

## Title 11, Chapter 11.20.030

### Urban Forestry Commission - Appeals Board – Rules of Procedure

#### ➤ 1.0 APPEALS BOARD

- 1.1 The Appeals Board will consist of five members. Board members will be appointed by a majority of the Urban Forestry Commission members present, representing diverse interests of the Commission. Board members will serve without compensation for terms not to exceed their Commission membership, and may be reappointed.
- 1.2 The Appeals Board will select a chair, who is a voting member. If all members of the Appeals Board are new, a chair may be appointed by the Commission chair.
- 1.3 Three Appeals Board members will constitute a quorum. Three votes are required for any decision. Two votes will constitute denial of an appeal.
- 1.4 When an appeal is heard by four of the five Appeals Board members, three votes are required to affirm, reverse, or remand the City Forester's decision. A tie vote will constitute denial of an appeal.
- 1.5 An Appeals Board member may be removed from the Appeals Board by majority vote of the full Board and concurrence by the Commission chair.
- 1.6 The Appeals Board may propose rules of procedure, which are adopted by majority vote of Commission members present. Rules of procedure become effective upon majority vote of members present, and are filed as noted in Chapter 1.07.
- 1.7 Proceedings of the Appeals Board will be documented by minutes or recording, as per Oregon public meeting laws. Decisions will be recorded by the Appeals Board chair.
- 1.8 An Appeals Board member with a conflict of interest in an appeal before the Board will recuse themselves from participating in the hearing and from voting.
- 1.9 The Appeals Board will meet as required to hear appeals within time frames specified in Title 11.30.040, 11.30.050, and 11.45.030. Appeal hearings are open to the public.
- 1.10 The Appeals Board is responsible for reviewing and deciding appeals of tree permit decisions as authorized in Title 11. Appeals Board decisions are final and cannot be appealed to another review body within the City.

- 1.11 In order for the Appeals Board to hear appeals in a timely manner, appellants may request the Appeals Board postpone an appeal hearing only once under Title 11.30.040 (D)(1), 11.30.050 (D)(1), and 11.45.030 (F)(2)(a and b). The City Forester may request postponement of an appeal hearing once under Title 11.30.050 (D)(1). Postponements are to the next regular Appeals Board meeting beyond the 45 days specified in Title 11, and are granted solely for good cause. Further postponement will be considered by the Appeals Board on a case by case basis.