

# **UTAH CHIEFS OF POLICE ASSOCIATION BYLAWS**

Revised and approved by General Membership March 22, 2010, at St. George, Utah

## **ARTICLE I PURPOSES AND FUNCTIONS**

### **Section I—Name**

This organization shall be known as the Utah Chiefs of Police Association.

### **Section II—Purpose:**

The purpose of this organization is to further the professional advancement of law enforcement; to ensure and maintain greater protection of life and property; to promote and maintain a close bond of friendship and understanding among chiefs of police departments in the State of Utah; to promote policy; to provide a medium of exchange for information and ideas between police chiefs and to advocate or oppose legislation affecting law enforcement. To accomplish this purpose, the Association shall:

- (a) provide for the assembly of chief officers to discuss ways and means for the betterment of law enforcement;
- (b) serve as a recognized organization in Utah for the collection and exchange of ideas, information, knowledge and experience in law enforcement through effective networking;
- (c) review legislative developments in the Utah legislature and react to those affecting law enforcement, in a non-partisan, coordinated and professional manner;
- (d) develop legislation appropriate to the purposes and goals of the Utah Chiefs of Police Association as directed by the Board of Directors, identify supportive legislation, and take steps necessary for successful introduction and passage;
- (e) serve as a member state association within the International Association of Chiefs of Police.

### **Section III—Political Affiliation**

The Association shall not be used directly or indirectly for the dissemination of partisan principles or for the promotion or candidacy of any person seeking public office or preference.

**Section IV—Other Organizations**

Upon application and approval by the Board of Directors and a favorable vote by the general membership at a regular meeting of the Association, other organizations may become subsidiary to the Utah Chiefs of Police Association. Such organization shall be governed by a separate constitution and bylaws; and the president of the organization or his/her delegated representative acting as a liaison between the two organizations shall be an active or associate dues paying member of the Utah Chiefs of Police Association.

**ARTICLE II  
MEMBERSHIP**

**Section I—Active Membership**

Active members shall be entitled to all privileges and benefits provided by the Association and all elective officers shall be selected from this category. Active members are the only voting members of the Association. Those eligible for active membership shall be as follows:

- (a) The chief of a municipal police department or chief law enforcement officer of a municipal public safety organization within the State of Utah; a chief of a Utah institution of higher education police department; a chief of a Utah school district police department; the chief of the Utah Transit Authority.

**Section II—Executive Membership**

Executive membership shall include any commissioner, director, chief or superintendent of a non-municipal agency. Executive members shall be entitled to participate in the Association, except that they are not eligible to hold elective office, serve on the Board of Directors, or have voting privileges.

**Section III—Associate Membership**

Associate members shall be individuals who work in allied fields of law enforcement and who are interested in the goals and objectives of the Association, and are not identified with security protection commercially. Associate members shall be entitled to participate in the Association, except that they are not eligible to hold elective office, serve on the Board of Directors, or have voting privileges. Associate members shall be endorsed by an Active member of the Association in good standing. Associate members may be appointed by the President to represent the Association on boards, commissions and committees. Associate members may include:

- (a) law enforcement personnel other than those who qualify for active membership;
- (b) retired chiefs, past chiefs or officers who continue their membership as long as they keep their dues current;

#### **Section IV—Sustaining Membership**

Sustaining members are those individuals who support the goals and objectives of law enforcement and the Association. Sustaining members may include:

- (a) professors, instructors and technical staff members of accredited colleges, universities, and/or academies, engaged in teaching or researching in the field of criminal justice science and/or administration;
- (b) persons who have made a significant contribution to law enforcement and related emergency services;
- (c) individual members of any section or organization affiliated with the Association;
- (d) individuals or entities engaged in providing non-commercial support or service to police departments;
- (e) the president or the delegated representative of any approved subsidiary organization.

Sustaining members shall be required to pay annual dues. Sustaining members shall be entitled to participate in the Association, except that they are not eligible to hold elective office, serve on the Board of Directors, or have voting privileges.

#### **Section V—Corporate Membership**

Corporate membership may be granted to individuals and/or businesses who are donors of funds to the Association for the purpose of advancing, improving and bettering the law enforcement profession; and/or are engaged in the manufacture or sale of emergency equipment, supplies or service; and/or individuals or businesses otherwise interested in the field of law enforcement and supporting the goals and objectives of the Association.

Applications for corporate membership shall be acted upon by the Board of Directors. Corporate members shall be entitled to participate in the Association, except that they are not eligible to hold elective office, serve on the Board of Directors, or have voting privileges. Corporate membership does not require the paying of annual dues.

#### **Section VI—Life Membership**

Life membership may be granted to any formerly active member, in good standing, no longer serving as a police chief who wishes to maintain the professional and social contacts of membership. Life membership will be granted to any person having served a full term in the Office of President of the Association .Upon request by a

formerly active police chief, or upon nomination by an active member, the Board of Directors, by majority vote, may award a life membership. Life members are not voting members and may not hold elected office, but may be appointed to serve on committees or to fulfill special assignments. Life members shall not be required to pay dues or pay the registration fee for the annual Chiefs' conference. Life membership may be revoked by majority vote of the Board of Directors.

### **Section VII—Honorary Membership**

An honorary membership may be granted to any person or organization who has made a significant contribution to the Association upon a recommendation by the Board of Directors. Honorary members shall not be required to pay dues and shall not be eligible to hold elective office or vote.

### **Section VIII—Dues**

Annual dues for all classes of membership shall be due and payable as established by the Board of Directors. The amount of dues will be established by the Board of Directors and ratified by a majority vote of the general membership.

### **Section IX—Membership Termination**

- A. When an Active, Executive, Associate, or Sustaining member is in default of dues as described in these bylaws, he/she ceases to be entitled to any benefits of, or participation in, the Association until such dues are paid.
- B. Any member may resign from the Association by submitting a written resignation to the Secretary. Such resignation shall be effective as of the date received by the Association. Association dues are non refundable.
- C. Members of any classification may be removed from membership for cause by a two thirds vote of the Board of Directors. For any cause, other than non-payment of dues, removal shall occur only after the member against whomever the complaint was made, has been advised of the complaint and has been given reasonable opportunity for defense; and such member, if removed, may appeal the decision of the Board of Directors at the next general meeting of the Association, providing that notice of intent to appeal is submitted to the Association President at least ten (10) days in advance of the meeting. The Board of Directors shall be empowered to order suspension of any member upon receipt of a report of misconduct. The complainant and the member shall be notified of the final action taken by the membership of the Association.

**ARTICLE III**

**ASSOCIATION OFFICERS**

**Section I—Officers**

Officers of the Association shall be Active members in good standing. The officers of the Association shall consist of President, Region 1 Vice President, Region 2 Vice President, Region 3 Vice President, Secretary, Treasurer, Sergeant at Arms, Immediate Past President and SACOP representative.

**Section II—Elections**

- A. Officers shall be nominated and elected at the annual meeting of the membership for the terms of office indicated below. A simple majority vote of active members present at the annual meeting will be required to elect officers.
- B. Newly elected officers will take office at the close of the applicable annual meeting and remain in office for the terms indicated below:

- President —2 years
- Region 1 Vice President—2 years
- Region 2 Vice President—2 years
- Region 3 Vice President—2 years
- Secretary —2 years
- Treasurer – 2 years
- Sergeant at Arms —2 years
- Immediate Past President- 2 years
- SACOP Representative – 4 years

- C. Regional Vice Presidents:

- 1. Region 1 Vice President shall be elected by the general membership from police agencies within the counties of: Beaver, Piute, Wayne, Iron, Garfield, Washington, Kane, or San Juan.
- 2. Region 2 Vice President shall be elected by the general membership from police agencies within the counties of: Juab, Millard, Carbon, Daggett, Duchesne, Emery, Grand, Sanpete, Sevier, Summit, Uintah, Utah or Wasatch.
- 3. Region 3 Vice President shall be elected by the general membership from police agencies within the counties of: Box Elder, Cache, Davis, Morgan, Rich, Tooele, Salt Lake or Weber.

### **Section III—Governing Board of Directors**

The affairs of the Association shall be managed by the Board of Directors. The number of Association board members shall be nine (9). Each board member shall hold office during his/her tenure as an officer of the Association. The Board of Directors shall consist of the President, Region 1 Vice President, Region 2 Vice President, Region 3 Vice President, Secretary, Treasurer, Sergeant at Arms, the Immediate Past President, and the SACOP Representative.

The Board of Directors may make motions and adopt resolutions for the regulation and management of the affairs of the Association not inconsistent with the laws of the State of Utah, and these By Laws, including the appointment of an Executive Director.

The Executive Director, Retired Chiefs Representative and the Judge Advocate shall also be members of the Board of Directors, but shall not have voting privileges.

### **Section IV—Vacancies and Resignations**

In the event of a vacancy occurring in the office of the President, the Board of Directors shall appoint his/her successor from the Board of Directors to serve until the next general meeting.

In the event of a vacancy occurring in any other office, an acting officer shall immediately be appointed by the President and, upon approval of the Board of Directors, shall serve for the remainder of the term.

### **Section V—Removal of Officers**

Any officer shall be removed from office for the following reasons:

- (a) conviction of a felony, or
- (b) malfeasance in office, or
- (c) no longer qualified as an active member of the Association

Provided, however, that such removal shall not be effective unless and until the evidence has been reviewed and a determination made by the Board of Directors; and provided further, that the Board of Directors shall meet within 60 days of the date of filing any charges made upon an officer to deliberate the issue, declare its findings, and take necessary action. It shall require a majority vote of the Board of Directors to remove an officer.

**ARTICLE IV  
DUTIES OF BOARD OFFICERS**

**Section I—Duties of the Board of Directors**

The duties of the Board of Directors shall be:

President:

It shall be the duty of the President to:

- (a) be the official representative and spokesperson for the Association
- (b) preside at meetings of the Association and meetings of the Board of Directors
- (c) appoint all committees, including those not otherwise provided for in the Bylaws
- (d) perform such duties as are prescribed by the Board of Directors
- (e) ensure the Board review bank reconciliations and financial statements

Regional Vice Presidents:

It shall be the duty of Regional Vice Presidents to:

- (a) assist the President in fulfilling his/her duties
- (b) if appointed by the Board of Directors, assume the duties of the President in the absence or inability of the President to perform all the duties of that office

Secretary:

It shall be the duty of the Secretary to:

- (a) keep a complete and accurate record of all the proceedings of the Association
- (b) receive and answer communications pertaining to the Association

Treasurer:

It shall be the duty of the Treasurer to:

- (a) be responsible for the custody of all the assets of the Association
- (b) deposit all monies of the Association in a chartered bank in the name of the Association
- (c) supervise the collection and disbursement of all funds and disburse such funds for the Association in accordance with generally accepted accounting principles

- (d) periodically prepare and present to Board members the review of bank reconciliations and financial statements, including a balance sheet and a profit/loss statement
- (e) keep a complete and accurate record of all financial proceedings of the Association, and to receive and answer all related communications pertaining to the Association
- (f) collect and deposit all annual dues

Sergeant at Arms:

It shall be the duty of the Sergeant at Arms to:

- (a) provide/ensure security for all meetings and events of the Association
- (b) conduct elections at the yearly general assembly of the Association
- (c) complete other duties as assigned by the President

SACOP Representative:

It shall be the duty of the SACOP Representative to:

- (a) represent the Association on a state level with the International Association of Chiefs of Police
- (b) report to and inform the Board of Directors and General Body of the Association on law enforcement activities, and legislative actions at the national level

Executive Director:

It shall be the duty of the Executive Director to:

- (a) serve as a liaison between the Association and state agencies, other related organizations and associations
- (b) monitor activity and legislation related to law enforcement and report the same to the Board of Directors
- (c) recommend necessary action on issues to the Board of Directors
- (d) perform other duties as assigned

**ARTICLE V  
ELECTIONS OF ASSOCIATION OFFICERS**

**Section I—Nominations and Declared Candidacy**

- A. At the annual meeting of the Association, the voting members of the Association shall elect to office all officers through an open election process.
- B. The President, Region 3 Vice President, Treasurer, and Sergeant at Arms shall be elected in odd years
- C. The Region 1 and Region 2 Vice Presidents and Secretary, shall be elected in even years.
- D. An active member who wishes to run for office shall declare his/her candidacy in a letter to the Board of Directors, through the Sergeant at Arms, prior to the annual meeting
- E. Voting members of the Association may also nominate members from the floor subject to the nominated member accepting the nomination
- F. The Sergeant at Arms of the Association shall notify the membership of the nominated candidates and shall prepare a paper ballot for use at the Annual meeting of the Association

**Section II—Conduct of Elections**

- A. The election of officers shall be during the business meeting of the annual (Spring) meeting. The President shall serve as the presiding officer for the elections and shall read aloud the names of the declared and nominated candidates
- B. Following this reading, the presiding officer shall then call for any nominations from the floor for elective offices
- C. Nominations shall require the nominee's concurrence in writing or verbal concurrence, if nominated from the floor
- D. After calling for further nominations, the presiding officer shall entertain a motion to close the nomination process, and following such concurrence by the voting members, shall declare the nominations closed
- E. Any nominee who desires to withdraw his/her name may do so at the time of nomination but shall not make any address or request his/her sponsors to support any other candidate
- F. Only one nominating speech or statement of endorsement shall be permitted by, or for, each candidate. Such speech shall not exceed three minutes

- G. For any office where there is only one candidate, the presiding officer, representing the assembled membership, shall cast a unanimous ballot for such candidate and shall thereupon declare the candidate elected
- H. For all offices where there are two or more nominated candidates, the election shall be conducted by paper ballot
- I. Candidates receiving the highest number of votes shall be elected. In the event of a tie vote, the voting on the second ballot shall be confined to the tied nominees. In the event of a second tie vote, the voting on the third ballot shall be limited to the members of the Board of Directors who are present and voting.

### **Section III—Installation of Officers**

- A. New officers shall take office immediately following the annual Spring meeting
- B. The installation of officers shall take place at the conclusion of the annual Spring meeting and officers shall swear to the following oath of office:

“I (name) do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and Constitution of the State of Utah, and that I will discharge the duties of my office with fidelity, in accordance with all laws, as well as the policies and procedures of the Utah Chiefs of Police Association.”

## **ARTICLE VI MEETINGS**

### **Section I—Meetings**

The Board of Directors shall establish the date, time and place of the Annual Conference of the Association and shall notify all members at least 30 days prior to the date of the conference.

### **Section II—Special Meetings**

The date, time and location of regular board meetings shall be determined by the President in consultation with the Board of Directors. Additionally, the President shall call a special meeting of the Board of Directors when so requested by a majority of the Board of Directors, or whenever the President determines it necessary. Except for urgent situations, the President shall give at least five (5) days notification and the reason for the special meeting.

### **Section III—Expenses**

The budget of the Association for the following year shall be submitted to the membership in the Spring business meeting. Expenses for all regular and special meetings herein authorized shall be determined by the Board of Directors.

### **Section IV—Obligating the Association**

No officer or member of the Association shall incur any expenses in the name of the Association without the approval of the Board of Directors except that, in case of an emergency, the President is empowered to authorize the expenditure of sufficient funds with approval of the majority of the Board of Directors to meet the emergency.

The Executive Director may expend funds for normal operating expenses of the Association without specific prior approval.

### **Section V—Fund Raising**

The Board of Directors may authorize the development of projects and plans for raising funds for the Association.

## **ARTICLE VII RULES OF ORDER**

### **Section I:**

The latest published edition of Robert's Rules of Order shall govern the conduct of this organization, except when they may be inconsistent with the Bylaws.

### **Section II:**

Any part of the Bylaws that are in conflict with any Federal, State, County, or City law or regulation shall be null and void. Any portion ruled null and void shall not affect the remainder of the Bylaws.

### **Section III:**

A simple majority of voting members shall constitute a quorum for the transaction of business at all meetings of the Board of Directors

**ARTICLE VIII  
DUES**

**Section I:**

Dues for all members are due and payable on July 1<sup>st</sup> of each year in the amount of the Association's latest agreed upon schedule. The dues assessment will be reviewed by the general membership at the regular Spring meeting each year, and a vote taken to either adjust or maintain the dues for the following year.

**Section II:**

Any members in arrears after December 31<sup>st</sup> of the calendar year shall, after due notice of such arrears, have his/her name removed from the membership roll.

**Section III:**

After a member has been dropped from the membership roll for nonpayment of dues, that member may be reinstated after paying the current year's dues.

**Section IV:**

All members shall be subject to all rules and regulations of the Utah Chiefs of Police Association

**Section V:**

- A. Any member who has served as President of the Association and retires from law enforcement, and the Executive Director, will be extended an honorary life membership.
- B. Any associate member who has been a dues paying member for ten (10) years or more, and retires from law enforcement may be extended an honorary life membership upon the vote of the membership attending a regularly scheduled meeting of the Association.

**Section VI—Subsidiary Organizations**

- A. The Utah Chiefs of Police Association may determine the course of any meeting of any subsidiary organization and assign topics for discussion. Minutes of such meeting shall be forwarded to the Secretary of the

Association as soon as practical after said meeting. A member of the Board of Directors of any approved subsidiary organization shall attend the regularly scheduled general meeting of the Utah Chiefs of Police Association.

- B. A copy of the Constitution or Bylaws of any proposed subsidiary association shall be adopted for reference by the Utah Chiefs of Police Association.
- C. Persons eligible for membership under these sections, except the delegated representative, shall not be required to pay annual dues to the Utah Chiefs of Police Association, but shall be subject to any special assessments deemed necessary for the general membership of the Association. Members eligible under this section shall not engage themselves in any activity that can be judged adverse to the Utah Chiefs of Police Association.

## **ARTICLE IX COMMITTEES**

### **Section I:**

- A. The President shall be an ex-officio member of all committees. The President may name such additional representatives as he/she may deem necessary from time to time, which will end with his/her term of office.
- B. The President may appoint committees to perform duties or special assignments, as determined by the President and/or the Board of Directors.
- C. The President may name additional committees at any time to perform special functions. Such committees shall be dissolved when their tasks have been completed. The President shall appoint an active member of the Association to serve as the chairperson for each additional committee.
- D. Each committee chairperson shall be responsible for submitting a report of activities for presentation at Association Board and general meetings, as directed by the President.

### **Section II:**

Each representative shall be required to submit a report of activities in the designated area at each Association meeting, when appropriate.

## **ARTICLE X AMENDMENTS**

### **Section I:**

These Bylaws may be amended upon recommendation of the Board of Directors with the approval of a majority of the membership present at any regular meeting, or by presentation of resolution by any active member stating in detail the proposed amendment and adoption of the resolution by a majority of the membership present at any regular meeting.

All amendments, alterations, or revisions shall take effect immediately upon adoption by the membership unless otherwise provided.

**March 23, 2010 – Approved by Membership**