

HOUSING LAW OF MICHIGAN (EXCERPT)
Act 167 of 1917

125.541c Board of appeals; establishment; appointment and terms of members; vacancy; election of officers; quorum; compensation; expenses; meetings; writings.

Sec. 141c. (1) The legislative body of a city, village, or township may establish a board of appeals to hear all of the cases and carry out all of the duties of the legislative body described in section 141(3) and (4).

(2) A board of appeals shall consist of the following members, appointed by the legislative body of the city, village, or township:

(a) A building contractor.

(b) An architect or professional engineer who is licensed under article 20 of the occupational code, 1980 PA 299, MCL 339.2001 to 339.2014.

(c) Two members of the general public.

(d) An individual registered as a building official, plan reviewer, or inspector under article 10 of the skilled trades regulation act, MCL 339.6001 to 339.6023. The individual may be an employee of the enforcing agency.

(3) Board of appeals members shall be appointed for 3 years, except that of the members first appointed, 2 members shall serve for 1 year, 2 members shall serve for 2 years, and 1 member shall serve for 3 years. A vacancy created other than by expiration of a term shall be filled for the balance of the unexpired term in the same manner as the original appointment. A member may be reappointed for additional terms.

(4) A board of appeals annually shall elect a chairperson, vice-chairperson, and other officers that the board considers necessary.

(5) A majority of the members of the board of appeals members who are appointed and serving constitute a quorum. Final action of a board of appeals shall be only by affirmative vote of a majority of the board members who are appointed and serving.

(6) The legislative body of the city, village, or township shall establish the amount of any per diem compensation provided to the members of its board of appeals. The expenses of a member of the board of appeals incurred in the performance of his or her official duties may be reimbursed as provided by law for employees of the legislative body of the city, village, or township.

(7) A meeting of a board of appeals shall comply with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of a meeting of a board of appeals shall be given in the manner required under that act.

(8) A writing prepared, owned, used, in the possession of, or retained by a board of appeals in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

History: Add. 1992, Act 144, Eff. Mar. 31, 1993;—Am. 2016, Act 408, Eff. Apr. 4, 2017.