

Chapter 27.02 Organization and Enforcement

27.02.010 General.

[No changes.]

27.02.020 Violations and Penalties.

[No changes.]

27.02.025 Severability Clause

If any provision of this Title, or its application to any person or circumstance, is held invalid by any court, the remainder of this Title and its application to other persons and circumstances, other than that which has been held invalid, shall not be affected by such invalidity, and to that extent the provisions of this Title are declared to be severable.

27.02.030 Bureau of Development Services Administrative.

A. [No changes.]

B. [No changes.]

C. Reconsideration of Final Decisions and Appeals to the Mechanical Code Board of Appeal. Any person aggrieved by a final decision of the Building Official made under Subsection B. above may either file a reconsideration of that decision within 180 days of the decision based on new or revised information or appeal the decision to the Mechanical Code Board of Appeal in accordance with Section 27.02.031 within 90 days of the final decision being appealed. The appeals package may not be altered from the administrative hearing. There is no additional fee for the first reconsideration of an Administrative Appeal Board decision or for an

appeal to the Mechanical Code Board of Appeal. The Mechanical Code in effect at the time of the final decision being reconsidered or appealed will be applied to the reconsideration or subsequent appeal to the Mechanical Code Board of Appeal.

D. Fees for Appeals. The fees for administrative appeals shall be as stated in the Fee Schedule adopted by the City Council. The current approved Fee Schedule is available at the Development Services Center and on the Bureau's website.

27.02.031 Mechanical Code Board of Appeals.

A. Appointment of Mechanical Code Appeal Board. In order to hear appeals of final decisions of the Building Official made under Section 27.02.030, there has been created a Mechanical Code Board of Appeal, consisting of three members and ~~one~~three alternates appointed by the Mayor and approved by the City Council.

1. Each member and alternate member must be qualified by experience and training to make decisions pertaining to the Mechanical Code and the safety of installations and apparatus regulated by this Title, including the design and installation of heating, ventilating, comfort cooling, refrigeration systems, incinerators and other miscellaneous heat-producing appliances.
2. Mechanical Code Board of Appeal appointments shall be for three-year terms. Appeal Board members may serve no more than two ~~complete~~3-year terms; however board members may serve a third term if their board has not convened in the board member's first two terms, or, unless the Director recommends approval of a longer term, and the Mayor and City Council approve the extended appointment. Vacancies occurring prior to the end of a term for whatever cause may be filled by qualified persons through appointment by the Mayor for the remainder of the term. If a board member does not convene in one of their first two terms, they are automatically rolled into a third term. Board members may opt out of the third term at their discretion.
3. Any member may be removed by the Mayor for incompetence, dereliction of duty, incapacity or other sufficient cause.
4. Members of the Mechanical Code Appeal Board shall comply with the State ethics laws applicable to public officials.

Exhibit G

5. Members of the Mechanical Code Appeal Board shall serve in a voluntary capacity and without pay.

B. [No changes.]

C. [No changes.]