

Hope Board of Assessment Review Ordinance

I. Establishment

Pursuant to Article VIII of the Maine Constitution and 30-A M.R.S.A. Section 2526 (6), the Town of Hope hereby establishes a Board of Assessment Review.

II. Appointment

A. Hope Board of Assessment Review members shall be appointed by the Municipal Officers and sworn into office by the Town Clerk or other person authorized to administer oaths.

B. The Board of Assessment Review shall consist of seven (7) regular members.

C. The term of each member shall be five (5) years, except the initial appointments which shall be for the following terms: two board members for one year, four board members for four years, and one board member for five years.

D. When there is a permanent vacancy on the Hope Board of Assessment Review, the Municipal Officers shall, within 60 days of a vacancy occurring, appoint a person to serve for the unexpired term. A vacancy shall occur upon the resignation or death of any member, or when a member ceases to be a legal resident of the Town of Hope, or when a member fails, without good cause, to attend four (4) consecutive regular meetings, or at least 75% of all meetings during the preceding twelve month period. When a vacancy occurs, the Chairperson of the Board of Assessment Review shall immediately advise the Municipal Officers in writing. The Municipal Officers may remove members of the Board of Assessment Review, by unanimous vote, for cause, after due process including notice and hearing.

E. Neither a Municipal Officer, nor a spouse of a Municipal Officer, may be a member of the Board of Assessment Review.

III. Organization and Rules

A. The Board of Assessment Review shall elect a Chairperson, Vice-Chairperson, and Secretary annually from among its members. Officers shall be elected at the first regularly scheduled meeting after the Annual Town Meeting.

B. Any question of whether a member shall be disqualified from voting on a particular matter shall be decided by a majority vote of the members, except the member who is being challenged.

C. No meeting of the Board of Assessment Review shall start without a quorum consisting of four members. The Board shall act by a majority vote of those members present and authorized to vote.

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D. Board of Assessment Review meeting notices and accompanying agendas shall be posted at least one business day prior to the event. These notices shall be posted at the Town Office and sent electronically to Town Office staff.

E. The Board of Assessment Review shall adopt bylaws for the transaction of business and the Town Office shall keep a record of its resolutions, correspondence, findings and determinations. All records are public and may be inspected at reasonable times.

IV. Powers and Duties of the Hope Board of Assessment Review

A. The Board shall hear and decide all appeals properly taken from the refusal of the Municipal Officers or Assessors to make such property tax abatements as are asked for. The Board may take such evidence and testimony as it deems necessary and may grant such abatements as it thinks proper. All appeals heard by the Board of Assessment Review are considered *de novo*. If the Board fails to give written notice of its decision within 60 days of the date the appeal is filed, unless the appellant agrees in writing to further delay, the appeal shall be deemed denied. The Board's decisions may be appealed in accordance with 36 M.R.S.A. §843.

B. The Board of Assessment Review shall adopt bylaws governing board functions. Initial adoption of Board of Assessment Review bylaws, and all subsequent amendments, shall be subject to review and approval of the Board of Selectmen.

C. The Chairman of the Board of Assessment Review will submit an annual report to the Chairman of the Board of Selectmen by April 1 on the Board's actions over the past calendar year.

V. Repeal of Prior Board of Assessment Review Ordinance

Any Board of Assessment Review Ordinance creating an "old" Board of Assessment Review prior to the establishment of this Board of Assessment Review Ordinance is hereby repealed. It is the intent of this Ordinance to establish a "new" lawfully authorized Board of Assessment Review under the provisions of 30-A M.R.S.A 3001.

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