

Introduced: August 25, 2014
Adopted: September 8, 2014
Effective: September 8, 2014

CITY OF CHARLOTTE

ORDINANCE NO. 2014-05

AN ORDINANCE TO AMEND SECTION 82-56 OF CHAPTER 86 OF THE CITY CODE OF THE CITY OF CHARLOTTE BY PROVIDING THAT THE CITY COUNCIL SHALL ACT FOR ALL PURPOSES AS THE BOARD OF ZONING APPEALS AS PROVIDED BY LAW WITHIN THE CITY OF CHARLOTTE.

Councilmember Conway moved the following:

THE CITY OF CHARLOTTE ORDAINS:

1. Section 82-56 shall be, and is hereby amended to read as follows:

§ 82-56 CREATION; MEMBERSHIP.

(A) There is hereby established a Board of Zoning Appeals, which shall perform its duties and exercise its powers as provided in Article VI of Public Act 110 of 2006, being MCLA 125.3601 to 125.3607, as amended, in such a way that the objectives of this chapter shall be observed, public safety secured and substantial justice done. The City Council shall act as the Board of Zoning Appeals.

(B) A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office.

(C) The Mayor and Mayor Pro-Tem shall act as the Chairperson and Vice-Chairperson. The City Clerk shall serve as the Secretary of the Zoning Board of Appeals.

(D) The City Council may also, if it so desires, appoint not more than 2 alternate members for the same term as regular members of the Board of Appeals. An alternate member may be called to serve in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. The alternate member having been appointed shall serve in the case until a final decision has been made. The alternate member shall have the same voting rights as a regular member of the Board of Appeals.

This ordinance shall become effective 20 days after adoption and that the above ordinance be passed to a second reading.

Second, Dyer. Carried. (7) Yeas. (0) Nays.

Dated: September 8, 2014

Carrie Burch, Mayor

Ginger Terpstra, Clerk