

ORDINANCE NO. 1327

AN ORDINANCE to amend Chapter 2, adding Article 4 “Board of Appeals”, adding Sections 2-401 “Board of Appeals; Creation,” 2-402 “Board of Appeals; Members; Term; Removal, Vacancies,” 2-403 “Board of Appeals; Purpose and Duties,” and 2-404 “Board of Appeals; Organization” of the Municipal Code of the City of Chadron, Nebraska; to repeal all ordinances and parts of ordinances in conflict herewith; directing the publication of this Ordinance and prescribing the time when this Ordinance shall be in full force and effect.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CHADRON, NEBRASKA:

Section 1. Chapter 2, Article 4, Section 2-401 entitled “Board of Appeals; Creation” is added to the Municipal Code of the City of Chadron, Nebraska and shall read as follows:

There is hereby established in the City, a Chadron Board of Appeals.

Section 2. Chapter 2, Article 4, Section 2-402 entitled “Board of Appeals; Members; Term; Removal; Vacancies” is added to the Municipal Code of the City of Chadron, Nebraska and shall read as follows:

The Chadron Board of Appeals shall consist of six (6) members and two (2) alternate members, three of which who are qualified by experience and training on matters pertaining to property maintenance and who are not employees of the city, and one of which shall be the building inspector who shall be an ex-officio member but shall have no vote on any matter before the board. Members shall be appointed by the Mayor, by and with the approval of a majority vote of the City Council. All members shall serve as such without compensation. The terms of the members are for four (4) years and expire the first City Council meeting in January of each year. All members shall be appointed to serve until January of 2010, thereafter three members shall be appointed for a two year term, two members shall be appointed for a three year term, and two members shall be appointed for a four year term. The building inspector shall be appointed for an indefinite term. The Members may, after a public hearing before the Council, be removed by the Mayor, by and with the consent of a three-fourths vote of the Council for inefficiency, neglect of duty or malfeasance in office or other good and sufficient cause. In the event of a vacancy the unexpired term shall be filled by the Mayor. (*Neb. Rev. Stat. 19-417; 16-246*)

Section 3. Chapter 2, Article 4, Section 2-403 entitled “Board of Appeals; Purpose and Duties” is added to the Municipal Code of the City of Chadron, Nebraska and shall read as follows:

The Board of Appeals shall employ the means of appeal as provided by the International Building Code, Plumbing Code and Property Maintenance Code. (*Neb. Rev. Stat. 19-417; 16-246*)

Section 4. Chapter 2, Article 4, Section 2-404 entitled "Board of Appeals; Organization" is added to the Municipal Code of the City of Chadron, Nebraska and shall read as follows:

The Board of Appeals is appointed by the City Council. The Board shall annually select one of its members to serve as the Chairperson. The chief appointing official shall designate a qualified person to serve as secretary to the board. Meetings shall be called as needed. A majority of those appointed shall constitute a quorum. (*Neb. Rev. Stat. 19-417; 16-246*)

Section 5. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 6. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Passed, approved and ordered published this _____ day of _____, 2009.

CITY OF CHADRON

Mayor

ATTEST:

City Clerk

(S E A L)