

## **RESOLUTION NO. 2007-080**

Adopted by the Sacramento City Council

February 6, 2007

### **ESTABLISHING APPEAL FEES FOR THE SPECIALTY CODE ADVISORY AND APPEALS BOARD**

#### **BACKGROUND**

- A. The California Uniform Building Code requires that municipalities have in place an administrative appeal process for disputes regarding proposed alternate construction designs, methods, or materials, or the application or interpretation of building codes and regulations.
- B. The creation of the three Specialty Code Advisory and Appeal Boards, as set forth in City Code Chapters 2.48, 2.49, and 2.50, satisfies the requirement of providing an administrative appeals process and was presented to, and approved by, the Development Oversight Commission on September 25, 2005, the Law & Legislation Committee on June 8, 2006, and the City Council on July 18, 2006.
- C. Each member of the three Specialty Code Advisory and Appeals Boards receives a stipend of \$50 per meeting and each board consists of a minimum of three members, therefore, the cost to the City to conduct an appeal before the Specialty Code Advisory and Appeals Boards is at least \$150.
- D. The Development Services Department has an established hourly rate of \$113 per hour and it is estimated to take 5 hours of Development Services staff time to process a City Council report for an appeal to City Council from a decision of one of the three Specialty Code Advisory and Appeals Board, therefore, the cost to the City to conduct such an appeal is at least \$550.
- E. It is the existing practice of the City of Sacramento to assess fees for appeals of other decisions related to planning, design review, preservation, and zoning.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. An appeal fee in the amount of \$150 is established for appeals to the Building and Fire Code Advisory and Appeals Board, the Electrical Code and Advisory Board, and the Mechanical and Plumbing Advisory and Appeals Board.

Section 2. An appeal fee in the amount of \$550 is established for appeals from the Building and Fire Code Advisory and Appeals Board, the Electrical Code and Advisory Board, and the Mechanical and Plumbing Advisory and Appeals Board to the City Council.

Section 3. Based on the information presented to it and upon information in the public record, and in compliance with Public Resources Code section 21080(b)(8), the City Council finds that the appeal fees established in Sections 1 and 2 of this Resolution are for the purposes of meeting operating expenses, including employee wage rates and fringe benefits.

Adopted by the City of Sacramento City Council on February 6, 2007 by the following vote:

Ayes: Councilmembers, Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: None.

  
\_\_\_\_\_  
Mayor, Heather Fargo

Attest  
  
\_\_\_\_\_  
Shirley Concolino, City Clerk