

ORDINANCE NO. 25
THE VILLAGE OF FLAT ROCK, NORTH CAROLINA
AN ORDINANCE PROVIDING FOR
THE COMPOSITION AND PROCEEDINGS
OF THE VILLAGE OF FLAT ROCK
BOARD OF ADJUSTMENT

ARTICLE NO. I

This Ordinance is enacted by the Village Council of the Village of Flat Rock pursuant to N.C.G.S. §160A-388 and Article XIV of the Village of Flat Rock Zoning Ordinance. The Village Council of Flat Rock does hereby ordain and enact into law the following Ordinance to determine the composition of the Board of Adjustment for the Village of Flat Rock, to establish the terms of the members of said board and to provide for the procedure to be followed by the Board of Adjustment for the Village of Flat Rock.

ARTICLE NO. II
COMPOSITION AND APPOINTMENT

The Village of Flat Rock Board of Adjustment (hereinafter referred to as “board”), as established by Section 1400 of the Village of Flat Rock Zoning Ordinance, shall consist of a total of five (5) regular members and four (4) alternate members, all of whom shall be citizens and residents of the Village of Flat Rock. All members of the board shall be appointed, from time to time, by the Village Council of the Village of Flat Rock. The alternate members shall serve only in the absence for any cause of any regular member. Members and alternates shall serve without pay, but may be reimbursed for any expenses authorized by the Village Council and incurred while representing the board.

ARTICLE NO. III
TERMS

Except as otherwise provided herein, all members shall serve three (3) year terms or until reappointment or appointment of their successor. Those members who are serving on the board on the effective date of this Ordinance shall complete their terms as set at the time of their appointment. The two (2) additional positions for alternate members shall be filled by the Village Council as soon as practical upon the adoption of this Ordinance. The initial terms of these alternate members shall expire in August 2001 and in August 2002, regardless of the date of their appointment. Thereafter, they and their successors shall serve three (3) year terms. The Council can withdraw an appointment if a member is unable to continue serving due to illness or incompetence. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment.

**ARTICLE IV
PROCEDURE**

The practice, procedure and jurisdiction of the board shall be governed by the provisions of N.C.G.S. §160A-388, the Village of Flat Rock Zoning Ordinance and as set out in this Ordinance. The board shall adopt rules and by-laws in accordance with the provisions of Article 19 of Chapter 160A of the North Carolina General Statutes, the provisions of the Village of Flat Rock Zoning Ordinance and the provisions of this Ordinance.

The regular members of the board shall elect a chairman and a vice chairman from its regular membership. These officers shall serve for one (1) year, until reelected or until their successor(s) is elected. The chairman shall preside at all meetings of the board, and the vice chairman shall preside in the absence of the chairman. The chairman shall appoint a secretary to maintain full and complete records of all business of the board.

The board shall meet each month unless no business is presented to the board. Special meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. A quorum of the board shall consist of four (4) members of the board. Except as specifically provided in the Village of Flat Rock Zoning Ordinance or by any provision of Article 19 of Chapter 160A of the North Carolina General Statutes, all decisions of the board shall be determined by a simple majority vote of those members present. No voting by proxy shall be allowed.

**ARTICLE NO. V
AMENDMENTS**

This Ordinance and may be amended by the Village Council of Flat Rock, North Carolina at any meeting of the Village Council by ordinance passed by majority vote.

**ARTICLE NO. VI
EFFECTIVE DATE**

This Ordinance shall take effect and be in full force and effect on and after the date of its adoption by the Village Council of the Village of Flat Rock, North Carolina.

THIS the 12th day of October, 2000.

Rowena M. Sweezy, Village Clerk

Terry A. Hicks, Mayor

Approved as to form:

Sharon B. Alexander, Village Attorney