

**BYLAWS OF**  
**THE BOARD OF ADJUSTMENT**  
**OF THE CITY OF MINNEAPOLIS**

(Section 4.2 amended December 17, 2009, Section 4.7 amended January 14, 2010 and Section 4.2 Amended September 19, 2012, Section 2.3 Amended April 3, 2014, Section 1.6 Added May 7, 2015, Section 3.3 Amended May 7, 2015, Section 4.4 Amended October 24, 2019)

The following Bylaws are hereby adopted by the Board of Adjustment to assist the Board in exercising its powers and performing its duties as provided in Chapter 525 of the Minneapolis Code of Ordinances.

**SECTION 1**  
**THE BOARD OF ADJUSTMENT**

- 1.1 Name. The name of this Board shall be the Board of Adjustment.
- 1.2 Powers and Duties. The powers and duties of the Board shall be as provided in Chapter 525 of the Minneapolis Code of Ordinances.
- 1.3 Membership. Membership of the Board shall be as provided in Chapter 525 of the Minneapolis Code of Ordinances.
- 1.4 Candidate Interviews. The Board requests that the City Planning Commission, when interviewing candidates for the Board, emphasize the importance of regular and timely attendance and to assess each candidate's commitment to full participation in the Board's hearings and deliberations.
- 1.5 Compensation. Compensation for members of the Board shall be as provided in Chapter 525 of the Minneapolis Code of Ordinances.
- 1.6 Annual Report. The Committee Clerk, with the assistance of staff, shall draft and present an Annual report to the Board at the last regular meeting held in February of every year. The Annual Report shall contain a summary of Board actions, decisions, and business from the prior year. The Annual Report may be published and included as part of the record upon Board approval and adoption by motion.

**SECTION 2**  
**BOARD OFFICERS**

- 2.1 Officers. The officers of the Board shall be a Chair, Vice Chair, and such other officers as the Board may deem necessary.
- 2.2 Election. At the annual meeting each year, the Board shall elect a Chair, Vice Chair, and such other officers as it may deem necessary; but in case of failure to elect officers at the time specified, the election shall take place at a subsequent meeting without delay. The Chair and Vice Chair shall hold their respective offices until the next annual meeting of the Board and until their successors are elected and qualified.
- 2.3 Nomination. Any Board member may nominate either themselves or any other Board member for an officer position. The Chair will call for and receive nominations one regular meeting prior to the annual meeting. Staff will distribute the names of nominated candidates within 48 hours of closing nominations.
- 2.4 Vacancy. In the event that an office becomes vacant, the Board shall elect a successor for the unexpired term of said office at a subsequent meeting without delay.

**SECTION 3**  
**DUTIES OF OFFICERS**

- 3.1 Chair. The Chair shall have the duties and powers usually attendant upon the office of Chair, and such other duties and powers as may be provided from time to time by the Board. The Chair shall preside at all meetings of the Board. The Chair may present to the Board such matters as in his or her judgment require attention and need not vacate the office of chair for that purpose. The Chair shall appoint the chairs of all committees. The Chair may appoint members of the Board to represent the Board outside of Board meetings. The Chair may at any time direct procedural changes in the conduct of the Board's business.

- 3.2 Vice Chair. The Vice Chair shall preside at all meetings of the Board in the absence of the Chair, and when the Chair is absent or disabled, shall perform all duties of the Chair's office.
- 3.3 Committee Clerk to the Board of Adjustment. The Planning Department shall make available staff to serve as Committee Clerk to the Board of Adjustment ("Committee Clerk"). The Committee Clerk shall conduct administrative duties on behalf of the Board as it shall decide, and in addition shall have the authority to keep the papers and records of the Board, keep a record of the proceedings of the Board and prepare official actions of the Board.

#### **SECTION 4 MEETINGS OF THE BOARD**

- 4.1 Annual Meeting. The annual meeting of the Board shall be the second regular meeting in January each year. Major items to be considered and action to be taken at the annual meeting include the election of officers and appointment of chair(s) of the standing committee(s). In the event of failure to convene the annual meeting at the time specified, the annual meeting shall take place at a subsequent meeting without delay.
- 4.2 Regular Meetings. Two regular meetings of the Board shall be held at 4:30 p.m. on Thursdays of each month, except in those months where the Chair determines that because of holiday schedules, public elections or the number of agenda items, one meeting is sufficient to carry out the Board's duties. If a meeting falls upon a holiday or election day, such meeting may be held at the same hour on the day before, or such other time decided by the Board. Meetings shall be held in the City Council Chambers unless a different location is decided upon. Additional adjustments to the regular meeting schedule described above may be approved at the last regular Board meeting of the year.
- 4.3 Special Meetings. A special meeting of the Board may be called by the Chair at any time, subject to public notice requirements. Each board member shall be notified of the time, place, and purpose of any special meetings at least three (3) days before the meeting. No business shall be transacted at any special meeting except that named in the call thereof,

except by unanimous consent of those present. Any action taken at a special meeting shall have the same effect as if it were taken at a regular meeting.

- 4.4 Quorum Fifty (50) percent of the members of the Board plus one (1) shall constitute a quorum. No business shall be transacted at any regular or special meeting except when a quorum is present. If a quorum is lacking, the members may take a recess until a quorum is obtained, or adjourn the meeting without any further time or date being designated.
- 4.5 Notice. All meetings of the Board shall comply with the applicable public notice and open meeting requirements.
- 4.6 Attendance at Meetings. All members of the Board are expected to attend all regularly scheduled meetings of the Board. A member of the Board shall notify the Committee Clerk at least 4 hours in advance if he or she will be absent from a scheduled meeting. Staff will inform the Chair when a member accrues 3 or more absences from regularly scheduled meetings. In the event that a member accrues up to six (6) or more absences from regular meetings of the Board during the course of a year, the Board may direct the Chair to recommend to the City Council or the Mayor the removal of such member from the Board.
- 4.7 Compensation of Members. The members of the Board shall be paid as provided in Chapter 525 of the Minneapolis Code of Ordinances.
- 4.8 Manner of Voting. Voting on all questions coming before the Board may be by a voice vote called for by the Chair. The vote shall be entered in the minutes of each meeting. A roll call on any question before the Board may be taken upon the demand of one or more members of the Board. All actions of the Board shall be by a majority vote of the members of the Board present at the meeting. The Chair has the same right to vote as any other member of the Board.
- 4.9 Conflict of Interest. No member of the Board shall participate in deliberating or voting on a matter at a meeting of the Board in which that member has a financial or other personal interest, including an interest as defined in Chapter 15 of the Minneapolis Code of Ordinances, "Ethics in Government". When a member of the Board learns of the existence of such a conflict of interest, the member shall disclose the same to the Board and act in accordance with these Bylaws. Following disclosure, a member may provide factual information relating to a matter before the Board, provided the action to be taken

would not substantially affect the financial interests of the member, a person related to the member or an associated business.

## **SECTION 5 CONDUCT OF MEETINGS**

- 5.1 Robert's Rules of Order. The Chair shall be guided by Robert's Rules of Order unless the Board has established other rules of parliamentary procedure.
- 5.2 Meeting Agenda. Official actions of the Board are limited to those items appearing on the published agenda for the meeting. Items not appearing on the agenda may be discussed, but no official action may be taken.
- 5.3 Role Call. The Chair shall call the roll at the start of each meeting and shall make a record of those members of the Board present and those absent, and shall announce for the record when members leave or arrive during the meeting.
- 5.4 Order of Business. The order of business shall be established at the discretion of the Chair.
- 5.5 Consent Items. Unless there is objection from the Board, staff or anyone in attendance at the meeting, the Chair may move regular agenda items to the consent agenda to be acted upon without discussion.
- 5.6 Public Testimony. The Chair shall require that each person addressing the Board verbally state and write his or her name and address for the record. Public testimony should be addressed to the Board, and not to any specific member of the Board, except where in response to a question from a member. No questions should be asked a member

of the Board except by permission of the Chair. The Chair may limit the extent or duration of public testimony in the interest of time where the testimony is cumulative or not relevant to the matter before the Board.

- 5.7 Board Decision. Upon the conclusion of the testimony, the Board shall announce its decision or recommendation. The Board may postpone or continue an item before it for a reasonable period of time in order to obtain further information or to provide additional time for deliberation of complex matters. The Board may hear comments from persons in attendance.
- 5.8 Meeting Minutes. All decisions of the Board shall be contained in minutes kept by the Committee Clerk and approved by the Board at a subsequent Board meeting.

## **SECTION 6 AMENDMENT**

- 6.1 The Board may, from time to time, amend or repeal these Bylaws, or adopt additional Bylaws as it may deem necessary, by a two-thirds vote of the members of the Board following previous notice, provided such changes or additions shall be consistent with Chapter 525 of the Minneapolis Code of Ordinances and all other applicable regulations.