

§ 1.04.062. Organization and procedures.

(a) Membership.

- (1) The board of adjustment shall consist of five members appointed by a majority vote of the town council.
- (2) In addition to the five regular members of the commission, two alternate members of the commission, who shall serve in the absence of one or more regular members, shall be appointed by a majority vote of the town council. In determining which of the two alternate members shall serve in the absence of a regular member, the alternate member with the longest tenure shall so serve. If for any reason, the alternate member with the longest tenure is unavailable to serve, the second alternate member shall so serve.
- (3) Regular members and alternate members of the board of adjustment shall be real property owners of the town and shall be appointed by the town council in accordance with established procedures.
- (4) Each member of the board shall be removable for just cause by the town council upon written charges and after a public hearing.
- (5) The ~~board-Town Council~~ shall elect ~~theits own~~ chairman, who shall serve for a period of one (1) year or until his successor is elected. The board shall appoint the vice-chairman.
- (6) ~~No person shall serve as chair for more than two (2) successive one-year terms beginning with the appointment of the chair in October 2020.~~

(b) Meetings. Meetings of the board shall be held at the call of the chairman and at such times as the board may determine.

(c) Hearings. The hearings of the board of adjustment shall be public; however, the board may go into executive session for discussion but not for a vote on any case before it. The board shall hear the intervention of any owner of property adjacent to, in the rear of, or across the street from a lot as to which the granting of any building permit is pending, and shall also hear any other parties in interest. All hearings are to be heard by at least four (4) members of the board.

(d) Rules and regulations. The board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record. The board of adjustment shall act by resolution in which four (4) members must concur. The board shall adopt from time to time such additional rules and regulations as it may deem necessary to carry into effect the provisions of this division, with the approval of the town council. The board shall furnish a copy of the board's rules and regulations to

the building inspector, all of which rules and regulations shall operate uniformly in all cases. All of its resolutions and orders shall be in accordance therewith.

(Ordinance 554-13 adopted 6/18/13; Ordinance 666-19, sec. 2, adopted 8/20/19;
Ordinance 684-20 adopted 3/17/20; Ordinance 712-21 adopted 8/17/21)