

tion, landscaping, or other improvements, alterations, and changes made or to be made on the subject land or lands to assure conformity with the intent and purpose of this article and of the jurisdiction's zoning ordinance. The powers provided in *subsection 4.01(b)* shall be applicable only if the local legislative body adopts an ordinance which shall include enforcement procedures and requirements for adequate notice of public hearings and conditions sought to be imposed.

4.05. Applicability of Sec. 4.04.

(C) The provisions of [Sec. 4.04] *subsection 4.04* above relative to public hearings and official notice shall apply equally to all reclassifications.

4.06.

(a) Appointment; power to hold hearings; conduct of hearings.—The local legislative body may appoint such full and part-time hearing examiners as in its discretion may be deemed necessary and appropriate and may delegate to the said hearing examiner or examiners the power to hold and conduct public hearings as required and set forth in [Sec.] *subsection 4.05* above. Such hearing shall be conducted in such a manner and subject to such rules and regulations as may be provided by the local legislative body.

4.07. Board of appeals.

(c) The board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this [sub]title *article*. 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 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, which shall be immediately filed in the office of the board and shall be a public record.

(d) General powers.—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 [sub]title *article* 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 a variance from the ~~term~~ TERMS of the ordinance.

(h) Decision of board.—In exercising the above-mentioned powers such board may, in conformity with the provisions of this [sub]title *article*, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and make such order, requirement, decision or determination as ought