

**BYLAWS OF THE GWINNETT COUNTY  
BOARD OF CONSTRUCTION ADJUSTMENTS AND APPEALS**

**SECTION I. PURPOSE, DUTIES, AND RESPONSIBILITIES**

The purpose, duties, and responsibilities of the Board of Construction adjustments and Appeals, hereinafter referred to as "the Board", shall be as defined by Sections 14-46 through 14-62 of the Code of Ordinances of Gwinnett County.

**SECTION II. OFFICERS**

The officers of the Board shall be elected annually. Election shall be by a majority vote of all members of the Board. The term of office for each officer shall begin immediately upon election. An officer shall serve until relieved of said officer's duties as provided by Section 14-54 of the code of Ordinances of Gwinnett County or until said officer voluntarily steps down. In the event of an extended absence of either office, the Board may appoint either a temporary Chairman or Vice-Chairman to fill the office until the return of the absent officer or until the expiration of said officer's term of office, whichever comes first.

**A. CHAIRMAN**

The Chairman shall be elected for a term of one (1) calendar year. The Chairman shall preside at all meetings and shall have all duties conferred by Roberts Rules of Order on such officers. The Chairman shall decide all points of order and procedures subject to the rules of this resolution, Sections 14-46 through 14-62 of the Code of Ordinances of Gwinnett County and Roberts Rules of Order.

The Board, by adoption of this resolution, grants the Chairman the privilege of initiating motions and the privilege of voting on all matters before the Board. These same privileges shall be extended to the Vice-Chairman, temporary Chairman or Vice-Chairman when acting in the absence of the Chairman.

**B. VICE-CHAIRMAN**

The Vice-Chairman shall be elected for a term of one (1) calendar year. The Vice-Chairman shall act as the Chairman in his or her absence. When acting as Chairman, the Vice-Chairman shall have the same powers duties and privileges as the Chairman.

**SECTION III. ADMINISTRATIVE SUPPORT**

The Department of Planning and Development and the Department of Fire and Emergency Services shall provide administrative and technical support to the Board. The director of the Department of Planning and Development, or the director's duly authorized representative, shall provide such technical, secretarial and other support services as the Board may reasonably require in the preparation of an agenda for all meetings, the providing of notice of all meetings, attendance to the correspondence of the Board, and other services which may be required. It shall further be the responsibility of the director of the Department of Planning and Development, or the director's duly authorized representative, to notify the Board of any actions taken by any other administrative body regarding any actions, related actions or recommendations made by the Board and the outcome thereof.

**BYLAWS OF THE GWINNETT COUNTY  
BOARD OF CONSTRUCTION ADJUSTMENTS AND APPEALS**

**SECTION IV. AGENDA AND MINUTES**

The Chairman, in conjunction with the director of the Department of Planning and Development, or the director's duly authorized representative, shall determine the meeting agenda. Members of the board may request the addition of agenda items by contacting either the Chairman or the director of the Department of Planning and Development, or the director's duly authorized representative, at least seven (7) calendar days prior to a meeting. All matters to be considered and/or acted upon by the Board shall appear on the agenda.

**SECTION V. MEETING**

Meetings shall be determined as follows:

**A. REGULAR MEETINGS**

Regular meetings of the board shall be the 2<sup>nd</sup> Wednesday of each month, at the call of the Chairman, at the call of the Board of Commissioners, at the call of the Director of the Department of Planning and Development or the Department of Fire and Emergency Services, or the director's duly authorized representative, or any such other times as the Board may determine.

**B. SPECIAL CALLED MEETINGS**

The Chairman or a majority of the board may call a special meeting at any time with three (3) calendar days notice. Business other than the specific stated purpose shall not occur at a special called meeting.

**SECTION VI. ORDER OF BUSINESS AT MEETINGS**

The normal order of business at meetings shall be:

- A. Determination of a quorum
- B. Approval of minutes from previous meetings.
- C. Adoption of the agenda. The Chairman shall be authorized to change the order of the agenda or matters appearing on the agenda for meetings during the meeting if, in the Chairman's judgment, time and purpose may be served.
- D. Discussion and voting on matters which have had actions or recommendations continued from a previous meeting.
- E. New business
- F. Adjournment.

**BYLAWS OF THE GWINNETT COUNTY  
BOARD OF CONSTRUCTION ADJUSTMENTS AND APPEALS**

**SECTION VII. RULES OF PROCEDURES FOR MEETING**

The rules of procedure of meetings are as follows:

- A. The Chairman shall call the matter for discussion before the board.
- B. The Chairman shall then call parties in interest who shall have privilege on the floor after identifying themselves by name, address, and affiliation with any business or organization which would be relative to the matter being considered.
- C. The Chairman shall then call for questions from the Board to the proponents or opponents immediately after their individual presentation.
- D. The Chairman shall then call for discussion of any matter by the board and the voting thereon.
- E. The Board may table a vote on a specific matter to a specified future date and time.

**SECTION VIII. NOTICE OF MEETINGS**

The director of the Department of Planning and Development, or the director's duly authorized representative, shall notify all board members of each regularly scheduled meeting at least seven (7) calendar days preceding such meeting through the delivery of a written agenda which shall include all details on matters to be considered and staff recommendations, where applicable.

The director of the Department of Planning and Development, or the director's duly authorized representative, shall notify all board members of the cancellation of any regularly scheduled meeting through the delivery of a written notice of cancellation or by telephone.

**SECTION IX. CANCELLATION OF MEETINGS**

In the event that there is a lack of business to be discussed and/or voted upon at a future meeting, the Chairman, the Director of the Department of Planning and Development, or the director's duly authorized representative, or a majority of the Board may cancel the meeting in question.

**SECTION X. QUORUM**

A quorum shall consist of five(5) board members and a majority vote of those present constituting a quorum shall be sufficient to decide all matters which come before the board.

**BYLAWS OF THE GWINNETT COUNTY  
BOARD OF CONSTRUCTION ADJUSTMENTS AND APPEALS**

**SECTION XI. VOTING**

A board members who is part of a quorum of the board during the consideration of any matter but not participating in the discussion or vote on a specific matter because of a conflict of interest shall be considered present for quorum purposes but absent from the voting on that specific matter.

Affirmative votes of the majority of the board members present, but not less than three (3) affirmative votes, is required for approval of all motions. A tie vote shall be deems as a denial of the motion. A motion which fails by a majority vote shall not be deemed as approval of the opposite position and a new motion must b e made to approve the opposite position, with any amendments and conditions.

**SECTION XII. ABSENCES**

It is the responsibility of each member to inform the Chairman when and for what reason a member will be absent from a meeting. Members of the board who are absent without cause for two (2) consecutive meetings shall be automatically terminated in accordance with Section 14-49 of the Code of Ordinances of Gwinnett County. The director of the Department of Planning and Development, or the director's duly authorized representative, shall notify the Board of Commissioners of the automatic termination.

**SECTION XIII. COMMITTEES**

The Chairman may appoint, with the concurrence of the Board, various standing and temporary committees to further the purposes of the board. Committees may include members of the staff of various county departments, residents and business owners of the county and other individuals whose background and knowledge may be of a benefit to the Board in accomplishing its goals.

The purpose of committees shall be to make detailed investigations, studies and recommendations to the board as instructed pertaining to matters or classes of matters falling within its purview.

The Chairman or Vice-Chairman shall be an ex-officio member of all committees.

**SECTION XIV. ASSISTANCE OF OTHER DEPARTMENTS**

The Board shall have the power to draw upon the resources and knowledge of all county departments, boards and authorities as deemed necessary for the fulfillment of its purposes, duties and responsibilities. County staff shall, upon request, furnish to the board all such information requested that it may reasonably require, to the extent available and within a reasonable period of time.

**BYLAWS OF THE GWINNETT COUNTY  
BOARD OF CONSTRUCTION ADJUSTMENTS AND APPEALS**

**SECTION XV. ROBERTS RULES OF ORDER**

In the event that a conflict occurs between the rules and procedures of this resolution and Roberts Rules of Order, the rules and procedures of this resolution shall prevail. In all other procedural questions, Roberts Rules of Order shall apply.

**SECTION XVI. ENABLING ORDINANCE**

In the event that a conflict occurs between this resolution and Section 14-46 through 14-62 of the Code of Ordinances of Gwinnett County, the provisions of the code of Ordinances shall apply.

**SECTION XVII. AMENDMENTS**

The provisions contained in these bylaws may be amended by a majority vote of the board.

**SECTION XVIII. ADOPTION**

These bylaws of the Board of Construction Adjustments and Appeals are hereby adopted this 11<sup>th</sup> day of December, 1995.

**Signed-Chairman  
Gwinnett County Board of Construction Adjustment & Appeals**



**GWINNETT COUNTY**  
**Department of Planning & Development**  
One Justice Square  
446 W. Crogan Street, Lawrenceville, Georgia 30045  
Phone: 678-518-6000 / Fax: 678-518-6240  
[www.co.gwinnett.ga.us](http://www.co.gwinnett.ga.us)

**BYLAWS OF THE GWINNETT COUNTY**  
**BOARD OF CONSTRUCTION ADJUSTMENTS AND APPEALS**  
**ADMENDMENT LOG**

**May 10, 2006**

**SECTION V, ITEM A amended to read:**

*“Regular meetings of the board shall be the **second Wednesday** of each month, at the call of the Director of the Department of Planning and Development or the Department of Fire and Emergency Services, or the director’s duly authorized representative, or any such other times as the Board may determine”.*

**Chairman**  
**Board of Construction Adjustments and Appeals**