

Bill Code

Board of Appeals Bylaws

1. The Board of Appeals shall meet at call of the chairman or when requested by the building official.
2. A chairman of the Board of Appeals shall be elected by a majority of the entire regular membership at the first meeting of each calendar year, to serve for a term of one calendar year. A vice-chairman shall be elected in the same manner at the same time for a term of one calendar year. Consecutive terms cannot be held.
3. The chairman of the Board of Appeals shall preside at all meetings, shall conduct all hearings, and exercise and perform such other powers and duties as may be from time to time assigned to him by the Board of Appeals or prescribed by the bylaws. In presiding at meetings and hearings, the chairman shall rule on procedure and on order of presentation.
4. The Board shall be the judge of the qualifications of person appearing as expert witnesses and shall be empowered to refuse or accept the testimony of any purported expert.
5. In the absence or the disability of the chairman, the vice-chairman shall perform all the duties of the chairman and when so acting shall have all the powers of, and be subject to all the restrictions upon, the chairman.
6. In the absence of both the chairman and the vice-chairman of the Board of Appeals, a chairman pro tempore shall be elected from among those regular members present by a majority vote of all the Board present.
7. Should any member have knowledge of any facts which may constitute a conflict of interest in his consideration of any appeal, he shall forthwith notify the building official of said facts.
8. The Secretary shall keep, or cause to be kept, minutes of the proceedings of the Board of Appeals and shall prepare an agenda for each meeting which shall be furnished to members prior to the actual hour of the meeting. The Secretary shall, in addition, be custodian of the records of the Board of Appeals and shall, upon the filing on an appeal, furnish each regular member with a copy of the letter of appeal. The Building Official shall be an ex-officio member of and shall act as Secretary to the Board but shall have no vote upon any matter before the board.
9. Appeals from decisions of the building official shall be in writing, shall be directed to a specific decision of the building official.
10. Appeals will be heard at a special meeting called pursuant to law by the presiding officer or by a majority of the members. Requests for hearings must be scheduled at least 10 days prior to such hearing.

If a party of any appeal intends to submit evidence, or a legal argument, outside of the expertise of the Board of Appeals, said party shall so inform the Secretary of the Board of Appeals in writing at the time of the filing of the appeal.

12. The decision of the Board of Appeals on an appeal shall be final.
13. These bylaws may be amended by a vote of four of the regular members of the Board of Appeals.
14. Length of term shall be 3 years.
15. Two consecutive terms can be served.

Note to Lyle
5/13/97