

**Sweden Board of Appeals
By Laws
Adopted December 7, 1970
Amended August 18, 2021**

1. **Establishment:** The Sweden Board of Appeals (BOA) was established on December 7, 1970 in accordance with Title 30, Section 2411 of the Maine revised Statutes and the Sweden Zoning Ordinance adopted and made law by the voters of the Town of Sweden at Special Town meeting on December 7, 1970.

2. **Election:**
 - A. Members are elected by Town Meeting vote.
 - B. The Board shall consist of 5 members and 2 alternates.
 - C. The term of each member shall be 5 years, except the initial appointments which shall be for 1,2,3,4 and 5 years respectively. The term of office of an alternate member shall be one year. All members and alternates shall be sworn in by the Town Clerk.
 - D. When there is a permanent vacancy the Selectmen shall, within 30 days of its Occurrence, appoint a person to serve the unexpired term.

3. **Organization and Rules:**
 - A. The Board, shall call at least one annual meeting to elect a Chairman and a Secretary from among its members and create and fill such other offices as it may determine necessary. The term of all offices shall be 1 year with eligibility for re-election.
 - B. When a member is unable to act because of interest, physical incapacity, absence, or any other reason satisfactory to the Chairman, the Chairman shall designate an alternate member to sit in his stead.
 - C. An alternate member may attend all meetings of the Board and participate in its proceedings but may vote only when he or she has been designated by the Chairman to sit for a member.
 - D. A member may disqualify himself or be disqualified from voting on a particular issue by a majority vote of other members.
 - E. The Chairman shall call at least one regular meeting of the Board each year and as required. The Chairman shall also call meetings of the Board when requested to do so, by a majority of the members.
 - F. No meeting of the Board shall be held without a quorum consisting of 3 members or alternate members authorized to vote. Majority vote carries, except that the Board of Appeals shall grant a variance only when all four of the criteria for "Undue Hardship" are met by a concurring vote of at least four members in accordance with Sweden's Zoning and Land Use Ordinance Seventh Revision, March 21,2009.
 - G. The Chairman shall preside at all meetings of the Board and shall be the official spokesman of the Board.
 - H. The Board shall adopt rules for transaction of business and the Secretary shall keep a record of all its resolutions, transactions, correspondence, findings and determinations, and financial status. All records shall be deemed public, shall be maintained at the Town office and may be inspected at reasonable times.
 - I. If a member misses 50% of the meetings held within a period of one year, the Board may recommend to the Selectmen that the individual guilty of such absenteeism be removed from the Board and replaced unless there is evidence of extenuating circumstances (as determined by vote of the Board).

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4. Order of Business:

- . The order of business at regular meetings shall be:
 - . Pledge of Allegiance
 - 1. Call to Order.
 - 2, Introduction of Attendees
 - 3. Determination of whether a quorum is present as required
 - 4. Communication and bills.
 - 5. The remainder of the BOA order of business is dependent on what that business is
See Sample BOA Agenda for the Appeal process.
 - 6. Old business.
 - 7.. New business.
 - 8. Announcements.
 - 9. Adjournment.

5. Committees:

- A. Special committees may be appointed by the Chairman for purposes and terms which the Board approves.

6. Hearings:

- A. In addition to those required by law, the Board may at its discretion hold Public Hearings when it decides that such hearings will be in the public interest.
- B. Notice of such hearings shall be widely published at least 10 days before the time of the hearing.
- C. The case before the Board shall be presented in summary by the Chair, the Secretary or a designated member of the Board and parties in interest shall have the privileges of the floor.
- D. A record shall be kept of those speaking before the Board.

7. Amendments:

- A. These By-laws may be amended by a two-thirds vote of the entire membership of the Board of Appeals.