



**Construction Codes Board of Adjustments and Appeals - Regular Meeting
June 16, 2026 - 6:00 PM**

City Hall
1200 E. Broad St., Mansfield, TX 76063

1. CALL MEETING TO ORDER

2. CITIZEN COMMENTS

Citizens wishing to address the Board on agenda items and items not on the agenda may do so at this time. All comments are limited to five (5) minutes.

3. DISCUSSION AND POSSIBLE ACTION

26-2402 Discussion and Consideration to Approve the Amended Rules of Procedure for the Construction Codes Board of Adjustments and Appeals

Presenters: Victor Flores, City Attorney

Attachments:

1. Amended Rules of Procedure

26-2403 Discussion and Consideration of the 2024 Codes Proposed by the International Code Council, Including Proposed City and Regional Amendments Related to the Same

Presenters: Chris Valtierra, Chief Building Official

Attachments: None

4. ADJOURN

CERTIFICATION

I certify that the above agenda was posted on the bulletin board next to the main entrance of City Hall on June 10, 2026, prior to 5:00 p.m. in accordance with Chapter 551 of the Texas Government Code.

Susana Marin, City Secretary

This building is wheelchair accessible. Disabled parking spaces are available. Request for sign interpreter services must be made 48 hours ahead of meeting to make arrangements. Call 817 473-0211 or TDD 1-800-RELAY TX, 1-800-735-2989.

CONSTRUCTION CODES BOARD OF ADJUSTMENTS AND APPEALS RULES OF PROCEDURE

**CITY OF MANSFIELD,
TEXAS**



Adopted: October 17, 2017
Revised: November 12, 2024

RULES OF PROCEDURE FOR THE CONSTRUCTION CODES BOARD OF ADJUSTMENTS AND APPEALS

CITY OF MANSFIELD, TEXAS

Adopted – November 12, 2024

City of Mansfield
1200 E Broad Street
Mansfield, Texas 76063
Tel: (817) 276-4200

Board of Adjustment

Justin Gilmore, Chair
Robert Morris, Jr., Vice-Chair
Rick Rhodes, Member
Bobby Tutor, Member
Kenneth Mott, Member
Michelle Dennis, Member
Ken McKnight, Member

Staff Liaison

Serena Smith, Chief Building Official

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ARTICLE I

Name and Authority

The name of this body is the Construction Codes Board of Adjustments and Appeals (hereinafter called “the Board”) pursuant to state and local law. The Board is authorized within the statutory guidelines contained in Sections 150.25 – 150.029 of Title XV of the Mansfield City Code of Ordinances, and shall hear appeals from building officials decisions and implement Section 150.011 “Dangerous and Substandard Structures” of the Code of Ordinances.

ARTICLE II

Membership

Membership to the Construction Codes Board of Adjustments and Appeals is by appointment made by the City Council of the City of Mansfield, Texas pursuant to Section 150.020 of Chapter 150 of Title XV of the Mansfield City Code of Ordinance. The membership of the Construction Codes Board of Adjustments and Appeals is seven (7) members, each with a two year term alternatively, such that four (4) members are appointed to a two (2) year term in one year and three (3) members are appointed to a two (2) year term in the following year. Place number shall be assigned to each member of the board. Places that are odd-numbered shall be appointed in odd-numbered years, and even-numbered places shall be appointed in even-number years. Vacancies shall be filled for an unexpired term in the same manner as the original appointments. Continued absence of any member from regular meetings of the Board shall, at discretion of the City Council, render any such member liable to immediate removal from office. In addition, the City Manager or the City Manager’s designee shall sit as an ex-officio, non-voting member of the Board.

ARTICLE III

Officers

Section A. Officers Named: The officers shall be Chair and Vice-Chair. The Board shall elect the Chair and Vice-Chair at the first meeting of a newly appointed Board pursuant to Section 150.024 of Title XV of the Code of Ordinances of the City of Mansfield.

Section B. Chair’s Duties: The Chair is the Presiding Officer and Spokesperson for the Board. The Chair may delegate Board business from time to time.

Section C. Vice-Chair’s Duties: The Vice-Chair shall serve as Chair in the absence of the Chair.

ARTICLE IV

Meetings and General Rules

Section A. Quorum Requirement: Four (4) members of the Board shall constitute a quorum for the transaction of business. In the case of an appeal to the Board involving a specific trade such as electrical, mechanical, plumbing or air- conditioning and refrigeration, at least one member of that specific trade are required to be present before any board action. A simple majority of members present shall be required to vary the application of any provision of the *International Code Council* construction codes and the *National Electrical Code*, as adopted by the City. Alternate members will be requested, by City staff, to attend meetings in place of regular members of the Board on an as-needed basis.

Section B. First Meeting of a New Board: The first meeting of a new Board shall be a joint meeting of the outgoing (old) Board and the incoming (new) Board. The outgoing Chair shall call the meeting to order and shall preside until the new chair is elected. There shall be no Agenda Items for any variance, appeal, or exception on the agenda for this meeting. The outgoing Board shall approve the minutes of all previous

meetings. The incoming Board shall adopt temporary or permanent Rules of Procedure and such rules shall take effect immediately and remain in effect until amended as outlined in **Article X - Amendments to Rules of Procedure**. Said Rules may be adopted “As Is” or adopted “As Amended” by a majority vote of members of the Board. All other amendments shall be adopted pursuant to **Article X - Amendments to Rules of Procedure**. The Agenda shall be prepared by the Secretary and shall be as follows:

1. Call to Order [Chair by outgoing Chair]
2. Certification of a Quorum [outgoing and incoming Board]
3. Approval of minutes [outgoing Board only]
4. Communications and Reports [outgoing Board only]
5. Unfinished Business [outgoing Board only]
6. Swearing In of New Board Members [incoming Board assumes duties and outgoing Board retires]
7. Introduction of incoming Board members
8. Election of Chair and Vice-Chair [incoming Board only]
9. Adoption of Rules of Procedure [incoming Board only]
10. Communications and Reports [incoming Board only]
11. General Comments from the Public [Limitations: five (5) minutes per speaker with extensions in two (2) minute increments as approved by a majority vote of the Board members present].
12. General Comments from Board members [incoming Boards]
13. Announcements (if any)
14. Adjournment

Section C. Regular Meetings: Regular meetings of the Construction Codes Board of Adjustments and Appeals shall be held at 6:00 P.M. on the second Tuesday of each month in the Multi-Purpose Room of the City of Mansfield, 1200 E. Broad Street, Mansfield, Texas.

Section D. Special Meetings: Special meetings may be called by the Staff Liaison, the Chair or any two members of the Board, of which notice shall be given in conformity with the Texas Open Meetings Act and procedures of the City of Mansfield, Texas.

Section E. Open Meetings Act: All meetings shall comply with the Texas Open Meetings Act pursuant to Chapter 551, Texas Government Code.

Section F. Adding Agenda Items: Agenda items may be added by the Staff Liaison, the Chair or any two members of the Board not later than 12:00 noon on the seventh (7th) calendar day prior to a meeting.

Section G. Sign-Up Form for Speakers: There shall be Sign-Up Forms/Cards for the purpose of permitting members of the public to address agenda items. Such forms shall be available to the public and forwarded to the Secretary and to the Chair so that such person’s names may be called by the Chair to address the Board at the appropriate time.

Section H. The Agenda: Except as provided in Section B of this Article, An Agenda shall be prepared by the Secretary for each meeting of Board.

Section I. Motions in the Affirmative: All motions on final disposition of an Agenda Item shall be in the affirmative.

Section J. Previous Question: A motion to move the Previous Question (close debate) shall be in order following a reasonable time for deliberation. Such motion shall require a second and a majority vote for passing.

Section K. Revising the Order of the Agenda During a Meeting: The order of the Agenda may be amended following Agenda Item three (3), by a simple majority vote of the Board.

Section L. Numbering Agenda Items: Each appeal or application for variation or modification or proceeding for abatement of a substandard building based on the Building Official's recommendation, filed in proper form with the required data and fees shall be numbered serially, placed on the Agenda, and shall be placed upon the calendar of the Board by the Secretary thereof. The Agenda numbers shall begin anew on January 1 of each year, and shall be hyphenated with the number of the year in which the said appeal or application is filed.

Section M. Precedents: No action of the Construction Codes Board of Adjustments and Appeals shall set a precedent. Each case shall be decided upon its merits and upon the circumstances attendant thereto.

Section N. Advice and Moot Questions: No formal requests for advice or debatable questions will be considered by the Board. Any advice, opinion or information given by any Board member or the Secretary or any other official or employee of the City of Mansfield shall not be binding on the Board.

ARTICLE V

Procedures for Appeal of Building Official Order

Section A. Method of Appeal: Each appeal to the Board from an order, decision or determination of the City Building Official or designee or application for variation shall be made in writing to the Secretary of the Board.

Section B. The Lack of a Quorum for a Variance Hearing: In the event that the Appellant, Applicant, Property Owner, Counsel, or other Agent is present at the scheduled hearing, but the Construction Codes Board of Adjustments and Appeals is lacking a quorum for the hearing, the hearing shall be rescheduled without any penalties for the appellant or applicant and no additional application fee shall be imposed.

Section C. Application for Re-Hearings: No application or appeal to the Board shall be permitted on substantially the same subject matter in reference to the same property prior to the expiration of twelve (12) months from an order of the Board. No application or appeal shall be allowed on substantially the same subject matter in reference to the same piece of property during litigation against the City of Mansfield and/or the Construction Codes Board of Adjustments and Appeals on said property.

Section D. Withdrawal of Application: Any appellant or applicant may request that his or her appeal or application be withdrawn at any time prior to a final vote or disposition by the Board. Such request shall be granted by the Board.

Section E. Disposition: In the final disposition of any appeal or application for variation or modification, the decision shall affirm, modify or reverse the refusal of a permit by, or any order or decision of the City Building Official. In case of an application for variation or modification the decision shall set forth that the application is denied or that it is granted with or without conditions. The vote of each member present on each decision shall be by record vote.

Section F. The Agenda: The Agenda of all appeals to the Board shall be as follows:

1. Call to Order [Chair]
2. Certification of a Quorum [Chair]
3. Approval of Minutes [Board]
4. Unfinished Business
5. Reading of the Standards from Section 150.025 and Section 150.026(A) of Title XV of the Code of Ordinances of the City of Mansfield, as it pertains to the Board's current agenda items.
6. New Business - Public Hearings on Agenda Item(s) for Abatement, Variance, Appeal or Exception [***Repeated and sequentially numbered for each Agenda Item considered at each meeting***].
 - a) Presentation by Applicant, Appellant, Property Owner, Counsel or other Agent [**Limitations:** Fifteen (15) minutes with extensions in five (5) minute increments as approved by a majority vote of the Board members present].
 - b) Presentation by the City [**Limitations:** Fifteen (15) minutes with extensions in five (5) minute increments as approved by a majority vote of the Board members present].
 - c) Public comments on Agenda Item [**Limitations:** Names of those desiring to comment shall come from sign-up list and shall be limited to five (5) minutes per speaker with extensions in two (2) minute increments as approved by a majority vote of the Board members present].
 - d) Rebuttal by Applicant, Appellant, Property Owner, Counsel or other Agent. [**Limitations:** five (5) minutes per speaker with extensions in two (2) minute increments as approved by a majority vote of the Board members present].
 - e) Questions by Board [**Limitations:** The Board may ask relevant questions of the Applicant, Appellant, Property Owner, Counsel or other Agent, and/or City Staff].
 - f) Consideration of, deliberation by and action on Agenda Item by the Board requires a quorum.
7. General Comments from the Public [**Limitations:** five (5) minutes per speaker with extensions in two (2) minute increments as approved by a majority vote of the Board members present].
8. General Comments from Board members
9. Announcements (if any)
10. Adjournment

ARTICLE VI

Procedures for Dangerous Building Hearing

The following procedures apply to Board hearings regarding substandard buildings.

Section A. Commencement of Proceeding: After the Building Official has found and determined that a building is a substandard building, in accordance with Mansfield's Building Regulations, Section 150.011(D) of Title XV of the Code of Ordinances of the City of Mansfield, the Building Official shall commence a public hearing before the Board to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the building.

Section B. Public Hearing to be Held: A public hearing before the Board shall be held to determine whether a building complies with the standards set out in Section 150.011(D).

Section C. Burden of Proof: At the public hearing, the owner, lienholder or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to comply with Section 150.011, and the time it will take to reasonably perform the work.

Section D. Conduct of Public Hearing: The owner, or any other interested persons, may make their appearance and be heard. The Board may receive and consider any evidence. The hearing may be adjourned from day to day or continued upon a majority vote of the Board, in compliance with the Open Meetings Act.

Section E. Order of Board Regarding Substandard Building: If the Board, by a majority vote, finds upon evidence presented at the public hearing that the building is in violation of the standards set out in Section 150.011(D), the Board may order that the building be repaired, vacated, removed or demolished, secured, or the occupants relocated, by the owner, mortgagee or lienholder within a reasonable time, as described in Section 150.011(G). The order must comply with Section 150.011(G) and be mailed to the property owner and interested parties, filed with the City Secretary, and published in a newspaper of general circulation.

Section F. The Agenda: The Agenda of all Board hearings regarding the abatement of a substandard building shall be as follows:

1. Call to Order [Chair]
2. Certification of a Quorum [Chair]
3. Approval of Minutes [Board]
4. Unfinished Business
5. Reading of the Standards from Sections 150.011, 150.025, and 150.026(A) of Title XV of the Code of Ordinances of the City of Mansfield, as it pertains to the Board's current agenda items.
6. New Business - Public Hearings on Agenda Item(s) for the Repair, Vacation, Relocation of Occupants, Removal, Demolition or Securing of Building
[Repeated and sequentially numbered for each Agenda Item considered at each meeting].
 - a) Presentation by Building Official: The building official has the burden of proof to show that the building is substandard or dangerous].
 - b) Presentation by the Property Owner, Mortgagee or Lienholder, or Interested Party.
 - c) Public comments on Agenda Item [**Limitations:** Names of those desiring to comment shall come from sign-up list and shall be limited to five (5) minutes per speaker with extensions in two (2) minute increments as approved by a majority vote of the Board members present].
 - d) Rebuttal by Building Official or City Staff.
 - e) Questions by Board: The Board may ask relevant questions of the Building Official, Property Owner, Mortgagee or Lienholder, Interested Person, Counsel or other Agent, and/or City Staff].
 - f) Consideration of, deliberation by and action on Agenda Item by the Board requires a quorum.
7. General Comments from Board members
8. Announcements (if any)
9. Adjournment

ARTICLE VII

Procedures for Assessment of a Civil Penalty

Section A. Civil Penalty Authorized: The Board may, by order, at an administrative hearing assess a civil penalty against a property owner for failure to comply with an order issued by the Board pursuant to Section 150.011(G) of Title XV of the Code of Ordinances of the City of Mansfield

Section B. Showing Required: A civil penalty may be assessed if it shown at the administrative hearing that: (1) the property owner was notified of the contents of the order pursuant to 150.011(G); and (2) the property owner committed an act in violation of the order or failed to take an action necessary for compliance with the order.

Section C. Amount of Penalty: The Board may assess a civil penalty in an amount not to exceed \$1,000.00 a day for each violation or, if the owner shows that the property is the owner's lawful homestead, in an amount not to exceed \$10.00 a day for each violation.

Section D. The Agenda: The Agenda of administrative hearings to assess a civil penalty shall be as follows:

1. Call to Order [Chair]
2. Certification of a Quorum [Chair]
3. Approval of Minutes [Board]
4. Unfinished Business
5. Reading of the Standards from Sections 150.011 of Title XV of the Code of Ordinances of the City of Mansfield, as it pertains to the Board's current agenda items.
6. New Business - Public Hearings on Agenda Item(s) for the Assessment of a Civil Penalty [*Repeated and sequentially numbered for each Agenda Item considered at each meeting*].
 - a) Presentation by Building Official.
 - b) Presentation by the Property Owner.
 - c) Public comments on Agenda Item [**Limitations:** Names of those desiring to comment shall come from sign-up list and shall be limited to five (5) minutes per speaker with extensions in two (2) minute increments as approved by a majority vote of the Board members present].
 - d) Rebuttal by Building Official or City Staff.
 - e) Questions by Board [The Board may ask relevant questions of the Building Official, Property Owner, Counsel or other Agent, and/or City Staff].
 - f) Consideration of, deliberation by and action on Agenda Item by the Board requires a quorum.
7. General Comments from Board members
8. Announcements (if any)
9. Adjournment

ARTICLE VIII

Definitions

Appeal: A process to permit a request for relief through application by a person aggrieved by a decision of the City Building Official pursuant to Mansfield's Building Regulations Section 150.026(A) of Title XV of the Code of Ordinances of the City of Mansfield.

Appellant: A person aggrieved by a decision made by the City Building Official affected by the decision, who appeals in person or through his designated representative for relief to the Construction Codes Board of Adjustments and Appeals.

Applicant: A person who requests in person or through his designated representative, either a special exception to the terms of Mansfield's Building Regulations or a request for a variance from the terms of Mansfield's Building Regulations.

Application: An appeal or a request for a variance or a special exception in writing specifying the grounds for an appeal contained in a standardized form issued by the City Building Official.

Building Official: The person designated by the City Manager to enforce Chapter 150 of Title XV of the Code of Ordinances of the City of Mansfield.

Construction Codes Board of Adjustments and Appeals: A public and quasi-judicial body charged with the duty to hear and determine special exceptions and variances pursuant to Section 150.026(A) of Title XV of the Code of Ordinances of the City of Mansfield. The board also rules on cases and can order the repair or demolition of a structure at the owner's expense pursuant to Section 150.025 of Title XV of the Code of Ordinances of the City of Mansfield.

Staff Liaison: The city staff member appointed by the City Manager of the City of Mansfield to assist the Construction Codes Board of Adjustments and Appeals.

ARTICLE IX

Civil and Parliamentary Authority

Section A. Construction of Authority: The construction of authority in all matters associated with the Construction Codes Board of Adjustments and Appeals, including the Agenda, shall be: **1)** the Constitution and statutes of the United States of America; **2)** the Constitution and statutes of the State of Texas; **3)** the Charter of the City of Mansfield; **4)** the Code of Ordinances of the City of Mansfield; **5)** these Rules of Procedure; and **6)** Robert's Rules of Order, Newly Revised.

Section B. Reference to State and Local Statutes: The conduct and scope of activity of the Construction Codes Board of Adjustments and Appeals is governed by and subject to State and local laws including, but not limited to, Chapters 54 and 214, Texas Local Government Code, Chapters 551 and 552, Texas Government Code, the Charter of the City of Mansfield, Texas, and Chapter 150.00 of the City of Mansfield Code of Ordinances.

Section C. Parliamentary Authority: The Rules contained in the most recent edition of Robert's Rules of Order, Newly Revised shall govern the Construction Codes Board of Adjustments and Appeals in all cases in which they are applicable and not inconsistent with a superior authority.

ARTICLE X

Amendments and Certification to Rules of Procedure

Section A. Amendments by Existing Board: These Rules of Procedure may be amended by a majority vote of the entire Construction Codes Board of Adjustments and Appeals provided previous notice is given at one meeting in advance of any such consideration, and further provided, that an amendment to bring these Rules of Procedure in compliance with a superior statute, rule, procedure or other authority may be considered without previous notice.

Section B. Annual Review: These Rules of Procedure shall be reviewed not less frequently than annually. The adoption of these Rules of Procedure by a New Board shall not constitute such review.

Section C. Certified Copy: A certified copy of these Rules of Procedure and of any amendments thereto will be placed on record in the office of the City Secretary within ten (10) days following their date of adoption.

ADOPTION OF RULES OF PROCEDURE

Adopted, as amended by the Construction Codes Board of Adjustments and Appeals of the City of Mansfield on the _____th day of November, 2024.

Attest:

Justin Gilmore, Chair

Filed in the Office of the City Secretary this _____ day of _____, 2024.

Susana Marin, City Secretary
City of Mansfield, Texas

CONSTRUCTION CODES BOARD OF ADJUSTMENT AND APPEALS RULES OF PROCEDURES

SUMMARY OF MOTIONS

To Do This:¹	You Say This:	May you Interrupt Speaker?	Must be Seconded?	Is the Motion Debatable?	Is the Motion Amendable?	What Vote is Required?
Adjourn the meeting	I move that we adjourn.	No	Yes	No	No	Majority vote
Recess the meeting	I move that we recess until...	No	Yes	No	Yes	Majority vote
Complain about noise, condition of room	Point of privilege	Yes only if emergency	No	No	No	No vote required
End debate	I move the previous question	No	Yes	No	No	2/3 vote
Postpone consideration of something	I move we postpone this matter until a date certain	No	Yes	Yes	Yes	Majority vote
Amend a motion	I move that this motion be amended by...	No	Yes	Yes	Yes	Majority vote
Introduce business (a main motion to approve)	I move that we approve...	No	Yes	Yes	Yes	Majority vote
Introduce business (a main motion to deny)	I move we deny...(motion must be in the affirmative. The motion, "I move that we not approve..." is inappropriate)	No	Yes	Yes	Yes	Majority vote
Introduce business (a main motion on any business other than appeals)	I move that we approve (or deny)... (motion must be in the affirmative. The motion, "I move that we not approve..." is inappropriate)	No	Yes	Yes	Yes	Majority vote
Object to procedure or to a personal affront	Point of order	Yes	No	No	No	No vote required, Chair rules
Request Information	Point of Information about...	Yes only if urgent	No	No	No	No vote required
Object to considering of an improper matter	I object to consideration of this question	Yes	No	No	No	Majority vote
Consider something out of its scheduled order	I move we suspend the rules and consider...	No	Yes	No	No	2/3 vote
Vote on a ruling by the Chair	I appeal the Chair's decision	Yes	Yes	Yes	No	2/3 vote

¹ The motions, points and proposals listed above have no established order of precedence. Any of them may be introduced at any time-except when considering a motion to adjourn, motion to recess or point of privilege.