

BUILDING AND ACCESSIBILITY STANDARDS BOARD OF APPEALS

Ord. 1861, 1919, 1933, 2331, 2382, 2396 (2158 & Res. 04-517 – Hearing Officers)

		<u>Appointed</u>	<u>4 year Terms</u>
<u>District I Appointment</u>			
Doug Brannon	Reappt. Appt.	7/08/14 1/08/13	7/01/18
<u>District II Appointment</u>			
Andrew Pawlowski	Appt.	9/29/15	7/01/18
<u>District III Appointment</u>			
Jonathan Keehn	Reappt. Appt.	10/12/16 1/11/11	7/01/20
<u>District IV Appointment</u>			
John Payne (Vice-Chair)	Reappt. Appt.	10/12/16 10/23/12	7/01/20
<u>District V Appointment</u>			
Charles Faber	Appt.	1/12/16	7/01/20
<u>Members at Large</u>			
Ana Acton	Appt.	12/08/15	7/01/19
David A. Middleton	Appt.	9/13/16	7/01/20
<u>Ex-Officio & Secretary for Building Standards Board of Appeals</u>			
Craig Griesbach, Chief Building Official, Building Department (530) 265-1583			
<u>Ex-Officio, Non-voting Member & Secretary for Appeals of the UFC</u>			
Brad Harris, CDF Unit Chief/Nev. Co. Fire Marshall Department of Forestry & Fire Protection		6/1/06	

The Board shall hear and decide appeals of discretionary orders, decisions or determinations made by the Building Official relative to the application and interpretation of the provisions of the technical codes.

The Board may also rule on appeals of discretionary orders, decisions or determinations made by the Building Official relative to the application and interpretation of State mandated energy regulations contained in Title 24, California Code of Regulations and requirements of the Historical Building Code; and appeals resulting from the enforcement of the Health and Safety Code Sections 19955, et seq.

The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant. The Board may recommend new legislation or comment on proposed legislation relating to building construction to the Board of Supervisors.

The Board shall have no authority relative to interpretation of the administrative provisions of this code nor shall it be empowered to waive any requirements of this code or the technical codes.

The Board of Appeals may consider and authorize substitutions of materials, alternate methods, and types of construction to those specified in Chapter V of the Nevada County Land Use and development Code, provided that the material, method, or work offered is, for the purpose intended, at least the equivalent of that specified in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation. The Board shall require sufficient evidence or proof be submitted to substantiate claims of equivalency and may require tests as proof of compliance.

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The Building Standards Board of Appeals shall hear Limited Density Owner-Built Rural Dwelling appeals. (Ord. 2331)

At its meeting of January 6, 2004, the Board of Supervisors ratified BSBOA Res. BA 98-1, adopting amended rules of conduct of investigations and business of the BSBOA for Nevada County.

The Board shall consist of seven (7) members who are qualified by experience and training to pass on matters pertaining to building construction, building service equipment and grading. In addition, each Supervisor is entitled to appoint one member who will serve at the pleasure of that Supervisor. The remaining two members of the Appeals Board shall be persons with disabilities who are qualified by experience and training to pass on matters pertaining to the California Disabled Access Regulations and will be appointed by a majority of the County Board of Supervisors. Said Board members may not be employees of the County of Nevada. Four year terms for members were set at the August 17, 2004 Board of Supervisors meeting. All members may be selected from the County at large without regard for Supervisorial District.

The Chief Building Inspector shall be an ex-officio member and serve as secretary to the Board but shall have no vote upon any matter before the Board.

The Building and Accessibility Standards Board of Appeals shall hold regular meetings on the 2nd Wednesday of the month in the months of January and July at 9:00 AM at the Eric Rood Administrative Center, 950 Maidu Ave, Nevada City, California 95959.

NOTE: REGARDING BUILDING STANDARDS BOARD OF APPEALS APPEAL

PROCESS: Appellant must first request action from the Building Department. Once action is taken, the Appellant has a reasonable amount of time to file an appeal with the Building Department (reasonable amount of time has not been set). The Building Department has the form and the cost is in the CDA Fee Resolution. As of 2012, it is \$202.28. Once filed, the BSBOA has 30 days to conduct the hearing. Right now, notice has to be published 10 days prior to the hearing and notification has to be given to the Appellant. The Building Department sets the hearing and prepares the notices. The appeals Board has ten days from the appeal hearing to take official action. The Board's decision shall be in writing to the appellant, with a duplicate copy to the Chief Building Inspector and shall contain findings of fact, a determination of the issues presented, the requirements to be compiled with and the effective date of the decision.

Mileage Paid.

MEMBERS MUST FILE A FINANCIAL DISCLOSURE STATEMENT PURSUANT TO ORDINANCE 2425.