



BILL SYNOPSIS

Committee: Judiciary

Bill 20-0522

Board of Municipal and Zoning Appeals - Repeal of "Physically Present" Requirements

Sponsor: Councilmember Schleifer (At the request of BMZA)

Introduced: April 27, 2020

Purpose:

For the purpose of repealing certain provisions of the Zoning Code regarding the Board of Municipal and Zoning Appeals that require members of the Board to be "physically present" during a hearing and for voting; and providing for a special effective date.

Effective: The date it is enacted through August 31, 2020

AGENCY REPORTS

Planning Commission	Favorable with Amendment
Board of Municipal and Zoning Appeals	
City Solicitor	Favorable

ANALYSIS

Current Law

Article 32 – Zoning, Section 3-202:

(j) A member of the Board of Municipal and Zoning Appeals may not participate in a hearing unless the member is physically present at the hearing.

(m) A member of the Board of Municipal and Zoning Appeals may not vote on a matter unless the member:

- (1) was physically present at the public hearing on the matter: and
- (2) is physically present at the voting session.

Bill Summary

The bill would temporarily repeal section 3-202(j) and section 3-202(m) of the Zoning Code to allow the Board of Municipal and Zoning Appeals to resume hearings remotely during the Covid-19 emergency. It would take effect the date it is enacted and remain effective through August 31, 2020.

Amendment

The Planning Commission recommended an amendment to remove the sunset provision to make the repeal of sections 3-202(j) and 3-202(m) permanent.

ADDITIONAL INFORMATION

Fiscal Note: None

Information Source(s): Reporting Agencies, Bill 20-0522.

Analysis by: 
Analysis Date: May 11, 2020

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