

City of Rockdale, Texas
Building Standards Commission Rules and Procedures

The following rules and procedures are hereby adopted for the Building Standards Commission (Commission) for the City of Rockdale, Texas. These rules and procedures are intended to supplement but not replace federal or state laws, the City Charter or City ordinances. These rules and procedures may be amended by resolution from time to time as necessary by a majority vote of the Commission so long as any amendments do not violate federal or state laws, the City Charter or City ordinances.

Agendas and Meetings

The Building Standards Commission shall meet on an as-needed basis. All meetings shall be at the Rockdale City Hall in the City Council Chamber. The starting time for each meeting may vary depending on the availability of the Commission members.

All Commission agendas will be posted on a front window of City Hall, on the City Council Chambers door, and at the Police Department. Copies of the agenda will be available at the Commission meeting. The agenda packets will be mailed or emailed to each Commission member by the City Secretary or the Code Enforcement Officer.

Prior to proceeding with the business of the Commission, the City Secretary or his/her designee shall call the roll of the Commission Members and the names of those present shall be entered in the minutes.

The presiding officer may take agenda items out of the order in which they are listed unless a majority of the members present object to this variation.

A consent agenda may include items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the consent agenda. Any Commission Member may ask a question regarding a consent agenda item, speak in opposition to the recommended action, request that their vote show opposition to an item, or may remove an item from the consent agenda and have it considered as a separate item. Any item so removed from the consent agenda shall be considered after other items on the consent portion of the agenda have been heard and voted on.

No Commission Member shall speak a second time on any item under discussion until all other members desiring to speak on that item have been heard.

Commission Members may make a motion on an agenda item whether or not the item was discussed. Before voting on the motion, the motion must be seconded. Once the motion has been made and seconded, the presiding officer will call for a vote on the motion through a showing of hands for or against the motion. A motion may be amended with the approval of the person making the original motion and the person seconding the original motion.

Adjournment of a Meeting

The presiding officer at a meeting may adjourn the meeting without a motion and second.

Decorum

Commission Members value and recognize the importance of the trust invested to them by the public to accomplish the business of the City. Commission Members shall accord the utmost courtesy to each other, to City employees, and to the public appearing before the Commission. Members of City staff shall observe the same rules of order and decorum applicable to the Commission. City staff shall act at all times in a business and professional manner towards Commission Members and members of the public. Noise emanating from the audience within the Council Chambers which disrupts Commission meetings shall not be permitted.

Election of Officers

The election of a chairman and vice-chairman shall be done at the initial meeting of the Commission and annually thereafter. The officers shall be elected by a majority of the Commission Members present.

Pledge of Allegiance

The Pledge of Allegiance shall be recited at every meeting of the Commission.

Public Hearings

Public hearings will be held after required notice has been provided. The Commission may upon affirmative vote continue a public hearing to a future date. Anyone wishing to speak at a public hearing must sign their name and address on an approved form available at each public hearing. In addition, everyone attending and each Commission Member present at the meeting shall sign their name and address on an approved form.

The presiding officer shall then call the public hearing and state the time at which the public hearing begins. The presiding officer shall then administer the following oath to all those present who wish to give testimony: "I solemnly swear that the testimony I am about to give is the truth, the whole truth and nothing but the truth."

The presiding officer shall then call upon the City's designated official to present his case on behalf of the City. The City's designated official will present evidence as to the ordinance involved, the alleged violation of such ordinance, and the requirements necessary to cure the violations of the City's ordinance. The members may ask questions of the City's designated official and may make comments about the subject property.

After the City's designated official has presented his evidence, the presiding officer will call upon the property owner(s), mortgagee(s), and/or lienholder(s) to cross-examine each witness. After the City's designated official has completed the presentation of his case, the presiding officer will call upon the property owner(s), mortgagee(s) and/or lienholder(s) to present their evidence. Prior to presenting evidence or cross-examining witnesses, each owner(s), mortgagee(s), and/or lienholder(s) shall state his or her name, address and the nature of their interest in the subject property. After the owner(s), mortgagee(s), and/or lienholder(s) have presented their evidence, the presiding officer will call upon the City's designated official to cross-examine each witness.

The property owner(s), mortgagee(s), and/or lienholder(s) bear the burden of proof to demonstrate the scope of work that may be required to bring the property into compliance and the time it will

take to reasonably perform the work or present proof that the property is not in violation of City ordinances. Any individual failing to attend the meeting is presumed to have appeared, if notice was given as provided herein, and a finding may be incorporated in the order of the Commission that the notices were reviewed and all persons were properly noticed. No representative of the owner(s), mortgagee(s) or lienholder(s) has to be present but the City must hold the hearing and present evidence of the violation and the remedy to bring compliance. The Commission members may ask questions of the owner(s), mortgagee(s), and/or lienholder(s) about the subject property or make comments about the subject property.

The presiding officer may stop any person from talking if the person's comments are not relevant to the item under discussion, unruly, abusive, disruptive or disrespectful to another person and may have the person removed from the Council Chambers if necessary.

After all evidence has been presented by the City's designated official, the owner(s), mortgagee(s) or lienholder(s) of the property, and all Commission members present have asked their questions or made their comments, the presiding officer shall declare the public hearing closed and note the time the hearing is closed. After the public hearing is closed, no more testimony shall be given.

After the public hearing, the Commission shall make a determination of whether the subject property is found to be in violation of City ordinance.


If the Commission determines the subject property is found to be in violation of City ordinance, the Commission may (after a motion has been made and seconded), direct the owner(s), lienholder(s) and/or mortgagee(s) of the property to take any action authorized by City ordinance.

PASSED AND APPROVED by the Building Standards Commission on this the 25th day of February, 2013.



Nathan Bland, Chairman

ATTEST:



Terry Blanchard, City Secretary

Date of first adoption: February 25, 2013