

# Property Maintenance Code

[Excerpt regarding Means of Appeal]

## PM-111.0 MEANS OF APPEAL

### PM-111.1 Application for appeal:

Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals. The petition requesting a hearing shall be in writing, and shall specify the name, address and telephone number of the petitioner, and a brief statement of the grounds for appeal, and shall be accompanied by an appeal fee in the amount established by resolution. Such petition shall be filed within ten (10) days after the day the notice and order are served. Upon receipt of such a petition, the building official shall set a time for a hearing before the board and shall give the petitioner written notice thereof.

**PM-111.2 Membership of the board:** The board of appeals shall consist of five members of the Community appointed by the Mayor for the City of Gladstone with the advice of the City Commission. The City Commission will act as the board of appeals in the absence of a board of appeals.

**PM-111.2.3 Chairman:** The board shall annually select one of its members to serve as chairman.

**PM-111.2.4 Disqualification of member:** A member shall not hear an appeal in which that member has any personal, professional or financial interest.

**PM-111.2.5 Secretary:** The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

**PM-111.2.6 Compensation of members:** Compensation of members shall be determined by law.

**PM-111.3 Notice of meeting:** The board shall meet upon notice from the chairman, or at stated periodic meeting.

**PM-111.4 Open hearing:** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard.

**PM-111.6 Board decision:** The board shall sustain, modify, or reverse the decision of the code official by a concurring vote of a majority.

**PM-111.6.1 Resolution:** The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.

**PM-111.6.2 Administration:** The code official shall take immediate action in accordance with the decision of the board.

**PM-111.7 Court review:** All applications for writs of certiorari to correct errors of law shall comply with Section PM-111.1