

1 SB475
2 151046-2
3 By Senators Figures, Glover and Hightower (N & P)
4 RFD: Local Legislation No. 3
5 First Read: 25-APR-13

1 SB475

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4 With Notice and Proof

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6 ENROLLED, An Act,

7 Relating to Class 2 municipalities; to provide that
8 the number of members on a board of adjustment organized under
9 state law whose members are appointed by the governing body
10 shall be the same as the number of members of the governing
11 body of the Class 2 municipality; and to conform the
12 applicable number of concurring votes on the board.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. (a) In any Class 2 municipality, any law
15 to the contrary notwithstanding, the number of members on a
16 board of adjustment provided for in Section 11-52-80, Code of
17 Alabama 1975, whose members are appointed by the governing
18 body of the Class 2 municipality shall be the same as the
19 number of members of the governing body of the Class 2
20 municipality.

21 (b) In exercising the powers in subsection (d) of
22 Section 11-52-80, Code of Alabama 1975, the board may reverse,
23 affirm, or modify the order, requirement, decision, or
24 determination appealed from and may enter the appropriate
25 order, requirement, decision, or determination and, to that

1 end, shall have all the powers of the officer from whom the
2 appeal is taken. The concurring vote of five members of the
3 board shall be necessary to reverse any order, requirement,
4 decision, or determination of an administrative official or to
5 decide in favor of the applicant on a matter upon which the
6 board is required to pass under any ordinance or to effect any
7 variation in the ordinance.

8 Section 2. All laws or parts of laws which conflict
9 with this act are repealed.

10 Section 3. This act shall become effective
11 immediately following its passage and approval by the
12 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB475
Senate 02-MAY-13
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris
Secretary

House of Representatives
Passed: 09-MAY-13

By: Senator Figures