

VILLAGE OF ESSEX JUNCTION
TRUSTEES= POLICY REGARDING THE ORDINANCE APPEALS BOARD

SECTION 1. PURPOSE

The Ordinance Appeals Board is created to hear appeals from specific ordinances that the Trustees designate. It is to give a person aggrieved by a revocation, suspension or penalty pursuant to the designated ordinances an opportunity to present appeals of administrative rulings.

SECTION 2. APPOINTMENT AND TERMS

The Trustees shall appoint the Ordinance Appeals Board as of July 1 of each year. The membership shall include: one Village Trustee, one Planning Commission member, one Zoning Board of Adjustment member, and two at-large Village residents.

The terms shall be for three years with rotating terms (2 for 3 years, 2 for 2 years and 1 for 1 year initially) and shall expire on June 30th.

SECTION 3. MEETINGS

There shall be an organizational meeting in July of each year to elect a Chairperson, Vice Chairperson, and Clerk. The Chairperson shall call meetings on an as-needed basis. The meetings will be guided by Roberts Rules of Order and applicable state law.

SECTION 4. APPEAL PROCESS AND PROCEDURE

A person aggrieved by a revocation, suspension or penalty pursuant to the ordinances may appeal within fifteen (15) days of service of an Administrative Order or Ruling. The notice of appeal shall be submitted in writing, filed with the Village Manager, and shall set forth a statement of the basis of the appeal. In order to be accepted, a notice of appeal must include the appeal fee as listed on the Village of Essex Junction Fee Schedule (Appeal of administrative determination).

Upon receipt of notice of appeal, the Village Manager shall notify any interested parties of the appeal.

Within thirty (30) days of service of the notice of appeal, the Board shall hold a hearing on the appeal.

The Ordinance Appeals Board shall issue a written decision within fifteen (15) days of the close of the hearing. The decision may reverse or sustain the Administrative Order or Ruling and may contain such additional requirements as the Board deems necessary and appropriate to implement the purpose of the ordinance.

SECTION 5. RULINGS

The Ordinance Appeals Board will gather information on an appeal at the hearing or by having site visits. The Board may have public deliberative sessions and site visits prior to making their ruling. Their rulings shall be the final statement of the Village of Essex Junction on the appealed issue.

Adopted by the Village Board of Trustees on January 10, 2012.