

BUILDING BOARD OF APPEALS APPLICATION INSTRUCTIONS

Applicant:

Attached is an application for appointment to the City of Ukiah Building Board of Appeals. Please review the application questions carefully, and feel free to list answers to the questions on an additional sheet of paper. An application filled out incorrectly or incomplete could be basis for denial. Applications submitted after the submittal deadline will not be accepted.

A person is qualified to serve on the Board if he or she satisfies any of the following qualifications: 1) A registered design professional in good standing with the applicable licensing board with not less than five years of experience as a registered design professional; 2) Licensed general or specialty contractor in good standing with the Contractors State Licensing Board with not less than five years of experience as a licensed contractor; 3) A certified building inspector or fire inspector with not less than five years experience as a certified inspector. Members must be residents of or licensed to conduct business in the Ukiah Valley, Redwood Valley or Potter Valley.

The Board is appointed by the City Council and shall consist of members who are qualified by experience and training to pass on matters within the Board's jurisdiction but who are not City employees. The Appeals Board was created in order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Appeals to the Board are limited to a claim that the true intent of the code or the rules legally adopted there under have been incorrectly interpreted, the provisions of the code do not fully apply or an equally good or better form of construction is proposed. The Board shall have no authority to waive requirements of the Building Codes.

The Building Appeals Board shall meet as needed. Terms of office are one, two or three year staggered terms determined by the City Council.

Appointments will be considered and decided on at a regular City Council meeting.

CITY OF UKIAH
BUILDING APPEALS BOARD APPLICATION FOR APPOINTMENT

A. General Information

Full Name		Date	
Residence Address (Physical Address, not PO)			
Mailing Address (if different from above)			
Home Phone	()	Work Phone	()
Email	@	Cell Phone	()
Employer			
Business Address			
Job Title/Position		Employed Since	
How long have you resided in:	Ukiah?	Mendocino County?	California?
Please list community groups or organizations you are affiliated with and list any offices held. List all Certifications and Licenses.			

B. Please answer the following on a separate sheet(s) of paper and attach.

1. Do you consider yourself qualified to interpret the California Building Codes?
2. Can you remain fair, impartial and objective in your rulings on the Board?
3. Can you convene board meetings during the weekdays?
4. What is your understanding of the purpose, role and responsibility of the Appeals Board?
5. List your qualifications according to the instruction sheet.
6. How do you believe your own skills, experience, expertise and perspectives will be beneficial to the work of the Appeals Board?
7. Are there any other City of Ukiah Committees/Commissions in which you are interested and on which you would be willing to serve?

Signature of Applicant

Date

Thank you for your interest in serving your community and the City of Ukiah.

Please return this application and attachments to the City Clerk's office at 300 Seminary Avenue, Ukiah, CA 95482. If you have any questions, please contact the City Clerk's office at (707) 463-6217.

RESOLUTION NO. 2010- 29

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UKIAH
ADOPTING RULES FOR THE BOARD OF APPEALS REQUIRED BY
CALIFORNIA BUILDING CODE SECTION 112.**

WHEREAS,

1. California Building Code Section 112, as adopted in the City of Ukiah, by Ukiah City Code Section 3000, establishes a Board of Appeals (“Board”) to hear and decide appeals of orders, decisions or determinations by the building official; and

2. Appeals to the Board are limited to a claim that the true intent of the code or the rules legally adopted there under have been incorrectly interpreted, the provisions of the code do not fully apply or an equally good or better form of construction is proposed; and

3. The Board is to be appointed by the City Council; and

4. The Board shall consist of members who are qualified by experience and training to pass on matters within the Board’s jurisdiction but who are not City employees; and

5. The City Council must establish the number of members on the Board, their terms of office, the procedure for appointment and the conduct of its business;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Composition of Board:

a. Number: The Board shall consist of five members and three alternates. The building official shall be an *ex officio* member of the Board.

b. Qualifications: A person is qualified to serve on the Board, if he or she satisfies any of the following qualifications: (1) A registered design professional in good standing with the applicable licensing board with not less than five years of experience as a registered design professional; (2) Licensed general or specialty contractor in good standing with the Contractors State Licensing Board with not less than five years of experience as a licensed contractor; (3) a certified building inspector or fire inspector with not less than five years experience as a certified inspector. Members must be residents of or licensed to conduct business in the Ukiah Valley, Redwood Valley or Potter Valley.

c. Disqualifications: A member shall not hear an appeal in which he or she has a personal, professional or financial interest or a conflict of interest under the Fair Political Practices Act. A disqualified Board member shall declare his or her disqualification to the building official who shall arrange for a qualified alternate to serve in place of the disqualified member and shall make the disqualification part of the hearing record.

d. Term of Office: To establish staggered terms, the first members appointed to the Board shall have a one, two or three year term of office to be determined by the City Council at the time of their appointment. Thereafter, all members shall have three year terms of office. There is no limit on the number of terms a member can serve.

e. Method of Appointment: Not less than ten days prior to the deadline for filing applications, the City Clerk shall advertise for vacancies on the Board by sending notice to the North Coast Builders' Exchange, local contractors, engineers, architects, and building inspectors. Timely applications will be presented to the City Council at its next regular meeting following the application deadline. The City Council shall appoint the members from the applications, using its standard procedure for City board and commission appointments.

f. Chairperson and secretary: The Board shall annually select one of its members to serve as chairperson. The chairperson shall preside at the meeting and shall be entitled to the same voting rights as other members of the Board. The City Manager shall assign a recording secretary for each appeal from among City staff. The secretary shall maintain a record of all proceedings related to the appeal, including an audio recording of the hearing.

2. Applications for an Appeal:

The application for appeal shall be filed on a form obtained from the building official within 20 days of the order or determination appealed. The right to appeal is waived if the application is not filed within this time period.

3. Rules and procedures:

a. Board authority to adopt rules. The Board is authorized to establish policies and procedures necessary to carry out its duties which are not in conflict with this resolution and the California Building Code. The Board shall adopt any necessary rules under which its hearings will be conducted. The building official shall make any such rules adopted by the Board available to any member of the public requesting them and to each person who files a timely application for appeal. The rules shall provide that any evidence relied upon by reasonable people in the conduct of serious affairs and which is relevant to the subject matter of the appeal shall be received by the Board during the hearing.

b. Board member shall not be compensated. Board members shall not be entitled to compensation for their service.

c. Meetings:

1. Board meetings shall be open meetings of a legislative body under the Ralph M. Brown Act and shall be noticed in accordance with the Act.

2. Unless continued for good cause, hearings shall be conducted within 10 days after an application for an appeal is filed with the building official.

d. Board decision: The decision of the Board shall be in writing and include any material factual determinations and the reasons for the decision. The decision shall be effective immediately upon its adoption by the Board. A copy of the decision shall be mailed, faxed or emailed to the person who filed the appeal and to the building official who shall take immediate action in accordance with the decision of the Board.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ukiah on the 21st day of July, 2010, by the following vote:

AYES: Councilmembers Landis, Crane, Rodin, Baldwin, and Mayor Thomas

NOES: None

ABSENT None

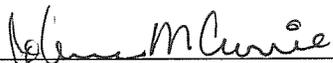
ABSTAIN None

APPROVED:



Benj Thomas Mayor

ATTEST:



JoAnne M. Currie, City Clerk