BYLAWS OF THE
Building and Fire Board of Appeals

ARTICLE 1. NAME.

The name of the board is Building and Fire Board of Appeals.

ARTICLE 2. PURPOSE AND DUTIES.

The purpose and duties of the board are as follows: to review any appeal filed in accordance with Title 25 (Land Development) and hear and decide appeals of orders, decision, or determinations made by the building official relating to the application and interpretations of the Building Code and Fire Code.

ARTICLE 3. MEMBERSHIP.

(A) The board is composed of eleven members appointed by the city council.

(B) A member serves at the pleasure of the city council.

(C) Board members serve for a term of four years beginning March 1st on the year of appointment.

(D) An individual board member may not act in an official capacity or speak on behalf of the board except through the action of a majority of the board in which the board identifies who is authorized to speak and identifies the actions the individual board member is authorized to take or topics on which the individual board member is entitled to speak.

(E) A board member who is absent for three consecutive regular meetings or one-third of all regular meetings in a "rolling" twelve-month timeframe automatically vacates the member's position subject to the holdover provisions in Section 2-1-27 of the City Code. This does not apply to an absence due to illness or injury of the board member, an illness or injury of a board member's immediate family member, active military service, or the birth or adoption of the board member's child for 90 days after the event. The board member must notify the staff liaison of the reason for the absence not later than the date of the next regular meeting of the board. Failure to notify the liaison before the next regular meeting of the board will result in an unexcused absence.

(F) At each meeting, each board member shall sign an attendance sheet (or if participating virtually via videoconference, send an email as provided by City Code Section 2-1-24(D)) which indicates that the member does not have a conflict of interest with any item on that agenda, or identifies each agenda item on which the member has a conflict of interest. Failure to sign the sheet results in the member being counted as absent and his/her votes are not counted.

(G) A member who seeks to resign from the board shall submit a written resignation to the chair of the board, the staff liaison, or the city clerk's office. If possible, the resignation should allow for a thirty-day notice so the city council can appoint a replacement.

ARTICLE 4. OFFICERS.

(A) The officers of the board shall consist of a chair and a vice-chair.

(B) Officers shall be elected annually by a majority vote of the board at the first regular meeting after April 1st. In the event a current officer becomes ineligible to serve as an officer, the board may hold an emergency election as needed.

(C) The term of office shall be one year, beginning May 1st and ending April 30th. An officer may continue to serve until a successor is elected. A person may not serve as an officer in a designated position of a board for more than four consecutive one-year terms. A person who has served as an officer in a designated position of a board for four consecutive terms is not eligible for re-election to that designated office until the expiration of two years after the last date of the person's service in that office. The board may override the term limit provision for an officer by an affirmative vote of two-thirds of the authorized board members.

(D) A member may not hold more than one office at a time.

ARTICLE 5. DUTIES OF OFFICERS.

(A) The chair shall preside at board meetings, appoint all committees, represent the board at ceremonial functions and approve each final meeting agenda as provided in Article 6(A).

(B) In the absence of the chair, the vice-chair shall perform all duties of the chair.

ARTICLE 6. AGENDAS.

(A) Two or more board members may place an item on the agenda by oral or written request to the staff liaison at least seven business days before the meeting. After first consulting with and receiving input from the staff liaison, the chair shall approve each final meeting agenda prior to posting, except that posting language may be adjusted in order to ensure compliance with Government Code Chapter 551 (Open Meetings Act).

(B) The board liaison shall submit the meeting agenda through the online agenda posting system for each meeting not less than the 4th business day before the scheduled meeting date.

(C) Posting of the agenda must comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 7. MEETINGS.

(A) The board meetings shall comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

(B) Board meetings shall be governed by Robert's Rules of Order.

(C) The board may not conduct a closed meeting without the approval of the city attorney.

(D) The board shall meet when the board is legally required to meet in order to comply with a legal deadline. In November of each year, the board shall adopt a schedule of the meetings for the upcoming year, including makeup meeting dates for the holidays and cancelled meetings

(E) The chair may call a special meeting, and the chair shall call a special meeting if requested by three or more members. The call shall state the purpose of the meeting. A board may not call a meeting in addition to its regular scheduled meetings as identified in its adopted meeting schedule, more often than once a quarter, unless the meeting is required to comply with a statutory deadline or a deadline established by Council.

(F) Six members constitute a quorum.

(G) If a quorum for a meeting does not convene within one-half hour of the posted time for the meeting, then the meeting may not be held.

(H) To be effective, a board action must be adopted by an affirmative vote of the number of members necessary to provide a quorum.

(I) The chair has the same voting privilege as any other member.

(J) The board shall allow members of the public to address the board on agenda items and during a period of time set aside for public communications on non-agenda items. The chair shall allow a speaker to speak for no less than two minutes per agenda item and for three minutes on a non-agenda item.

(K) The staff liaison shall prepare the board minutes. The minutes of each board meeting must include the vote of each member on each item before the board and indicate whether a member is absent or failed to vote on an item.

(L) The city clerk shall retain agendas, approved minutes, internal review reports and bylaws. The Austin Development Services shall retain all other board documents. The documents are public records under Texas Local Government Code Chapter 552 (Texas Public Information Act).

(M) The chair shall adjourn a meeting not later than 10 p.m., unless the board votes to continue the meeting.

(N) Each person and board member attending a board meeting should observe decorum pursuant to Section 2-1-48 of the City Code.

ARTICLE 8. COMMITTEES/WORKING GROUPS.

COMMITTEES

(A) Each committee must be established by an affirmative vote of the board. A committee cannot meet until its creation is approved by the Council Audit and Finance Committee. Each committee shall consist of at least three board members appointed by the chair. A staff member shall be assigned to each committee by the director of the Austin Development Services

(B) The board chair shall appoint a board member as the committee chair, with the member's consent.

(C) A majority of the total number of appointed committee members constitutes a quorum.

(D) Each committee shall meet on a regularly scheduled basis at least quarterly.

(E) Each committee shall make an annual report to the board at the January board meeting.

(F) Committee meetings must be posted in accordance with Texas Government Code Chapter 551 (Texas Open Meetings Act).

(G) At each committee meeting, a committee member shall sign in on a sheet provided (or if participating virtually via videoconference, send an email as provided by City Code Section 2-1-24(D)) and shall indicate that the member has no conflict of interest with any item on the committee meeting agenda, or identify each agenda item on which the member has a conflict of interest.

(H) The Building and Fire Board of Appeals currently has no committees.

WORKING GROUPS

(A) The board can determine the size of a working group but the number of board members serving on the working group must be less than a quorum of the board.

(B) A working group may designate a chair, with the member's consent, but is not required to do so.

(C) Quorum requirements do not apply to working groups.

(D) Staff support will not be provided for working groups.

(E) Working groups are not required to post their meetings in accordance with the Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 9. PARLIAMENTARY AUTHORITY.

The rules contained in the current edition of Robert's Rules of Order shall govern the board in all cases to which they are applicable, except when inconsistent with these bylaws or with special rules of procedure which the board or city council may adopt.

ARTICLE 10. AMENDMENT OF BYLAWS.

A bylaw amendment is not effective unless approved by Council after review by the Council Audit and Finance Committee.

The bylaws were approved by the Austin City Council at their meeting held on February 11, 2016.

The bylaws were revised in accordance with Ordinance 20251120-008 on January 12, 2026

Rick Arzola Building and Fire Board of Appeals Staff Liaison