

## **CHELSEA BOARD OF APPEALS ORDINANCE**

1. **Establishment, Re-establishment.** The Town of Chelsea, Maine hereby establishes a Board of Appeals. The Board which has been acting as an Appeals Board is here by re-established as Board of Appeals. The actions which it has taken prior to the adoption of this Ordinance are hereby declared to be acts of the legally constituted Board of Appeals of the Town of Chelsea, Maine.
  - A. **Qualifications:** To serve on the Board of Appeals a person must be 18 years old, a resident of Chelsea and a U.S. Citizen. Neither a municipal officer nor his/her spouse may be a member of the Board of Appeals. Members of the Board of Appeals shall be elected at the Town Meeting.
  
2. **Appointment:**
  - A. Board members must be elected at the Town Meeting and sworn into office by the Town Clerk or other person authorized to administer oaths.
  
  - B. The Board shall consist of five(5) members and two(2) alternate members.
  
  - C. The term of each member shall be five(5) years, except the initial appointments which shall be for one(1) year term, one(1)for two(2) years, one(1) for three(3) years, one(1) for four(4) years, one(1) for five(5) years respectively. The term of an alternate member shall be 5 years. Those members currently serving shall finish their terms and may be reelected for subsequent terms.
  
  - D. When there is a permanent vacancy, the selectpersons, within thirty(30) days of its occurrence, may either appoint a person to fill the vacancy for the remainder of the term or leave the position unfilled. A permanent vacancy shall occur upon the resignation or death of a member or the member is no longer a citizen of Chelsea or is physically unable to serve.
  
  - E. A selectperson may not be a member or alternate member.
  
3. **Organization and Rules:**
  - A. The board shall elect a chairperson and vice chairperson from among its members. The board may elect a person from among its members to serve as secretary. The term of all officers of the board shall be one(1) year with the eligibility for re-election
  
  - B. When a member is unable to act because of interest, physical incapacity, absence or any other reason satisfactory to the Chairperson, the Chairperson shall designate an alternate member to sit in that members stead.
  
  - C. An alternate member should attend all meetings of the board and Participate in the proceedings, but shall vote only when he or she has been designated by the chairperson to sit in for a member.

- D. Any question of whether a member must be disqualified from voting on a particular matter must be decided by a majority vote of the members except the member who is being challenged.
- E. The chairperson must call a meeting of the board whenever actions of the Board are required by State Statute or Town Ordinance.
- F. No meeting of the board shall be held without a quorum consisting of Three(3) members or associate members authorized to vote. The board must act by majority vote, calculated on the basis of the number of members present and voting.
- G. The board must adopt rules for transaction of business and the secretary must keep a record of its transactions, correspondence, findings and determinations. All records must be deemed public and may be inspected at reasonable times.

**4. Duties and Powers:**

- A. The board shall perform such duties and exercise such powers as are provided by laws of the State of Maine and Chelsea Ordinance.

**ADOPTED JUNE 24<sup>TH</sup>, 2008**

  
**JUDITH JONES**  
**TOWN CLERK**