CITY OF AVONDALE ESTATES BOARD OF APPEALS
RULES OF PROCEDURE

The following shall be the order of business and rules of procedure in conducting that business to be followed at every public meeting of the Avondale Estates Board of Appeals:

1. Chair of Board, or Vice-Chair if Chair is absent, calls meeting to order. If neither the Chair nor Vice-Chair of the Board is present at a meeting, the other members of the Board shall elect one of their numbers to serve as temporary Chair of the Board for purposes of that meeting.
2. A quorum for purposes of taking action by the Board shall require that a majority of the members of the Board be present and the existence of such a quorum shall be determined and then noted in the minutes.
3. Chair shall explain procedure that will be followed in addressing all items on the meeting agenda
4. When an agenda item is called, the applicant for a variance or appellant of a code violation finding shall present their arguments to the Board and shall be subject to questioning by the Board members
5. The Chair shall ask if anyone present wishes to speak in support of the variance application or appeal of a code violation finding
6. Anyone who wishes to speak in support of the variance application or appeal of a code violation finding shall be allowed to address the Board and shall be subject to questions from the Board members
7. After all persons who wish to speak in support of the variance application or appeal of a code violation finding have addressed the Board, the Chair shall ask if anyone wants to speak in opposition to the variance application or appeal of code violation finding
8. Anyone who wishes to speak in opposition to the variance application or appeal of a code violation finding shall be allowed to address the Board and shall be subject to questions from the Board members
9. After all persons who wish to speak in opposition to the variance application or appeal of a code violation finding have addressed the Board, the public comment portion of the hearing on the variance application or appeal of code violation shall be closed
10. The Board shall discuss the merits of the variance application or appeal of code violation finding and then vote on whether to approve the variance application or grant the appeal of a code violation
11. During the discussion of the merits of the variance application or appeal of a code violation, the Board shall have the right to ask additional questions of the applicant or appellant or anyone who has previously spoken in favor of or in opposition to the variance application or appeal of a code violation finding
12. The Board is authorized to table a particular variance application or appeal of a code violation finding until a future meeting of the Board
13. Until there is a vote by the Board on a particular variance application or appeal of a code violation finding, the applicant or appellant, as the case may be, shall have

the ability to withdraw their application or appeal, without prejudice, with the consent of the Board

14. After all agenda items have been addressed, the meeting shall be adjourned
15. The Board of Appeals shall have the power to draw upon the resources and knowledge of all City of Avondale Estates employees, agents, City Attorney, departments, boards and authorities as deemed necessary for the fulfillment of its purposes, duties and responsibilities. All public officials shall, upon request, furnish to the Board of Appeals all such information requested that it might reasonably require, to the extent available and within a reasonable period of time.

Board action of any type shall be taken only on a motion made by a Board member, which motion has been seconded by another Board member. The Chair of the Board may not make or second a motion, unless only three members of the Board are present, in which event the Chair may second a motion but not make a motion. After a motion has been made, the Chair shall ask all in favor of the motion to signify by saying "Aye" and shall then ask all who oppose the motion to signify by saying "Nay". The Chair shall then vote "Aye" or Nay" and announce whether the motion has been approved or denied.

A majority vote by the members of the Board at a meeting at which a quorum is present shall be required to approve any motion made or other action taken by the Board. If less than all the members of the Board are present at a meeting, a tie vote on a variance application or appeal of a code violation finding shall result in the matter in question being tabled until the next meeting of the Board. If all members of the Board are present at a meeting, a tie vote on a variance application or appeal of a code violation finding that is due to the abstention or recusal of one or more members of the Board shall result in the matter in question being denied.

The Board shall have the right in the interest of the efficient use of time to impose reasonable limitations on the amount of time that a person who speaks in favor of or in opposition to a variance application or appeal of a code violation finding shall have to address the Board. Before addressing the Board, all such persons shall state their name and residence address for the record. All comments by such persons to the Board shall be limited to the issues before the Board and on which the Board is authorized by the applicable law to act.

In cases where the adopted rules of procedure of the Board do not address a particular procedural issue, Roberts Rules of Order shall be followed with respect to that issue.

These rules of procedure may be amended at any time by a majority vote of the members of the Board that are present at a meeting of the Board at which a quorum is present.

Adopted this 20 day of January 2009.

Chairman, Board of Appeals

Karen Holmes

Secretary, Board of Appeals