

**Ordinance No. 2005.08
Village of Salado
County of Bell
State of Texas
June 16, 2005**

**AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS
APPOINTING A CODE APPEALS BOARD FOR CODE
VIOLATIONS; PROVIDING FOR THE FOLLOWING: A
SEVERABILITY CLAUSE; EFFECTIVE DATE; AND
PROPER NOTICE AND OPEN MEETING**

WHEREAS, the Board of Aldermen of the Village of Salado seek to provide for orderly growth and preserve the fiscal health of the community; and

WHEREAS, the Board of Aldermen recognize the necessity of an appeals board in order to hear and decide appeals of orders, decisions or determinations made by the code enforcement official; and

WHEREAS, the Board of Aldermen recognizes the need to appoint a committee of citizens who have an interest in upholding Salado's municipal codes, with an understanding of the importance of maintaining the Village's quality of life.

NOW, THEREFORE, BE IT ORDAINED THAT THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS:

I. CODE APPEALS BOARD CREATED

1. Creates a board to be known as the Code Appeals Board.
2. Designates the following ordinances as being those over which the Code Appeals Board has jurisdiction:
 - (a) International Building Code; and
 - (b) International Building Code for Residential Dwellings; and
 - (c) International Energy Code; and
 - (d) International Mechanical Code; and
 - (e) International Fire Code; and
 - (f) International Plumbing Code; and
 - (g) International Property Maintenance Code.
3. Appoints five volunteer citizens to serve in an at-will capacity who are qualified by experience and training to pass on matters pertaining to the Village's codes; and
4. Appoints the current Code Enforcement Official and Fire Code Official as *Ex officio* members that shall have no vote on any matter before the board and shall not count toward the establishment of a quorum; and

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5. Authorizes the Mayor to appoint a Chairperson and draw for terms at the first scheduled meeting, with terms to begin with two board members having two year terms and three board members having three year terms. After initial terms expire, all members shall serve three years; and
6. Requires all General Rules, Policies, and Procedures of the Village to apply to the Board, to include Nepotism and Conflict of Interest.
7. Delegates to the Chairperson the authority to call meetings, establish additional rules, and seek the assistance of Village staff, as needed.
8. Establishes the following procedures for raising appeals before the Board:
 - (a) Applicants seeking to appeal a decision of the Code Enforcement Official must file a written request for an appeal to with Village Secretary no later than five (5) business days after receipt of the Village's final determination on an application.
 - (b) Requests for an appeal must specify the code provision from which relief is sought and the grounds for the appeal.
 - (c) The Code Appeals Board shall convene to consider the matter and conduct a public hearing within thirty (30) calendar days of receipt of the application for appeal. Failure to satisfy this requirement constitutes granting the appeal.
 - (d) Notice of the time, date and location of the appeal shall be mailed to the applicant and to the owner of record (if not the same).
 - (e) Prior to issuing a determination on an appeal, the Board must conduct a public hearing at which the Board will receive evidence and testimony.
 - (f) The Board's decision on an appeal must be in writing. The minutes shall be adequate to constitute the Board's report.
9. The standards for approving appeals shall be those set out in the codes covered by this ordinance.

2. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage.

3. SEVERABILITY

It is hereby declared to be the intention of the Board of Aldermen that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

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1. The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the work done in each of the various departments.

2. The second part of the report deals with the work done in each of the various departments during the year. It is followed by a detailed account of the work done in each of the various departments.

CONCLUSION

The work done during the year has been very satisfactory and has resulted in a number of important discoveries. It is hoped that the results of this work will be of great value to the scientific community.

Yours faithfully,
[Signature]

[Signature]
[Name]

4. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Adopted this, the 16th day of June, 2005 by a vote of 4 aye(s), 0 nay(s),
0 abstentions.



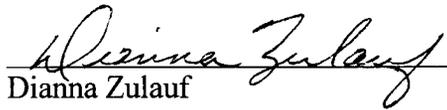
Rick Ashe, Mayor

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF BELL

I, Dianna Zulauf, being the current Village Secretary of the Village of Salado, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2005.08, passed and approved by the Board of Aldermen of the Village of Salado, Texas, on the 16 day of June, 2005, and such Ordinance was duly adopted at a meeting open to the public and notice of said meeting, giving the date, place and subject thereof, was posted as prescribed by Government Code 551.043.

Witness my hand and seal of office this 16 day of June, 2005.



Dianna Zulauf
Village Secretary

