

ENROLLED SENATE
BILL NO. 684

By: Ballenger of the Senate

and

Joyner of the House

An Act relating to counties and county officers;
amending 19 O.S. 2001, Section 866.22, which relates
to the county board of adjustment; making language
gender neutral; clarifying language; modifying quorum
requirements; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 19 O.S. 2001, Section 866.22, is
amended to read as follows:

Section 866.22 The board of county commissioners of any such county shall appoint a county board of adjustment composed of five (5) members, residents of such county, two ~~(2)~~ of whom shall reside outside the corporate limits of the municipality, for a term of three (3) years, except that when the first appointment is made hereunder, the term of office of two ~~(2)~~ of said members shall be one (1) year, the term of two ~~(2)~~ of said members shall be two (2) years, and the term of office of one ~~(1)~~ of said members shall be three (3) years. A member of such county board of adjustment, once qualified, can thereafter be removed during his or her term of office only for cause and after a hearing held before the board of county commissioners. In the event of the death, resignation or removal of any such member before the expiration of his or her term, a successor shall be appointed by the board of county commissioners to serve his or her unexpired term. All members of the county board of adjustment shall serve as such without compensation.

The county board of adjustment shall elect its own ~~chairman~~ chair and shall adopt rules or procedures consistent with the provisions of ~~this act~~ Section 866.1 et seq. of this title. The ~~chairman~~ chair, or, in his or her absence, the acting ~~chairman~~ chair, may administer oaths and compel the attendance of witnesses. ~~Four~~ (4) Three members of the county board of adjustment, with both the city and the county being represented, shall constitute a quorum. All meetings of the county board of adjustment shall be open to the public and a public record shall be kept of all proceedings.

The county board of adjustment may, with the approval of the board of county commissioners, appoint such employees as may be necessary and may incur necessary expenses, within the limits of the appropriations authorized by the board of county commissioners.

For each petition and for each request for a public hearing, the county board of adjustment shall collect a fee the amount thereof to be fixed by the respective boards of county commissioners which such fees shall be deposited with the county treasurer as required by law, and credited to the general fund of the county, and report thereof made to the board of county commissioners each month. Publication notices and transcripts on appeal shall be paid for by parties requiring or requesting the same.

SECTION 2. This act shall become effective November 1, 2009.

Passed the Senate the 25th day of February, 2009.

Presiding Officer of the Senate

Passed the House of Representatives the 16th day of April, 2009.

Presiding Officer of the House
of Representatives

