

be taken within a reasonable time, as provided by the rules of the [board] BOARD, by filing with the officer from whom the appeal is taken and with the [board of zoning appeals] BOARD OF ZONING APPEALS a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the [board] BOARD all the papers constituting the record upon which the action appealed from was taken.

(e) An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the [board of zoning appeals] BOARD OF ZONING APPEALS after the notice of appeal shall have been filed with [him] THE OFFICER that by reason of facts stated in the certificate a stay would, in [his] THE OFFICER'S opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the [board of zoning appeals] BOARD OF ZONING APPEALS or by a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown.

(f) The [board of zoning appeals] BOARD OF ZONING APPEALS shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

(g) In exercising the above-mentioned powers [such board] THE BOARD may, in conformity with the provisions of this article, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the officer from whom the appeal is taken.

(h) If five members of the [board of zoning appeals] BOARD OF ZONING APPEALS are present, the concurring vote of at least four members is necessary to reverse any order, requirement, decision, or determination of an administrative official, or to decide in favor of the applicant on any matter on which it is required to pass under an ordinance, or to effect any variation in the ordinance. If only four members of the [board] BOARD are present, the concurring vote of at least three members is necessary to take any action under this subsection.

DRAFTER'S NOTE:

Error: Incorrect capitalization and other stylistic errors in Article 66B, § 2.08.

Occurred: Various chapters.

Article 70B – Office on Aging

4.

(c) (1) Any individual 70 years old or older is eligible for appointment to any permanent classified service position in the State Personnel Management System for which the individual qualifies, and the appointment is subject to the provisions of the State Personnel AND PENSIONS Article that govern classified service employees.