

Chapter 15.12
BOARD OF APPEALS

LATE DISTRIBUTION

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15.12.010 Established.

In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of this code, there is created a board of appeals.

15.12.020 Powers and Duties.

The board of appeals shall:

- A. Elect a chairman by majority vote of the board at the first meeting held in each year;
- B. Hear and determine appeals from the rulings of the building official concerning any of the codes adopted by the ordinance codified in this title;
- C. Have the authority to approve the use of any material or method of construction not specifically prescribed by this code, provided that the proposed design is satisfactory and that the material or method of work offered is for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Each approval of the use of an alternate material or method of construction shall be singular and shall not be applied as a modification of the regulations of this code;
- D. Adopt reasonable rules and regulations for conducting its hearings and meetings; the rules shall be called the bylaws of the building division board of appeals;
- E. In connection with hearing appeals from the rulings of the building official, the board shall render all findings of facts and decisions in writing. A copy of each of such findings and decisions shall be sent to the building official, the board of supervisors and the appellant;
- F. The decisions of the board of appeals may be appealed to the board of supervisors within ten (10) days. The review by the board of supervisors of a decision of the board of appeals shall be based solely upon the administrative record as presented before the board of appeals. The review of the board of supervisors shall be limited to whether the findings of the board of appeals are supported by the evidence. The decisions of the board of supervisors shall be final;
- G. Recommend to the board of supervisors any new legislation necessary or any change to existing regulations it deems necessary.

15.12.030 Composition and Appointment of Members.

- A. The board of appeals shall consist of seven (7) members, not officials or employees of the county, five (5) of whom are qualified by experience and training to pass upon matters pertaining to building construction and two (2) members from the community at large. Seven (7) members of the board of appeals shall be appointed by the board of supervisors.
- B. Any member of the board of appeals shall have the right to call for assistance from any advisors he chooses at no cost to the county.
- C. The terms of the appeals board members shall be for three (3) years unless removed pursuant to section 15.12.050.

15.12.040 Ex Officio Members.

The building official shall serve as ex officio member of the board of appeals and shall act as secretary to the board.

15.12.050 Removal of Members.

- A. Each member of the board of appeals shall serve at the will of the board of supervisors and may be removed without cause by majority vote of the board of supervisors.
- B. In the event a member is removed, a new member of the board of appeals shall be appointed by the board of supervisors within forty-five (45) days.

15.12.060 Meetings.

Meetings of the board of appeals shall be called as necessary by the chairman or the building official, but in no event shall the board meet less than once each year for election of officers and other such business as may be introduced by the members.

15.12.070 Expenses of Members--Traveling Expense.

All members of the board of appeals shall serve without compensation, except as is provided for by county policy.

15.12.080 Method of Appeals.

- A. Appeals shall be made and conducted as provided in chapter 12 of the Uniform Housing Code, 1985 edition.

- B. Appeals from decisions of the building official shall be in writing on forms provided by the building division.
- C. Each separate appeal shall be accompanied by a fee of fifty dollars (\$50) which shall be deposited into the general fund.
- D. The board of appeals shall hear the appeal within ten (10) working days after application has been filed with the building official and shall render their findings to the appellant in writing within five (5) days after the hearing.