

Potential appeals process for Board of Adjustment decisions

Appeal to the Town Council for Board of Adjustment decisions.

- (a) Filing. Every appeal to the Town Council shall be filed with the Town Clerk within ten (10) days after the date notice of the decision on the matter being appealed was posted.
 - (b) Contents. The appeal shall contain a concise statement identifying:
 - (1) The decision has been appealed.
 - (2) The name and address of the appellant and their interest in the matter.
 - (3) The specific reasons why the appellant believes the decision to be wrong.
The appellant shall bear the burden of proving the decision was wrong.
 - (4) The desired outcome or changes to the decision.
 - (c) If public notice is required by the underlying permit, public notice shall be posted for the same required amount of time for the appeal
 - (d) The Town council, regardless of whether public notice is required, shall have at least 7 days before the next council meeting to review the appeal. The decision shall be made at the next council meeting following those 7 days.
 - (e) The appeal fee shall be set by resolution in the town fee schedule.
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CONFLICT OF INTEREST AND APPEARANCE OF FAIRNESS

All members of the Planning Commission/Town Council must act in accordance with the Appearance of Fairness Doctrine at Chapter 42.36 of the Revised Code of Washington. If any Commissioner/Councilperson has a personal interest in any matter before the Planning Commission or Town Council that would prejudice their actions, they must publicly disclose the conflict of interest and recuse himself or herself from participating in the proceedings and voting on the matter.

- a) To preserve the integrity of the Planning Commission, if a Commission member reasonably believes that he/she has a conflict of interest regarding a matter before the Planning Commission, the Commissioner should recuse himself/herself from discussion or vote on the matter.
- b) A Commission member may seek advice from the City Attorney in making this determination

- c) After announcing their recusal, the commissioner/council member may issue a statement to the planning commission/town council and answer any questions from their fellow commissioners/council members may have about the proposal.
- d) During discussion, the recused commissioner/council member may stay in the room but may only speak if a question is asked directly to them.