

**ARTICLE V**  
**APPEAL PROCEDURES**

§61-501. **Application.** Any person directly affected by a decision of the Code Official or a notice or order issued under this Chapter shall have the right to appeal to the Borough's UCC Board of Appeals, provided that a written application for appeal is filed and the full filing fee is paid to the Borough within twenty (20) days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this Chapter or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Chapter do not fully apply, or the requirements of this Chapter are adequately satisfied by other means.

§61-502. **Stays of Enforcement.** Appeals of decisions, notices, and orders (other than "Imminent Danger" notices) shall stay the enforcement of the decision, notice or order until the appeal is heard and decided by the appeals board.

§61-503. **Notice of Meeting.** The appeals board shall meet upon notice from the chairman, within twenty (20) days of the filing of an appeal, or at stated periodic meetings.

§61-504. **Open Hearing.**

A. All hearings before the appeals board shall be open to the public. The appellant, the appellant's representative, the Code Official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds of the appeals board membership.

B. **Procedure.** The appeals board shall adopt and make available to the public procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

C. **Postponed Hearing.** When a full appeals board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

§61-505. **Board Decision.**

A. The appeals board shall modify or reverse the decision of the Code Official only by a concurring vote of a majority of the board.

B. **Records and copies.** The decision of the appeals board shall be recorded. Copies shall be furnished to the appellant and to the Code Official.

C. **Administration.** The Code Official shall consult with the Borough's solicitor before taking any action in accordance with the decision of the appeals board.

§61-506. **Court Review.** Any aggrieved person shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law.