



## MEMO

To: Members of the Building Appeal Board

From: Blake Nelson, Secretary

Date: March 31, 2026

Subject: Potential Amendment to the Building Appeal Board's Bylaws

The Building Appeal Board currently has seven of the nine board positions filled. Staff continue to have challenges filling vacancies in the BAB. Most of the city's 30+ boards and commissions have board memberships of five or seven persons. Reducing the membership to seven would be more in line with many of the other city boards and commissions.

The bylaws were last amended in the summer of 2024, reducing the number of board members from 12 to 9. Membership of the BAB is also reflected in Chapter 10-5 of the City Code, and if the BAB supports this proposed bylaw amendment, this bylaw change would need to be matched with a companion ordinance amendment approved by the City Council.

### ARTICLE IV – MEMBERSHIP

4.1 **Number.** The Board shall consist of ~~nine (9)~~ seven (7) members who shall be appointed by the Mayor, subject to the approval of the City Council and who shall serve without compensation.

4.2 **Board.** The Duluth Fire Chief and the Building Official shall be ex officio members of the Board. The Duluth Fire Chief shall have full voting rights. The Building Official shall have no vote on any matter before the Board and shall act as secretary of the Board.

One member of the Board ~~shall work in the area of finance; one member~~ shall be a registered architect; ~~one member shall be a~~ or a registered engineer working in the area of building construction design; one member shall be engaged in the business of residential building or commercial building construction; one member shall work in the area of building materials supply; and two members shall be appointed from the general citizenry of the City of Duluth.

4.3 **Terms.** Members shall be appointed for terms of three (3) years. Any vacancy in membership shall be filled by appointment by the Mayor subject to confirmation by the City Council, and such vacancy appointments shall be for the unexpired term of the vacating member.

- 4.4 **Removal.** Members shall be subject to removal by the Mayor, for cause, but only after Council approval, after notice and opportunity for a hearing before the Council.
- 4.5 **Absenteeism.** If any member fails to attend three consecutive meetings of the Board without satisfactory explanation, notice of such failure shall be forwarded to the Mayor and Council with the request for removal of such member from the Board.