COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

3015 H Street • Eureka CA 95501
Phone: (707) 445-7245

County of Humboldt
Notice of Appeal Form
Board of Building Code Appeals

PURPOSE: This form is used to file an appeal to the County of Humboldt Board of Building Code Appeals ("Board", consisting of members of the Planning Commission pursuant to Humboldt County Code 331-11 (a)(2)) regarding a decision, notice, or order issued by the Building Official regarding non-administrative application and interpretation of the County's and California Building Code as adopted in Title III Division 3, Chapter 1 of the Humboldt County Code.

The Board has the authority to interpret non-administrative Building Code sections The Board does not have the authority to waive requirements of the Building Code or enact ordinances or provisions. The Board is an administrative body, charged with interpreting adopted codes; it cannot set aside standards adopted by legislative action of the County Board of Supervisors or rule on administrative provisions of the code. Further, the Board is limited to appeals filed pursuant to:

1. Section 110. Administrative, California Mechanical Code
2. Section 203. Enforcement, Uniform Housing Code
3. Section 103.3. Title, Scope and Enforcement, Uniform Sign Code
4. Section 111, 2018 International Property Maintenance Code
5. Section 207. Enforcement and Permits, California Code for Building Conservation

Appellant Information:

Name	
Mailing Address	City, State, ZIP
Telephone	Email

Project Information:

Permit # if applicable	Project Description
Project Address	City, State, ZIP

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APPEAL PROCEDURE:

An appeal to the Board will only be accepted after the Building Official has rendered a decision or made an interpretation. An appeal must be submitted within ten (10) days of that decision. The appeal must be of an issue within the Board's jurisdiction as set forth above.

All appeals must be submitted on this form, specify the requested action and include specific reasons and supporting material for the requested action.

Appellants shall be given reasonable opportunity to be heard and present evidence. The appeal hearing procedures are set forth on the attached sheet.

Decisions of the Board of Building Code Appeals are final.

Filing Fee of Actual Cost (minimum deposit $1,000)

Please complete the following (attach additional sheets as necessary):

1. Describe the type of interest you have in the subject property, if applicable (e.g. owner, architect, applicant, contractor, etc.):

2. Describe the specific decision(s) or interpretation(s) that you are appealing:

3. Describe the basis upon which you believe the decision(s) and/or interpretation(s) are in error, attaching any relevant code sections or supporting materials:

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I certify that I have read the statements contained in this Appeal Form and that the statements made by me in filing the appeal are correct. I understand and agree that this appeal cannot be amended once the 10-day filing deadline has passed.

_____ _____

Signature of Appellant Date

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STAFF USE ONLY BELOW THIS LINE

Last Day to File Appeal:_____ Date Appealed:_____

Fee Paid: Receipt No. Date of Appeal Hearing:

APPEAL HEARING PROCEDURES:

The Board's appellate function is to correct or overturn a decision by the Building Official that it finds to be inconsistent with the technical (i.e., non-administrative) provisions of the County of Humboldt and California Building Code. The procedure for the Board's hearing of appeals shall be generally as described below. The Chair may exercise reasonable flexibility to adapt the procedures as needs demand.

No less than ten days in advance of the hearing, Building Division Staff will provide Appellant with copies of the evidence it intends to submit to the Board at the hearing.

Introduction and Staff Report

The Chair will introduce the item (as it appears on the agenda).

Building Division Staff will make a brief presentation of the staff report to the Board.

The Board may ask any clarifying questions of staff.

Appellant Presentation and Public Comment

Appellant or appellant's representative(s) may make a brief presentation. Appellant may divide its time between various speakers or have only one speaker. Comments must be relevant to the specific item on appeal, or the speaker will be ruled out of order.

The Board may ask any clarifying questions of the appellant.

Any interested member of the public may speak on the item for no more than three (3) minutes. Comments must be relevant to the specific item on appeal, or the speaker will be ruled out of order.

The Board may ask any clarifying questions of public speakers.

Discussion, Deliberation and Decision

The Board will close the testimony portion of the appeal hearing and begin deliberations on the appeal. There will be no more appellant or public testimony accepted, unless requested by the Board through the Chair.

Generally, the Board will discuss the matter as a group prior to any motion being made, with an opportunity for individual Board members to express initial opinions but retaining the right to be swayed on an issue prior to a formal vote.

If the Board is prepared to decide on the appeal, it shall do so by motion and majority vote. The Board may affirm, overrule, or modify any Building Official decision as necessary to conform to the technical provisions of the County's and/or California Building Code. The Board's decision shall be in writing and shall be final.

County of Humboldt Staff will provide the appellant with written notice of the Board's decision within ten (10) business days.