

Albemarle County Board of Building Code Appeals
Bylaws

Article 1. Officers

- 1-1. The local board of appeals shall organize; and annually elect a chair and vice-chair and appoint a secretary at its first meeting of each calendar year.
- 1-2. The chair shall preside at meetings and hearings and shall decide points of order or procedure.
- 1-3. The vice-chair shall assume the duties of the chair in the chair's absence.
- 1-4. The secretary shall handle correspondence subject to these rules at the direction of the board; shall send out notices required by these rules; shall keep the minutes of the board's proceedings; and shall keep a file on each appeal which comes before the board.

Article 2. Meetings

- 2-1. Regular meetings of the local board of appeals for the hearing of cases shall be held on the third Wednesday of each month at a designated time, unless there are no pending appeals before the board.
- 2-2. Special meetings may be called by the chair, provided at least five (5) days written notice of such meeting is given each member.
- 2-3. A majority of the board shall constitute a quorum.
- 2-4. Business conducted at meetings of the board shall follow Roberts' Rules of Order or other parliamentary procedure.
- 2-5. The board may adjourn a meeting if all applications or appeals cannot be disposed of on the meeting day, and no further notice shall be necessary for a continuation of such meeting.

Article 3. Procedure for Hearing Appeals

- 3-1. Appeals to the local board of appeals shall be filed with the code official and any applicable fees paid. The code official shall transmit the appeal application form to the secretary of the board along with all papers constituting the record of action upon which the appeal is based.
- 3-2. The applicant shall provide the secretary with all information requested and any such additional information or evidence as may be reasonably required consideration of the matter.

3-3. An application for appeal filed accordingly to the above shall be assigned an appeal number within five (5) days. Applications for appeals will be heard in the order they are received.

3-4. The secretary of the board shall schedule the appeal, notify all interested parties of the hearing and give notice including the time, date and place of the meeting to anyone requesting such information.

3-5. The applicant may appear in his own behalf at the hearing or may be represented by legal counsel or an agent.

Both the applicant and the code official may speak to the appeal and any person whose interests are affected may speak for or against the issue. The applicant shall be given an opportunity for final rebuttal.

3-6. The final decision on any appeal to the local board of appeals shall be in the form of a written decision that matches the minutes and accurately conveys the verbal decision voted upon by the board.

3-7. The board shall notify the interested parties and the code official of the decision within seven (7) days after the signing of the written decision by the chair, and in any event, within fourteen (14) days after the meeting in which the decision is made and within sixty (60) days of the date on which the application for appeal was filed.

Article 4. Records

4-1. A complete file on each appeal shall be kept by the secretary as part of the records of the local board of appeals.

4-2. All records of the board shall be public records.

Adopted: October 21, 2020

Attest: _____

Chair

Secretary