

ORDINANCE AMENDING AND RE-ENACTING SECTION  
10-3-138 OF THE CODE OF ORDINANCES  
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of  
Harrisonburg, Virginia:**

**That Section 10-3-138. - Procedure on applications and appeals is amended as shown:**

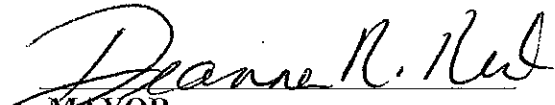
(c) Filing fees:

- (1) All persons, firms or corporations appealing to the board of zoning appeals shall be required to pay, at the time the application is submitted, ~~two hundred seventy-five dollars (\$275.00)~~ three hundred dollars (\$300.00) per request for expenses relative thereto.
- (2) All persons, firms or corporations applying for variances under the provisions of this chapter or applying for an amendment of a variance already approved shall be required to pay, at the time the application is submitted, ~~two hundred seventy-five dollars (\$275.00)~~ three hundred dollars (\$300.00) per request for expenses relative thereto.
- (3) The payment of such money in advance to the office of the administrator as specified shall be deemed a condition precedent to the consideration of such appeal, variance request or requested amendment to a variance already approved.

- (d) Hearing and decision. ~~The board shall, within thirty (30) days, fix a time and date for the hearing of the requested variance or appeal, give public notice thereof as required by law, as well as due notice to the parties in interest, and decide the same within thirty (30) days after the hearing date. The board shall fix a reasonable time for the hearing of an application or appeal, give public notice thereof as well as due notice to the parties in interest and make its decision within ninety days of the filing of the application or appeal.~~ Upon the hearing any party may appear in person, or by agent, or by attorney. In exercising its powers, the board may, in conformity with the provisions of this chapter, reverse or affirm, wholly or partly, or may modify, any order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of a majority of the members of the board shall be necessary to reverse any order, requirement, decision or determination of the administrative officer or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to effect any variance from this chapter.

The remainder of Section 10-3-138 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the 26 day of June, 2018. Adopted and approved this 26 day of June, 2018.

  
MAYOR

ATTESTE:

  
DEPUTY CITY CLERK