

Mono County Code §15.04.120 Board of Appeals

The construction Board of Appeals shall hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of Mono County Code Title 15 and provide reasonable determinations of decisions rendered by the officials charged with the responsibility of enforcing the Building Codes, as amended from time to time including, but not limited to the following:

- A. Qualifications.** The Construction Board of Appeals (“Board of Appeals”) shall consist of at least five (5) voting members appointed by the Board of Supervisors, all of whom should be residents of Mono County. Any specific appeal shall be heard by at least a majority of the voting members.
1. The members shall consist of persons with experience in the field of construction and deemed qualified to understand issues relating to this field.
 2. No County officer or employee shall serve as a voting member of the Construction Board of Appeals.
 3. The members shall serve for four (4) years and may be reappointed after that for successive four-year terms. In order to ensure continuity on the Board, terms shall be staggered, with two members of the initial Board appointed for two-year terms and three members of the initial Board appointed for four-year terms. Members of the initial Board shall determine, through the drawing of lots, which two members shall serve two-year terms and which three members shall serve four-year terms.
- B. Limitations on Authority.** An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, or the provisions of this Code do not fully apply, or an equally good or better form of construction has been proposed and denied by the Building Official.
1. The Board of Appeals shall have no authority relative to interpretation of the administrative provisions of these codes, nor shall the Board be empowered to waive requirements of these codes.
 2. Any cost for tests or research required by the Board to substantiate the claim of the appellant shall be the sole responsibility of the appellant.
- C. Building Official Ex-Officio member.** The building official for Mono County shall be an ex-officio member of the Board, and shall act as secretary of said Board, but shall have no vote.
- D. Rules, Decisions, Legislative Recommendations.** The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.
- E. Appeals to Board.** Any person aggrieved by an order, decision, or determination of the official charged with the responsibility for enforcing those respective codes may, within twenty (20) working days of the date the order, decision, or determination was made, appeal to the Board of Appeals for a hearing.
1. The appeal must be in writing and accompanied by a filing fee which shall be established by resolution of the County Board of Supervisors.
 2. The appeal shall be filed with the County Building Division and with the Building Official. A form will be provided at the Community Development Department.

3. All supporting documents shall be submitted with the form at the time of filing the appeal.
- F. Hearing.** The Building Official, or his/her designee, shall schedule a hearing within twenty (20) working days of receiving the request for hearing and give notice of the time, place, and subject matter of the hearing on the appeal to the person filing the appeal and to each member of the Board of Appeals.
1. The hearing shall be informal.
 2. The Board shall announce its decision within five (5) working days after the hearing has concluded.
- G. Finality of Decision.** The decision of the Board of Appeals shall be the final administrative decision, and no provision of any ordinance of the County shall be interpreted as permitting a further administrative appeal to the County Board of Supervisors or any other county board or commission.