



AGENDA  
Regular Meeting of the  
Building Code Advisory Board  
Council Chambers  
April 10, 2024  
6:00 p.m.

- A. CALL TO ORDER
- B. ROLL CALL OF MEMBERS
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES OF PRECEDING MEETING – May 19, 2023
- E. OLD BUSINESS - NONE
- F. NEW BUSINESS
  - 1. Election of Officers
- G. OTHER MATTERS
  - 1. A resolution recognizing April O'Connell for her 20 years of service to the Building Code Advisory Board (Attachment A)
  - 2. Presentation on proposed changes to Board's bylaws (Attachment B)
- H. ADJOURNMENT

**City of Thornton**  
**Building Code Advisory Board**

**Minutes**  
**May 19, 2023**

ROLL CALL: Those Present were: Vice Chair John Bales; and Board Members Michael Anderson, Nelson Wolfmeier and Travis Holland. Absent – Chair Kerry Babin.

STAFF MEMBERS PRESENT: Shaun McCullough, Assistant City Attorney II, Jessica Whitney, Senior Assistant City Attorney, Chad Johnson, Chief Building Official, and April O'Connell, Recording Secretary.

The meeting was called to order at **6:00 p.m.**

APPROVAL OF AGENDA:

**MOTION WAS MADE BY MR. WOLFMEIER AND SECONDED BY MR. ANDERSON TO APPROVE THE AGENDA. MOTION PASSED UNANIMOUSLY.**

APPROVAL OF MINUTES:

**MOTION WAS MADE BY MR. WOLFMEIER AND SECONDED BY MR. HOLLAND TO APPROVE THE APRIL 26, 2023, MINUTES AS PRESENTED. MOTION PASSED UNANIMOUSLY.**

NEW BUSINESS:

Appeal of Contractor Requirement under City Code Section 10-116(b) pertaining to the Duplex located at 8820-8822 Lipan Street, Thornton, CO 80260-4913

Acting Chair Bales called the appeal hearing to order at 6:03 p.m.

He asked the parties and representatives to state their names for the record. They started with Mr. McCullough, attorney for the Board; Ms. Whitney, the City's attorney, and Mr. Johnson, representing the City; and the appellants Mr. Byron Richard and his wife Mrs. Elma Richard.

Mr. Bales gave his opening statement. He said that the purpose of the hearing is narrow: the Board must decide whether the city properly applied Section 10-116(b)'s contractor requirement as written to the facts. He also said because City Code is silent on the burden of proof, the default rule is that the City, as the proponent of the decision being challenged, has the burden of satisfying the Board by a preponderance of evidence that the City properly applied Section 10-116(b). He advised that to affirm the City's decision required an affirmative vote of a majority of the Board members present and voting.

Ms. Whitney objected to the burden of proof being on the City, and Mr. McCullough advised the Board that the relevant case law indicated the City bore the burden of proof because it was the proponent of the decision being challenged.

**MOTION WAS MADE BY MR. NELSON AND SECONDED BY MR. ANDERSON THAT THE BURDEN OF PROOF SHOULD BE LEFT ON THE CITY. MOTION PASSED UNANIMOUSLY.**

Ms. Whitney's provided the City's opening statement, and Mr. Richard then gave his opening statement.

After the City's and the Appellants' opening statements, the City presented its case. The Recording Secretary swore in Mr. Johnson. He testified that the appellant asked for the City to waive Section 10-116(b)'s contractor requirement because he wanted to build a deck at his rental property and explained that the contractor requirement applied because it was not his principal residence. Mr. Johnson also testified that the appellant was not granted a required building permit because under City Code, he did not qualify because he was not a contractor and the work he wanted to perform was not at his principal residence, which requires the property owner to live there and the appellant did not live at the rental property.

Mr. Richard cross-examined Mr. Johnson next and asked why he could not pull a permit at his rental property. Mr. Johnson said because that is what the Code provides.

Acting Chair Bales asked if the Board had any questions. Mr. Wolfmeier asked Mr. Johnson whether in pulling permits from the City, contractors are required to provide insurance to do the work to protect the public. Mr. Johnson said that Ms. O'Connell, a permit technician and Recording Secretary, would be able to answer this question. Since Ms. O'Connell was the Board's Recording Secretary, and not a witness for the City, Acting Chair Bales asked the parties and the Board if they objected to Ms. O'Connell giving testimony, and none did.

Mr. Bales swore in Ms. O'Connell. Ms. O'Connell explained that the City in the past required insurance, but recently dropped that requirement, but the City still requires testing.

Mr. Holland asked Mr. Johnson why the City dictates the primary residence versus the homeowner on file. He answered that even if the owner is listed in Adams County, in the applicable code section rental property is not the owner's principal residence.

Acting Chair Bales asked who adopts the City Code, to which Mr. Johnson answered, City Council. Mr. Bales also asked when this code requirement was adopted. Ms. Whitney said it was adopted in 1975.

The City then presented its rebuttal. According to the City, under the applicable code sections, for an owner to pull a permit they must be the actual owner of record and the

structure where the work will be performed must be the owner's primary residence, which is not the case here and so the contractor requirement applied.

The appellant Mr. Richard then presented his case and testified on his own behalf. The Recording Secretary swore him in. He discussed other municipalities' codes, to which Ms. Whitney objected as irrelevant because the issue on appeal is the interpretation of the City's code. Acting Chair Bales sustained the objection. In response to Mr. Richard's question about when this code was adopted, Acting Chair Bales said for the record, it started in 1975, then was amended in 1986, 1992, 1993, 1995, 2010 and 2013. Mr. Richard then stated he would still like the Board to grant him an exception from the code's contractor requirement.

Ms. Whitney then cross-examined Mr. Richard. He testified that he agreed the code was clear, but he wanted a waiver.

The Board then asked Mr. Richard questions. In response to a question from Acting Chair Bales, Mr. Richard testified that in his appeal application he did not claim the code was unclear, nor was he arguing it was now, but disagreed with its impact on him.

Mr. Richard's then provided his rebuttal.

Next, the City gave its closing arguments. Ms. Whitney stated the appellant was simply asking for an exemption from a clear code requirement, which the appellant did not dispute, and so the Board should uphold the City's interpretation.

Mr. Richard gave his closing argument. He said he did not agree with the code's requirement and needed a variance.

Acting Chair Bales then closed the evidentiary part of the hearing and the Board went into deliberation.

After deliberation, Mr. Anderson motioned to affirm the City's decision that pursuant to Section 10-116(b) of the City Code a contractor is required to perform the work the appellant wished to perform at the rental property he owns at 8820 and 8822 Lipan Street based on the evidence and the testimony the Board heard from both parties and the plain language of Section 10-116(b), which provides that only a homeowner performing work on such homeowner's principle residence shall not be considered a contractor, and the City carried its burden of showing that Mr. Richard wished to perform work at the property he owns that is not his primary residence and therefore such work must be performed by a contractor. Mr. Holland seconded the motion.

#### **THE MOTION PASSED UNANIMOUSLY.**

Acting Chair Bales explained that the Board's adopted motion constituted the Board's final decision, effective today, and signed copies of the adopted motion would be sent to the parties. He then closed the appeal hearing.

ADJOURNMENT:

**MOTION WAS MADE BY MR. WOLFMEIER AND SECONDED BY MR. ANDERSON  
TO ADJOURN THE MEETING. MOTION PAST UNANIMOUSLY.**

The meeting was adjourned at 7:04 p.m.

BUILDING CODE ADVISORY BOARD  
CITY OF THORNTON, COLORADO

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Chair

ATTEST:

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April O'Connell, Recording Secretary

RESOLUTION

A RESOLUTION COMMENDING APRIL O'CONNELL FOR HER SERVICE AS THE RECORDING SECRETARY OF THE THORNTON BUILDING CODE ADVISORY BOARD.

WHEREAS, Ms. O'Connell served as a Recording Secretary of the Thornton Building Code Advisory Board (BCAB) for twenty years; and

WHEREAS, Ms. O'Connell has served BCAB with dedication and distinction; and

WHEREAS, Ms. O'Connell has demonstrated exemplary leadership, professionalism, and unwavering commitment to the mission and values of our organization; and

WHEREAS, Ms. O'Connell has shown exceptional skill and expertise as a Recording Secretary for BCAB, such as streamlining operations, improving efficiency, fostering collaboration, and excellent communication; and

WHEREAS, Ms. O'Connell's tireless efforts and dedication have significantly contributed to the success of BCAB, earning her the respect and admiration of colleagues and residents alike; and

WHEREAS, Ms. O'Connell's leadership has been characterized by integrity, transparency, and a steadfast commitment to excellence.

NOW, THEREFORE, BE IT RESOLVED BY THE BUILDING CODE ADVISORY BOARD OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

That the Board wishes to express to April O'Connell its gratitude and appreciation for her time, involvement, knowledge and dedicated service to the citizens of Thornton and to this Board.

PASSED AND ADOPTED at a regular meeting of the Building Code Advisory Board of the City of Thornton, Colorado, on April 10, 2024.

CITY OF THORNTON, COLORADO

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Chair

ATTEST:

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Desirae Lovato, Recording Secretary

**EXHIBIT A**

**CITY OF THORNTON  
BUILDING CODE ADVISORY BOARD  
BYLAWS**

**Adopted by Thornton Building Code Advisory Board  
June 28, 1982**

**Approved by City Council  
June 28, 1982**

**~~Revised: August 28, 1982~~**

**Revised: September 23, 1996**

**Revised: May 18, 2001**

**Revised: April 13, 2010**

**Revised: April 26, 2011**

**Revised: \_\_\_\_\_, 2024**

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## **DEFINITIONS**

Board: City of Thornton Building Code Advisory Board.

Board Members: Resident of Thornton appointed by the Council who holds no other position with the City and is a qualified elector in the City.

Council: City Council of the City of Thornton.

Meeting: Any meeting of the Board that meets the requirements of Section 2-2 of the Thornton City Code.

Officers: Chair and Vice-Chair of the Board elected by the Board members.

Presiding Officer: An individual elected by the Board to temporarily preside over the meeting until the Chair or Vice-Chair is available to preside over the meeting.

## **MEMBERSHIP**

The Board shall consist of five members who are qualified by experience and training to pass upon matters pertaining to building construction, and it shall have representatives from the following fields: engineering, architecture, building construction or building design. The Board shall consist of at least one and not more than two members from each ward.

## **SECTION 1. MEETINGS**

### **1.1 ~~Schedule of~~ Board Meetings, Generally**

~~The Board shall establish a regular schedule of meetings at 6:00 p.m. for the second Wednesday of each month. When a scheduled meeting falls on a holiday or election day which is officially recognized by the City or there is a conflict, Staff will schedule the meeting on the preceding Wednesday unless otherwise provided for by motion. The meeting place~~ of Board meetings ~~shall be the City Council Chambers Conference Room unless otherwise designated by the~~ Chairman-Chair ~~or the Chief Building Official. All meetings of the Board shall be Open Meetings as provided in Section 2-2 of the Thornton City Code.~~

## 1.2 Annual and Special Meetings

The Board shall, at minimum, meet annually to elect officers pursuant to Section 2.2. Special meetings may be called by the Recording Secretary at the request of the Chair, the Chief Building Official, the Fire Chief, or a majority of the Board's appointed members. Special meetings shall be called in accordance with Section 2-2 of the Thornton City Code.

## 1.3 Continued Meetings

Any meeting of the Board may be continued to a date certain. ~~or continued from day to day or for more than one day, but no continuance shall be for longer period than until the next regular meeting thereafter.~~

## 1.4 Quorum

Three members of the Board shall constitute a quorum for the transaction of business at all Board meetings. In the absence of a quorum, a lesser number may continue any meeting to a later time or date; and, in the absence of all members, the Recording Secretary may continue any meeting for not longer than one week.

## 1.5 In-Person Meetings and Electronic Participation.

Participation by the Board in regular and special meetings and study sessions shall be in-person. However, if extenuating circumstances do not permit in-person attendance, members may participate virtually by electronic or telephonic means ("Electronic Participation") on an infrequent or occasional basis. In such instances, the member shall endeavor to provide the Recording Secretary notice of intent to use Electronic Participation twenty-four hours in advance of a public meeting. For purposes of this policy, "infrequent or occasional" shall mean no more than two different meeting dates within one calendar year. Should Electronic Participation be required for reasons protected by state or federal law, that required accommodation shall take precedence over this rule.

- A. The member using Electronic Participation shall maintain a good connection such that they are able to hear the proceedings and are able to be heard when speaking during the proceedings.
- B. The member using Electronic Participation may vote and participate in all legislative matters, including votes to go into executive session.
- C. The member using Electronic Participation may not participate or vote in a quasi-judicial public hearing and does not count for purposes of establishing a quorum for that hearing. However, the member may maintain the electronic connection and monitor and listen to the hearing.
- D. The members may only attend executive sessions in person and may not use Electronic Participation.

- E. When any member is using Electronic Participation, all votes shall be conducted by roll call.
- F. If the Chief Building Official, in consultation with the Chair, determines that meeting in person is not practical or prudent because of a health, weather or other emergency affecting the City, the regularly scheduled meeting may be conducted entirely as a remote meeting or cancelled. If the meeting is conducted entirely remotely, members are able to participate and vote in quasi-judicial matters.
- G. If the decision is to conduct a fully remote meeting, the Recording Secretary shall provide notice to the Board and the public as soon as such decision is made, but no later than three (3) hours before the time the meeting is scheduled to begin. If the meeting is cancelled, the items will be rescheduled to another meeting.

## **SECTION 2. BOARD OF OFFICERS**

### **2.1 Duties of Officers**

- A. The Chair shall preside over all meetings of the Board. In the absence of the Chair, or any time at the Chair's option, the Vice-Chair shall preside over all meetings of the Board. The Chair and Vice-Chair shall be voting members of the Board and accorded the same rights and privileges accorded other members.
- B. The Chair shall have the responsibility to ensure that all meetings are conducted in an open and fair manner and that no individual member's opinion is allowed to dominate a meeting. The Chair shall clearly document any problems or issues and work with members who deviate from acceptable procedural standards. If a member has not taken steps to comply with such standards, on the second incident which is noted by the Chair, the Chair will notify the Chief Building Official to advise the City Manager and the City Council of the matter. If the Chair is not following the standards, the Chief Building Official shall notify the City Manager who will forward the issue to City Council. The Chair shall attend the ~~May~~ Mayor and Chair meetings and report the results to the Board. The Chair shall assist the Chief Building Official in training of new members. The Chair shall act as liaison with the City Council and communicate City Council goals and policies to the Board.

### **2.2 Election of Officers**

The Chair and Vice-Chair of the Board shall be elected at ~~a regular~~ an annual meeting held on the second Wednesday in April of each year or at ~~the next regular~~ a special meeting following the permanent vacation of any officer's seat on the Board. A member

may hold the office of Chair more than once during the member's term. The members should rotate the position of Chair and Vice-Chair whenever possible. The election of officers shall be the first order of business at that meeting. Any member may nominate any member, including themselves, and no second shall be required. Any nominee may decline the nomination. In the event no members accept nominations for Chair or Vice-Chair, the ~~Deputy City Manager~~ City Development Director should inform the City Council immediately. After the election of the Chair, the Chair will preside.

### 2.3 Temporary Presiding Officer

In the case of the absence of the Chair and Vice-Chair, the Recording Secretary shall call the Board to order and call the roll of the members. The Board shall proceed to elect, by a majority vote of those present, a temporary presiding officer of the meeting to act until the Chair or Vice-Chair is available.

## ***SECTION 3. OTHER CITY PERSONNEL***

### 3.1 Recording Secretary

A City employee appointed by the Chief Building Official shall serve as Recording Secretary of the Board and shall keep minutes of the meetings and perform such other and further duties in the meeting as may be ordered by the Chair, Board or Chief Building Official. The Recording Secretary will prepare summary minutes of each meeting. The Chair shall sign the summary minutes after their approval and correction, and the Recording Secretary shall attest to the Chair's signature. The Recording Secretary shall furnish each member of the Board and each member of the City Council with a copy of the summary minutes of all Board meetings. Publication of all official notices for the Board shall be the responsibility of the Recording Secretary.

### 3.2 Chief Building Official

The Chief Building Official or ~~the Chief Building Official's~~ designee shall be an ex officio member of the Board, but shall have no vote on any matter before the Board.

### 3.3 City Attorney

The City Attorney or designee shall attend all public hearing meetings of the Board. Any member of the Board may at any time call upon the City Attorney or designee for an oral or written opinion to decide any question of law. The City Attorney or designee shall be the parliamentarian.

### 3.4 Fire Chief

The Fire Chief or ~~the Fire Chief's~~ designee shall be an ex officio member of the Board, but shall have no vote on any matter before the Board.

## **SECTION 4. BOARD MEMBERS—DUTIES AND PRIVILEGES**

### 4.1 Question of Order

The Chair shall decide all question of order, subject to appeal to the Board. If a member transgresses the rules of the Board, the Chair shall call the member to order, in which case the member shall relinquish the floor unless permitted to explain.

### 4.2 Right of Appeal

Any member may appeal a ruling of the Chair to the Board. If the appeal is seconded, the member making the appeal may briefly state the reason for the same, and the Chair may briefly explain the reason for the ruling; but, there shall be no debate on the appeal, and no other member shall participate in the discussion. The Chair shall then put the question, "Shall the decision of the Chair be sustained?" If the majority of the members present vote "Yes," the ruling of the Chair is sustained; otherwise it is overruled.

### 4.3 Making Motions

A motion presented by any member will require a second. The Chair will have the same rights and privileges of making motions as any other member.

### 4.4 ~~Code of Ethics and Code of Conduct:~~ Disqualification of Member from Participation

A. The Board and its members are subject to the Thornton Code of Ethics ("Code of Ethics") in Chapter 2, Article V, Division 2 of the Thornton City Code and the Boards, Commissions and Committees Code of Conduct adopted by City Council, as from time to time amended.

B. No member may participate in the debate or vote upon any question when in violation ~~of Chapter 2, the~~ Code of Ethics, ~~of the City Code.~~ A request to be excused from participation in or voting upon a question for any other reason must be made before the vote is taken.

### 4.5 Voting Passage and Failure of Motions

The vote by "Yes" and "No" shall be taken upon all motions and entered upon the minutes of the Board proceedings. Any member may explain their vote after the motion is made. Such explanation shall be recorded in the minutes upon request. A motion shall pass if it receives the affirmative votes of a majority of Board members present and voting. Any motion for approval or recommendation of approval failing to receive a majority vote shall result in denial or recommendation of denial as the case may be.

### 4.6 Dissents and Protests

Any member shall have the right to express dissent from or protest against any action of the Board and have the reason therefor entered upon the minutes of the Board proceedings. Such dissent or protest must be filed in writing or made orally on the

record, couched in respectful language and presented to the Board not later than the next ~~regular~~ meeting following the date of the action protested.

#### 4.7 Attendance ~~Required~~

~~A written report signed by the Board Chair shall be sent to the City Council concerning any If a member of the Board who has three absences from does not attend two consecutive Board meetings in a calendar year for Council determination as to whether this shall result in removal of that member from the Board or more than 50% of the meetings within a one-year period, without being excused by the Chair, the Board may recommend that the member resign or may request that the City Council consider the member's removal from the Board and seek a replacement for that individual. Such report shall be sent to the Council following such member's third absence.~~

#### 4.8 Notice of Absence

Notice of Absence – Any member who is going to be absent from a meeting shall notify the Recording Secretary prior to the meeting. No member may leave during the meeting without permission from the ~~Chairperson~~ Chair.

No member may be excused while in a meeting without permission from the Chair.

### **SECTION 5. BOARD PROCEDURE**

#### 5.1 Delivery of Agendas, Staff Reports and Related Materials

~~On the Friday~~ At least three business days preceding any Board meeting, the Chief Building Official will have an agenda showing the order of business, copies of communications, staff reports with supporting documents, and other items relating to the business for each Board member delivered to the Board Members. If the Chief Building Official finds that the materials will not be available ~~by the Friday~~ at least three business days preceding the meeting, the Recording Secretary shall notify the Board members that distribution of materials will be late.

#### 5.2 Order of Business

The business of all meetings of the Board shall be transacted in the following order unless the Board votes to change the order. Within each numerical heading, the Board's agenda shall be arranged by the staff in a manner judged to be most appropriate for the agenda items to be heard. The items will be numbered consecutively with the exception that related items will have the same numerical designation but different alphabetic designation.

- A. Call to order
- B. Roll call of members

- C. Approval of agenda
- D. Approval of summary of minutes of preceding meeting
- E. ~~Old-Unfinished~~ Business
- F. New Business
- G. Other matters
- H. Adjournment

### 5.3 Call to Order

The Chair shall call the members to order at the hour appointed for the Board to meet.

### 5.4 Hearings which are not Public Hearings

At the sole discretion of the Chair, any person may be permitted to speak at a hearing which is not a public hearing.

### 5.5 Conduct of Public Hearings

#### *A. Presentation of Evidence.*

All evidence taken in a public hearing shall be contained within the confines of the public hearing. The Chair shall declare the public hearing opened and shall receive testimonial and demonstrative evidence into the record. All those desiring to be heard on a particular issue at a regular public hearing before the Board shall inform the Chair in writing immediately prior to the hearing of their intention unless this requirement is waived by the Chair. All persons shall take an oath or be sworn in by the Recording Secretary prior to providing testimony. The Chair may limit the time any individual may speak if necessary to give all persons who have requested to speak an equal opportunity to do so. No person may speak more than once except with the permission of the Chair and in no event until all persons requesting an opportunity to speak have done so. After all of the evidence has been taken, the Chair will declare the public hearing closed and the question will be placed before the Board for consideration.

#### *B. Reopening of a Public Hearing.*

Whenever a public hearing has been opened and continued to another date or where it has been closed and the Board wishes to take additional evidence prior to a vote or a reconsideration of a vote, the Chair may reopen the public hearing for purposes of taking such additional evidence. The Chair may limit the scope of such evidence to be taken. Whenever a public hearing is reopened and additional evidence is taken, all such additional evidence shall be incorporated into the original public hearing.



## 5.6 Meetings Extending Past 10:00 P.M.

At 10:00 p.m., if the ~~regular~~ meeting of the Board has not previously been adjourned, further proceedings shall be conducted as follows: all public hearings not previously considered shall be opened and continued to another date. Further proceedings shall not extend beyond 30 minutes after 10:00 p.m. and shall be limited to the business then under consideration and no other. All other matters on the agenda shall be continued to another date.

## 5.7 Procedure in Absence of Rule

In the absence of a bylaw to govern a point of procedure, reference shall be had to Robert's Rules of Order Newly Revised, as amended from time to time.

## 5.8 Recess

A recess may be called at any time either by the Chair or upon motion by a member and with the consent of the majority. The Board shall not adjourn while in recess but must reconvene prior to adjournment.

# **SECTION 6. APPEALS**

## 6.1 Qualifications of Persons

The Board shall be the judge of the qualifications of persons appearing as expert witnesses and shall be empowered to refuse to receive the testimony of any purported expert not so qualified.

## 6.2 Appeal of Decisions

Appeals from decisions of the Chief Building Official or Fire Chief shall be in writing, shall be directed to a specific decision of the Chief Building Official or Fire Chief and consideration of said appeal by the Board shall be limited to the said specific decision. Appeal hearings shall be conducted in an informal manner, but only relevant evidence may be admitted into the record. The Chief Building Official and Fire Chief shall bear the burden of establishing, by a preponderance of the evidence, that the decision was proper.

## 6.3 Special Meetings for Appeals

Appeals will be heard at special meetings called pursuant to law by the Chair or by a majority of the members. Requests for hearings must be scheduled at least ten days prior to such hearings.

## 6.4 Evidence or Legal Argument

If a party of any appeal intends to submit evidence or a legal argument, outside of the expertise of the Board, said party shall inform the Chief Building Official or Fire Chief in writing at the time of the filing of the appeal. Failure to provide such information shall be cause for the allowance of a continuance of the hearing to allow the Board to seek the advice of its attorney.

## ***SECTION 7. MISCELLANEOUS***

### **7.1 Permission required to address Board**

Except during a public hearing, persons other than members of the Board and City officials shall not be permitted to address the Board except upon recognition by the Chair. Any Board member may request the Chair to recognize any person other than a City official. If permission is not granted, the decision of the Chair may be appealed in the manner prescribed in the Bylaws.

### **7.2 Decorum during Meeting**

The Chair shall preserve decorum during a meeting. The Chair shall have the right to eject, after reasonable warning, any person disrupting a meeting. No signs or placards will be displayed by an applicant, or audience in the audience section during a public hearing. Loud sounds such as cheering, applause, or booing shall be limited by the Chair. Video or audio recording of a hearing by persons other than City employees is at the discretion of the Chair and in no event shall any recording interfere or impede a meeting.

### **7.3 Suspension of Bylaws**

Any provision of these Bylaws not governed by the Charter or Code, may be temporarily suspended at any meeting of the Board by a majority vote of all members of the Board. Any rule may be suspended by general consent if presented by the Chair and if there are no objections from any member.

### **7.4 Amendment of Bylaws**

- a. These Bylaws may be amended by City Council.
- b. The Board may recommend amendment of the Bylaws to City Council by a majority vote of those present at a meeting. The amendment shall not be effective until approved by Council. Any amendments shall be submitted in writing at the meeting preceding action on the amendment, and the amendment shall be placed on the agenda under the order of new business. This requirement shall be waived only by unanimous consent with a recorded vote of all members.