

BYLAWS

Board of Zoning Appeals (BZA)

Article I: Purpose, Mission, and Prescribed Duties

The Board of Zoning Appeals shall have the powers as provided for in City Code Section 11.90, Subd. 4. In conducting official business the Board shall:

- Hear and decide appeals only on matters provided for in Section 11.90 Subd. 4. B of the City Code and M.S.A. 462.359 (4)
- Hear and decide appeals only where the petition meets the specific requirements of Section 11.90 Subd. 4. C "Procedure" of the City Code and only where notices as required by the Section have been provided by the City

Article II: Membership, Appointments, Terms, and Officers

A. Membership

The Board shall consist of six members; four regular members, one non-voting youth member, and one voting member of the Planning Commission. Regular members shall be residents of the City. Youth members shall live or attend school within Golden Valley, the Robbinsdale Area District or Hopkins School District and be enrolled in school grades 9 through 12. A vacancy shall be deemed to exist if a member ceases to meet the residency requirements. One rotating Planning Commissioner serves as a voting member of the Board to complete a quorum. In the absence of a regular member, a Planning Commissioner may serve as an alternate.

B. Appointment and Terms

Regular appointments are effective May 1 of each year. Youth appointments are effective October 1 of each year. The Council shall appoint four regular members of the Board for three-year staggered terms and one youth member to serve a one-year term. The City Council shall appoint the members of the Board and may fill vacancies for unexpired terms. A vacancy shall be deemed to exist if a member resigns or ceases to meet the membership requirements. Board members shall be subject to the term limit requirements in City Code § 2-125.

C. Officers

The Board shall elect the officers of Chair and Vice Chair by its voting members at its regular annual meeting (no later than the second meeting after May 1 in each year). The Chair and Vice Chair positions rotate and members may only serve two consecutive years as the Chair or Vice Chair. Should the office of Chair or Vice Chair become vacant, the Board shall elect a successor from its membership at the next regular meeting and such election shall be for the unexpired term of said office. Officers may also delegate the duties of their position to other Board members as deemed appropriate by the Board. The Planning Commission representative may not serve as the Chair or Vice Chair.

Chair responsibilities:

- work with staff liaison to develop meeting agendas
- conduct and preside at all meetings in a productive and time-efficient manner
- ensure the Board conducts its activities within the stated mission and bylaws of the Board

- monitor and ensure the progress of the Board
- report to the City Council

Vice Chair responsibilities:

- perform the duties of the Chair in the absence or incapacity of the Chair
- perform all other duties as prescribed by the Board

Article III: Meetings and Attendance

A. Meetings

All meetings of the Board shall be conducted in accordance with the Minnesota Open Meeting Law and City code. This means all business and discussion occurs at a meeting which has been posted and is open to the public.

The presence of a majority of all regular members currently appointed to the Board shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes. In order to obtain a quorum, a Planning Commission representative must be present. A quorum of the members should not discuss Board business by email, forms of social media, telephone, or informal meetings. Board meetings may be cancelled by the staff liaison if there are no pending cases or other items on the agenda for discussion.

The proceedings of meeting should be conducted using standard parliamentary procedure.

i. Regular Meeting

The regular meeting of the Board shall be held on the fourth Tuesday of the month at City Hall at 7:00 pm. The Board may, by a majority vote, change its regular meeting dates for any reason provided proper public notice of the changed meeting is provided.

ii. Annual Meeting

The Annual Meeting of the Board shall be a regular meeting, typically the first meeting after May 1 of each year, at which time elections will be held.

iii. Special Meeting

A special meeting may be called by the Chair or whenever three members request the same in writing. Staff shall give notice to each Board member, at least three days prior to any special meeting, of the time, place, and purpose of the meeting.

B. Attendance

Absences in one year should not exceed three consecutive meetings or more than 25 percent of the total meetings for the year. If a member is unable to attend a meeting, that member should contact the staff liaison, who will inform the chair if a quorum cannot be attained and the meeting will be cancelled.

A standardized letter of warning will be sent from the City Manager's office to any member after two consecutive or two total absences for groups meeting once a month. For those meeting twice a month the letter would be sent from the chair after two consecutive or five total absences. If a member exceeds the allowable number of absences the City Manager's office will send a standardized letter stating the

member must step down because of the importance of regular attendance and the number of citizens interested in serving. If the City Manager's office feels there are extenuating circumstances in a case of a member who has not met the attendance requirements, an exception can be made.

Article IV: Rules

A. Conduct of Business

A monthly agenda shall be prepared and mailed to each of the members of the Board. Completed petitions must be received at least 15 working days prior to the day of the meeting for which a hearing is scheduled. Unless otherwise requested by the Board, the agenda of each regular meeting shall be as follows:

- A. Hearing of petitions or business carried from a previous meeting
- B. Hearing of new petitions
- C. Communications
- D. Other business
- E. Adjournment

The staff liaison shall prepare a written report and recommendation on each petition submitted to the Board, which shall become a part of the official record.

All petitions and evidence received by the Board shall be reviewed and considered, and within a reasonable time the Board shall make its written orders deciding the particular matter.

B. Recordkeeping

All minutes, required notices, and files on petitions of each case shall be in writing and shall be kept in accordance with City procedures, Minnesota Statute and Rules regarding preservation of public records and the Minnesota Data Privacy Act. All materials (including surveys and petitions) and decisions relating to each case shall be filed with the Planning division.

The petition form referred to in the bylaws and section 11.90 of the City Code shall be that officially adopted by the Board.

C. Annual Report

The Board staff liaison shall submit an annual report to the City Council summarizing the past year's activities. The report may highlight information the Board feels appropriate to convey to the City Council.

D. Performance of Duties

Board members are expected to adequately prepare for meetings. Members unable to complete an assigned task should notify the Board Chair as soon as possible. The Board staff liaison may ask the City Council to review a Board member's appointment based upon its assessment of significant non-performance of duties.

Article V: Amendments and Revisions

The Board will review these bylaws no later than the second meeting after May 1 every three years. Members may present recommendations for changes and amendments. These bylaws can be altered or amended at any regular monthly Board meeting with a majority of regular Board members present, provided that notice of the

proposed changes and amendments is provided to each member at least ten business days before the meeting. The Council must review and approve any changes to, and has final authority regarding, these bylaws.