

(b) [b-1] The [council] *local legislative body* shall designate one alternate member for the board of appeals who may be empowered to sit on the board in the absence of any member of the board; and when the alternate is absent, the [council] *local legislative body* may designate a temporary alternate.

[b-2] [Each member of the Kent County Board of Appeals shall receive one hundred dollars (\$100) annually for expenses.]

(c) Rules and Meetings. The board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this subtitle. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall [keep minutes of its] *make a transcript of all* proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, [and shall keep records of its examinations and other official actions, all of] which shall be immediately filed in the office of the board and shall be a public record.

(d) [(g)] General Powers of Board. The board of appeals shall have the following powers:

(1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this subtitle or of any ordinance adopted pursuant thereto.

(2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinances.

(3) To authorize upon appeal in specific cases [such] *a* variance from the terms of the ordinance [as will not be contrary to the public interest, where, owing to special conditions, the enforcement of the provisions of the ordinance will result in an unwarranted hardship and injustice, but which will most nearly accomplish the purpose and intent of the regulations of the zoning plan].

(e) [(d)] Appeals; Transmission of Records. Appeals to the board of appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the [municipality] *jurisdiction* affected by any decisions of the administrative officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the officer from whom the appeal is taken and with the board of appeals a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

(f) [(e)] Stay of Proceedings on Appeal. An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board of appeals after notice of appeal shall have been filed with him that by reason of the facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of appeals or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown.