

**CHAPTER 3
BOARD OF ADJUSTMENT**

SECTION:

- 2-3-1: Appointment
- 2-3-2: Qualifications
- 2-3-3: Term
- 2-3-4: Vacancies
- 2-3-5: Organization
- 2-3-6: Rules and Regulations
- 2-3-7: Duties

2-3-1: **APPOINTMENT:** The Mayor, with the consent of the City Council, shall appoint a Board of Adjustment of nine (9) members.

2-3-2: **QUALIFICATIONS:** Members of the Board of Adjustment shall be residents and electors of the City. The Mayor, members of the City Council and any appointed officer of the City shall not serve as a member of the Board. One member of the Board shall be a member of the Planning and Zoning Commission.

2-3-3: **TERM:** Members of the Board of Adjustment shall be appointed for a term of five (5) years. Terms shall expire on December 31 of the fifth year following their appointment. Not more than two (2) members' terms shall expire in any one (1) year.

2-3-4: **VACANCIES:** The Mayor, with consent of the City Council, shall appoint a qualified person to fill the unexpired term of any member of the Board in the event of a vacancy.

2-3-5: **ORGANIZATION:** The Board shall elect its own chairperson and may appoint other officers from among its members. The Zoning Official shall serve as a non-voting ex officio member of the Board.

2-3-6: **RULES AND REGULATIONS:** The Board shall adopt rules and regulations necessary to carry into effect the provisions of this Chapter. Meetings shall be held when necessary. The Board shall keep minutes of its proceedings, showing the vote of each member on every question. The meetings, minutes and records of the Board shall be open to the public.

2-3-7: **DUTIES:** The Board of Adjustment shall have such duties and authority as set forth in the Zoning Ordinance and shall perform all other duties as required by state law or as directed by the City Council.