

BYLAWS OF THE MASSACHUSETTS CHIMNEY SWEEP GUILD INC.

Adopted February 28, 1982, Last Amended April 15, 2014

ARTICLE I – Name and Seal

1. Name

The name of this Guild is the MASSACHUSETTS CHIMNEY SWEEP GUILD, INCORPORATED (hereinafter referred to as “the Guild”).

Seal

The Guild shall have a seal of such design as the Board of Directors may adopt. Such seal shall normally be kept in the custody of the secretary, and the directors may order such additional seals as may be necessary.

ARTICLE II – Objectives

The objectives of the Guild shall be:

1. Informed Sweeps

To make Massachusetts chimney sweeps the best informed and most competent in the nation.

2. Safety

To encourage and promote safety in the use of wood, coal, oil, and other fuels as alternative sources of energy.

3. Design, Quality, and Performance

To foster among members the highest level of design, quality, and performance in their products and services.

4. Welfare

To promote the welfare and interests of members of the Guild in a reasonable and legal manner.

ARTICLE III – Membership

1. Categories

The Guild shall be composed of the following membership categories:

3-1.1 Chimney Sweeps

3-1.2 Associates

3-2 Description of Categories:

3-2.1 Chimney Sweeps:

Any sole proprietor, partnership, or corporation actively engaged in mechanically cleaning of soot/creosote from chimneys. Chimney sweeps from states other than the Commonwealth of Massachusetts shall be permitted but shall not exceed twenty-five (25) percent of the Guilds total membership.

3-2.1.1 Title:

A membership under the Chimney Sweeps category shall be referred to as a “Chimney Sweep Membership”.

3-2.2 Associates:

Any individual, partnership, association, or corporation, not actively engaged in mechanically cleaning soot/creosote from chimneys in the Commonwealth of Massachusetts, and having commercial interests in the use of wood, coal, or other fuels as alternative sources of energy.

3-2.2.1 Title:

A membership under the Associates category shall be referred to as an “Associate Membership”.

3-3 Voting Rights:

1. Chimney Sweep Members:

Members with Chimney Sweep Memberships shall have one vote per Membership.

3-3.2 Associate Members:

Members with Associates Memberships shall not have voting rights

3. Certification Requirements:

When the regulation concerning Certification requirements applies, voting privileges may be suspended. (See Article XII)

4. Admission to Membership

Application for membership shall be made in writing on such forms as may be approved by the Board of Directors of the Guild and accompanied by the applicable enrollment fee as established by the Board of Directors. Any such application shall be subject to the approval of the majority of the Board.

3.4 Suspensions and Expulsions

Members not paying dues are automatically expelled, unless a majority vote to allow them to remain is made by the board of directors and only because of some extenuating circumstance. Except for non-payment of dues, a member may only be suspended or expelled for due cause upon a majority vote of the Board of Directors. The Board of Directors shall provide notice to a member prior to suspension or expulsion for due cause and a hearing shall be provided if requested by the member. No notice is required when expulsion is for non-payment of dues. The decision of the Board of Directors is final, former members can reapply for membership after one year provided the reason for expulsion has been corrected, expulsions due to non-payment can reapply with no waiting period but will be charged an additional late fee of at least \$25 (or more to be determined annually by the Board of Directors) plus any bank fees.

3.5 Membership Year

The membership year runs from Jan 1st to Dec 31st annually.

ARTICLE IV – Meetings of Members

4-1 Meetings

There shall be an annual meeting of the membership, and such other special meetings of the membership as the Board of Directors may direct, the dates and sites of special meetings to be set are subject to the approval of the Board of Directors. Any meetings, either annual or special, may be held outside the Commonwealth of Massachusetts.

4-2 Notification

Members shall be notified of meetings by mail not less than ten (10), nor more than thirty (30) days in advance. Or notification may be by email not less than ten (10) or more than thirty (30) days in advance if the meeting date has been posted on the Guilds Website Event Calendar for at least sixty (60) days in advance, and / or if the meeting date was already sent out by mail on an Guild annual event calendar.

4-3 Quorum

A quorum shall be deemed present at the annual meeting or other special meetings of the membership if at least one-tenth of the voting membership is present.

ARTICLE V – Board of Directors

5-1 Number of Term(s) of Office

The number of Directors of the Guild shall not be less than six (6) nor more than ten (10), but such permitted number may be increased or decreased by amendment in the manner set forth in Article X hereof. When the number of Directors is so decreased by amendment, each Director in office shall serve until his/her term expires, or until his/her resignation or removal as herein provided.

5-2 Directors

5-2.1 Business and Property of the Guild:

The business and property of the Guild shall be managed and controlled by the Board of Directors.

5-2.2 Election of New Directors:

New Directors shall be elected bi-annually by the then existing membership, and must work with their predecessor in the interim between the election and their installation, they must hold office until the installation of their successors, and must work with and train their successor in the interim between the election and the installation of their successor, except as hereinafter otherwise provided. New Directors must familiarize themselves with these bylaws and their powers and duties as prescribed within these bylaws before they take office, and they should each personally and regularly (at least annually) review these bylaws.

5-2.3 Procedure for Election of Directors:

Directors shall be elected in accordance with the provisions of Article V,

Section 3.

5-2.4 Term of Office:
Directors shall be elected for a term of two (2) years or to fulfill the unexpired term of a Director that has resigned or otherwise been removed.

5-2.5 Assuming Office:
Directors shall assume office on January 1st in odd numbered years, but must attend meetings and work with their predecessor immediately following the election.
Elections shall be held in June bi-annually in even numbered years.

5-3 Nominations and Election

5-3.1 Member Nominations:
Any voting member may place the name of any member (from any membership category), or a name from any member company's staff (from any membership category), or their own name in nomination at any meeting or by an official nomination form mailed to the membership by the Secretary. A person may also nominate himself or herself by emailing or mailing the Secretary. All nominations for the next election should be received by the Secretary by April 10th. (in even numbered years) and accepted or declined by the nominee by April 25th (in even numbered years). The Secretary is responsible to keep an accurate list of all accepted nominations and have it available and read at all meetings.

5-3.2 Ballots:
5-3.2.1 Ballots shall be sent to all voting members by May 10th in even numbered years.

5-3.2.2 All ballots shall be secret ballots.

5-3.2.3 All ballots shall be opened by an impartial committee to be appointed by the President.

5-4 Qualifications for Directors of the Guild

To qualify for election as a Director, candidates must meet the following requirements:

5-4.1 Active Membership:
Six (6) months as an active member of the Guild.

5-4.2 Travel Costs:
Must be able to defray travel costs and other expenses necessary for attending meetings unless event-specific costs and expenses are otherwise approved of in advance by the Board of Directors for reimbursement by the Guild.

5-4.3 Attendance:
Must attend three (3) Board meetings annually as a Director.

5-5 Powers and Duties

The Board of Directors shall have these powers and duties:

1. Rules and Provisions:
To make rules and provisions, consistent with these by-laws for the carrying out of the work and activities of the Guild.
- 5-5.2 Engaging and discharging Employees and Agents:
To engage and discharge all employees and agents of the Guild
3. Compensation for Employees and Agents:
To fix compensation of all employees and agents of the Guild.
4. Budgets and Expenditures:
To approve annual budgets and expenditures and amendments thereto.
5. Guild Property:
To have charge of all property of the Guild.
6. All Board members (not the Officers) are required to head up at least one committee. The Board Member nomination form, ballots and any contact information lists should all reflect each Board members Committee Head position. Committee heads must be listed on all Board of Directors lists.
7. Committee Heads are responsible for the following:
Public Relations Committee (includes: taking care of the immediate posting of the Guild member list for new years on the website as soon as the information comes from the Treasurer (Officers, Directors / Committee heads shall all have their positions, Committees and contact information posted on the website). Also includes running and organizing the Guild's show booth, sales of Guild promotional items - both online and from the Guild's booth, Guild advertising to the general public, public service announcements, press releases, website content, internet advertising, SEO and social media).

Seminar Committee (includes organizing seminars with CEU's and all class materials such as handouts, projector, screen, TV, video player etc. when appropriate. At least three seminars should be held per calendar year.

Event Committee (for all Seminars, Parties, and Meetings includes booking and arranging for: ballrooms, classrooms, meals, lodging discounts, etc. when appropriate).

MA Chimney Sweep Guild (Membership) Committee (includes organizing the advertising and campaigns to find new members in MA and at least one annual mailing to prospective members in MA).

CT Chimney and Hearth Guild Committee (includes organizing the advertising and campaigns to find new members in CT and at least one annual mailing to prospective members in CT).

RI Chimney and Hearth Guild Committee (includes organizing the advertising and campaigns to find new members in RI and at least one annual mailing to prospective members in RI).

5-5.7.1 Delegation of Duties:

The Committee Head may delegate responsibility for his/her duties in a reasonable manner to their Committee members, but the Committee Head shall remain in oversight of any delegated responsibilities.

8. Other Acts:

To perform other acts necessary or proper to carry out the work of the Guild.

5-6 Directors' Interests in Contracts

The Directors and Officers of the Guild may be interested directly or indirectly in any contract relating to or incidental to the operations conducted by the Guild to the full extent permitted by law.

5-7 Meetings of the Board of Directors

5-7.1 Calling Meetings:

5-7.1.1 Minimum Number of Meetings:

The President shall call meetings of the Board of Directors as the occasion warrants, provided that the Board must meet at least four (4) times each year.

5-7.1.2 When requested by the Board:

The President must call a meeting of the Board of Directors, within thirty (30) days if requested in writing by at least one-third of the members of the Board.

5-7.1.3 Notice:

Notice of all meetings shall be provided by mail not less than ten (10) days or more than thirty (30) days before the date set for the meeting. Or notification may be by email not less than ten (10) or more than thirty (30) days in advance if the meeting date has been posted on the Guilds Website Event Calendar for at least sixty (60) days in advance, and / or if the meeting date was already sent out by mail on an Guild annual event calendar.

5-7.2 Presiding in President's Absence:

In the absence of the President, the Vice-President will preside at such meetings of the Board of Directors.

5-8 Quorums and Voting

5-8.1 Quorum:

A majority of the members of the Board of Directors shall constitute a quorum.

5-8.2 Voting:

All decisions of the Board shall be by majority vote. In case of a tie, the President shall cast the deciding vote.

3. Decisions:

All decisions of the Board shall be final.

5-9 Interim Action

The Board of Directors may take official action on any matter in the interim between meetings by mail, e-mail or by a telephone ballot. This shall be confirmed by mail or e-mail by a majority vote of the Board of Directors. Email is an accepted method of voting only if it is; a) impossible for the vote to wait until the next scheduled Board Meeting; b) it is impossible to convene a special Board of Directors' meeting to vote in person; or c) it is impossible to reach a Member(s) on the telephone for a voice vote.

5-10 Vacancies

5-10.1 General:

Any vacancy occurring on the Board of Directors shall be filled by the President with the approval of a majority of the remaining members of the Board of Directors.

2. Term:
A Director appointed to fill a vacancy shall be appointed for the unexpired term of his/her predecessor.
- 5-10.3 Candidate Pool:
Vacancies shall be filled from among the members of the membership.
4. Request for Board Member Resignation:
The Board may, by majority vote, ask any Board member to resign if he/she has been absent from three (3) board meetings in succession, or for other due cause.

5-11 Removal

5-11.1 Causes for Removal/Quorum Vote:

For conduct detrimental to the interests of the Guild, any director may be removed from his/her office by the affirmative vote of two-thirds of a quorum of the membership at any regular meeting or special meeting called for that purpose.

2. Notification:
Any such Director proposed to be removed shall be notified by Registered Mail at least ten (10) days prior to the meeting at which such removal shall be voted upon.
3. Appearing at Meeting:
Any such Director proposed to be removed shall be entitled to appear before and be heard at such meeting.

5-12 Required Resignation

5-12.1 Change of Profession/Cessation of Membership:

A Director who changes professions or ceases to be a member of the Guild shall be automatically required to submit his/her resignation to the President.

5-12.2 Conflicting Organizations:

A Director of the Guild shall not serve on the board of any conflicting organization.

5-12.2.1 If a Conflict Exists:

If two-thirds of those present at a regular meeting of the Board vote that such conflict does exist, that shall be reason for expulsion of that Director from office.

3. Acceptance/Rejection of Resignation:
The President shall accept or reject the resignation with the advice and consent of the Board of Directors.

5-13 Annual Report

5-13.1 Presentation of Report:

The Board of Directors shall present each year to the members a report verified by the President and Treasurer or by a majority of the Directors, showing in appropriate detail the following:

5-13.1.1 Assets and Liabilities:

The assets and liabilities of the Guild as of the end of the fiscal year.

5-13.1.2 Principal Changes:

The Principal changes in assets and liabilities during the year immediately preceding the date of the report.

5-13.1.3 Revenue:

The revenue or receipts of the Guild for the year immediately preceding the date of the report.

5-13.1.4 Expenses or Disbursements:

The expenses or disbursements of the Guild for the year immediately preceding the date of the report.

5-13.1.5 Filing/Abstract:

The annual report of the Directors shall be filed with the records of the Guild and an abstract thereof entered in the minutes of the proceedings of the annual meeting of the membership.

ARTICLE VI – Officers

6-1 Number

6-1.1 Elected Officers:

The elected officers of the Guild shall be a President, Vice-President, Secretary, and a Treasurer, all of whom will serve without compensation. Reasonable and customary

event-specific costs and expenses, if approved of in advance by the Board of Directors, may be reimbursed by the Guild.

2. Past President:
The immediate past president shall serve on the Board of Directors in an “ex-officio”, non-voting capacity for one (1) year.

6-2 Elections and Term

6-1.1 Term of Office:

6-2.1.1 All officers shall hold office for two (2) years or until their successors are duly installed except as otherwise noted and amended in Article V, Section 2.

6-2.2 Election by Voting Membership:

All persons running for the office of President, Vice-President, Secretary, Treasurer and Directors of the Board will be elected by the voting membership unless the bylaws allow otherwise.

6-3 Staff

The Board of Directors, at its discretion, may hire such outside consultants or staff, as it may consider appropriate.

4. Compensation to Staff

The Board of Directors is authorized to grant such compensation to legal counsel, consultants and staff as may be justified by the duties performed, provided that such compensation shall not obligate the Guild beyond an amount that is available from funds on hand or to be available from the income of the current year.

ARTICLE VII – Duties of Officers

7-1 President

7-1.1 Meeting Report:

Write and present President’s Report and Agenda for each Meeting.

7-1.2 Presiding at Meetings:

The President shall preside at all regular meetings of the Guild and perform such other duties and functions as custom and parliamentary usage required.

3. Appointment of Committees:

The President shall appoint all committees.

4. Notification of Board Meetings

The President is responsible for notification of all Board of Directors meetings.

5. Presentation & Verification of the Annual Report (see Article 5-13).

6. Committees:

The President shall sit on at least on Committee. The Committee(s) the President sits on shall be notated in all listings of the President’s contact information and in all official meeting notations under the appropriate Committee report.

7-2 Vice-President

7-2.1 Meeting Report:

Write and present Vice-President’s Report for each Meeting.

7-2.2 In the President’s Absence:

The Vice-President shall assume the duties of the President at the latter’s request or in his absence.

3. Succession to Presidency:

The Vice-President shall succeed to the presidency if that office shall become vacant prior to the expiration of the President’s term of office.

7-2.4 Committees:

The Vice President shall sit on at least on Committee. The Committee(s) the Vice President sits on shall be notated in all listings of the Vice President’s contact information and in all official meeting notations under the appropriate Committee report.

7-3 Secretary

7-3.1 Records of Proceedings:

The Secretary of the Guild shall attend all meetings of the Guild and of the Board of Directors and keep an accurate record of the attendance and proceedings thereof. Take careful notes of all business at all meetings, paying close and special attention to names of all speakers and those who make and second motions, for the record. Transcribe notes into formal minutes, send out a rough draft of the minutes within two weeks after the meeting to the Board of Directors, bring the formal minutes to be presented for acceptance by the Board of Directors at the next Board of Directors meeting. Maintain all

original attendance lists, meeting notes & approved minutes in the Guild archives during his/her term. Provide this archive to new Secretary upon transition.

2. Notice of Meetings of Members:
The Secretary shall give notice of the meetings of the membership prescribed by these bylaws.
3. Nominations:
Any voting member may place the name of any member (from any membership category), or a name from any member company's staff (from any membership category), or their own name in nomination at any meeting or by an official nomination form mailed to the membership by the Secretary. A person may also nominate himself or herself by emailing or mailing the Secretary. The Secretary shall be responsible to get acceptance or denial of each nomination from each nominee. The Secretary shall keep track of all accepted nominations and present the up to date list of all accepted nominations at all meetings and have them read into every meeting record. The Secretary must mail out a nomination form to the membership by March 10th in even numbered years. All nominations for the next election must be received by the Secretary by April 10th (in even numbered years), the April 10th deadline must be notated on the nomination form, and all nominations must be accepted or declined by the nominee by April 25th (in even numbered years).
4. Ballots:
The Secretary must mail ballots to the voting membership by May 10th in even numbered years. The ballots should reflect each Board members Committee Head position.
5. Annual Mailer to the Entire Membership:
The Secretary is responsible to organize and mail to the entire membership an annual membership package containing:
 - Sweep Coupons** (The secretary shall organize member discounts from vendors recognized in the industry and by this Guild as respected industry leaders).
 - Calendar of Events** ("save the date flyer") for the current year and the next calendar year (as approved by the Board of Directors).
 - Logo'ed Gift** from the Guild - such as a vehicle sticker or decal, some type of apparel (ie. hat or shirt) or dishware (ie coffee mug etc.).
 - Current Membership Directory**
 - Current Board of Directors list** and contact information.
 - Grant Application(s)** ie. Peter Pilat Education Fund.
 - City and Towns Serviced List** to be filled out and returned by each Member.
 - Copy of the Current Bylaws**
 - Membership Certificate**
 - Nomination form** The nomination form should reflect each Board members Committee Head position.

The Annual Mailer should go out by February 1st every year.

3. Committees:
The Secretary shall sit on at least on Committee. The Committee(s) the Secretary sits on shall be notated in all listings of the Secretary's contact information and in all official meeting notations under the appropriate Committee report.
- 7.3.7 Other Duties:
The Secretary shall perform such other duties as may be required by law, by vote of the Board of Directors, or by these bylaws.

7-4 Treasurer

- 7-4.1 Meeting Report:
Write and present Treasurer's Report for each Meeting including a formal Profit & Loss statement and Balance Sheet reports at every scheduled meeting for approval by the Board and be prepared to answer and support any questions about any item on them.
- 7-4.2 Accounting:
The Treasurer shall receive and properly account for all funds of the Guild. Maintain Guild's financial activities, including handling all Accounts Payable and Receivable, writing all checks, maintaining all bank statements, and making monthly reconciliations of all financial accounts (including performing due diligence and making collection calls as necessary) to ensure the Guild's finances are balanced and solid at all times. Provide this archive to new Treasurer upon transition.

- 7-4.3 **Financial Records/Financial Reports:**
The Treasurer shall keep proper records of all receipts and expenditures and render a complete financial report at the annual meeting, and such additional financial reports as may be required for the Board of Directors. Upon transition of office, the departing Treasurer will ensure that a working copy of all software and files (saved & approved to-date) are provided, installed, and running on the new Treasurer's computer so he/she will have no problems completing the above-mentioned Guild duties immediately. Any software and / or files are to be backed up securely by the Treasurer. Copies or access to the backup.
- 7-4.4 **Taxes:**
The treasurer shall annually file and pay with Guild funds any taxes as necessary with the State and Federal Government. (Note: The fiscal year of the Massachusetts Chimney Sweep Guild commences on July 1 of each year and ends on June 30.)
- 7-4.5 **Filings:**
Every year (before October 31) file an MA Annual Report with the Massachusetts Secretary of State listing current Board members, and pay the filing fee with Guild funds.
- 7-4.6 **Membership Oversight:**
- 7-4.6.1 Type up and provide a current, comprehensive and accurate membership directory of all Guild members by Jan 1st to the Secretary (for the Annual Mailer) and Public Relations Committee head (for website posting). Officers, Directors / Committee heads shall all have their positions, Committees and contact information notated on the membership lists. Provide this archive to new Treasurer upon transition.
- 7-4.6.2 Send out membership renewal applications after September 1st but before November 1st every year (with a Dec 1st deadline notated on the applications). Track renewal application returns, make follow-up calls (as necessary), make and keep track of the deposits of the annual membership dues and the member companies paid and outstanding for each year.
- 7-4.7 **Delegation of Duties:**
The Treasurer may delegate responsibility for his/her duties in a reasonable manner, but the Treasurer shall remain in oversight of any delegated responsibilities.
- 7-4.8 **Presentation & Verification of the Annual Report (see Article 5-13).**

ARTICLE VIII – Order of Business

The following shall be the order of business at the meetings of the Board and at regular meetings of the Guild.

1. Roll Call
2. Reading of the minutes of the previous meeting(s)
3. Reading (by the Secretary) of the current list of the committee heads and the board of directors, with their terms (this list always to be written into every meeting record)
4. Communications and Bills (letters to be read, invoices to be approved)
5. Report of the Vice-President
6. Report of the Treasurer (including profit and loss statement and balance sheets)
7. Report of the President
8. Awards and Grants
9. Membership
10. Website
11. Seminars
12. Summer Event
13. Winter Event
14. Bylaws
15. Report and Requests of the Committees / Committee Heads
 - * All committees require the Board of Director's approval before spending any of the Guild's funds.
 - * The Committee(s) that the President, Vice President and Secretary sit on shall be notated for the record.
 - * The Committee Heads of each Committee shall be notated for the record.
 - * A call for volunteers to be Committee members shall be done at each meeting.
 - * The complete list of Committee members for each Committee shall also be notated for the record (see the previous meeting's notations for the previous list of Committee members).

Non-active Committee members shall be removed from the list at the discretion of the Board of Directors or may submit a committee resignation letter to the Board of Directors.

* The following is a list of the permanent Committees:

Public Relations Committee
Seminar Committee
Event Committee
MA Chimney Sweep Guild (Membership) Committee
CT Chimney and Hearth Guild Committee
RI Chimney and Hearth Guild Committee

16. Elections and Nominations (Handled by the Secretary): current accepted nominations, election results, and a call for any new nominations (this list shall be written into every meeting record).
17. Unfinished business
18. Good and welfare
19. Future Planning (calendar of events)
20. Roll Call for corrections

ARTICLE IX – Fiscal Year

The fiscal year of the Massachusetts Chimney Sweep Guild shall commence on July 1 of each year and end on June 30.

ARTICLE X – Amendments to Bylaws

1. Power to Amend

10-1.1 Methods of Amendment:

The membership shall have the power to make, alter amend and repeal the bylaws of the Guild in these ways, subject to the provisions of this Article.

- 10-1.1.1 by affirmative vote of two-thirds of the members voting in person,
- 10-1.1.2 by written proxy,
- 10-1.1.3 by mail vote,
- 10-1.1.4 by e-mail.

10-1.2 Procedure:

10-1.2.1 Action to be Proposed at a General Membership Meeting:

10-1.2.2 Adoption:

If the vote passes the Action shall be adopted at the subsequent regular meeting, except as otherwise provided by law.

10-1.2.3 Notice:

Notice of intent to so alter, amend, or repeal said bylaws shall be sent to the membership at least ten (10) days prior to the meeting at which said change is to be voted upon.

ARTICLE XI – Dissolution

1. Dissolution by Membership

The Massachusetts Chimney Sweep Guild may be dissolved by the voting membership by a two-thirds vote at any regular meeting or special meeting called for that purpose.

2. Upon Dissolution

11-2.1 Payment of Liabilities:

Upon dissolution, the Board of Directors shall pay or make provisions for payment of all the liabilities of the Massachusetts Chimney Sweep Guild.

11-2.2 Remaining Assets:

Any remaining assets shall be donated to any organization, which is organized and operated exclusively for charitable, educational, religious, or scientific purposes, as the Board of Directors shall determine.

ARTICLE XII – Certification

12-1 Statement of Intent

The Massachusetts Chimney Sweep Guild recommends that, in sole proprietorships, partnerships, limited liability companies or corporations with Membership status, all practicing

sweeps hold, in addition to all the required licenses, a certification or license based on the chimney and venting industry. The Board of Directors shall decide what certifications and / or licenses are acceptable.

2. **Certification Requirement**

12-2.1 Chimney Sweep Members:

At least one practicing sweep from each Chimney Sweep Member must hold, a certification or license with testing based specifically on the chimney and venting industry. The Board of Directors shall decide or be able to change what certifications and / or licenses are acceptable and unacceptable. At least one certification and / or license must always be required for membership and found as acceptable by the Board of Directors. Membership is to be made aware what certifications and / or licenses are acceptable immediately after such a vote takes place. Notification may be by mail or email. Annual notification to the membership of what certifications and / or licenses are acceptable is also additionally required and may be done by using the annual membership application. This information should also be posted on the Guild's website.

2. Associate Members:

Associate members need not be certified, but are encouraged to do so.

3. New Members:

New members will have one year from the date of the acceptance of their membership application to comply with the Certification Requirement, or Non-Compliance procedures will be enacted.

4. Evidence of Certification:

Chimney Sweep Members are required to provide evidence of certification upon renewal of Membership. Chimney Sweep Members are also required to provide evidence of Certification at other times upon request of the Board of Directors. The Board of Directors shall determine the type of evidence required.

12-3 **Maintaining Certification Requirement**

12-3.1 Continuous Certification:

This Certification requirement must be maintained continuously or the following optional exception may be used in place of continuous Certification, the Certification requirement for Chimney Sweep Members shall be deemed fulfilled permanently after a minimum of ten consecutive years of certification, as long as the Chimney Sweep Member continues to have at least one full-time staff member that has fulfilled the ten-year minimum consecutive Certification term and that staff member maintains a valid state construction license that requires continuing education (state licenses that are excepted are to be determined by the Board of Directors with the requirement being that maintaining the license requires continuing education).

12-3.2 Failure to Maintain Continuous Certification:

If a Chimney Sweep Member fails to maintain this continuous Certification requirement, due to expiration or revocation of Certification, dismissal or retirement of all Certified Sweeps in the Members' employ, or any other reason, that Member will be allowed a grace period of six (6) months to comply with the Certification Requirement, or Non-Compliance procedures will be enacted.

12-4 **Non-Compliance**

Failure to comply with the Certification Requirements will result in the Board of Directors commencing action to cause:

12-4.1 The immediate suspension of Membership in the Massachusetts Chimney Sweep Guild.

12-4.2 The immediate suspension of voting privileges in the Massachusetts Chimney Sweep Guild.

12-4.3 The immediate suspension of Member discounts and other Member benefits.

12-5 **Non-Compliance Notification**

In the event that a Guild Member fails to comply with the terms of this Article, once such failure is known to the Board of Directors, the Board of Directors will send a Non-Compliance Notification to the Member by certified mail, at the most current address on file, indicating:

12-5.1 that the Member has failed to comply with this Article,

12-5.2 that the Member has been suspended from Membership,

12-5.3 the steps that must be taken by the Member to regain Membership status.

12-6 **Continued Non-Compliance**

If, 60 days from the date of the Non-Compliance Notification the Member remains in non-compliance, the Member will be subject to the Board of Directors causing the Member to be expelled from the Guild.

7. Notice of Expulsion

In the event that a Guild Member is expelled due to non-compliance with the terms of this Article, the Board of Directors will send a Notification of Expulsion by certified mail, to the most current address on file.