

Official Notice

The Board may take “official notice” of certain facts which are outside the record of the case being heard by the Board. Official notice is the counterpart in administrative proceedings to judicial notice. Official notice refers to the Board, in conducting a hearing or in framing a decision, recognizing the existence and truth of certain facts relevant to the case before the Board for decision without the production of evidence. These are facts which from their nature are not properly the subject of testimony, or which are universally regarded as established by common notoriety. Some examples are Board decisions, federal and state laws, historical events, the street layout of a town, main geographical features, the time of sunrise and sunset.