

ORDINANCE 2023-1

AN ORDINANCE AMENDING SECTION 2-101 OF THE BELLE MEADE MUNICIPAL CODE TO INCREASE THE NUMBER OF BOARD OF ZONING APPEALS MEMBERS FROM FIVE (5) TO SEVEN (7) AND TO DELETE THE PROVISIONS OF THE CODE ALLOWING FOR APPOINTMENT OF ALTERNATE MEMBERS.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE, as follows:

SECTION ONE Section 2-101 of the Belle Meade Municipal Code is hereby amended to modify and/or delete certain subsections in their entirety and to substitute the following therefor:

2-101. Board of zoning appeals.

(1) Creation of board. There is hereby created the board of zoning appeals to consist of seven (7) members, which shall have full power and authority to hear appeals and to construe and apply the provisions of Sections 14-201 *et seq.* of this Code, also known as the Zoning Code, and to exercise such powers as are accorded to boards of zoning appeals by state statute.

(2) Appointment of board. The members of the board of zoning appeals shall be appointed by the mayor with the concurrence of the board of commissioners. The five (5) members of the current board shall continue to serve their staggered terms according to the Ordinance No. 39, by which the original board of zoning appeals was created. All new appointments, including for the two (2) additional members now authorized by this ordinance, and reappointments, shall be for three (3) years. The mayor shall be responsible for accepting the resignation of any member of the board and appointing a replacement, with the concurrence of the board of commissioners. Any person appointed to a vacancy on the board shall serve for the remainder of the unexpired term. Any member of the board may be removed by the mayor before the expiration of their term with the concurrence of the board of commissioners.

(3) Appointment of the chair and vice chair. The mayor, with the concurrence of the board of commissioners shall appoint one (1) of the members of the board of zoning appeals to serve as the chair of that body during their term. The board may select one of its members to serve as vice-chair in the absence of the chair.

(4) Appointment of alternate members. REPEALED.

(5) Powers of the board. REPEALED

SECTION TWO. This ordinance shall become effective sixty (60) days after its passage, the health, safety, and welfare of the citizens of Belle Meade requiring it.

Passed on First Reading: March 22, 2023

Passed on Second Reading: April 19, 2023

Rusty Moore, Mayor

Rusty Terry, City Recorder