

## RULES OF ORDER AND PROCEDURE

### BOARD OF ADJUSTMENT

1. The Board of Adjustment shall hold a regular meeting on the first Tuesday of each month at 6:30 P.M. in the Commission Chambers, Margate City Hall, unless due to agenda items the date of the meeting must be changed. Special meetings, if required, may be called by the Chairman.
2. The Chairman of the Board of Adjustment shall conduct each meeting according to Roberts Rules of Parliamentary Procedure and shall rule as to the relevance of each matter brought before the Board, and as to the maintenance of order.
3. In the absence or incapacity of the Chairman, the Vice Chairman shall assume all duties and powers of the Chairman. In the event of absence or illness of both the Chairman and the Vice Chairman, the Secretary shall assume the responsibilities of Acting Chairman. In the event of absence or illness of the Chairman, Vice Chairman, and Secretary, the member with the most continuous service on the Board shall assume the responsibilities of Acting Chairman. An Acting Chairman shall only serve for that period during which the Chairman is unable to perform the duties associated with said office.
4. Election of Chairman, Vice Chairman and Secretary of the Board of Adjustment shall be held every year at the regular meeting of the Board held in April. The term of office shall be one year. The Chairman, Vice Chairman, and Secretary may succeed themselves as many times as they are reelected. The election of officers may be accomplished with the votes of a quorum of the Board.
5. The Board shall only be called to order when a quorum is present. A quorum is hereby defined as a simple majority of the Board, whereas, on a five member board, three members shall constitute a quorum. If the Board is called to order with fewer than five members, a simple majority of those members present shall be required for deciding the outcome of a vote, and a tie vote shall be considered failed to be approved.
6. When a Public Hearing is scheduled on the Agenda and the petitioner is other than the City, the following sequence and procedure shall be followed, at the discretion of the Chairman.
  - a) All parties wishing to speak on an item must be sworn in by the clerk.
  - b) Staff will make a presentation to the Board and give a recommendation.
  - c) The petitioner/representative is introduced and shall make a presentation and state their hardship for the record.
  - d) The Board members may question the petitioner and discuss the matter with staff.

- e) After the Board members and staff have been heard, the public will be asked to speak, and further discussion may be held between Board members, the staff and public.
- f) A motion can then be made and seconded to recommend either approval, approval with conditions, or denial.
- g) At the discretion of the Chairman, further discussion may take place on the motion.
- h) Roll call vote taken on the motion.

The same procedure will be followed when the City is the petitioner, with the exception that there will be no petitioner to be introduced, and a member of the City staff can make the presentation.

- 7. Meetings shall be conducted under Robert's Rules of Order. Any member of the Board must be recognized by the Chairman in order to be heard. There shall be no cross conversation between members of the Board. The Chairman shall have the right to conduct an orderly meeting and to require anyone present at the meeting who becomes unruly to leave the room or to recess or adjourn the meeting.
- 8. Meetings of the Board are open to the public. Anyone wishing to speak on an agenda item must identify themselves by name and address. All comments or questions of public are to be directed to the Chairman. There shall be no cross conversation or questions of any other person.
- 9. These rules of order may be amended, added to, or suspended by a majority of the Board at any meeting.

ADOPTED BY THE BOARD OF ADJUSTMENT AT THEIR REGULAR MEETING ON DECEMBER 5, 2017.