

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, AMENDING SECTION 7-19 OF THE CODE OF ORDINANCES OF THE CITY OF NEOSHO, MISSOURI.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEOSHO, MISSOURI:

SECTION ONE. That Chapter 7, Article II. Building Code, Section 7-19, No. 6, be amended so that such No. 6 shall read as follows:

(6) Board of Appeals.

- (A) Application for appeal: The owner of a building or structure or any other person may appeal from a decision of the building official when it is claimed that: the true intent of the Basic Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the basic Code do not fully apply, or an equally good or better form of construction can be used. The request for the appeal shall be filed with the City Clerk.
- (B) Membership of board: The board of appeals shall consist of seven (7) members appointed by the city council, for terms of three (3) years. The initial board of appeals shall be appointed to staggered terms as set by ordinance by the city council.
- (C) Qualifications of board members: Each member shall be a licensed professional engineer or architect or a builder or superintendent of building construction, or an electrical or mechanical contractor and at least one member should be a registered professional engineer or architect.
- (D) Notice of meeting: The board shall meet upon notice of the chairman within ten (10) days of the filing of an appeal. If for any reason, the Board does not meet within ten (10) days of the filing of an appeal, the appeal will then be transferred to the City Council for determination. Said determination shall take place within ten (10) days after the original ten (10) days of the filing of an appeal. If the City Council fails to meet within said ten (10) days, then the appeal will be deemed granted and the decision of the building inspector reversed.
- (E) Action of board: The board shall affirm, modify or reverse the decision of the building official by concurring vote of a majority of the members at the meeting. Four members or more will constitute a quorum.
- (F) Determining vote: Failure to secure the above

necessary majority of concurring votes at the meeting shall be deemed a confirmation of the decision of the building official.

- (G) Costs: The loser of the appeal shall pay the costs of the BOCA Representative, if his attendance at the appeal meeting is requested by either the City or the appealing party.

SECTION TWO. All other Ordinances and parts of Ordinances not in conflict herewith still apply.

SECTION THREE. This Ordinance shall be in full force and effect upon final passage.

Approved after final passage this 6TH day of DECEMBER 1988.

CITY OF NEOSHO, CITY COUNCIL

Dr. Charles E. Bell
Mayor

ATTEST:

James E. Hook
City Clerk