

# PROPERTY MAINTENANCE CODE BOARD OF APPEALS APPLICATION

DATE \_\_\_\_\_

## 1. Property Owner's Information

Name _____	Address _____
City _____	MI, Zip Code _____ Phone # _____
Email _____	

## 2. Contact Person (if different than Property Owner)

Name _____	Address _____
City _____	MI, Zip Code _____ Phone # _____
Email _____	

## 3. Property Location

Property Address _____
Zoning District _____
Tax ID _____

## 4. Summary of Appeals

Code Section under which appeal is sought; Section \_\_\_\_\_ of the International Property Maintenance Code.

Desired Relief (State Briefly):

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**Charter Township of Royal Oak**

21131 Gardenlane, 2nd Floor | Ferndale, MI 48220 | 248.547.9800

# PROPERTY MAINTENANCE CODE BOARD OF APPEALS APPLICATION

Basis of Appeal (State Briefly):

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## 5. Additional Information

Provide ten (10) copies of the following as appropriate:

- Statement of Facts and Reasoning
- Copy of Enforcing Agency Determination
- Supporting Material

**All supporting data must be attached to the application, including required plans. Upon submittal, if all required items are not provided, the application will not be accepted.**

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Applicant's Signature

Date

*Do not write below this line, for use by the Property Maintenance Code Board of Appeals:*

Hearing Date \_\_\_\_\_

Name of Code Enforcement Officer / Building Official \_\_\_\_\_

Disposition or Action by Property Maintenance Code Board of Appeals:

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## Rules and Procedures

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### APPLICATION SUBMITTAL

The Appeal Application shall be submitted with ten (10) copies, filled out completely, and shall be accompanied by a check in the amount of \$300.00, plus an administration fee of \$30.00, made payable to the CHARTER TOWNSHIP OF ROYAL OAK.

Any additional information, including reports of accredited testing agencies and accredited authoritative agencies as well as accepted engineering practices, should accompany your appeal. Failure of the appellant or his authorized agent to appear before the Board as scheduled shall be justifiable cause for dismissal of the case, without prejudice, due to lack of prosecution and with no refund of appeal fee.

The appellant shall be given notice of time and date of hearing not less than five (5) days before such hearing by first class mail unless the appellant shall waive such notice in writing. The Board of Appeals shall hear the appeal and render and file its decision with a statement of reasons for the decision with the enforcing agency from whom the appeal was taken not more than 30 days after submission of the appeal. In accordance with the requirements set forth in Section 111 of the International Property Maintenance Code, as adopted by the Charter Township of Royal Oak, the following applies:

#### **Application for Appeal**

Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Board of Appeals, provided that a written application for appeal is filed within 20 days after the day of decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means, or that the strict application of any requirement of this code would cause an undue hardship.

#### **Notice of Meeting**

The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

#### **Open Hearing**

All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interested are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds of the board membership.

#### **Court Review**

Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Applicant for review shall be made in the manner and time required by law following the filing of the decision of the office of the chief administrative officer.

#### **Stays of Enforcement**

Appeals of notices and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the Board of Appeals.



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