

November 25, 2008 Board of Supervisors Meeting

Re: Consent Item 9.1 deferred to Regular Agenda as Item 39 – A County strategy to further defy State Statutes and Remove California Building Code Section 108.8 completely to deny appeal hearings from citizens having adversarial, unlawful and abusive treatment from the County

Protest speech by Gordon Stewart to the Santa Cruz County Board of Supervisors: Chair, Ellen Pirie, Jan Beautz, Tony Campos, Neil Coonerty, Mark Stone with County Counsel in attendance and various Planning Dept. staff.

"My name is Gordon Stewart. I live in Boulder Creek. I am speaking for the people of Alliance for Change and the people of this County. California code of regulations Title 24, that is, the California Building Standards Code adopts by amendment the International Building Code **with** California amendments. The IBC is not the law in California. **The California Building Standards Code is the law in California.** Amendments to the California codes **must meet certain criteria** before they can be enforced. The Preface to the CBSC, part 2, page 3, 2006 edition, which is the latest edition, illiterates, and that word for you that don't know, means, 'dumbs down'.

An overview of these criteria in that preface follows:

First, all regulations and standards take effect after 180 days past publication of the latest tri-annual publication of the CBC except where amended by special interim processes.

Second, all amendments must be filed with the California Building Standards Commission for processing and do not become effective sooner than the effective date of CBSC publication.

Third, no local standards previously adopted or otherwise, shall take effect without appropriate adoption and the required filing.

The Santa Cruz County Board of Supervisors and Planning Commission have and are in violation of California statutes by passing various local modifications to the CBC and enforcing those changes under local ordinances. Currently the Board and Commission are attempting to continue an unlawful scheme in complete disregard of the appeals board requirements. Not only is this in contempt of due process, but it is also in violation of the CBSC and the laws of the state by undermining its legislative powers. This County is also in violation of California penal code and I have given you citations on that in previous lectures to you. By instituting fines and penalties that have not met appropriate protocols for adoption, those fines and penalties must be approved by the legislative process before implementation. Punishment for infractions, misdemeanors, and felonies must all be in conformity with the Bill of Rights and California laws.....We have the right to an appeals board as established by the Commission, not your criteria."