



# CERTIFICATION PROGRAM POLICY MANUAL

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This policy manual is a set of comprehensive guidelines adopted by the NCAZO Board of Directors for the purpose of administering the NCAZO Zoning Official Certification Program.

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# **CERTIFICATION PROGRAM POLICY MANUAL**

## **I. INTRODUCTION**

The Zoning Official's Certification Program is a voluntary certification primarily for local government zoning officials in North Carolina sponsored by the North Carolina Association of Zoning Officials (NCAZO) with the assistance of the School of Government at Chapel Hill, N.C. The purposes of the program are to:

- 1) Serve the public of the state of North Carolina and the Management of local government and;
- 2) Recognize achievement of an established level of competency and proficiency among zoning officials and;
- 3) Promote the continuing professional development of zoning officials and those dealing with zoning laws and practices and;
- 4) Enhance the stature of the work of zoning officials and their professional image.

This policy manual is a set of comprehensive guidelines adopted by the NCAZO Board of Directors (Board) for the purpose of administering the NCAZO Zoning Official Certification Program (the Certification Program). The Board shall have the authority to amend the policy, as it deems necessary. The committee may submit to the board, recommendations for amendments to the policy. All amendments proposed by the Certification Committee shall be voted on by the NCAZO Board of Directors.

## **II. THE CERTIFICATION COMMITTEE**

- A. The Committee shall be a standing committee appointed by the Board and is responsible for overseeing the administration of the Certification Program.
- B. The Committee shall be comprised of one member from Western North Carolina, one member from Central North Carolina, one member from Eastern North Carolina, and three members at large. The boundaries defining each region shall be those adopted by the Board. Members of the School of Government faculty may serve as advisors to the Committee and the Second Vice President of the Association shall serve as Liaison.
- C. Once appointed, the Committee member may serve a four (4) year term. Terms shall run with the fiscal year beginning August 1st and ending July 31st. The Board shall appoint two new members to the Committee each year at the NCAZO annual conference as needed. A member may not serve more than two consecutive terms. Only by approval of the Board, a Committee member may serve one additional term to fill a vacancy; provided the vacancy is within their district or an "at large" position. When a vacancy arises, the Board shall appoint a member to fulfill the unexpired fiscal year from the district in which the vacancy occurred. When a vacancy occurs after January 1st of a fiscal year, the appointee's term will not begin until August 1st in the new fiscal year. A chairperson appointed by the Board shall

preside over all Committee meetings and is responsible for setting the time and place of all Committee meetings.

- D. A Vice-Chairperson shall be appointed by the Committee Chair and shall act in the absence of the Chairperson until such time as the Board appoints a new Chairperson.
- E. One Committee member appointed by the Committee shall act as Secretary to the Committee. The Secretary shall be responsible for recording the proceedings of each Committee meeting in writing and furnishing the Committee members with copies of those proceedings.
- F. Should a member of the Committee have two or more unexcused absences from meetings, as determined by the committee, within a fiscal year, that member shall be removed from the Committee and a replacement shall be appointed to fulfill the unexpired term. Committee members may be asked to serve on subcommittees as needed. Teleconferencing is an additional means to hold meetings of the committee and shall be scheduled in advance with all members and held to the same standard as above.
- G. A quorum shall be present prior to the Committee's conduction business. A quorum shall consist of the majority of members.
- H. All decisions affecting the Certification Program shall be decided by a majority vote.
- I. Any member appointed to the Certification Committee must be a member in good standing of the NCAZO and a Certified Zoning Official as designated by the NCAZO. If at any time any member of the committee finds that they do not have the support of their jurisdiction and cannot fulfill their duties, they may request that another individual be appointed from the district they represent, and request possible reappointment at a later date.
- J. The chair of the certification committee will be responsible for all record keeping and verification. If needed, the chair can assign other committee members or volunteers. Electronic records will be kept, maintained and stored in a fashion that will allow future boards and chairs to maintain. The chair of the certification committee needs to understand the amount of commitment needed to fulfill the duties not only with the maintenance program, but to continue supporting the certification course as well as the members of the committee. In appointing members of the certification committee, the chair or president needs to verify with any proposed potential candidate their commitment, availability, and approval from their supervisor or department head.

### **III. THE CERTIFICATION COURSE**

- A. The Certification Course shall be offered periodically and is sponsored with the cooperation of the School of Government. The course is generally offered about every 18 months in Chapel Hill.
- B. The length of the Course shall be a minimum of five (5) days and shall consist of a minimum of thirty (30) hours of class time, including the certification exam.
- C. The course shall be comprised of classroom instructional sessions which will address the following topics:

#### General Course Content (3.5 hr)

- Public Records
- Ethics
- Liability

#### Zoning Administration (10 hr)

- Legal framework review
- Dealing with particular uses
- Maps and site plan review
- Ordinance amendments
- Quasi-Judicial procedures
- Interpretation

#### Enforcement (13 hr)

- Overview (permits, appeals, administrative enforcement)
- Research and investigative techniques
- Legal issues with inspections (warrants, evidence, trespass)
- Case study
- Litigation
- Dealing with conflict and difficult situations

#### Certification (5 hr)

- Certification program
- Exam review
- Exam

The content and length of each session may vary slightly from one course offering to the next and may be adjusted by the Committee as needed and/or as proposed by the School of Government faculty.

- D. The minimum and maximum number of participants permitted to attend each course offering shall be determined by the School of Government faculty member who serves as the course director. In the event that an insufficient number of participants exist in order to financially underwrite a course offering for a particular year, that course offering may be cancelled at the discretion of the School of

Government.

- E. Email notification of course dates, registrations, and fees requirements will be sent out via the NCAZO web address to all NCAZO members and will be posted on the NCAZO webpage.

#### **IV. ELIGIBILITY FOR CERTIFICATION AND PREREQUISITES FOR COURSE**

- A. Candidates eligible to apply for the CZO course include local government zoning officials, planners, administrators, and enforcement officers. Persons involved in Land Use Planning through private or other governmental agencies may also apply. For purposes of defining what a local government zoning official is see the following definition: A local government zoning official is defined as anyone who is actively engaged in reviewing development plans, interpreting the zoning ordinance, making field inspections, preparing cases for the Zoning Board of Adjustment, and enforcing the ordinance through administrative or judicial actions, or some combination of these activities.
- B. A candidate for certification must successfully pass the certification examination in order to become a Certified Zoning Official.
- C. A candidate for certification must attend the certification course offered cooperatively by the NCAZO and the School of Government. In order to complete the course, a participant may miss no more than the equivalent of one full day.
- D. In order to qualify for the certification course, a candidate must have completed any pre-requisite courses. The pre-requisite courses are: Introduction to Zoning in NC (prior to 2013) OR Foundations in Planning & Development Regulation and Zoning Practice. Initial questions of eligibility shall be determined by the School of Government faculty member who serves as the course director. Appeals of their decisions shall be made to the Committee. The requirement that a prerequisite course be completed may be waived if a potential candidate has shown acceptable experience and knowledge in the field. This generally requires at least ten years of active zoning enforcement work, but prerequisite course waiver requests are reviewed on a case by case basis. The course administrator shall have the authority to allow this exception.
- E. In the event that insufficient space exists to accept all qualified candidates into a given course offering, candidates shall be selected randomly from the pool of qualified candidates whose applications are received by the specified deadline. Preference shall be given to an applicant who is eligible for the course, and who have filed a timely application, but whose application for previous course offering was not accepted despite the applicant's eligibility for such a previous course.
- F. The course fee will be set at a rate to cover the cost of conducting the course and the cost of the certificate as determined by the School of Government. A potential candidate may apply for an outside scholarship to defray the cost of the course and

exam. It will be responsibility of the candidate to research those options as they are made available.

**V. THE CERTIFICATION EXAMINATION**

- A. A written examination for certification shall be given to certification course participants on the last day of the course. The examination is open to individuals who meet the eligibility for certification requirements.
- B. The examination shall consist of thirty (30) multiple choice questions which shall be chosen from a pool of potential examination question kept on file by the School of Government. While questions may vary from one examination to the next, overall content and level of difficulty shall remain comparable. Examination questions shall be taken from materials presented in the course sessions, texts concerning the law and administration of zoning in North Carolina, the North Carolina General Statutes, and other appropriate sources.
- C. The amount of time given for the examination participants to complete the examination shall be one and one half hours.
- D. The examination shall be “open book” type format in which participants are permitted to reference course notes and other needed texts during the examination.
- E. Examination participants must successfully answer at least twenty-one (21) of the thirty (30) examination questions in order to receive their certification.
- F. Examination scores shall be made available to the Committee Chairperson and to the School of Government faculty coordinator for the course. All examination records shall be housed at the School of Government. Examination scores shall be given only to the examination participant and not to any present or future supervisory personnel.
- G. Individual reviews of examination questions with an examination participant shall be given only by members of the School of Government faculty and the Committee Chairperson. Examination participants shall not be permitted to retain copies of the examination.
- H. Any course participant who fails the examination the first time is permitted to retake the examination a second time. Any participant who fails the examination a second time must fully attend the certification course again before they can retake the examination. A participant may retake the course an unlimited number of times, provided that space is available in the course offerings. No preference in acceptance shall be given such a participant for any subsequent offering of the course.
- I. An opportunity to retake the examination will be offered at the next certification course offering or at some other occasion prior to it such as the next NCAZO scheduled workshop or conference. Those individuals wishing to retake the

examination may notify the School of Government faculty certification course coordinator of their desire to do so.

- J. For those participants wishing to retake the exam, an examination review session will be held at the next NCAZO event for individuals requesting to attend one.
- K. Examination participants who successfully complete the examination shall be designated as Certified Zoning Officials by the NCAZO and shall receive a certificate from the organization.
- L. Once certification is obtained, certification maintenance requirements become effective. These requirements are outlined in the NCAZO Certification Maintenance document.

## **VI. NCAZO CERTIFICATION MAINTENANCE**

### **A. Why a maintenance program?**

To keep the original purpose of the certification program and the NCAZO Constitution and to achieve the goals and objectives of the maintenance program by:

1. Recognizing achievements of an established level of competency and proficiency among zoning officials
2. Promote the continuing professional development of zoning officials.
3. Enhance the stature of the work of zoning officials and their professional image

### **B. Who is required to obtain certification maintenance?**

1. All Certified Zoning Officials are required to obtain and report certification maintenance hours. Maintenance requirements begin immediately upon passing of the certification exam.
2. Retired certified zoning officials and honorary members will be exempt from the requirements for maintenance.
3. Anyone leaving the zoning field may request their certification be placed on hold until such time they return to the zoning field. While the CZO is on hold, the individual must remain a member of the organization by paying the annual renewal dues. Upon their return to the zoning field, the individual must contact the certification chair, request to be added back to current status, and must obtain the required eight (8) CM hours within one (1) year of the new employment date. **FAILURE TO REQUEST A CERTIFICATION TO BE PLACED ON HOLD COULD RESULT IN THE LOSS OF SAID CERTIFICATION.** In order to regain a lost certification, one will be required to take the CZO course and pass the required exam.
4. Effective January 1, 2014, all NC Certified Zoning Officials that have received certification from the North Carolina Association of Zoning Officials and the School of Government (or former Institute of Government) are required to be

regular members of the NCAZO. If any person holding CZO status is dropped for failure to pay annual dues or fails to join NCAZO by January 1, 2014, that person will be placed on an “Inactive CZO List”. If the person (CZO) remains on the inactive list and fails to be reinstated before their Credit Maintenance Hours expire, their CZO status will be rescinded. In order to regain their CZO status, they will be required to take the CZO Course and pass the required exam.

C. Minimum number of hours required

Eight (8) hours of class time every two years, of which a minimum of 1 hour each should be on ethics. Please see “Types of Sessions Approved” below for specific criteria.

D. How will the credit hours obtained be recorded?

1. There is an electronic registration database for all NCAZO functions. Self-reporting will be required by each CZO. Each CZO will submit their Certification Maintenance hours based on the sessions they attend at any NCAZO function. This submission is based on the honor system and shall comply with the Ethics requirements of the Certification Policy Manual.
2. Reporting of Certification Maintenance hours from the School of Government may also be submitted via the self-reporting option through the NCAZO website. However, these hours must be approved for acceptance by the Certification Committee before they will be added to the CZO’s total CM hours.
3. It will be the responsibility of every CZO to monitor their CM hours and the deadlines for obtaining those hours.

E. Will the individuals need to pay for maintenance?

Other than registration fees, conference fees, and membership dues, no other fees will be charged. The honor system will be implemented.

F. What type of sessions will be approved?

Any session that is zoning related and includes such topics as investigative techniques, zoning equipment and personal safety, maps and GIS, office practices, conflict and difficult situation, public records law, field enforcement, and others. The chairs of each NCAZO workshop and conference will include a minimum of eight (8) hours of available sessions for certification maintenance.

G. Are there to be approved providers?

Providers for maintenance will be NCAZO and the School of Government.

H. Is there a requirement for the qualifications of an instructor?

1. Instructors shall exhibit advanced knowledge of the material being taught, (as approved by the NCAZO Board of Directors and chairs of the workshop or conference), and possess a certificate or certification in the related field, if applicable, and/or a letter of standing by someone with knowledge of the instructor's ability to lead such a class/course.
2. A minimum of eight (8) years of experience in the field is required to hold an instructor position. (Less time may be approved by the Certification Committee with supporting verification of experience from their peers or by a recognized professional association)

I. What is the appeal process?

1. Anyone requesting verification of an approved session, provider, or hours of credits earned, may at any time notify the certification committee in writing of their question or concern for an official opinion. All information concerning the question shall be submitted such as but not limited to, topic, instructor, hours of class time, and time, date, and location of the course.
2. The certification committee will hear the matter within 30 days of receiving the appeal form. Discussion and decisions may be conducted at a formal meeting of the committee, by conference call, or electronic mail. A decision of the certification committee will be sent, in writing, to the person making the request as well as to the instructor of the course if applicable.
3. Anyone wishing to appeal any decision of the certification committee on any approved session, comparable courses, or hours earned, can file a formal appeal with the board of directors. All appeals must be in writing and include the question and the decision of the certification committee. An official appeal form may be obtained from any Board of Director or Certification Committee member.

J. Consequences of failing to maintain certification

1. Unlike the North Carolina Statutes requiring building inspectors to be certified, hold an active "license", and have continuing education, zoning officials, planners, mappers and other associations have a volunteer certification program. No official legal action can be nor will be taken against any individual not obtaining the minimum number of hours of maintenance.
2. If an individual fails to achieve the goal of 8 hours of continuing education within the time frame allotted, the individual will be sent an official letter of notice signed by the chair of the certification committee, one of the faculty staff at the school of government, and the current president of the NCAZO notifying them that they will no longer be recognized a Certified Zoning Official and if a member, the designation of CZO will be removed from the membership list. A note will be placed in the official Certified Zoning Official list for incomplete certification maintenance requirements. If at any time they wish to become recertified, they will be required to successfully complete a certification course. If they wish to

appeal the decision, they must comply with the approved appeal process.

3. During the required time frame to obtain certification maintenance hours, a situation arises that would limit or prohibit an individual from completing or attending such courses, the member shall contact the certification chair for a request to be excused from participating as long as their required hours are rescheduled in the next available course. The chair will forward the request and their recommendation to the entire committee. All requests must be in writing and contain pertinent information as to the circumstance that will not allow maintenance within the required time frame, provided HIPPA laws are not violated. The committee as a whole has the authority to grant or deny additional time. A formal letter or electronic message will be sent to the individual notifying of the granting of additional time or, if denied by the committee, a letter or electronic message will be sent noting the conditions for which the extension was denied and it shall be accompanied with a formal notice of appeal application. All decisions can be made during a formal meeting, conference call, or electronic means (e mail). All decisions must be approved or denied by a quorum of the certification committee in compliance with the adopted certification policy manual.

## **VII. ETHICS REQUIREMENTS**

A. This code is a guide to outline ethical conduct by North Carolina Association of Zoning Officials (NCAZO) members required by the Board of Directors and Certification Committee of the NCAZO. The Code's standards of behavior provide a basis for adjudicating any charge of unethical conduct by a participant in the Zoning Certification Course or reporting of certification maintenance credits. The principles of the Code derive both from the general values of society and from the Zoning Officials charge and responsibility to serve the public interest. The Certification Committee of the NCAZO, as appointed by the Board of Directors, shall have the power to refuse or revoke the certification of any person who:

1. Has obtained certification through fraud, deceit, or perjury, or:
2. Has, in an unauthorized manner, requested or received information concerning a past or current exam, or otherwise received unauthorized assistance prior to or during the certification exam, or:
3. Has copied information, collaborated with others, engaged in plagiarism, or otherwise engaged in cheating in conjunction with the certification exam or any prerequisite course, or:
4. Has misrepresented the reporting of their own or another member's certification maintenance credit hours, or:
5. Has knowledge of and fails to report any other member's violation of the foregoing standards.

## **B. ETHICS PRINCIPLES**

1. Each participant agrees that they shall conduct activities in a manner that will reflect credit upon themselves, other professional zoning officials, the North Carolina Association of Zoning Officials, and their employing agency. Although a CZO may not need an entire eight (8) credit hours, it shall be the responsibility of the member to truthfully report only on the session hours he/she attends.
2. Each participant agrees that they shall conform in all respects to the Code of Ethics and the Bylaws of the NCAZO as the same may be amended from time to time.
3. Each participant must accurately represent professional qualifications and education at all times.
4. Each participant shall observe the confidentiality of information available to him or her through any source, as it relates to the Certification Course and Exam.
5. Each participant agrees that they will cooperate with the NCAZO, the Certification Committee and its officers in all matters including but not limited to the investigation of an alleged violation of this Code of Ethics.

#### C. REPORTING AND CERTIFICATION MAINTENANCE

In order for certification maintenance hours to be considered and applied to a certified zoning official's record, the following shall be met:

1. Certified Zoning Officials shall be active members, in good standing with the NCAZO Association, and;
2. Certified Zoning Officials shall conform to and agree to the manner in which reporting is necessary via the current best available means, and;
3. Certified Zoning Officials shall not have had their certification removed at the time of credit maintenance hour reporting, and;
4. Credit Maintenance hours shall be reported within 30 days from the last day of the event in which CM hours are being credited, and;
5. Credit Maintenance hours shall be reported at least 30 days prior to a CZO's termination deadline.

### **VIII. GOALS AND OBJECTIVES**

NCAZO Zoning Officials Professional Development Maintenance Program

| GOALS  | OBJECTIVES  |
|--|---|
| <p>Promote continuing professional development for Zoning Officials in North Carolina and enhance the stature of their work and professional image.</p>  | <ul style="list-style-type: none"> <li>• Develop a methodology for certifying (or qualifying) professional development programs offered by affiliate associations that line up with the primary objectives of the NCAZO. Offer these programs as part of the NCAZO Professional Development maintenance program.</li> <li>• Use tools such as the NCAZO website and newsletter to promote qualified continuing professional development workshops offered by affiliate associations as well as the annual NCAZO conference.</li> <li>• Establish a calendar of workshops, seminars, and conferences that is updated regularly and offered to NC Zoning Officials</li> <li>• Partner with affiliate organizations to advertise NCAZO professional development programs and programs certified by the NCAZO.</li> </ul> |
| <p>Establish a level of competency and proficiency among Zoning Officials.</p>   | <ul style="list-style-type: none"> <li>• Establish guidelines for the professional development maintenance program based on years of service and continuing education hours per year.</li> <li>• Tests</li> <li>• Certifications</li> </ul>   |
| <p>Provide opportunities, through the NCAZO and/or partner associations, to explore and/or review new concepts in the field of zoning including but not limited to planning, code enforcement, development, and legislative changes.</p> | <ul style="list-style-type: none"> <li>• Continue to offer an annual NCAZO conference that offers progressive seminars and workshops</li> <li>• Develop workshops outside of the NCAZO annual conference that offer Zoning Officials the opportunity to learn new concepts and expound upon their knowledge base.</li> <li>• Use the expertise of the NCAZO board</li> </ul>  |
|  | <p>members to identify new issues facing zoning officials and create a plan to offer professional development programs based on those needs.</p> <ul style="list-style-type: none"> <li>• Monitor the NCAZO forum to identify frequently asked questions and relevant and issues facing Zoning officials and put a plan in place to address those questions and issues.</li> </ul>  |

| GOALS  | OBJECTIVES  |
|--|---|
| Track Zoning Officials who participate in the program, recognize their achievements, and award professional development credits. | <ul style="list-style-type: none"> <li>• Using the NCAZO infrastructure, create a method of communicating the requirements of the maintenance program to NC zoning officials.</li> <li>• Design a system to record and monitor NC zoning officials that participate in the program and the credits they receive (possibly in Excel or Access).</li> <li>• Award credit hours and certificates of achievement that demonstrate completion of the course guidelines.</li> </ul> |

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