

# Bylaws of the Maricopa County Board of Health

## Article I

### Name

The name of this Board shall be the Maricopa County Board of Health, hereafter referred to as the “Board of Health.”

## Article II

### Responsibility

The Board of Health is responsible for recommending rules, regulations and ordinances for the protection and preservation of the public health. The Board of Health is appointed by and responsible to the Maricopa County Board of Supervisors, as provided by Title 36, Chapter 1, Article 4, Arizona Revised Statutes, as amended.

## Article III

### Powers and Duties

These are the powers and duties of the Board of Health related to the Department of Public Health and the Department of Environmental Services. The Board of Health shall recommend rules, regulations and ordinances to the county Board of Supervisors for adoption and enforcement in the county and perform other duties consistent with the state law. In this role, the Board of Health is not limited to the following duties, but may:

1. Advise the local health department director and request from the director information if it deems necessary.
2. Advise the Board of Supervisors regarding suitable offices, facilities and equipment for the health department.
3. Annually, before May 1 each year, estimate the cost of maintaining the local health department for the ensuing fiscal year, and also the amounts of money that may be available from unexpended surpluses from grants or donations. The estimates shall be submitted in the form of a budget on or before May 1 each year to the Board of Supervisors.
4. Review, recommend, or adopt a schedule of reasonable fees to be collected by the department for issuing or renewing licenses or permits or for other services as authorized by law and rules of the director of the Department of Public Health or the director of Environmental Services, subject to the provisions of A.R.S. § 36-

187. Any such fee or schedule shall be approved by the Maricopa County Board of Supervisors.
5. Serve as a forum for appeals the health officer's decision on variances from the parts of Chapter VI, Bathing Places, which are more restrictive than Arizona State Administrative Code.
  6. Cooperate with local Chambers of Commerce and other interested persons or organizations and hold public meetings.
  7. Serve as a forum for appeals, revocations, or suspensions of permits issued by the Department of Public Health, as may be required by law.
  8. The Board of Health shall annually review the Health Status report of Maricopa County.

#### Article IV

##### Membership; Terms

The Board of Health shall consist of eleven members, appointed by the Board of Supervisors, consistent with state law. If the Board of Supervisors fails to appoint within two months of the date of vacancy, the Board of Health shall submit names to the appropriate supervisor/supervisors for consideration.

Members appointed to the Board of Health shall serve staggered terms of four years.

Members who fail to attend three consecutive meetings shall be considered as resigned from the Board, but the Board of Health may, for good cause, grant leaves of absence to its members.

Appointment to fill a vacancy in the membership of the Board of Health caused other than by expiration of term shall be for the unexpired portion of the term.

In instances of unethical or illegal behavior or malfeasance in office by a member of the Board of Health, the Chairman of the Maricopa County Board of Supervisors may demand the resignation of such Board member.

#### Article V

##### Officers

##### Section 1

The Board of Health shall meet and elect from among its members a president, vice president-finance, and one member and a physician member to the executive committee

and adopt rules of procedure not inconsistent with law. The Board of Supervisors shall appoint the Director of the Public Health Department of Maricopa County to serve as Secretary to the Board as a non-voting member of the Board. The Board shall hold an annual meeting in July each year at which officers shall be elected for the ensuing year.

### Section 2

The duties of the president shall be to call and preside at all meetings of the Board of Health. The duty of the vice president-finance shall be to assume the responsibilities of the president in his/her absence and chair the finance committee. The duty of the secretary shall be to notify Board of Health members of meetings and keep records of all meetings and transactions of the Board of Health.

### Section 3

The term of the president and vice president-finance shall be for two years. Both officers may serve an additional one year term immediately following their initial two year term upon the approval of the Board. Individual members are limited to serving a three year maximum term as an officer during any four year term of appointment to the Board of Health.

## Article VI Standing

### Committees

#### Section 1

The standing committees of this Board shall be the executive committee and finance committee. The standing committees shall submit minutes to the Board of Health.

#### Section 2

The executive committee shall consist of the president of the Board of Health, who shall be chairman of this committee, the vice president-finance, two At-large members and one shall be a physician. The At-large members shall be elected by the Board of Health at the annual meeting. The executive committee shall counsel the director of the local health department when necessary.

#### Section 3

The finance committee shall consist of the president of the Board of Health, the vice president-finance, who shall chair the committee, and at least three other members of the Board of Health who shall be appointed by the president at the second regular meeting of each fiscal year. The committee shall review the budget, examine financial reports and make to the Board of Health such recommendations as it may deem in the best interests of the citizens of Maricopa County.

## Article VII

### Special Committees

With the approval of the Board of Health, the president may appoint special committees for such purposes as arise from time to time. Such special committees shall limit their activities to the task and time for which they are appointed and shall have no powers, except as specifically conferred by appointment. Each committee formed shall maintain a written statement of its purpose and membership. Such statement shall be maintained by the secretary. Committees shall report to the Board of Health.

## Article VIII

### Meetings

The Board of Health shall hold an annual meeting in July. Monthly or quarterly and special meetings may be held on the call of the President, the director of the local health department, or any two members. The Board of Health and any committee or subcommittee shall comply with applicable provisions of Arizona Revised Statutes, Title 38 Chapter, 3, Article 3.1.

## Article IX

### Amendments

These Bylaws may be amended by the Maricopa County Board of Supervisors. No amendments to these Bylaws shall conflict with the provisions of Title 36, Chapter 1, Article 4 of the Arizona Revised Statutes as amended. The Board of Health shall review the bylaws annually and may propose amendments to the Board of Supervisors.

## Article X

All meetings of the Board shall be conducted in accordance with the most recent edition of Robert's Rules of Order.

## Article XI

### Nondiscrimination Clause

No discrimination shall be exercised by the Board of Health or by any person subject to its direction against or in favor of any person, based on a person's protected characteristic covered by applicable federal and state laws, including but not limited to race, gender, religion, color, national origin, age, sexual orientation, gender identity, including transgender status, pregnancy, veteran status, genetic information, or physical or mental disability status in the delivery of health services. Nor shall any discrimination in the employment, promotion, transfer, demotion, discipline or discharge of any person employed by or doing business with the Board or any other person subject to its direction be exercised based on a person's protected characteristic covered by applicable federal and state laws, including but not limited to race, gender, religion, color, national origin, age, sexual orientation, gender identity, including transgender status, pregnancy, veteran status, genetic information, or physical or mental disability status.

## Article XII

### Conflict of Interest

Any member of the Board of Health who has, or whose relative (as defined by A.R.S. § 38-502, subparagraph 9) has, or who is employed by or associated with a firm or company which has a substantial financial interest in any decision of the Board of Health, shall make known such interest so that it is recorded in the minutes of the Board, and shall refrain from participating in any manner in such decision. All members of the Board of Health shall comply with the provisions of A.R.S. § 38-501, et seq.

The department of Public Health shall not enter into any agreement with a member of the Board, or a relative of a member of the Board, or a firm or company which employs or is associated with a member of the Board, to provide equipment, materials, supplies, or services to the Board provided, however, such procedures shall not apply to an award of agreement after competitive bidding. This provision shall not prohibit any physician member of the Board from being a member of any Maricopa Medical Center Medical Staff.