

12.12.010 Appeals to Building and Fire Code Appeals Board.

Any property owner or other person aggrieved, or any person whose interests are adversely affected by any of the following acts or determinations of the Building Official or of any other employee charged with the administration and enforcement of the provisions of Chapter 12.10 may appeal the act or determination as hereunder provided to the Building and Fire Code Appeals Board created by Chapter 2.100 of this Code:

(a) Determinations of the suitability of alternate building materials and methods of construction for use in this County.

(b) Interpretations of the provisions of the Uniform Codes adopted by Chapter 12.10 of the Santa Cruz County Code.

(c) Actions taken in the enforcement of the requirements of Sections 19955, et seq., of the Health and Safety Code relating to access to public accommodations by persons with disabilities.

The Building and Fire Code Appeals Board shall have no authority to amend, waive, or otherwise modify the requirements of this title or of the Uniform Codes adopted under this title. (Ord. 4389A, 4/2/96) (Ord. 2281, 4/20/76; Ord. 2368, 12/7/76; 4202, 6/2/92; 4353, 2/14/95)

12.12.020 Notice of Appeal.

(a) Appeals to the Building Appeals Board shall be taken by filing a written Notice of Appeal with the Building Official within fourteen calendar days after the day on which the act or determination appealed from was made.

(b) In computing the time within which the Notice of Appeal shall be filed, the day on which the act was taken or determination was made shall be excluded.

(c) The filing fee established by Resolution of the Board of Supervisors shall accompany the Notice of Appeal. (Ord. 2281, 4/20/76; Ord. 2551, 4/18/78; 4500-C, 8/4/98)

12.12.030 Effect of filing Notice.

Filing of the Notice of Appeal shall have the effect of staying the issuance of any permit or other action taken by the Building Official provided for by the terms of this title until such time as the matter is disposed of on appeal. (Ord. 2281, 4/20/76)

12.12.040 Contents of Notice.

The Notice of Appeal shall state the act of determination appealed from the identity of the appellant and his interest in the matter, a brief statement in ordinary and concise language of the relief sought and the reasons that it is claimed that the protested act or determination should be reversed, modified, or otherwise set

aside, and the signature of all appellants and their official mailing addresses. (Ord. 2281, 4/20/76)

12.12.050 Setting for hearing.

Upon receipt of the Notice of Appeal, the Building Inspection Chief of the Planning Department shall set the matter for hearing before the Building Appeals Board not later than 30 days following the date on which the Notice was filed. Written notice of the time and place set for hearing the appeal shall be given by the Building Inspection Chief to the appellant, and the officer whose act or determination is appealed from, at least ten days prior to the hearing. Further notice shall be given in the same manner as required for the original action appealed from. The department or officer involved in the appeal shall transmit to the Building Appeals Board all records related to the appeal and shall, upon request, furnish such additional information relative to the proceedings as may be requested by the Building Appeals Board. (Ord. 2281, 4/20/76)

12.12.060 Action on appeals by Building Appeals Board.

At the time set for the hearing, the Building Appeals Board shall review the relevant documents to determine whether the appellant has properly presented a matter for consideration by the Board. If the board determines that the request for hearing is proper, the Board shall proceed with the hearing and take such action on the appeal as it determines appropriate. The Board shall render a final decision on all appeals within 60 days of receiving the appeal. (Ord. 2281, 4/20/76)

12.12.070 Appeals under the Uniform Code for the Abatement of Dangerous Buildings.

Notwithstanding any of the foregoing provisions of this Chapter, appeals of any notice or order issued under the Uniform Code for the Abatement of Dangerous Buildings shall be processed in accordance with the provisions of the Uniform Code for the Abatement of Dangerous Buildings.

12.12.080 Appeals to Board of Supervisors.

Any property owner or other person aggrieved, or any person whose interests are adversely affected by any act or determination of the Building Appeals Board may appeal the act or determination to the Board of Supervisors in accordance with Sections 18.10.340 through 18.10.350 of the Santa Cruz County Code in the same manner as provided for appeals from acts or determinations of the Planning Commission under Chapter 18.10 of the County Code. For this purpose the procedure therein set forth is incorporated herein and made a part of this Chapter. (Ord. 2281, 4/20/76)

