

**CITY OF MARSHALL**  
**Zoning Board of Appeals**  
**CHAPTER 92: Health & Sanitation: Nuisance**  
**APPEALS APPLICATION**

**Fee: \$25.00**

**FOR OFFICE USE ONLY:**

Date owner received notice: \_\_\_\_\_ Fee Paid: \_\_\_\_\_

Date appeals application was filed: \_\_\_\_\_

Name of Person Who Received Notice: \_\_\_\_\_

Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Subject Property Address: \_\_\_\_\_ Marshall, MI 49068

Are you the owner?      Yes       No       (If not, please attach owner's permission to seek the appeal)

Briefly explain why an appeal is requested: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Additional paper may be attached if necessary.

**§ 92.07 APPEALS; HEARING**

**(a) Time period for filing appeal.** Any person served with a notice to abate may make an appeal by completing and submitting to the City Clerk a claim of appeal form within ten (10) days of the service of the notice or order being appealed.

**(b) Appeal Fee.** An appeal fee in an amount determined by resolution of the City Council shall be submitted with any claim of appeal.

**(c) Procedure Prior to Hearing.** Upon receipt of a completed claim of appeal and appeal fee, the City Clerk shall forward copies of the claim of appeal and a copy of the notice appealed from to members of the Appeal Board. The clerk shall schedule a hearing to be held within two weeks of the filing of the Appeal. The clerk shall serve notice of the hearing to Appeal Board members, the Enforcement Officer and to the person filing the Appeal. Notice to the person filing the Appeal shall be by first class mail to the address provided on the Claim of Appeal form.

**(d) Hearing Procedures.** The Appeal Board shall provide the Appellant and the Enforcement Officer not less than twenty (20) minutes each to present testimony or other evidence in support of their respective positions. The Appeal Board shall, upon a de novo review, affirm, modify or reverse the notice being appealed any may, upon good cause, order a refund of the appeal fee to the appellant. The board's specific findings and determinations shall be preserved by the City Clerk or its designated representative. If the Board affirms the Enforcement Officer's determination, in whole or in part, the Appellant shall comply with the decision of the Board within ten (10) days of the hearing or by an alternate date if the Board directs. Failure to comply with the Board's decision shall be a violation of this code and the Enforcement Officer shall abate the nuisance in accordance with the decision of the Appeal Board and costs shall be assessed in accordance with Section 92.06.

**(e) Appeals to Circuit Court.** The decision of the Appeal Board is appealable by right to the Circuit Court.