

# City of Dover

## PROPOSED ORDINANCE #2025-06

1 **BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN**  
2 **COUNCIL MET:**

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4 That Chapter 1 – General Provisions be amended by inserting the text indicated in bold, blue, as  
5 follows:

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7 **Sec. 1-18. Code Board of Appeals.**

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9 (a) *Established; composition; appointment.* There shall be a committee to be referred to as  
10 the " Code Board of Appeals," consisting of five members. The council president shall  
11 appoint three elected city officials, and the mayor shall appoint two city residents  
12 generally selected as a representative of homeowners. Members shall serve one-year  
13 terms unless sooner removed. All appointments are subject to confirmation by the city  
14 council at its second regular meeting in May. The Code Board of Appeals shall elect  
15 one of its members as chairperson.  
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- 17 (b) *Appeals.* Whenever any person is aggrieved by a decision of the code official with  
18 respect to any provision of the Dover Code of Ordinance, shall have the right of that  
19 person to appeal to the Code Board of Appeals. Such an appeal must be filed in  
20 writing and submitted to the City Clerk's Office within 30 days after the  
21 determination by the official code.  
22
- 23 (c) *Exempt.* The following are exempt from these provisions under this section:  
24 (1) No notice, order, citation, or summons shall be determined by the Code Board of  
25 Appeals pertaining Chapter 22- Building and Building Regulations.  
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27 (2) No notice, order, citation, or summons shall be determined by the Code Board of  
28 Appeals pertaining Chapter 46- Fire Prevention and Protection.  
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30 (3) No notice, order, citation, or summons shall be determined by the Code Board of  
31 Appeals when issued by any law enforcement agency having jurisdiction.  
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- 33 (d) *Notice; hearing.* Upon receipt of such an appeal the Code Board of Appeals shall set a  
34 time and place in not less than ten, nor more than 30 days, for the purpose of hearing  
35 the appeal. Notice of the time and place of the hearing of the appeal shall be given to

36 **all parties, at which time they may appear and be heard. The determination by the**  
37 **Code Board of Appeals shall be final in all cases.**

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39 **(e) *Stay of Enforcement.* Appeals of any notice, order, citation, or summons (other than**  
40 **Imminent Danger notices) shall stay the enforcement of the notice, order, citation, or**  
41 **summons until the appeal is resolved by the appeals board.**

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45 ADOPTED: \*

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**SYNOPSIS**

49 This ordinance establishes a Code Board of Appeals. The board will hear appeals from individuals  
50 aggrieved by decisions made by the official code, with appeals to be filed within 30 days. Certain  
51 provisions, such as those related to building regulations, fire prevention, and law enforcement, are  
52 exempt from the board’s jurisdiction. The board will set a hearing date within 10 to 30 days of  
53 receiving an appeal, and its decision will be final.

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(SPONSORS:

58 Action History

59 02/11/2025 - Introduction – Council Committee of the Whole/ Legislative, Finance, and Administration  
60 Committee