

BUILDING AND STANDARDS COMMISSION



POWERS AND DUTIES

- ❑ Hold public hearings to determine compliance with, or alleged violations of, city building and technical codes, including minimum property maintenance requirements
- ❑ Hear appeals from persons aggrieved by orders or decisions of city officials
- ❑ Make recommendations to the city council as to any needed modifications, amendments, and changes to the ordinance

COMMISSION MEMBER PANEL

- ❑ Consist of one or more five-member panels to be appointed for terms of two years
- ❑ Council may appoint eight or more alternate members to serve in the absence of members
- ❑ Shall be qualified in one or more of the following fields:
 - 1) Fire prevention
 - 2) Building Construction
 - 3) Sanitation
 - 4) Health
 - 5) Public Safety

HEARING AUTHORITY AND PROCEDURE

- ☐ At least four members of any panel must hear a case
- ☐ Consist of a Chairperson, Vice-Chairperson and Secretary
- ☐ Concurring vote of four members required
- ☐ Code enforcement official must appear at hearing and shall present all cases
- ☐ Ample opportunity is given for the presentation of evidence or testimony by respondents, persons opposing charges, and the code enforcement official relating to alleged violations
- ☐ Minutes of its proceedings showing the vote of each member on each question or the fact that a member is absent or fails to vote

THE COMMISSION'S FUNCTIONS

- ☐ Declare a building substandard
- ☐ Order the repair, within a fixed period, of buildings found in violation
- ☐ May order the removal of persons or property found on private property
- ☐ Issue orders to any peace officer to enforce and carry out the lawful orders of the panel
- ☐ Determine the amount and duration of the civil penalty the city may recover

REHEARING AND RECONSIDERATION / APPEAL

- ❑ Option #1:
 - ❑ An owner, lienholder, or mortgagee of record may request a single rehearing by a 2nd panel
 - ❑ If no 2nd panel exists, then the request will be reconsideration from the 1st panel
 - ❑ Written request specifying grounds for request received within ten (10) days after final notice is mailed
 - ❑ The panel may approve or deny the request
- ❑ Option #2:
 - ❑ An owner, lienholder, or mortgagee of record may appeal the decision to district court
 - ❑ Petition must be received within thirty (30) calendar days after final notice is mailed