

DRAFTER'S NOTE: In subsection (a)(1)(ii) of this section, the former reference to "hold" is deleted as included within the reference "conduct".

In subsection (a)(2) of this section, the reference to "City Council" is substituted for the former reference to "local legislative body" for consistency within the subtitle.

2.08. Board of MUNICIPAL AND zoning appeals.

(a) (1) [The Mayor with] WITH the advice and consent of the City [Council] COUNCIL, THE MAYOR may provide for the appointment of a [Board of Zoning Appeals] BOARD OF MUNICIPAL AND ZONING APPEALS.

(2) (I) The [Board of Zoning Appeals] BOARD OF MUNICIPAL AND ZONING APPEALS shall consist of five [members and they] MEMBERS.

(II) 1. A MEMBER OF THE BOARD OF MUNICIPAL AND ZONING APPEALS shall be appointed for a [term of four years, but of the first appointed members one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, and one for a term of four years] 4-YEAR TERM.

2. THE TERMS OF THE MEMBERS OF THE BOARD OF MUNICIPAL AND ZONING APPEALS SHALL BE STAGGERED.

(III) [Vacancies shall be filled for] THE MAYOR, WITH THE ADVICE AND CONSENT OF THE CITY COUNCIL, SHALL APPOINT A PERSON TO FILL the unexpired term of any member [whose term becomes vacant].

(IV) [The members] ON WRITTEN CHARGES AND AFTER A PUBLIC HEARING, THE MAYOR MAY REMOVE ANY MEMBER of the [Board of Zoning Appeals shall be removable] BOARD OF MUNICIPAL AND ZONING APPEALS for cause [by the appointing authority upon written charges and after public hearing].

(b) (1) The [Board] BOARD OF MUNICIPAL AND ZONING APPEALS shall adopt rules in accordance with [the provision of] any ordinance adopted [pursuant to] UNDER this article.

(2) Meetings of the [Board] BOARD OF MUNICIPAL AND ZONING APPEALS shall be held at the call of the chairman and at [such] other times [as] DETERMINED BY the [Board may determine] BOARD.

(3) (I) The chairman OF THE BOARD OF MUNICIPAL AND ZONING APPEALS[, or] OR; in the chairman's [absence] ABSENCE, the acting chairman[,] may administer oaths and compel the attendance of witnesses.

(II) All meetings of the [Board] BOARD OF MUNICIPAL AND ZONING APPEALS shall be open to the public.

(III) 1. The [Board] BOARD OF MUNICIPAL AND ZONING APPEALS shall keep minutes of its [proceedings, showing] PROCEEDINGS.