



## **ORDINANCE #2025-06**

### **BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:**

That Chapter 1 – General Provisions be amended to read as follows:

#### **Sec. 1-18. Code Board of Appeals.**

- (a) *Established; composition; appointment.* There shall be a committee to be referred to as the " Code Board of Appeals," consisting of five members. The council president shall appoint three elected city officials, and the mayor shall appoint two city residents, generally selected as a representative of homeowners. Members shall serve one-year terms unless sooner removed. All appointments are subject to confirmation by the city council at its second regular meeting in May. The Code Board of Appeals shall elect one of its members as chairperson.
- (b) *Appeals.* Whenever any property owner is aggrieved by a decision of the code official with respect to any provision of the Dover Code of Ordinance, said owner shall have the right to appeal to the Code Board of Appeals. Such an appeal must be filed in writing and submitted to the City Clerk's Office within 30 days of the date of written correspondence.
- (c) *Exempt.* The following are exempt from these provisions under this section:
  - (1) No notice, order, citation, or summons shall be determined by the Code Board of Appeals pertaining to Chapter 22- Building and Building Regulations.
  - (2) No notice, order, citation, or summons shall be determined by the Code Board of Appeals pertaining to Chapter 46- Fire Prevention and Protection.
  - (3) No notice, order, citation, or summons shall be determined by the Code Board of Appeals when issued by any law enforcement agency having jurisdiction.
- (d) *Notice; hearing.* Upon receipt of such an appeal, the Code Board of Appeals shall set a time and place in no less than ten nor more than 30 days, for the purpose of hearing the appeal. Notice of the time and place of the hearing of the appeal shall be given to all parties, at which time they may appear and be heard. The determination by the Code Board of Appeals shall be final in all cases.

- (e) *Stay of Enforcement.* Appeals of any notice, order, citation, or summons (other than Imminent Danger notices) shall stay the enforcement of the notice, order, citation, or summons until the appeal is resolved by the appeals board.

ADOPTED: May 12, 2025

#### **SYNOPSIS**

This ordinance establishes a Code Board of Appeals. The board will hear appeals from individuals aggrieved by decisions made by the official code, with appeals to be filed within 30 days. Certain provisions, such as those related to building regulations, fire prevention, and law enforcement, are exempt from the board's jurisdiction. The board will set a hearing date within 10 to 30 days of receiving an appeal, and its decision will be final.

(SPONSORS: NEIL AND HUGG)

#### **Action History**

05/12/2025 – Scheduled for Final Reading – City Council

04/28/2025 – First Reading – City Council

04/08/2025 – Introduction – Council Committee of the Whole/ Legislative, Finance, and Administration Committee with Staff Amendment #1

02/25/2025 – Council Committee of the Whole/ Legislative, Finance, and Administration Committee