

15.390

**ARTICLE 13
BOARD OF APPEALS**

15.391

Sec. 113.1 **CREATION AND MEMBERSHIP.**

There is hereby created a Board of Appeals which shall consist of six (6) members. All members shall forthwith be appointed by the President of the Village Council, subject to the approval by a majority vote of the members elect of the Village Council. One member of the Board of Appeals shall also be a member of the Village Planning Commission. The remaining five (5) members shall hold no other municipal office.

(chap. XII of code eff. Oct. 3, 1963)

15.392

Sec. 113.2 **TERM OF OFFICE.**

The term of office for each member shall be three (3) years except that two (2) members of the first Board of Appeals shall serve for a term of one (1) year from and after October 1, 1962, two (2) for a term of two (2) years from and after October 1, 1962, and two (2) for a term of three (3) years from and after October 1, 1962. All members shall hold office until their successors are appointed.

(chap. XII of code eff. Oct. 3, 1963)

15.393

Sec. 113.3 **MEETINGS.**

Meetings of the Board of Appeals shall be held at the call of the Chairman and at such other times as the Board in its rules and procedure may specify. The Board shall maintain a record of its proceedings.

(chap. XII of code eff. Oct. 3, 1963)

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Sec. 113.4 **COMPENSATION.**

All members of the Board of Appeals shall serve as such without compensation.

(chap. XII of code eff. Oct. 3, 1963)

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Sec. 113.5 **VACANCIES.**

Vacancies occurring otherwise than through the expiration of a term shall be filled for the unexpired term by appointment by the President of the Village Council of Shepherd, subject to the approval by a majority vote of the members elect of the Village Council.

(chap. XII of code eff. Oct. 3, 1963)

15.396

Sec. 113.6 **REMOVAL.**

Members may, after a public hearing, be removed by the President or chief executive of the municipality for inefficiency, neglect of duty, or malfeasance in office.

(chap. XII of code eff. Oct. 3, 1963)

15.397

Sec. 113.7 **POWERS AND DUTIES.**

The board of Appeals shall have the powers and duties as provided in Section 5, Act Public Acts of Michigan of 1921, as amended. The Board of Appeals shall hear and decide appeals from and review any order, requirements, decision or determination made by the Building Inspector. They shall also hear and decide all matters referred to them or upon which they are required to pass under this Ordinance. The concurring vote of 2/3 of the members of the Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of the Building Inspector or to decide in favor of the applicant any matter upon which they are required to pass under this Ordinance or to effect any variation of this Ordinance.

(chap. XII of code eff. Oct. 3, 1963)

15.398

Sec. 113.8 **APPEALS.**

All appeals shall be filed on forms and according to procedures prescribed by the Board of Appeals, and shall fully set forth the circumstances of the case. All appeals shall be heard by the Board of Appeals at public hearings, properly noticed, according to the provisions of Section 5, Act 207 of the Public Acts of Michigan of 1921, as amended.
(chap. XII of code eff. Oct. 3, 1963)

15.399

Sec. 113.9 **BOARD OF APPEALS ACTION.**

In granting any special authorization, adjustment or variance, the Board of Appeals may attach any conditions to its approval applying thereto that it shall deem necessary or desirable to carry out the intent and spirit of this Ordinance and protect the public interest. Provision for off-street parking, where desirable, shall be a condition of approval.
(chap. XII of code eff. Oct. 3, 1963)