

Chapter 25.07 Appeals

25.07.010 Bureau of Development Services Administrative Appeal Board.

A. [No changes.]

B. [No changes.]

C. Reconsideration of Final Decisions and Appeals to the Plumbing 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 Plumbing Code Board of Appeal in accordance with Section 25.07.010 within 90 days of the final decision being appealed. The appeal 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 Plumbing Code Board of Appeal. The Plumbing 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 Plumbing Code Board of Appeal.

D. [No changes.]

25.07.020 Plumbing Code Board of Appeal.

A. Appointment of Plumbing Code Appeal Board. In order to hear appeals of final decisions of the Building Official made under Section 25.07.010, there has been created a Plumbing Code Board of Appeal, consisting of three members and one alternate appointed by the Mayor and approved by the City Council.

1. Each member must be qualified by experience and training to make decisions pertaining to the Plumbing Code and matters pertaining to plumbing. At least one member must be a licensed plumbing contractor qualified through experience and training to decide matters concerning the safety of installations and devices regulated by this Title; one member shall be a person engaged in the design of plumbing installations qualified through experience and training to decide matters concerning the safety of installations and devices regulated by this Title; and one member must be

qualified through training and experience to make decisions pertaining to the Plumbing Code and matters pertaining to plumbing.

2. Plumbing Code Board of Appeal appointments shall be for three-year terms. Appeal Board members may serve no more than two ~~complete~~ three-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.

3. Any member may be removed by the Mayor for incompetence, dereliction of duty, incapacity or other sufficient cause.

4. Members of the Plumbing Code Appeal Board shall comply with the State ethics laws applicable to public officials.

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

B. Appeals to the Plumbing Code Board of Appeal. The Plumbing Code Board of Appeal may review Administrative Appeal Board decisions or any other final decision of the Building Official or Director related to the application and interpretation of the Plumbing Code. The Plumbing Code appeal will be limited to the facts and record reviewed by the Administrative Appeal Board, Building Official or Director related to the decision being appealed. A hearing will be held within 30 days after an interested party submits a written appeal to the Plumbing Code Board of Appeal. A panel of three Plumbing Code Board of Appeal members will hear each appeal. The Board may, by a majority vote, affirm, annul, or modify the decision. If a board member does not convene during their first two terms, they are automatically rolled into a third term. Board members may opt out of the third term at their discretion.

C. [No changes.]