

Title: Administrative Policy Board of Review	Policy No. Part 2, Board Administration Chapter 2, Establishment of Appointed Boards Section 8
	Effective Date January 1, 2019
Policy Custodian Building Safety and Board of County Commissioners	Adoption/Revision Date October 2, 2018

Adopting Resolution(s): CC18-337

References (Statutes /Resos/Policies): C.R.S. §30-28-206 § 30-28-207; CC83-131, CC07-155, CC16-319, CC17-050

Purpose: To establish the Board of Review, specify its membership and terms and define its responsibilities.

Policy: Board of Review

A. Establishment

Pursuant to its authority under the Colorado Revised Statutes, the Jefferson County Board of County Commissioners (BCC) has established a Board of Review (BOR).

B. Responsibilities

1. The BOR shall act in accordance with C.R.S. §§ 30-28-206 and 30-28-207, the terms of this Policy and any bylaws adopted by the BOR in accordance with Section C(2)(c) of this Policy.
2. The Board of Review shall have the authority to take the following actions:
 - a. The BOR may recommend amendments to any building code adopted by the BCC (the "Building Codes") for consideration by the BCC. The BOR may also, at the request of the Jefferson County Director of Building Safety or his or her duly authorized representative (the "Building Official"), review the Building Codes to consider the appropriateness of amendments recommended by the Building Official.
 - b. BOR may hear and decide any appeal challenging an order, requirement or decision made by the Building Official that is based on or made in the enforcement of the Building Codes, including any decision by the Building Official to grant or deny a building permit. Upon due consideration of an appeal, the BOR may affirm, modify or reverse the challenged order, requirement or decision and may grant the petitioner a special exception to the terms of the Building Codes if, in the BOR's determination, such exception would be in harmony with the general purpose and intent of the Building Codes. Any exceptions to the Building Codes granted by the BOR shall be strictly limited to the specific matter before the BOR, and the BOR may not waive any requirements of the Building Codes generally.

- c. Bylaws
The BOR may adopt bylaws governing its organization and procedure. Such bylaws shall not be inconsistent with the terms of this Policy or other law including Federal, State or other county policy, law, or regulation.
- 3. Staff
The Division of Building Safety shall provide staff to the BOR.
- 4. Meetings
 - a. Regular Meetings:
 - (1) Regular meetings shall be held no sooner than seven (7) calendar days after a request and no more than four (4) weeks after a request unless the appellant requests additional time. Additional regular meetings may be called by the Chair to transact business. Regular meetings shall be held in accordance with BOR bylaws, this Policy and Federal, State or other county policy, law, or regulation.
 - (2) All BOR meetings shall be open to the public, as required by C.R.S. § 30-28-207.
 - b. Special meetings may be called by the Chair.
 - c. Meeting Agenda
 - (1) Notices, including agendas of regular and special meetings, shall be posted at:
Glass Cabinet on the Outside Wall of Hearing Room 1
Jefferson County Administration and Courts Building
100 Jefferson County Parkway
Golden, CO 80419
 - d. All regular and special meetings shall be conducted at the Administration and Courts Building at 100 Jefferson County Parkway.
 - e. Quorum
Two (2) regular BOR members or one (1) regular BOR member and one (1) alternate BOR member shall constitute a quorum of the BOR. No official business of the BOR shall be conducted without a quorum present. Notwithstanding the foregoing, when fewer than three (3) regular and alternate BOR members are present and available to participate on a matter before the BOR, upon request made by any interested party, the Chairman may, in his or her discretion, order the matter continued until such time as three (3) members of the BOR will be available to hear the matter.
 - f. All official actions of the BOR shall be taken by resolution considered and passed at a duly-called BOR meeting. A resolution shall be deemed to pass upon the affirmative vote of a majority of the BOR members present at the

meeting and qualified to vote on the motion being presented. In the event of a tie vote, the motion being voted on shall be deemed to have failed.

5. Remuneration

- a. Members of the BOR, including alternate members, may be compensated for the performance of their duties as determined by the BCC.

C. Membership

1. Composition

The BOR shall be composed of representatives to be appointed by the BCC. There shall be three (3) regular members and up to two (2) alternate members. Alternate members may be appointed at the discretion of the BCC to take the place of any regular member in the event such member is temporarily unable to perform his/her duties. Members shall be Jefferson County residents, unless otherwise approved by the BCC. All BOR members shall be experienced in building practices, and the regular members of the BOR shall include representatives of both the building design and building construction fields.

2. Terms

- a. All regular BOR members shall serve terms of three (3) years or until their respective successor is appointed. The terms of regular BOR members shall be staggered so that the term of at least one regular member expires each year.
- b. All alternate BOR members shall serve terms of one (1) year or until their respective successor is appointed.
- c. The BCC may remove any BOR member from the BOR prior to the expiration of his or her term for cause. Cause for removal shall include, without limitation, misconduct by the BOR member or failure by the BOR member to perform his or her duties and responsibilities as a BOR member. Prior to removal of any BOR member, the BCC shall give the member written notice of its intent to remove the member, setting forth the reasons for the removal and the date of a public hearing before the BCC at which the member may contest his or her removal. If the member chooses to contest the removal, the member will have the opportunity to respond to the reasons for removal set forth in the notice of intent to remove. If the member chooses not to contest his or her removal or, if upon appeal, the BCC upholds its decision to remove the member, the removal shall be effective upon the date set for the appeal.
- d. Any BOR member may resign from the BOR prior to the expiration of his or her term by delivering written notice of such resignation to the Chairman of the BOR. Such resignations shall be effective upon the date referenced in the notice. The Chairman shall promptly forward all notices of resignation to the BCC.

3. Conflict of Interest

Each BOR member shall avoid all conflicts of interests, actual or perceived, in the performance of his or her duties as a member of the BOR. Among other

things, a BOR member shall (a) refrain from participating in or voting on any matters before the BOR that the BOR member, or his or her immediate family, has a personal or financial interest in; and (b) refrain from engaging in any other activity that the County Attorney has determined would give rise to a conflict of interest, actual or perceived.

4. Vacancies

New appointments shall be made in accordance with the Board and Commission Appointments Policy.

5. Officers

The officers shall consist of a Chair, Vice-Chair, and Secretary shall be elected during the first meeting of the year in which they meet.