CHARTER TOWNSHIP OF WHITE LAKE
PROPERTY MAINTENANCE CODE BOARD OF APPEALS

BYLAWS AND RULES OF PROCEDURE

ARTICLE I
PURPOSES, AUTHORITY AND DUTIES

The Property Maintenance Code Board of Appeals referred to in these Bylaws as the "Board" is formed under and pursuant to the Charter Township of White Lake Code of Ordinances, Chapter 8, Article IV, and the International Property Maintenance Code, 2018 edition (referred to in these Bylaws as the "Governing Authorization and Regulations"). The assigned and designated purposes, authority and duties of the Board are set forth in the Governing Authorization and Regulations as follows: to hear and decide appeals of any person directly affected by a decision of the code official or a notice or order issued under the Governing Authorization and Regulations. The Board shall not engage in or undertake business, activities, actions or efforts beyond the scope of the purposes, authority and duties assigned or designated in the Governing Authorization and Regulations.

ARTICLE II
MEMBERS & LIAISONS

Section 1. Members. The Board consists of not less than three (3) regular and two (2) alternate members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The Code Official shall be an ex-officio member but shall have no vote on any matter before the Board.

Section 2. Terms. Regular and alternate members shall hold office for terms as set forth in the Governing Authorization and Regulations and designated at the time of appointment and shall serve until a successor is appointed and seated, unless such member has been removed from office. The Board shall be appointed by the Chief Appointing Authority and shall serve staggered and overlapping terms.

Section 3. Vacancies. Any vacancy occurring in the membership of the Board shall be filled for the remainder of the unexpired term in the manner provided for original appointment.

Section 4. Absences. Three absences in the course of a calendar year may subject a member to removal from office. Regular members shall report to the Secretary and/or Chairman of his or her inability to attend a meeting in sufficient time to enable the Secretary and/or Chairman to contact an alternate member to replace the regular member.

Section 5. Removal. Regular and alternate members may be removed in accordance with applicable state laws and Township ordinances, policies and resolutions.

Section 6. Alternate Members. The chief appointing authority shall appoint not less than two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership. Alternate members who serve and/or who participate in any agenda item shall continue to serve on the Board for that item until a final decision is reached on the same. At all other times, the alternate members may participate in all discussions but shall not have a vote and shall not count in determining the existence of a quorum.

Section 7. Township Board Liaison. The Township Supervisor, subject to approval by majority vote of the members of the Township Board may appoint a member of the Township Board to serve as a liaison to the Board. The term of a Township Board liaison shall expire with his or her term on the Township Board. An appointed Township Board liaison shall attend the meetings of and may participate in the deliberations and discussions of the Board but shall not have a vote on any matter coming before the Board unless otherwise provided by law or the Township Code of Ordinances. The presence of a Township Board liaison at a meeting shall not count toward the establishment of a quorum.

Section 8. Staff Liaison. The Township Supervisor, or his or her designee, may assign a member of the Township administration to assist and serve as a liaison to the Board, who shall serve at the pleasure and direction of the Township Supervisor. A staff liaison may attend the meetings of and provide information and input to the Board but shall not have a vote on any matter coming before the Board. The presence of a staff liaison at a meeting shall not count toward the establishment of a quorum.

ARTICLE III
VOTING

Section 1. Votes. Only the duly appointed regular members and alternate members, when called to serve as provided above, are authorized to vote on matters coming before the Board, and each such member shall be entitled to one vote.

Section 2. Quorum. The presence of a number of voting members equaling a majority of the appointed regular membership of the Board shall constitute a quorum for purposes of conducting business (i.e., open or vacant seats shall not count in determining the existence of a quorum and alternate members called by the chairperson to serve at a meeting shall count in determining the existence of a quorum). The applicable statute, MCL 125.1514(1) requires that the Board shall at all times consist of no fewer than three (3) members.

Section 3. Voting. Only the duly appointed regular members and alternate members, when called to serve as provided above, are authorized to vote on matters coming before the Board, and each

such member shall be entitled to one vote. Votes may be cast by a general voice vote, except where a roll call vote is requested by any voting member or required by law or other procedures established under these bylaws. If there is a question as to the number of yea or nay votes, a roll call shall be conducted.

Section 4. Transaction of Business. Unless otherwise provided by law, resolution, or other procedures established under these Bylaws, the concurring vote of the majority of members of the Board shall be necessary for the transaction of all business and decisions of the Board.

Section 5. Conflict of Interest. No member of the Board shall vote on any issue in which he or she may reasonably be considered to have a conflict of interest or the member's participation would result in a violation of the Standards of Conduct for Public officers and Employees Act, 196 PA 1973 (MCL 15.341, et seq), the Incompatible Public Offices Act, 566 PA 1978 (MCL 15.181 et seq.), or any other state law, ordinance, ethics code or policy provision applicable to township officials and conflicts of interest. If a member could reasonably be considered to have such a conflict of interest pertaining to a matter that is to be addressed or considered by the Board, before participating in any discussion or casting a vote on such a matter, the member shall disclose the conflict of interest to the Board. Unless the Board concludes, upon a majority vote of the remaining members, that the member's participation does not constitute a conflict of interest and that his or her participation and vote will not be affected by his or her interest, the member shall leave his or her seat at the dais or meeting table and shall abstain from discussion and voting on the matter. A member shall not appear before the Board as an advocate in relation to any matter in which he or she has abstained for reasons of conflict of interest.

ARTICLE IV
MEETINGS

Section 1. Open Meetings Act and Freedom of Information Act Compliance. All meetings and members of the Board shall comply, in all respects, with the Michigan Open Meetings Act and Freedom of Information Act.

Section 2. Frequency of Meetings; Records. The Board shall meet at regular intervals, to be determined by the Chairman to conduct and complete the business and duties assigned to it, and, in coordination with its designated Secretary, shall keep a record of its minutes, resolutions, transactions, findings, determinations, documents and other materials. In any event, the board shall meet upon notice from the chairman, within 20 days of the filing of an appeal.

Section 3. Place of Meeting. Subject to the requirements of the Open Meetings Act, meetings of the Board shall be held at the Township Hall or at such other suitable place convenient to the members and made available by the Township.

Section 4. Meetings. In accordance with the Michigan Open Meetings Act, the Board, within ten (10) days after its first meeting of each calendar year, shall establish and, with the assistance of

the Secretary or Township Clerk, post a public notice stating the dates, times, and place of its regular meetings for the ensuing year, and shall post a notice of any changes in its schedule of regular meetings in accordance with the Open Meetings Act. Special meetings of the Board may be called and noticed, per the requirements of the Open Meetings Act, by the Chairperson, in his or her absence by the Vice-Chairperson or Secretary, upon written request of a majority of the regular members of the Board, by the Supervisor of the Township, or as may be otherwise allowed by law or ordinance. No business shall be transacted at any special meeting of the Board unless the same has been stated in the notice of such meeting. Notice of the time, place and subject matter of all meetings shall be given by telephone, electronic means, personal delivery, or mailing the same to each member. Notice of each meeting also shall be provided to the public in compliance with the Michigan Open Meetings Act. It shall be the duty of the Secretary (or other officer designated by the Chairperson in the Secretary's absence), with the assistance of the staff liaison or, if no staff liaison, the Township Clerk, to serve and post the notices described in this Section on behalf of the Board.

Section 5. Rules of Procedure. Meetings shall be conducted according to the most recent edition of Roberts Rules of Order as a guideline in all cases to which they are applicable, provided they are not in conflict with these Bylaws or any applicable State law or Township Code of Ordinance or policy. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted.

Section 6. Agenda. In order to avoid undertaking business or activities beyond the scope of the purposes, authority and duties assigned by the Township Code of Ordinances or by law, and to promote orderly and efficient meetings, each meeting of the Board shall have an agenda prepared in advance of the meeting which shall be distributed to all members and liaisons. If a staff liaison has been appointed, the agenda shall be prepared by the staff liaison with input from the chair and vice-chair. Otherwise, the agenda shall be jointly prepared by the chair and vice-chair. Other members of the Board may ask for items to be included on an agenda through the chair or vice-chair, or by a majority vote of the membership.

Section 7. Order of Business. The order of business at meetings of the Board shall be as follows:

a. Call to Order
b. Roll Call
c. Approval of Agenda
d. Approval of Minutes
e. Public Comment
f. Unfinished Business
g. New Business
h. Adjournment

Section 8. Minutes. In coordination with its designated staff liaison, if any, the Board shall keep and approve minutes of its meetings in accordance with the Open Meetings Act. Minutes, resolutions, and any other similar record of the proceedings of the Board, when signed by the

Chairperson or Secretary, shall be presumed truthfully to evidence the matters set forth therein. A recitation in a resolution or the minutes of any such meeting that notice of the meeting was properly given shall be prima facie evidence that such notice was given. Pursuant to the Michigan Open Meetings Act, minutes shall show the date, time, place, members present, members absent, any resolution adopted and decision made at a meeting open to the public, and the purpose or purposes for which any closed session is held. The minutes shall include all roll call votes taken at the meeting. The Board shall make any corrections in the minutes at the next meeting after the meeting to which the minutes refer. Proposed minutes shall be made available for public inspection within eight (8) business days after the meeting to which the minutes refer. Approved minutes shall be made available for public inspection within five (5) business days after the meeting at which the minutes are approved. A member of the Board who did not attend the meeting to which the minutes refer should not vote on the minutes for that meeting.

Section 9. Hearing Procedure.

a. The Chairperson calls the agenda item.
b. The Chairperson or a Township staff member introduces the matter.
c. The appellant and/or representative present their request.
d. Township staff and any consultants provide their review of the request.
e. Board members may question the appellant and staff.
f. If there is a public hearing, the Chairperson declares the public hearing open.
g. Public comment, if any, is recognized by the Chairperson and received.
h. If there is a public hearing, the Chairperson declares the public hearing closed.
i. The appellant is given the opportunity to respond and/or comment on public input.
j. The Board deliberates and decides the matter or takes such other action as it deems appropriate.

Section 11. Board Decision. The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the code official. The code official shall take immediate action in accordance with the decision of the board.

Section 11. Rules for Citizen Participation at Meetings. The rules in this Section shall govern and apply to citizen participation at meetings of the Board. Members of the public may speak when recognized by the Chairperson during a formal public hearing, the open public comment period, an agenda item, or at the discretion of the Chairperson at other times. Upon being recognized, the speaker shall provide his or her name and the street upon which they live for the record, and the speaker shall address the Board only and shall not engage in direct dialogue with others attending the meeting. Members of the public who speak at a meeting shall be limited to *3 minutes,* per individual, unless additional time is granted in the discretion of the Chairperson. The Chairperson may limit an individual from speaking more than once on any specific item before the Board or during an open public comment period. Upon the request of a member of the Board or in the Chairperson's own discretion, the Chairperson may grant additional time to a speaker and may

recognize and allow a member of the public to address the Board at a time other than as designated in these Bylaws; however, all other rules as provided herein shall apply.

Section 12. Disorderly Conduct at Meetings. Persons addressing the Board shall direct their attention and comment to the Board only and shall not engage in direct dialogue or communications of any kind with others attending the meeting. All speakers at meetings of the Board shall make responsible comments and shall refrain from making personal, impertinent, slanderous or profane remarks. The Chairperson may call to order any person who is being disorderly by speaking when not recognized by the Chair or otherwise disrupting the proceeding by failing to be germane, by speaking longer than the allotted time, by speaking vulgarities, or otherwise violating the rules in this Section or Section 10, above. Such person shall thereupon be seated until the Chairperson shall have determined whether the person is in order and that person shall not be permitted to speak at the same meeting, except upon special leave by the Board. If the person shall continue to be disorderly and disrupt the meeting, the Chairperson may request the Police Department to remove the person from the meeting.

Section 13. Time Limit for Meetings. No new agenda item will be considered after 11:30 p.m. The meeting will conclude no later than 12 a.m. All agenda items not considered will be carried over to the next regular or special meeting as determined by the Board. These time limits may be extended by a majority vote of members of the Board.

Section 14. Postponed Hearing. When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Section 15. Stay of Enforcement. Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the Board.

ARTICLE V
OFFICERS

Section 1. Officers. The Board shall have a Chairperson, Vice Chairperson, and Secretary.

a. Chairperson. The board shall annually select one of its members to serve as Chairperson. The Chairperson shall preside at all meetings, rule on all points of order raised at meetings, call special meetings subject to the requirements of these Bylaws, consult with staff on the preparation of agendas, and shall perform all other duties necessary or incidental to the office of Chairperson. The Chair shall have a vote on all matters before the Board.

b. Vice-Chairperson. The Vice-Chairperson shall perform the duties of the Chairperson in his or her absence, the duties set forth in these Bylaws and Township Code of Ordinances, and any additional duties as determined by the Board.

c. Secretary. The Township Supervisor shall designate a qualified person to serve as Secretary to the board. The secretary shall file a detailed record of all proceedings in the Office of the Township Supervisor. The secretary shall record the minutes of all Board meetings, shall cause a record to be kept of all plans, documents, books and papers approved by and brought before the Board, shall provide copies of all such records to the Township Clerk upon request, shall perform such other tasks as may be delegated to him or her by the Board, and shall perform all other duties incident other office of the Secretary.

Section 2. Term of Office. Officers shall serve terms of one (1) year, with eligibility for re-election, except that a member shall not be eligible to serve more than two (2) successive terms as Chairperson.

Section 3. Election. Members shall be appointed by the Township Supervisor and shall serve staggered and overlapping terms.

ARTICLE VI
REPORTING

Section 1. Fiscal Year. The fiscal year of the Board shall be the same as the Township of White Lake.

Section 2. Report to Township Board. The Board shall prepare a written report to the Township Board at least one (1) time in each calendar year, and if requested by the Supervisor or Township Board, shall present said report at a meeting of the Township Board. In addition to any other information required by law, the report shall inform and advise Township Board on the number of meetings held, the activities and items of business that have been and are being undertaken by the Board, and any recommendations or advice the Board may have concerning Township policy matters relating to the purposes, authority and duties of the Board.

ARTICLE VII
AMENDMENTS

Section 1. Method. These Bylaws may be amended at a duly constituted meeting of the Board by the affirmative vote of a 2/3 majority of its members.

Section 2. Proposal. Amendments to these Bylaws may be proposed by any active member of the Board or a member of the Township Staff.

Section 3. Meeting. Upon any such amendment being proposed, the proposed amendment may be considered at the same or any subsequent regular meeting or a special meeting called for that purpose.

Section 4. Distribution. A copy of these Bylaws and each amendment to these Bylaws shall be furnished to every member of the Board after adoption, provided, however, that these Bylaws and any duly adopted amendment to them shall be binding upon all members irrespective of whether such persons actually receive a copy of the amendment.

Section 5. Regular Review of Bylaws. These Bylaws shall be reviewed by the Board on a regular basis to ensure that they remain up-to-date and consistent with existing laws, ordinances and practices.

ARTICLE VIII
REPEALER, CONFLICTS AND SEVERABILITY

Section 1. Conflicts. If any provision of these Bylaws is inconsistent or conflicts with the Governing Authorization and Regulations, the Governing Authorization and Regulations shall supersede these Bylaws and apply.

Section 2. Severability. In the event that any of the terms, provisions, or covenants of these Bylaws are held to be partially or wholly invalid or unenforceable for any reason whatsoever, such holding shall not affect, alter, modify, or impair any of the other terms, provisions or covenants of these Bylaws or the remaining portions of any terms, provisions or covenants held to be partially invalid or unenforceable.

Adopted By: Property Maintenance Code Board of Appeals on _____, 2026
Approved By: Township Board on October 20, 2026