B. Do not accept food, transportation, lodging, or entertainment unless directly related to Chapter business.
- C. Do not use Chapter resources for personal gain.

VIII. TRAVEL, ACCOMMODATIONS AND RELATED EXPENSES

Travel, accommodations and related expenses are incurred on a basis consistent with the mission of the Chapter. Accordingly, expenses incurred will comply with policies adopted by the Chapter or its Board of Directors.

IX. FAVORITISM

The appearance of favoritism is easily perceived. Chapter members should not improperly influence the selection of consultants or service providers who are affiliated with, or employ or are employed by, a person with whom they have a relationship that adversely affects impartiality.

X. FUNDRAISING

Fundraising for this Chapter shall be done in the following manner:

- A. Dues for membership.
- B. Registration fees for attendance or participation at an educational or business event.
- C. Sale of materials, products, advertisement or exhibitor space by the Chapter.
- D. Sale of services to enhance understanding of the codes.
- E. Applications for grants which do not create the appearance of a conflict of interest.

Chapter members shall not solicit monies and sponsorships from any industry or product so regulated by individual Chapter members in the course of their normal employment duties. Any solicitation activity on behalf of the Chapter shall obtain prior approval of the Board of Directors. Chapter members shall not accept donations of cash or gifts or donations that benefit an individual. Donations of technical services in support of the Chapter's business activities are acceptable.

XI. CONFIDENTIAL INFORMATION

Confidentiality is a hallmark of professionalism. Chapter members shall:

- A. Ensure that all information which is confidential or privileged or which is not publicly available is not disclosed inappropriately.

- B. Ensure that all non-public information of the other persons or firms acquired by members in dealing with outside firms on behalf of the Chapter is treated as confidential and not disclosed.

XII. DISCLOSURE

Chapter members are encouraged to disclose any perceived breaches of the Code of Ethics of which they are aware. Disclosure should be made to a member of the Ethics Committee or the Board of Directors.

- A. Any reported breaches will be investigated and appropriate action, if needed, will be taken. Confidentiality will be maintained for the member disclosing the breach, unless the matter raises serious legal implications. In such instances, the member disclosing the breach will be notified. The Chapter encourages all members to be prompt, open, and forthright in reporting perceived breaches of the Code of Ethics.

XIII. ETHICS COMMITTEE

The Ethics Committee shall be elected as determined by the by-laws, for the purpose of developing a “Code of Ethics,” providing a hearing and review process and developing the “Rules of Procedure for Enforcement.”

- A. Chair, Co-chair and Secretary will serve at the discretion of the Committee members.
- B. The Committee will meet at least once annually to review the Code of Ethics and when necessary, propose to the Board of Directors any changes deemed necessary.
- C. The Chair or Co-chair will provide reports to the Chapter membership as necessary to keep membership up-to-date on critical issues.

SOUTHERN NEVADA CHAPTER, ICC

Rules of Procedure for Enforcement

I. GENERAL

- A. These rules govern the procedures for enforcing the Southern Nevada Chapter of the International Code Council's Code of Ethics as adopted by the Chapter membership.
- B. All members of the Chapter agree to abide by the Code of Ethics.
- C. The purpose of these rules is to provide a reasonable process for investigating and determining whether a member has violated the code, and to afford each individual member who is the subject of an investigation (the "respondent") a full and fair opportunity to be heard throughout the process.
- D. It is the intention of the Chapter membership that these rules are carried out carefully, but expeditiously, in order to minimize the time during which a member may be subject to possible disciplinary action. Accordingly, time limits stated in these rules are binding, subject to extensions that may be granted by the Ethics Committee, or the Chapter Board of Directors, for reasonable cause, upon request.
- E. No person may participate in any proceedings on a complaint brought under these rules if that person is or may be a witness or complainant in that case, or if his or her participation would otherwise create or appear to create, a conflict of interest. The Chapter Board of Directors may select a replacement for any member of the Ethics Committee who is unable to participate in the case for this reason.

II. JURISDICTION

- A. All members of the Chapter in active service are subject to the Code of Ethics and are subject to sanctions for any violations thereof which occur during their membership.
- B. If a complaint is made against a person who was a member at the time the alleged violation occurred, but who is not a member at the time the complaint is made, the complaint will be processed under these procedures only if the former member agrees in writing. In no event shall a person be readmitted to membership if there is an outstanding and unresolved complaint against him or her for conduct while formerly a member.
- C. The Ethics Committee shall retain jurisdiction over an investigation of a respondent who, before the conclusion of the investigation, resigns from the Chapter or otherwise allows his or her membership in the Chapter to lapse.

III. RESPONSIBILITIES

- A. The Chapter Board of Directors is responsible for making the final decision on matters pertaining to the enforcement of the code, including, but not limited to, sanctions for the violation thereof. No current or former member may be censured, suspended, or expelled from membership without the approval of the Chapter Board of Directors.

IV. INITIATION OF PROCEDURES

- A. Proceedings against an individual for an alleged violation of the Code of Ethics may be initiated by the Ethics Committee upon receiving a written complaint or other written information from any source indicating that a violation may have occurred.
- B. Upon receiving such a written complaint or information, the Ethics Committee must ascertain whether it is sufficiently clear and complete to initiate proceedings, and, if so, whether it alleges conduct that may be a violation of the Code of Ethics. If the Ethics Committee concludes that the complaint is not sufficiently clear or complete to initiate proceedings, the Ethics Committee shall seek further clarification from the complainant or other source before taking any further action.
 - 1. If the Ethics Committee cannot determine whether the conduct alleged, if proven, might violate the Code of Ethics, no further action shall be taken with respect to the complaint.
 - 2. If the Ethics Committee concludes that the complaint is sufficiently clear and complete to initiate proceedings, and may, if proven, indicate a violation of the code, a copy of the complaint or information shall be forwarded by registered mail to the respondent named in the complaint or information. The respondent shall be informed at the time of the provisions of the code which he or she is alleged to have violated. The Ethics Committee may also request that the respondent answer specific questions pertaining to the alleged violation.
 - 3. The respondent shall be given thirty (30) days within which to respond in writing to the complaint or information, to provide any further information or material he or she considers relevant to the allegations, and to answer any specific questions asked by the executive director.
 - 4. As soon as the respondent's response is received, but in no event more than thirty (30) days after written notice of the alleged violation has been given to the respondent, the Ethics Committee shall initiate proceedings in accordance with these rules.

V. INVESTIGATIONS

- A. Upon receiving a case of an alleged violation of the Code of Ethics, the Ethics Committee shall commence an investigation into the allegations. However, no investigation shall be required if (1) the respondent admits to the violation in his or her initial response, or (2) the respondent has already entered a guilty plea, or has been found guilty and has exhausted all appeals, in a criminal case involving the same conduct.
- B. In all cases, other than those in which an investigation is not required, the Ethics Committee shall take all reasonable steps to ascertain the facts relevant to the case, including, but not limited to, interviews with witnesses, review of the respondent's submission(s), and examination of all published material judged to be relevant and reliable.

The Ethics Committee shall afford the respondent an opportunity to meet with the Committee in person and may, at its discretion, afford such an opportunity to the complainant as well. The respondent may appear at such a meeting personally and be accompanied by a representative. Alternatively, the respondent may appear through a representative. The Ethics Committee shall prepare and maintain notes of all meetings and interviews with the respondent, the complainant, and any witnesses, and may request any such person to sign a statement prepared on the basis of those notes. The respondent shall be entitled to review these notes and statements, and any other documentary evidence gathered in the course of the investigation, and shall be afforded the opportunity to respond in writing hereto.

Within sixty (60) days of the date of initiation of the investigation, the investigation shall be concluded and a written report of the Ethics Committee's proposed findings and recommended sanctions, if applicable, shall be sent to the Chapter Board of Directors and the respondent. Each finding must be supported by reliable and relevant evidence that has been made available to the respondent for review.

VI. DECISIONS

- A. The Chapter Board of Directors shall promptly review the Ethics Committee's proposed findings of fact and shall ascertain whether they are supported by sufficient, reliable and relevant evidence.
 - 1. If the evidence is not sufficient, the Chapter Board of Directors may either dismiss the case or return it to the Ethics Committee for further investigation in accordance with these rules.
 - 2. If the Chapter Board of Directors determines that the proposed findings are supported by the evidence, it shall determine whether they demonstrate that a violation of the Code of Ethics has occurred. If not, it shall dismiss the case and so advise the respondent and the Ethics Committee.

3. If the Chapter Board of Directors concludes on the basis of the fact-finding Ethics Committee's report that a violation has occurred, it shall review the Ethics Committee's recommended sanction(s). The Chapter Board of Directors shall then notify the respondent of its intent to adopt the Ethics Committee's report as final, and to impose the specified sanction(s) for the reasons stated, unless the respondent can show that the findings of facts are erroneous, or that the proposed sanction(s) should not be imposed in light of certain mitigating factors which the Ethics Committee did not previously consider. The respondent shall have fifteen (15) days in which to submit a written response to the Chapter Board of Directors and/or to request a hearing.
4. In the event that the respondent makes no submission, and does not request a hearing, the Chapter Board of Directors shall promptly adopt the proposed findings and sanction(s) as final.
5. In the event that the respondent makes a written submission, but does not request a hearing, the Chapter Board of Directors shall review the submission and may either adopt, or revise and adopt as revised, the proposed findings and/or sanction(s) of the Ethics Committee, as it deems appropriate.
6. In the event that the respondent requests a hearing, the Chapter Board of Directors shall conduct a hearing in accordance with Part VII.1 of these rules. No sanction(s) shall be imposed before the hearing is conducted.

VII. HEARINGS

- A. These procedures shall govern all hearings conducted pursuant to these rules.
- B. No Ethics Committee member or Chapter Board of Directors member may hear or participate in any case if his or her participation in that hearing or case would create an actual or apparent conflict of interest.
- C. Within ten (10) days of receiving a request for a hearing, the Chapter Board of Directors shall notify the respondent by registered or certified mail that a hearing has been scheduled before the Board of Directors. The hearing date shall be at least fifteen (15) days after the date the notice is postmarked. The notice shall also state that the respondent has the following rights:
 1. To appear personally at the hearing;
 2. To be accompanied and represented at the hearing by an attorney or other representative;
 3. To review all documentary evidence, if any, against him or her in advance of the hearing;

4. To cross-examine any witness who testifies against him or her at the hearing;
 5. To submit documentary evidence; and
 6. To present testimony, including the respondent's, in his or her defense at the hearing.
- D. The Chapter Board of Directors shall not be bound by any formal rules of evidence, but may accord appropriate weight to the evidence based on its relevance and reliability.
1. The Ethics Committee's report shall be admissible evidence at the hearing.
 2. The Chapter Board of Directors may not hear evidence of any alleged ethics violation by the respondent that was not the subject of the Ethics Committee's initial investigation.
- E. At any hearing conducted under these rules, the Chapter Ethics Committee shall first present evidence in support of its recommended decision. Upon conclusion of its presentation, the respondent shall have the opportunity to present evidence in his or her defense.
- F. Within five (5) working days of the conclusion of the hearing, the Chapter Board of Directors shall render a decision in the case.
1. The decision shall be in writing and shall include a statement of the reasons therefore. Only evidence that was put before the Chapter Board of Directors may be considered as a basis for the decision.
 2. The Chapter Board of Director's decision may be to:
 - a. Dismiss the case;
 - b. Adopt the findings and sanction(s) recommended by the Ethics Committee;
 - c. Revise, and adopt as revised, the findings and/or sanction(s) recommended by the Ethics Committee. However, the Chapter Board of Directors may not increase the sanction(s) recommended by the Ethics Committee unless new evidence, not previously available to the Ethics Committee, is disclosed at the hearing, which indicates that the respondent's violation was more serious. No sanction may be imposed for any violation of which the respondent had no prior notice.
 3. A copy of the written decision of the Chapter Board of Directors shall be sent immediately by registered mail to the respondent.

VIII. SANCTIONS

- A. Sanctions may be imposed in accordance with these rules upon members who are found to have violated the code. In determining the kind of sanction to be imposed, the following factors may be considered: The nature of the violation, prior violations by the same individual, the willfulness of the violation, the level of professional or public responsibility of the individual, and any other factors which bear upon the seriousness of the violation.
- B. The following sanctions may be imposed by the Ethics Committee singly or in combination at the conclusion of an investigation and/or hearing under these rules:
1. Private Censure. A letter to the respondent indicating that the respondent has been found to have violated the Code of Ethics, that the Chapter disapproves of such conduct, and that, if it is repeated in the future, it may be cause for more serious sanctions.
 2. Suspension. A member may be suspended from the Chapter for a period of time as determined by the Ethics Committee and approved by the Chapter Board of Directors based upon the nature and extent of the violation. A suspended member shall be ineligible to serve as a Chapter officer or committee member and shall refrain from participating in any Chapter activity during the suspension period. Failure to comply with the terms of a suspension may be cause for further sanctions.
 3. Expulsion. A revocation of the respondent's membership privileges.
- C. Upon receiving notice from the Ethics Committee of its determination that a private censure, suspension, or expulsion is the appropriate sanction, and the respondent has not requested a hearing, the Board of Directors may vote to adopt the recommendation of the Ethics Committee, modify said decision, or dismiss the case without imposing sanctions. The respondent shall be immediately notified of the decision of the Board of Directors and the sanction, if any, shall be implemented.
- D. Upon receiving documented evidence that a member has been found guilty after trial by a judge or a jury of criminal conduct, which constitutes a violation of the Chapter's Code of Ethics and which occurred while the person was a member of Chapter, the Chapter Board of Directors shall immediately issue a notice of suspension to that person by registered mail and that person's membership shall be suspended as of the date of that notice. The suspension shall continue in effect until such time as sanctions provided under Part VIII.B are imposed, or the case is dismissed, in accordance with these Rules.