

**Chapter 56**  
**BOARD OF CODE APPEALS**

**§56-1. BOARD OF CODE APPEALS**

(A) Designation of Board of Code Appeals. A Board of Code Appeals is hereby established and designated to hear appeals from administrative decisions of the Town as designated in this Code. The Board shall consist of a chairman and two (2) members to be appointed by the Mayor and confirmed by the Council for two-year terms that shall begin on January 1. The terms of the initial members of the Board shall begin after confirmation by the Council and shall expire biennially after the following January.

(B) Membership. One member shall be a Town resident who occupies a home as an owner-occupant. A second member shall be a Town resident who by experience or education demonstrates sufficient knowledge, as determined by the Town, of housing, building and/or community development. The third member, who need not be a Town resident, shall have significant experience in residential construction, architecture, engineering or life safety disciplines. The Town Council may appoint an alternate member of the Board. An alternate member shall have the qualifications of either the second member or the third member.

(C) Rules of procedure. All persons challenging an action for which an appeal to the Board is authorized may, within ten (10) days of date of the action to be appealed, request a hearing before the Board. The hearing request will be on forms provided by the Town and shall be filed at the Town Hall. The appellant will be notified in writing of the time and place set for the hearing. Within thirty (30) days after the filing of a timely notice of hearing, the Board shall conduct a hearing at which time an opportunity shall be given to both the person challenging and the Town's staff to present evidence. The hearing shall be open to the public and records and minutes shall be maintained by the Board at all such hearings. Within ten (10) days after the hearing, the Board shall present its findings of fact and decisions. A majority of the Board is required for all decisions. The Board may reverse, modify, or affirm the action taken by the Town. Decisions of the Board may be appealed to the Circuit Court for Prince George's County within 30 days from the date of the Board's decision by a person specially aggrieved as authorized under Maryland law for judicial review. The decision of the Board shall be final if no appeal for judicial review is filed within the required time period. In the case of a life safety violation determined by a code official, any appeal to the Board or judicial review of the Board's decision does not stay enforcement of the decision appealed from.