

RESOLUTION #16-035

Establishing the Composition of and Number of Members of the Essex County Local Board of Building Code Appeals

WHEREAS, Essex County has previously established a Local Board of Building Code Appeals; and

WHEREAS, the terms of its members have been lapsed for some years; and

WHEREAS, Section 36-105 of the Code of Virginia, 1950, as amended, requires the establishment of a Board of Building Code Appeals in the absence of an agreement with another locality or state agency to perform such functions; and

WHEREAS, Sections 119.1-119.3 of the VA Uniform Statewide Building Code also address the establishment of a Local Board of Building Code Appeals (LBBCA) and provide that such Board shall have: 1) At least five members with alternates permitted, 2) Initial terms of different lengths so less than half of the Board has terms that expire in any one-year period and 3) to the extent possible, members that reflect different occupational or professional fields relating to the construction industry with at least one member that is an experienced builder, one that is a registered design professional and one that is an experienced property manager.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Essex County, Virginia, does this 11th day of October 2016, hereby re-establish its Local Board of Building Code Appeals and authorizes the interim County Administrator to seek applications from the public to serve on such Board as follows:

ESSEX COUNTY LOCAL BOARD OF BUILDING CODE APPEALS

Section 1 - CREATED

A Local Board of Building Code Appeals (LBBCA) is hereby established for the County of Essex in accordance with the provisions of § 36-105 of the *Code of Virginia*, 1950, as amended, and Sections 119.1-119.3 of the Virginia Uniform Statewide Building Code.

Section 2 – COMPOSITION, APPOINTMENT AND THE TERM OF MEMBERS, FILLING OF VACANCIES

The LBBCA shall consist of five (5) members, all having experience in different occupational or professional fields related to the construction industry to the extent possible, with the further requirement that, to the extent possible, at least one member should be an experienced builder, one member should be a registered design professional and one member should be an experienced property manager. Two alternates may be appointed by the Board of Supervisors. Employees and officials of the county may not serve as members of the LBBCA.

Three of the initial members of the LBBCA shall be appointed for initial terms of one, two, and three years, and two of the initial members shall be appointed to initial terms of four years. At the conclusion of each of these initial terms, each successive term shall be for four years. One initial alternate member shall be appointed for an initial two-year term and one initial alternate member shall be appointed to an initial four-year term in the same manner as the staggered terms created by the initial appointment of LBBCA members. At the conclusion of each of these initial terms for the alternate members, each successive term shall be for four years.

Any vacancy in membership shall be filled by appointment by the Board of Supervisors and shall be for the remainder of the unexpired term of the office being filled.

Section 3 – FUNCTIONS, POWERS, AND DUTIES

The LBBCA shall have the functions, powers and duties which are prescribed by the Code of Virginia and the Virginia Uniform Statewide Building Code.

Section 4 – COMPENSATION OF MEMBERS

All members of the LBBCA shall serve without compensation unless compensation is approved by the Board of Supervisors.

Section 5 – REMOVAL OF MEMBERS

Members of the LBBCA may be removed by the Board of Supervisors at any time with or without cause.

ADOPTED: This 11th day of October 2016.