

CITY OF KEENE

BOARD OF APPEALS

RULES OF PROCEDURE

1. ***Officers.*** The Board of Appeals shall annually elect a chairman, and vice-chairman. The chairman shall preside at meetings and hearings shall decide points of order or procedure and shall appoint any committees that are found to be necessary. The vice-chairman assumes the duties of the chairman in the chairman's absence. The secretary shall handle correspondence subject to these rules; shall keep the minutes of the Board's proceedings; and shall keep a file on each appeal that comes before the Board.
2. ***Membership.*** The membership of the Board shall consist of five members and two alternates. The Mayor of the City of Keene using the appointment policies and procedures shall appoint these members. Membership shall be as described in the adopted code.

Qualifications: The Board of Appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to construction.

- 1) ***Meetings.*** Meetings are held within ten (10) days of the filing of an appeal. Notice of all meetings shall be given to the public, and appellants shall be given notice of the meeting at which their appeal is to be heard prior to the meeting by means of first class mail sent to the address of the appeal. The attendance of three members shall constitute a quorum. The vote of a simple majority of members in attendance shall be required to adopt a motion. In the event there are an even number present, the chairman, or acting chairman will not vote. Business conducted at meetings of the Board shall follow Roberts' Rules of Order.
- 2) ***Manner of Taking Appeal.*** Within the time for taking appeals, the Appellant shall file with the Code Official on a form provided by the Board.
 - a) Code Official shall transmit the appeal to the secretary of the Board along with all papers constituting the record of action upon which the appeal is based.
 - b) The applicant shall provide the secretary with all information requested on the form provided by the Board and any such additional information and data as may be required to advise the Board fully with reference to the application for appeal. Applications for appeal must be made on the proper form.
 - c) An application for appeal filed accordingly to the above shall be assigned an appeal number within five (5) days. Applications for appeals will be heard in the order they are received.
 - d) The secretary of the Board shall schedule the appeal; notify all interested parties of the hearing and give notice including the time, date and place of the meeting to anyone requesting such information. Notice of the meeting will be posted in a public place.

- e) The applicant may appear in his own behalf at the hearing or may be represented by counsel or an agent. Both the applicant and the Code Official may speak to the appeal and any person whose interests are affected may speak for or against the issue. The applicant shall be given an opportunity for final rebuttal.
 - f) The Board shall notify the interested parties and the Code Official of the decision within fourteen (14) days after the meeting in which the decision is made.
- 3) ***Re-Hearing Procedures.*** A re-hearing before the Board of Appeals is possible only when new information or evidence that was not available or evident at or during the time of the appeal, and furthers, that such information and/or evidence has or may have a direct or immediate bearing on the original decision made by the Board of Appeals. Only one (1) re-hearing is allowed per applicant or the City. Said evidence is to be reviewed first by the Board Chairperson and Code Official, with said information then forwarded to the Board members for final decision. Said re-hearings will be held within 30 days of filing.