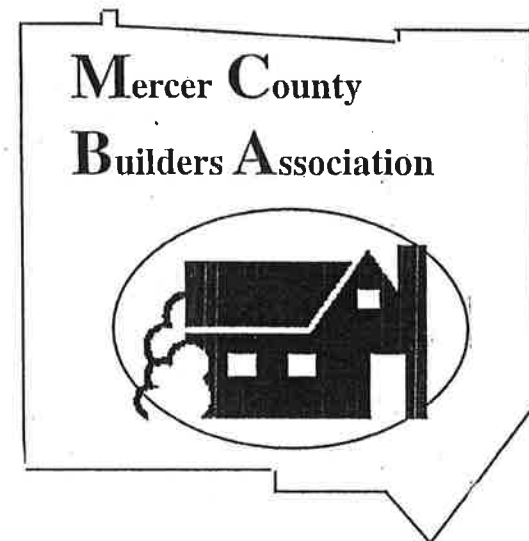


# Mercer County Builders Association Inc.

NAHB Charter: October 2, 1977  
Incorporated 501.c6



**BY-LAWS**  
February 3, 2014

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ARTICLE 1

-Name/Location/Affiliation-

Sec.1. The name of this association shall be Mercer County Builders Association Inc.

Sec.2. The principle address designated by the Board of Directors.

Sec 3.This Association is and shall be an Affiliated Association of the National Association of Home Builders of the United States of America and the Pennsylvania Builders Association and shall from abide by respective By-Laws, as amended from time to time.

Sec 4. The operations of this Association shall be conducted in the territory assigned to its jurisdiction now & hereafter by the National Association of Home Builders.

ARTICLE 11

-Purpose-

Sec 1. The purpose of the Association shall be:

- A. To associate the builders within its jurisdiction for the purpose of mutual advantage and cooperation.
- B. To collaborate with all fields related to the residential building industry within the Association's jurisdiction for the benefit of the industry, as a whole.
- C. To assure compliance with all laws: federal, state, and local.
- D. To assist in the accomplishments of the mutual objectives of National Association of Home Builders of the United States and the Pennsylvania Builders Association.
- E. To operate without profit and no part of the income of the Association shall inure to the benefit of any individual member.
- F. To promulgate and enforce a code of ethics for members of the Mercer County Builders Association.

ARTICLE 111  
-Code of Ethics-

Sec. 1. Active members of this association shall be limited to those who subscribe & affirm to the following code of ethics:

A. Mercer County Builders Association believe & confirm:

1. Decent housing should be within the reach of every family.
2. Homes and rental dwellings should be well designed, constructed and located in attractive communities with educational, recreational, religious and shopping facilities accessible to all.
3. Homes & rental dwellings should be built under private enterprise system.

B. We pledge allegiance to the following principals & policies.

1. Our paramount responsibility is to our customers, our community and our country.
2. Honesty is our guiding business policy.
3. Members shall not knowingly enter any contract which may imperil the rights of labor or suppliers and shall not obtain business by fraudulent statements or implications.
4. Members shall adhere to standards of quality and workmanship to promote a favorable image of our industry.
5. Members shall comply with rules & regulations prescribed by law and government agencies for health, safety and progress of the community.
6. High standards of health, safety and sanitation should be built into every home and rental dwelling unit.
7. Members will deal fairly with employees, subcontractors & suppliers.
8. As members of a progressive industry, we encourage research to develop new materials, new building techniques, new building equipment and improved methods of single and multi-family financing to this end that every homeowner & resident renter may be the greatest value for every dollar.
9. All sound legislative proposals affecting our industry and the people we serve shall have our vigorous support.
10. We hold inviolate the private enterprise system and the American Way of Life. We pledge our supports to our associates, Local, State, & National Associations and all related industries concerned with the preservation of legitimate rights and freedoms.

## ARTICLE 1V

### -Classifications---Acceptance & Suspension/Revocation

#### Sec 1: Member:

- A. Builder Member: Any individual who is/has been or employed by a firm or corporation in residential, commercial or industrial building industry or land development & who is of good character & business reputation, & who subscribes to the Code of Ethics is eligible to be a builder member & with the approval by Board of Directors
- B. Associate Member: Any individual who is/has been or employed by a firm or corporation engaged in an industry relating to the building industry and who is of good character and business reputation, and who subscribes to the Code of Ethics is eligible to be an associate member & with the approval by Board of Directors.

#### Sec 2: Sponsor:

- A. Any individual who is/has been or employed by a firm or corporation in the residential, commercial, industrial building industry or land development and who is of good character and business reputation, and subscribes to the Association Code of Ethics is eligible to be a sponsor and with approval by Board of Directors.

#### Sec 3: Acceptance Member & Associates:

- A. Applicants for members & associates shall apply in a form satisfactory to Board of Directors. Upon payment of dues, shall be members of National Association of Home Builders, Pennsylvania Builders Association and Mercer County Builders Association, and while in good standing shall be entitled to full benefits, services, privileges of respective Associations.

#### Sec. 4: Acceptance of Sponsors:

- A. Applicants for sponsor shall apply in a form satisfactory to the Board of Directors. Upon payment of dues, shall be sponsors of Mercer County Builders Association, and while in good standing shall be entitled to its benefits, services and privileges.

#### Sec. 5 Revocation & Suspension:

- A. Board of Directors may by majority vote suspend or revoke Member or Sponsor for failure to meet financial obligations or for conduct detrimental to the Association. The member/sponsor shall be given 30 days advance notice of the Board meeting when the vote is scheduled and shall be offered an opportunity to be heard.
- B. A majority vote of Board of Directors is required for re-instatement and may be subject to terms & conditions imposed by the Board.

ARTICLE V  
-Dues & Requirements-  
Member Builders & Associates

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- Sec.1. Dues: Member dues of this Association payable at rate:  
A: Dues shall include those required for membership in the National Association of Home Builders of the United States and the Pennsylvania Builders Association, which this Association shall collect and remit in accordance with their respective requirements, as provided from time to time.  
B: Dues shall be determined annually by Board of Directors.

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- Sec. 2. Requirements- Member Builder & Associate Contractors:  
A. Proof of PA Home Improvement Contractor registration.  
B. Proof business operating for a minimum of one year.  
C. Proof of Worker's Compensation or exclusions.  
D. Proof of minimum of \$300,000 liability insurance

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- Sec. 3. Requirements-Member Associates-Non-Contractors.  
A. Proof business operating for more than one year.  
B. Proof of minimum of \$300,000 liability insurance.

-Dues & Requirements-  
Sponsors

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- Sec. 4: Dues: Sponsor dues of this Association payable at rate;  
A. Dues are required for sponsors in this Association, which this Association will collect in accordance with their requirements, as provided from time to time.  
B. Amount of dues shall be determined annually by Board of Directors.
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- Sec 5: Requirements-Sponsor Builder Contractors & Non Contractors  
A. Proof of PA Home Improvement Contractor registration.  
B. Proof business operating for a minimum of one year.  
C. Proof of Worker's Compensation.  
D. Proof of minimum of \$300,000 liability insurance
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ARTICLE VI  
-Board of Directors-

Sec 1. Composition of Governing Authority:

- A. Officers: The Association at its Annual Meeting shall elect President, Vice President, Secretary & Treasurer. An elected officer shall hold office for one(1) year beginning January 1-ending on December 31 with full voting privileges. The President shall be a member.
- B. Directors: A minimum of five(5) Local Directors, the majority of which shall be members. An elected Director shall hold office for one year-beginning January -ending December 31 with full voting privileges.
- C. Vacancies: Vacancies on the Board shall be nominated by the President and approved by the Board for the remaining period of the vacated term.

Sec 2. National & State Directors: The Board shall appoint National, State and Alternate Directors prescribed in the respective By-Laws. The appointments shall be members.

Sec. 3. Meetings: Meetings of the Board of Directors as follows:

- A. Regular meetings shall be held on such time directed by the Board.
- B. Special meetings may be called by the President or upon written request of the majority of Directors.
- C. Notice of meetings date, time & location for all meetings must be given three(3) days in advance.

Sec 4. Voting: Simple majority in attendance shall decide an issue.

Sec 5. Membership Meetings:

- A. Annual meeting of Membership & Sponsors of this Association shall be held on or about Nov 15<sup>th</sup>, or at such time as the Board may designate, for the purpose of electing the Governing Body for the upcoming year, and for other matters proper to come before the members and sponsors.
- B. Regular meeting of members and sponsors shall be held on the at such time as the Board may designate by Directors-minimum of four(4) annually. Special meetings may be called by President or majority of Directors. Notice of time/date/location to each member/sponsor must be at least seven(7) days in advance.

ARTICLE VII

-Elections-

- Sec 1. The Nominating Committee: Shall be composed of immediate Past President and two(2)members appointed by the President who shall designated the Chairman. Nominations notice with a nomination form must be provided to members and sponsors at least 14 days prior to election to be returned to Association office Committee review.
- Sec 2. The Association Officers & Directors: Shall be elected at the Annual Meeting of members & sponsors. The Committee shall submit its report Additional nominations accepted from the floor.
- Sec 3. Chairman Voting Options: Voice vote or written ballot. A second ballot shall be taken for a tie vote.

ARTICLE VIII

Municipality Classifications

- Sec 1. Board of Directors shall annually determine the role(s) of the municipal representatives.

ARTICLE IX

-Committees Appointments-

- Sec 1. Committees: The President with consent of Board of Directors shall establish Committees for the Association except otherwise specifically provided in these By-laws. Majority vote decides the issue.
- Sec 2. Committee Chairman: Appointed by President except otherwise provided in these By-laws.
- Sec 3. Chairman-Committee Member: President may remove with Board of Directors approval.
- Sec 4. Special Committee/Task Force: President may appoint when advisable. President will approve Chairman and approve actions.

ARTICLE X

-Association Annual Meeting & Finances -

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- Sec. 1. Annual meeting of the Association: Shall be held on or about the 15<sup>th</sup> of November each year, or at such time the Board may designate for the express purpose of electing Association Officers, Directors, and addressing other appropriate matters at the meeting.
- Sec 2. Finances:
- A. The fiscal year begins January 1 and terminates December 31.
  - B. The Board shall adopt an annual budget. Any expenditure is access of budget must be approved by Board of Directors.
  - C. Dues & other monies shall be placed in a depository selected by Board of Directors. Payments from funds shall be signed by person(s) authorized by Board of Authority.

ARTICLE XI  
-Rules of Procedure-

Sec 1: Robert's Rules of Order: Parliamentary procedure shall govern meetings of the Association as provided in these By-Laws.

ARTICLE XII  
-Indemnification-

Sec 1. Indemnification:

- A. Limitations hereafter set, the Association shall indemnify each director, director, or agent of the Association and/or serving any organization at request of the Association including heirs, executors or administrators to the full extent permitted by law, against all judgments, fines, liabilities and reasonable expenses such as court costs, attorney fees which were incurred in connection with claim, suit, action proceeding, whether civil, criminal or administrative, and whether or not liability arose from action or the right of the Association involvement because of anything done or omitted as director, officer, or agent of the Association, but such indemnification can be made only if a determination is made hereafter provided such indemnification should be made. It shall not impair the right the person may have.
- B. Said indemnification can only be made only if determination has been made with advice of Association legal council, members of Board of Directors not involved in claim or proceedings or by dis-interested person(s) named by Board of Directors not involved in claim or proceedings or by independent legal council in a written opinion: That the director, officer, agent acted in good faith, believed to be in the best interest of the Association, and did not believe his conduct was unlawful, that the proposed indemnification is reasonable, and legal under the then law but shall not be available if determined willful misconduct or recklessness by Court.

ARTICLE XIII  
-Amendments

Sec 1. These By-Laws Amendment: Two-thirds(2/3) vote of the Board of Directors at a meeting required: Attendance at such meeting constitutes Quorum. Copy of proposed amendment(s) to be provided to member thirty(30)days in advance.

Sec 2. Quorum: The presence of a majority of Directors at meeting constitutes a quorum.

" THE OLD MAN AND THE FLAG "



AS A PARADE APPROACHED WITH A BLARING BAND  
I NOTICED A VERY OLD MAN;  
HE HAD MEDALS HANGING FROM HIS CHEST,  
AND HIS HAT HELD TIGHT IN HIS HAND.  
HIS SUIT WAS WRINKLED AS WAS HIS FACE,  
AND HIS BODY BENT BY AGE;  
BUT STILL HE STOOD UNWAVERING,  
LIKE A LION WHO LEFT ITS CAGE.  
WHEN SUDDENLY, THE SKY BROKE LOOSE,  
AND THUNDER ROARED ITS SOUND;  
THE CROWD ALL RAN FOR COVER,  
BUT THE OLD MAN HELD HIS GROUND.  
THE PARADE KEPT RIGHT ON MARCHING,  
AS THE REMAINING CROWD JUST RAN;  
AND THE ONLY PERSON LEFT TO WATCH,  
WAS A SOAKING WET OLD MAN.  
THE HONOR GUARD WAS APPROACHING,  
WITH OLD GLORY FLYING HIGH;  
THE OLD MAN'S FACE LIT UP REAL BRIGHT,  
AS HE STRAIGHTENED UP HIS TIE.  
THEN SUDDENLY, HE STOOD UP TALL,  
AND BROUGHT HIS HAT UP TO HIS CHEST-  
HIS EYES WERE GLUED TO THAT BEAUTIFUL FLAG  
FROM THE LAND THAT HE LOVED BEST.  
AND FROM MY PLACE OF COVER,  
I SAW A TEAR FALL FROM HIS EYE;  
AND I KNEW THAT FLAG MEANT ALL THE THINGS,  
FOR WHICH HE WAS WILLING TO DIE.  
AND WHEN THE PARADE HAD ENDED,  
AND NOTHING REMAINED OF THE CROWD,  
I SAW THAT OLD MAN WALK AWAY,  
LIKE AN AMERICAN WHO WAS PROUD.

(by ray archambault)

# MERCER COUNTY

48----- MUNICIPALITIES

\*3 -CITIES

\*14 ---BOROUGHES

\*31---TOWNSHIPS

