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| **Description: City of Tyler logo_1 inch** | ***AGENDA***  ***CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS***  ***REVISED AGENDA***  ***Tyler Development Center***  ***Large Conference Room***  ***423 W Ferguson St***  ***Tyler, Texas***  ***August 28, 2023***  ***3:00 pm*** |  |

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Please call (903) 531-1151 if you need assistance with interpretation or translation for this City meeting.

**Si usted necesita ayuda con la interpretación o traducción de cualquier material en este sitio o en una reunión pública de la Ciudad de Tyler por favor llame al (903) 531-1151.**

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**AMERICANS WITH DISABILITIES ACT NOTICE**

The City of Tyler wants to ensure that all Board meetings are accessible to persons with disabilities. If any individual needs special assistance or accommodations in order to participate in this Construction Board of Adjustment & Appeals meeting, please contact the Building Services Department for the City of Tyler, at (903) 531-1151 in advance so accommodations can be made.

**BOARD PROCEDURES**

Like other City Boards, the Construction Board of Adjustment and Appeals is subject to the Texas Open Meetings law, all meetings must be posted, and all meetings are public. A quorum (simple majority) is necessary for the Board to meet. The technical codes provide that the Board shall consist of 7 regular members. Due to the fact there are 7 **regular** members, it is necessary for **at least 4** members to be present or otherwise participate.

General rules of parliamentary procedure are followed. Before the Board votes, the Chair asks for a motion, which is seconded, and all of the members vote. If the Board is considering an item that has been **tabled** from a previous meeting, there should be a motion, second, **and vote to remove from the table** before the Board discusses the item.

**INTERNATIONAL CODES**

The City Council has adopted various international codes (the ‘’Technical Codes’’), with local amendments. These include the 2015 International Building Code, 2015 International Fire Code, 2015 International Fuel Gas Code, 2015 International Plumbing Code, 2015 International Mechanical Code, 2015 International Residential Code, 2015 International Energy Conservation Code, and 2017 National Electrical Code. From time to time, these Codes are updated.

Most of the above codes refer to a “Construction Board of Adjustment and Appeals”. The 2015 International Fire Code has been amended so that appeals from the Fire Code are appealed to the Construction Board of Adjustment and Appeals, rather than to a “Fire Board”. Also, questions and variances relating to the National Electrical Code are heard by the Construction Board of Adjustment and Appeals.

**THREE PRINCIPAL DUTIES OF CONSTRUCTION BOARD**

The three main duties of the Construction Board of Adjustment and Appeals are:

1. **Review appeals from the decision of a City official interpreting a provision of one of the technical codes.** The Board can uphold, reverse, or modify the City official’s interpretation. The person challenging a City official’s interpretation of one of the technical codes must file the appeal within (30) thirty days of the City official’s decision. The Board must meet within 30 days after the notice of appeal is filed.
2. **Review requests for variances to provisions of one of the technical codes.** The Board must meet within 30 days after the request for variance is filed.
3. **Review proposed ordinance amendments to the technical codes and make recommendations to the City Council.** Generally, City staff will prepare a proposed Ordinance change and Communication explaining the reason for the change. These materials are then placed on a Construction Board agenda for review. The Board is reviewing the actual documents that will be presented to City Council, although the Board can always recommend changes to the drafts before they are submitted to Council.

**AGENDA**

1. Call meeting to order; review and consider minutes of previous meeting.
2. Request that the Construction Board of Adjustment and Appeals consider making recommendation to the City Council regarding the adoption of the following Ordinances amending Tyler City Code Chapter 6:

Adoption of the 2021 Edition of the International Building Code, with amendments.

Adoption of the 2021 Edition of the International Residential Code, with amendments.

Adoption of the 2021 Edition of the International Existing Building Code, with amendments.

Adoption of the 2021 Edition of the International Energy Conservation Code, with amendments.

Adoption of the 2021 Edition of the International Plumbing Code, with amendments.

Adoption of the 2021 Edition of the International Fuel Gas Code, with amendments.

Adoption of the 2021 Edition of the International Mechanical Code, with amendments.

Adoption of the 2021 Edition of the International Fire Code, with amendments.

Adoption of the 2023 Edition of the International Electrical Code, with amendments.

Adoption of an Ordinance updating certain requirements in Section 6-11 for residential and commercial Site Plans to include digital drawings, and making clean-up changes.

1. Request that the Construction Board of Adjustment and Appeals consider making a recommendation to the City Council to allow a grace period of 1/1/24 before implementation and enforcement of the above Ordinances if adopted, and before utilizing the above standards in issuing permits and before beginning inspections using these standards.
2. Adjourn

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## CERTIFICATE OF POSTING

This is to certify that on the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 2023, at \_\_\_\_\_\_\_\_\_ M., the above notice of this Revised Agenda was posted on the bulletin boards of City Hall.

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City Clerk or Staff Designee

This is to certify that on the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2023, at \_\_\_\_\_\_\_\_\_ M., the above notice of this Revised Agenda was posted at Tyler Development Center, 423 W Ferguson St, Tyler, Texas.

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