

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: March 16, 2026

Agenda Item: 7B	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: New Business: Resolution	Date: March 11, 2026
Subject: Adopt the Bylaws for the Construction Board of Appeals	Division: Planning and Development

Background and Proposal:

The Construction Board of Appeals was established by ordinance within Chapter 2 of the City Code to hear appeals of decisions made by the building official under the building codes adopted by the City and to conduct hearings related to unsafe buildings and structures as provided in Chapter 6 of the Code of Ordinances.

The adopted building codes provide for the establishment of a board of appeals and establish procedures governing appeals and hearings. To provide administrative guidance for the operation of the board, a set of bylaws has been prepared for consideration by City Council. The bylaws address organizational matters such as officer roles, meeting procedures, conflicts of interest, and administrative coordination with City staff while relying on the building codes adopted by the City and applicable provisions of the City Code to govern hearing procedures and decision-making authority.

Staff Review:

The amendment has been reviewed by the Department of Planning and Development; no concerns have been expressed.

Recommended Actions:

Adopt a resolution approving the bylaws for the Construction Board of Appeals

Reviewed by Department Head	Reviewed by City Manager	Reviewed by City Attorney
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Council Action:
Motion By _____ 2nd By _____ To _____

ORDINANCE

**A RESOLUTION TO ADOPT THE BYLAWS FOR THE
CONSTRUCTION BOARD OF APPEALS**

WHEREAS, the Mayor and City Council have established the Construction Board of Appeals pursuant to Chapter 2 of the Code of Ordinances for the City of North Myrtle Beach; and

WHEREAS, the Construction Board of Appeals is authorized to hear and decide appeals of orders, decisions, and determinations made by the building official under the building codes adopted by the City, and to conduct hearings related to unsafe buildings and structures as provided in Chapter 6 of the City Code; and

WHEREAS, the building codes adopted by the City provide for the establishment of a board of appeals to hear such matters and establish procedures governing the conduct of hearings; and

WHEREAS, a set of bylaws has been prepared to guide the administrative operation of the Construction Board of Appeals in a manner consistent with the City Code and the building codes adopted by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL FOR THE CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA:

Section 1. Hereby adopt the bylaws for the Construction Board of Appeals as attached hereto.

Section 2. This resolution shall be effective upon the date of passage.

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2026.

ATTEST:

Mayor J.O. Baldwin, III

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED:

City Manager

FIRST READING: 3.16.2026
SECOND READING: _____

ORDINANCE: _____

CONSTRUCTION BOARD OF APPEALS BYLAWS

Article I. Purpose

The Construction Board of Appeals exists to hear and decide appeals of decisions, determinations, and interpretations made by the building official under the building codes adopted by the City of North Myrtle Beach. The Board shall also conduct hearings related to unsafe buildings and structures as provided in Chapter 6 of the City Code.

The Board operates as a quasi-judicial body and provides an administrative forum for resolving disputes regarding the application and interpretation of the building codes adopted by the City.

Article II. Authority

The Board shall exercise the authority granted in the building codes adopted by the City and applicable provisions of the City Code.

The Board may:

1. Hear appeals of orders, decisions, or determinations made by the building official.
2. Interpret provisions of the adopted building codes where there is uncertainty regarding meaning or application.
3. Determine the suitability of alternate materials, methods of construction, or design as provided in the adopted building codes.
4. Conduct hearings related to unsafe buildings and structures as provided in Chapter 6 of the City Code.

The Board shall not have authority to waive requirements of the adopted building codes or grant variances from such codes.

Article III. Officers

The Board shall annually elect from among its members a Chair and Vice Chair. The Chair shall preside at meetings and hearings and coordinate with City staff regarding scheduling and agendas. The Vice Chair shall act in the absence of the Chair.

Administrative support, including preparation of agendas, minutes, and hearing notices, shall be provided by the Building Division of the Planning and Development Department.

Article IV. Meetings and Hearings

The Board shall meet as necessary to hear appeals properly filed with the City. Hearings shall be conducted in accordance with the procedures established in the building codes adopted by the City.

and applicable provisions of the City Code. All meetings and hearings shall comply with the South Carolina Freedom of Information Act.

Article VI. Conflicts of Interest

Members of the Board shall avoid participation in any matter in which they have a financial interest or other conflict of interest. Any member having such a conflict shall disclose the conflict and recuse themselves from participation in the hearing and decision on that matter.

Article VII. Adoption and Amendments

These bylaws shall be adopted by City Council and may be amended by City Council as necessary to remain consistent with the City Code and the building codes adopted by the City.