

## **TOWN OF WARRENTON BOARD OF BUILDING CODE APPEALS BYLAWS**

### **ARTICLE I: Name**

- A. The name of this board shall be the Town of Warrenton Board of Building Code Appeals.

### **ARTICLE II: Purpose and Objectives**

- A. The purpose of the board shall be to hear requested appeals of the Virginia Uniform Statewide Building Code (Parts I, II, III) and the Virginia Statewide Fire Prevention Code.
  - 1. The Appeals Board shall hear and conduct appeals in accordance with the Virginia Code and the Virginia Administrative Code.
  - 2. The Appeals Board is established effective January 9, 2024, and shall remain in effect in accordance with Virginia Code and the Virginia Administrative Code.
- B. The objective of the Appeals Board shall be to hear code appeals requested from permit holders, town citizens and business owners that have been subject to an enforcement action under the Virginia Uniform Statewide Building Code or the Virginia Statewide Fire Prevention Code.
  - 1. The Appeals Board shall determine if the Code Officials application of code is appropriate in accordance with applicable codes or laws.

### **ARTICLE III: Membership**

**The Town Council recognizes that appeals board membership shall be based on requirements set forth in Virginia State Law.**

#### **A. Membership**

- 1. Members are selected at large, must be nominated and duly appointed by the Town of Warrenton Town Council.
  - a. Members may serve on the board and no more than one other advisory body concurrently.

#### **B. Membership Terms**

- 1. Appeals Board members shall serve a term of 4 years from the date of appointment by the Town Council. There are no term limits for Appeals Board members.
  - a. In the event a member resigns or otherwise vacates his/her seat prior to the expiration of his/her term, the vacant seat shall be filled by the Town Council through its regular appointment process.
- 2. In the event any Appeals Board member is absent for three (3) or more consecutive meetings, the Chair will notify the member of Council who appointed the member and may by majority vote petition the Town Council to declare the seat vacant and appoint a new member to serve the remainder of the term. Board members are encouraged to provide notification of their absence to the Chair or to staff in advance of any meeting.

3. All members may be removed for malfeasance, nonfeasance, or just cause. Members will adhere to the Town Council Code of Ethics and policies regarding boards. The Town Council may remove any Appeals Board members found in violation of the Town of Warrenton's Code of Ethics and policies on Advisory Boards, Commissions, and Committees.

#### **ARTICLE IV: Officers**

##### A. Officers

1. The officers shall consist of a Chair and a Vice-Chair who shall be elected annually by majority vote of the board at the Annual Meeting as hereinafter defined. The Chair and Vice-Chair may be re-elected for additional consecutive terms.

##### B. Responsibilities of the Chair

1. The Chair shall preside over all meetings of the board, authorize calls for any special meetings, execute all documents authorized by the board. In addition, the Chair shall set the agenda for board meetings with input from the members of the board, interface with the Director of Community Development or his/her designee on behalf of the board and generally perform all duties associated with that office.

##### C. Responsibilities of the Vice-Chair

1. The Vice-Chair, in the event of the absence or disability of the Chair or vacancy in that office, shall assume and perform the duties of Chair.

##### D. Vacancies and Special Elections

1. In the event of a vacancy in Chair or Vice Chair, the appeals board, by majority vote at a duly called meeting with a quorum of members present, may fill the position for the remainder of the term.

#### **ARTICLE V: Responsibilities of Staff**

##### A. Staff shall

1. Ensure all Appeals Board or Committee meetings are properly advertised to the public.
2. Ensure proper minutes are taken at all Appeals Board meetings.
3. Distribute and post the minutes for public access after formal approval by the Appeals Board.
4. Deliver the appropriate documents to members of the Appeals Board in accordance with state law.
5. Advise the Appeals Board on any matters involving the Virginia Freedom of Information Act.

6. Monitor membership roster and inform the Town Council when a vacancy outside of term limits occurs.

## **ARTICLE VI: Meetings**

### **A. Appeals Hearings**

1. Requests for appeal hearings shall be scheduled and conducted in accordance with requirements set forth in the Virginia Uniform Statewide Building Code and the Virginia Statewide Fire Prevention Code.
2. Proceedings of all meetings of the Appeals Board shall be governed by Robert's Rules of Order.

### **B. Annual Meeting**

1. In the event an appeal is not heard within a calendar year the Appeals Board shall conduct an annual meeting.

### **C. Special Meetings**

1. Special meetings may be called by the Chair at the request of three (3) members for the transaction of business as stated in the call for the special meeting.

### **D. Quorum**

1. A quorum at any appeal hearing or annual meeting shall consist of at least fifty-one percent of the members, exclusive of any vacant seats.

### **E. Votes**

1. All votes shall be by simple majority, i.e., more than half of the members present and voting, unless stated otherwise in these bylaws. Proxy votes shall not be permitted.

### **F. Minutes**

1. Each Appeals Board hearing or meeting will have summary minutes reflecting the actions and recommendations of the Appeals Board. Staff shall ensure the minutes are forwarded to all members within thirty (30) days of a meeting and, once approved by the Appeals Board properly posted on the Town's website.

### **G. Cancellation**

1. All appeals shall be postponed or rescheduled in accordance with requirements set forth in the Virginia Code and Virginia Administrative Code.

### **H. Meeting Announcement**

1. All meetings must be posted on the Town's Government Calendar, on the Town's website, at least three business days in advance of the meeting.

**ARTICLE VIII: Amendments**

- A. These bylaws may be amended by two-thirds vote of the Appeals Board members present at any regular meeting exclusive of any vacant seats and with the approval of the Town Council. Notice of any proposed amendment must first be submitted in writing to the Appeals Board members at least one (1) week prior to the meeting. The amended bylaws shall be considered in full force and effect only upon formal approval by the Town Council.

Template Revised January 4, 2024

Adopted on January 12, 2024.