

VIRGINIA BEACH BOARD OF BUILDING CODE APPEALS

Meeting/Hearing Rules and Procedures

ADOPTED: September 18, 2025

I. Rules for Speaking

1. Each person appearing before the Board is requested to state their name and address at the beginning of their presentation.
2. All comments shall be directed to the Board or the Chair of the Board.
3. The Board may request that Appellant and other speakers not be repetitive or redundant in their comments.
4. No “running” debates between the parties and Board Members or the parties and other speakers will be permitted by the Chair.
5. All Appellants and other speakers are to address the matter under appeal. Applicants and other speakers will not be permitted to (1) engage in personal attacks against any person or entity, (2) use profanity or vulgar language, (3) campaign for public office, or (4) promote private business ventures. The Chair shall declare the speaker out of order for failure to conform to these rules, and the speaker shall immediately yield the floor.
6. In accordance with the Bylaws, the Chair shall preserve decorum and order and shall decide all questions of order, subject to appeal to the Board. If any Board Member transgresses the rules of the Board, the Chair shall, or any member may, call him or her to order, in which case, the member shall yield the floor, unless permitted to explain. No Board member shall personally attack, malign, or impugn the character or integrity of citizens who come before the Board, or of another Board Member or City staff. Any Board Member engaging in such conduct shall be declared out of order by the Chair and directed to cease such conduct immediately.

7. No Board Member shall interrupt another Board Member or a speaker except to raise a point of order.
8. No sidebar conversations concerning the substance of an appeal are permitted amongst Board Members while an appeal is before the Board.

II. Order of Presentation

1. The appellant, the appellant's representative, the City's representative, and any person whose interests are affected by the City's official's decision in question shall be given an opportunity to be heard. The applicant shall be given an opportunity for final rebuttal.
2. If multiple parties are present to testify, each party will be allowed to present their case for a single, reasonable amount of time as called upon by the Chair. Clarification may be requested by members of the Board.
3. When a Board Member wishes to question another Board Member, the Appellant, or other speaker, they must be recognized by the Chair. The Chair may choose to recognize each Board Member in turn. When questions are raised, the Chair may answer or designate someone to answer.
4. No Board Member will be permitted to speak more than twice upon a single appeal. His limitation shall not apply to questions by Board Members.

III. Rules for Closed Meetings

1. It is the Board's policy to make every reasonable effort to hold all discussions in public whenever possible, and to refrain from closed discussions unless necessary. No member of the Board, nor any other person in attendance at a closed meeting, shall violate the confidentiality of matters discussed in closed meeting. The Chair shall strictly enforce the rules regarding closed meetings.

2. The Board shall not take any action in Closed Meetings.
3. All motions to convene closed meetings, contents of closed meetings, and certifications of closed meetings shall conform to the Virginia Freedom of Information Act.

IV. Conclusion

1. Any provision of these rules may be temporarily suspended at any meeting of the Board by an affirmative vote of two-thirds of the members of the Board.
2. These rules may be amended, or new rules may be adopted, by an affirmative vote of majority of the Board. Any such alterations or amendments shall be submitted at a regular meeting and shall then be placed on the docket under the order of New Business for consideration at the next regular meeting thereafter. This requirement shall be waived only by unanimous consent, with a recorded vote of all members.

These rules supplement and do not supersede the Bylaws or city ordinances.