

**BYLAWS OF THE
FRANKLIN BUILDING AND STREETS STANDARDS
BOARD OF APPEALS**

1.1 Enabling Legislation

Pursuant to the Franklin Municipal Code, Title 12, Chapter 12, the Building and Streets Standards Board of Appeals of the City of Franklin, Tennessee, hereinafter referred to as the City, hereby enacts these bylaws.

2.1 The Building and Streets Standards Board of Appeals

2.1.1 Board Name

The Board name shall be the Building and Streets Standards Board of Appeals, hereinafter referred to as the Board.

2.1.2 Board Office

The principal office of the Board shall be at City Hall, Franklin, Tennessee 37064.

3.1 Purposes and General Powers

3.1.1 Applicable Legislation

The purposes and general powers of the Board shall encompass those purposes and power specified in:

- (1) the applicable sections of the Franklin City Charter and the Franklin Municipal Code, and any amendments and supplements thereto; and
- (2) the regulations, rules, bylaws, and policies adopted and enunciated by the Board.

4.1 Officers

4.1.1 Officers

The officers of the Board shall be a Chair and a Vice-Chair.

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4.1.2 Elections

The Chair and the Vice-Chair shall be elected at the first meeting held each year from among the appointed Members and shall serve for a term of one year, with eligibility for reelection. The Chair and the Vice-Chair shall hold office until successors are elected.

4.1.3 Duties of Elected Officers

- (1) The Chair shall preside at the meetings of the Board and shall vote on the matters coming before it. The Chair shall sign minutes, reports, bylaws, and other instruments made by the Board.
- (2) The Vice-Chair shall serve, in all duties, as listed above, in the absence of the Chair.

4.1.4 Absence of Elected Officers

- (1) Should the Chair not be in attendance, the Vice-Chair shall serve as Chair.
- (2) Should the Chair and the Vice-Chair not be in attendance, the Board shall, on the motion of any of its Members, accept nominations, and shall hold an election to appoint an Acting Chair to conduct the meeting during the absence of the Chair and the Vice-Chair.

4.1.5 Vacancy

Should the Chair resign or be unable to continue as Chair, the Vice-Chair shall serve as Chair, and the Board shall elect a new Vice-Chair, and both officers shall serve until the next time officers are regularly scheduled to be elected.

5.1 Members

The Board shall consist of nine (9) Members including the Chair who are residents of Williamson County and qualified through their individual experience to pass upon matters pertaining to building, fire, life safety code-related issues, and roadway design. The Members shall be appointed

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by the mayor and shall be approved by the Franklin Board of Mayor and Aldermen. Their qualifications shall be as follows:

- (a) One member shall be a State of Tennessee Licensed Electrician.
- (b) One member shall be a State of Tennessee Licensed Plumber.
- (c) Two members shall be State of Tennessee Licensed Architects; one of whom may be a Licensed Landscape Architect.
- (d) Three members shall be State of Tennessee Licensed Professional Engineers of the Civil, Mechanical, Structural or Electrical disciplines.
- (e) One member shall be a State of Tennessee Licensed Professional Engineer practicing in the Traffic discipline.
- (f) One member shall be a qualified professional with fire and life safety knowledge, skills or experience.

5.1.1 Term

The initial terms of the Members shall be as follows: two (2) for five (5) years, two (2) for four (4) years, two (2) for three (3) years, three (3) for two years. Thereafter, each new member shall serve for five (5) years or until successor has been appointed.

5.1.2 Compensation

Members shall serve without compensation.

5.1.3 Vacancies

Vacancies in the terms of appointed Members shall be filled by the mayor, with confirmation by a majority vote of the Franklin Board of Mayor and Aldermen.

5.1.4 Attendance, Absences, and Vacancies

Any Member of the Board who is absent from three (3) consecutive regular meetings or is absent from six (6) or more regular meetings during a twelve-month period may be removed by two-thirds vote of

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the entire Board. Absences related to sickness, death in the family, or other like emergencies shall not affect a Member's status except in the case of a prolonged absence. Any vacancies on the Board shall be filled within sixty (60) days, through appointment by the Mayor, with approval by the Franklin Board of Mayor and Aldermen.

5.1.5 Removal

A Member can only be removed by a two-thirds vote of the entire Board.

6.1 Staff

The Board shall use the services of the City Attorney and City Employees, as it shall deem necessary.

7.1 Meetings

7.1.1 Regular Meetings

Regular meetings of the Board shall be held no less than once quarterly, in the months of January, April, July and October on the first Tuesday of these months at 5:00 p.m. in the City Hall Board Room, or at such other place as the Board may designate.

7.1.2 Special Meetings

The Chair, if necessary, or upon the request of any Board Member, shall call and designate the time and place of a special meeting for the purpose of transacting business designated in the call.

7.1.3 Publication

Notice of regular meetings shall be published prior to each meeting in at least one local newspaper with an agenda of the items to be considered at the meeting. If possible, notice of special meetings shall be published prior to each meeting in at least one local newspaper, with an agenda. If notice of a special meeting is not possible in at least one local newspaper, then, prior to holding the meeting, notice shall be announced by way of radio, Internet, or

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television announcement, and shall include a summary or agenda of the matters to be discussed.

7.1.4 Agenda

- (1) It shall be the duty of the City of Franklin to prepare an agenda listing the business and matters to be considered by the Board at each meeting.
- (2) In order for items to be considered at a regular meeting, they shall be submitted to the City of Franklin as follows:
 - a. An appellant wishing to present an item to the Board shall submit an application for appeal to the department which issued the decision being appealed. The application, and any necessary exhibits, shall be submitted within twenty (20) days after the notice of the decision that is being appealed. It shall be the responsibility of the appellant to become familiar with the regulations, policies and procedures of the City.
 - b. Applicant shall have met with City staff to discuss the appeal on at least one occasion prior to being placed on an agenda.
- (3) Items considered at special meetings are limited to those designated by the Chair or at the request of the Board Member calling the meeting.
- (4) The recording secretary shall make copies of the agenda available to the Board Members, to the City Attorney, to the appellants, and to at least one local newspaper, prior to each regular meeting and at the earliest possible date prior to a special meeting.
- (5) Items deferred by the Board shall be reset for a particular date as determined by the Board.

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7.1.5 Quorum

Five (5) Members of the Board shall constitute a quorum for the purpose of conducting business.

7.1.6 Voting

A majority of the Board Members present and constituting a quorum shall be necessary to decide items requiring action. At the discretion of the Chair, the voting on questions shall be by roll call, and the ayes and noes shall be entered upon the minutes of the meeting, except that, when the vote of all of the Board Members present is unanimous, recording the unanimous vote shall be sufficient. Otherwise, a voice vote shall be sufficient.

7.1.7 Order of Business

- (1) Call the meeting to order.
- (2) Approve the minutes of prior meetings.
- (3) Announcements.
- (4) Order of presentation of agenda items.
 - a. Hearing on item declared open by Chair.
 - i. Staff presentation of the item, but only if the appellant is present.
 - ii. Appellant presentation of the item.

A total of ten (10) minutes shall be given to each side for testimony, unless extended for due cause by the Chair.

- iii. Optional Rebuttal testimony in the following order:
 1. Staff.
 2. Appellant.

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A total of five (5) minutes shall be given to each side for rebuttal testimony, unless extended for due cause by the Chair.

- b. **Close the Hearing:** Motion, second, and vote by the Board Members required. This act ends all discussion except from the Members, unless the Chair recognizes individuals for further testimony.
 - c. Motion and second by the Board Members.
 - d. Discussion on the motion.
 - e. Vote of the Board Members.
- (5) Other business.
- (6) Adjourn.

7.1.8 Minutes

- (1) The Board shall speak only through its minutes, which shall be prepared by the recording secretary or designee, who shall prepare a verbatim record of the proceedings and prepare the minutes from the verbatim record of the meeting. The minutes shall contain the following information:
 - a. The kind of meeting, such as regular or special.
 - b. The name of the assembly.
 - c. The meeting date and place.
 - d. The fact of the regular Chair and Vice-Chair being present, or, if both absent, the name of the Acting Chair. The attendance or absence of all other Board Members shall be noted.
 - e. Whether the minutes of the previous meeting were read and approved.

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- f. The main motions and name of the Board Member making the motion, and whether the motion was seconded.
 - g. The action taken on the motion and the reasons for that action.
 - h. The names of the persons addressing the Board, and a summary of their statements.
 - i. The hours of the meeting and its adjournment.
- (2) The minutes shall be signed by the Chair.
- (3) The verbatim record shall also remain on file for general reference. The minutes shall be delivered to the Board Members for examination before the next regular meeting.

8.1 Reasons for the Board Decision

The Board shall clearly state its reasons for any decision made.

9.1 Amendments

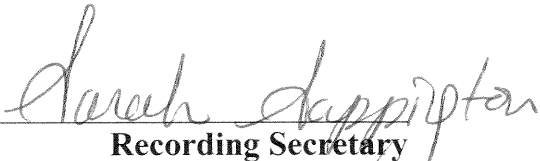
These bylaws may be amended at a regular or special meeting, but no amendment shall be adopted unless a written notice of at least four (4) days has been previously given to the Board Members.

10.1 Parliamentary Rules

To the extent not inconsistent with these rules or the enabling statutes and ordinances, *Roberts Rules of Order* shall be the parliamentary rules of the Board.

APPROVED on the 12th day of May, 2011.

ATTEST:

BY:  BY: 
Chair **Recording Secretary**