

BY-LAWS OF THE BLOOMINGTON BOARD OF HOUSING QUALITY APPEALS

ARTICLE I: THE BOARD OF HOUSING QUALITY APPEALS

- A. NAME: The name of the Board shall be the Bloomington Board of Housing Quality Appeals, herein after referred to as the “Board” (BMC 2.12.030).
- B. OFFICE: The office of the Board shall be in the office of the Housing & Neighborhood Development Department, 401 N. Morton Street, Suite #130, P.O. Box 100, Bloomington, Indiana 47402.
- C. JURISDICTION: All of the territory within the corporate boundaries of the municipality constitutes the jurisdiction of the Housing-Property Maintenance Code of Bloomington, Indiana, hereinafter referred to as “this code”.
- D. DUTIES: The Board shall hear the appeal of any person aggrieved by the decision of the Director of Housing & Neighborhood Development or designee, or any administrative officer charged with the administration of this code.
- E. AUTHORITY: The Board exercises authority promulgated by Bloomington Municipal Code chapter 2.02, and sections 2.08.020, 2.12.030, and 101.060

ARTICLE II: MEMBERSHIP

- A. APPOINTMENT: The Board shall consist of seven (7) appointed members. Four (4) members shall be appointed by the Mayor of the City of Bloomington, and three (3) members shall be appointed by the Common Council (BMC 2.12.030(2)).
- B. TERMS: Each board member shall serve for two (2) years, with the terms expiring on January 31 of each term. If a vacancy occurs, a successor shall be appointed in the same manner as the original board member, and shall serve for the remainder of the vacated term.
- C. AGE & RESIDENCY: A board member must be at least eighteen (18) years of age, and domiciled in the corporate city limits of Bloomington. Domicile may be established by evidence of intent to make Bloomington a member’s fixed and permanent home, such as registering to vote, establishing longevity of residence, owning real estate, declaring Bloomington as the member’s residence on tax forms, etc.
- D. DISQUALIFICATION: A board member who ceases to be qualified forfeits his or her office. In the event a member no longer resides in the City of

Bloomington, the member shall immediately resign and notify the appropriate appointing official or body.

- E. CONFLICT OF INTEREST: No member shall enter into discussion as a member of the board representing any property in which the member is immediately or particularly interested. In the event that any board member disqualifies himself or herself, or that any board member's eligibility is challenged by any member of the public, such fact shall be entered on the records of the Board, and shall appear in the minutes of the Board. A board member may not vote on a case in which that board member has a pecuniary interest in any contract, employment, purchase, or sale involving the Board within the scope of its duties and jurisdiction.
- F. REMOVAL FOR CAUSE: The Board shall operate under General Provisions for boards and commissions (BMC 2.08.020)

ARTICLE III: OFFICERS AND EMPLOYEES

- A. OFFICERS: The officers of the Board shall be a chairman, vice chairman and secretary. These officers are elected annually by the Board of Housing Quality Appeals, and shall serve from the date of their election until their successors are elected and qualified.
- B. CHAIRMAN: The chairman shall preside at all meetings and, on behalf of the Board, shall exercise general supervision over the administration of the affairs of the Board, including hearing and determining appeals from and review any order requirement or decisions made by an administrative official or board charge with the enforcement of this code, the execution of resolutions and agreements, the appointment of committees and representative, the determination of points of order and procedure, the signing of all official documents, and perform such other duties as ordered by the Board.
- C. VICE CHAIRMAN: The vice chairman shall have the authority to act as chairman of the board during the absence of the chairman.
- D. SECRETARY: The secretary shall have the authority to act as chairman of the Board during the absence of the chairman and vice-chairman. The secretary shall co-sign all official documents. The Director of Housing & Neighborhood Development or designee shall act in the capacity of recording secretary.
- E. DIRECTOR OF HOUSING & NEIGHBORHOOD DEVELOPMENT OR DESIGNEE: The Director of Housing & Neighborhood Development or designee shall be the administrative head of the Board, and shall through the office of Housing & Neighborhood Development, have general supervision over the administration of its business and affairs. The director or designee shall be charged with management of the affairs of the Board. The director or designee

shall not be a board member. The Director or designee shall keep all records of the Board, shall act as or appoint designees to act as staff representative and recording secretary at meetings of the Board, and shall record all notes and keep a record of the proceedings of the Board. Staff members shall not be board members.

F. VACANCY: Should the office of the chairman become vacant, the vice chairman shall succeed to the chairmanship for the unexpired term of the chairman, and a new vice chairman shall be elected from the membership. Should the office of secretary become vacant, the Board shall elect a successor from among its membership at the next regular meeting, and such election shall be for the unexpired term of said office. The Board shall operate under General Provisions for boards and commissions (BMC2.08.020), when a board position becomes vacant.

ARTICLE IV: MEETINGS

- A. REGULAR MEETINGS: Unless otherwise announced, all regular meetings, as established in the annual schedule, shall be held at 4:00 p.m. local time on the third Wednesday of each month, in the McCloskey Conference Room in the City Hall Building, 401 N. Morton Street, Bloomington, Indiana. The chairman of the Board shall preside over all regular meetings of the Board, except as otherwise specified in these By-laws.
- B. SPECIAL MEETINGS: Special meetings may be called as required by the Chairman of the Board or by the Director of Housing and Neighborhood Development or designee. The Director or designee shall notify all members of the Board either by phone or in writing as necessary as to the date, time, and purpose of such special meeting, not less than forty-eight (48) hours in advance of the meeting. Public notice of special meetings shall be posted in the City Hall Building at least forty-eight (48) hours before any such special meeting. The Chairman of the Board shall preside over all special meetings of the Board, except as otherwise specified in these By-laws. At special meetings, no business shall be considered other than as outlined in the order of business for the special meeting.
- C. ANNUAL MEETING: The annual meeting shall be held on the third Wednesday of February. The annual meeting shall be used for organization of the Board, including the election of officers and the seating of new members. At the annual meeting, a new schedule of regular meetings for the calendar year shall be promulgated and approved by the Board.
- D. QUORUM: Four (4) of the board members shall constitute a quorum for the purpose of convening any meeting, and the concurrence of four (4) board members shall be required to authorize any action. In the event quorum is not reached for two consecutive meetings on any property or issue, any life-safety

violations contained in that individual's appeal are deemed approved to follow the staff recommendation. All other issues will be tabled until quorum is reached.

E. PARLIMENTARY PROCEDURE: Meetings of the Board shall be conducted according to procedures set forth in Robert's Rules of Order, except where a different procedure is required by this or other ordinance of the City.

F. ORDER OF BUSINESS:

- I. Roll Call
- II. Review of Summary
- III. Consent Agenda
- IV. New Petitions
- V. Old Business
- VI. New Business
- VII. Staff reports
- VIII. General discussion
- IX. Adjournment

G. MINUTES: all minutes and all tape recordings of the proceeding, and all exhibits submitted by petitioners, demonstrators, and staff shall be public records, and shall be filed in the Housing & Neighborhood Development Office. All such material shall be held by the Housing & Neighborhood Development Office in a back filing system for preservation of City records for a minimum period of three (3) years.

H. TIME LIMIT: All petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments.

ARTICLE V: AMENDMENTS

A. AMENDMENTS OF THE BY-LAWS: The By-Laws of the Board shall be amended only by approval of at least four (4) board members at any regular meeting, or a special meeting which has been called for that purpose.