



**BUILDING CODE MANUAL
COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
BUILDING AND SAFETY DIVISION
Based on the 2011 LACBC**

**#23
105
Article 1
01-31-12
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APPEALS BOARDS

Section 105 of the Los Angeles County Building Code (LACBC) outlines the membership and duties of the Building Board of Appeals, Accessibility Appeals Board, Building Rehabilitation Appeals Board, and the Code Enforcement Appeals Board. Section 9906 of the LACBC outlines the membership and duties of the Building Rehabilitation Appeals Board.

Contract cities may use the services of the Building Board of Appeals and the Accessibility Appeals Board if their City Council adopts an appropriate resolution or their existing Municipal Code so provides.

Building Board of Appeals

The duties of the Building Board of Appeals are as follows:

1. Conduct the hearings provided for in Chapters 1, 94, 95 and 96 of the LACBC.
2. Determine the suitability of alternate materials and types of construction.
3. Provide reasonable interpretation of the provisions of the LACBC.
4. Adopt reasonable rules and regulations for conducting its investigations.
5. Review modifications and/or alternate methods of construction to ensure equivalency to that prescribed in the LACBC in terms of quality, strength, effectiveness, fire resistance, durability, safety and sanitation and do not lessen any fire-protection requirements or any degree of structural integrity.
6. Document all decisions and findings in writing to the Building Official and the applicant.
7. Recommend new legislation to the Board of Supervisors.
8. Make written findings of fact as to whether or not a building or structure is unsafe and order such building or structure repaired, vacated, demolished or removed.
9. Hold hearings to determine the reasonableness and correctness of costs for demolition or repair of unsafe buildings by the County.

The five members of the Building Board of Appeals are appointed by the Board of Supervisors and consist of: one practicing architect, one competent builder, one lawyer, and two structural engineers, each member is qualified by at least ten years experience and training to pass upon matters pertaining to building construction. The Building Official shall be an ex officio member and act as secretary to the Board.

The Board of Appeals cannot waive requirements of the LACBC, but may approve a request as an equivalent to the LACBC. The Board has no authority relative to interpretations of the administrative portions of the LACBC, other than Section 102 of the LACBC, Unsafe Buildings.

An application for a Building Board of Appeals hearing shall be submitted to the Building Plan Check Section, which serves as the liaison to that Board.

Accessibility Appeals Board

The duties of the Accessibility Appeals Board in enforcing the accessibility requirements of Chapters 11A, 11B and 11C of the LACBC are:

1. Conduct hearings on written appeals regarding action taken by the Building Official.
2. Ratify certain exempting actions of the Building Official in enforcing the accessibility requirements for privately-funded construction.
3. Serve as advisor to the Building Official on disabled access matters.
4. Make recommendations to the Board of Supervisors on appeals of decisions made by the Building Official on County-funded buildings.
5. Adopt regulations establishing procedural rules and criteria for carrying out its duties.

The Accessibility Appeals Board is appointed by the Board of Supervisors and consists of five members: two physically disabled persons, two persons experienced in construction, and one from the general public. The Building Official shall be an ex officio member and act as the secretary of the Board.

The Accessibility Appeals Board may approve or disapprove interpretations and enforcement actions taken by the Building Official. All such approvals or disapprovals for privately-funded construction shall be final and conclusive.

To request a Board hearing, the applicant is required to submit their request in writing. The letter must clearly state the reasons and justifications for the proposal to be considered as a LACBC equivalent. Data, drawings or photographs to assist in the interpretation may be submitted to clarify the proposal. The person submitting the request may be present at the hearing and the Board will allow them the opportunity to address the Board and respond to pertinent questions. Meetings will be scheduled and the applicant will be notified of the hearing date after payment of the current Accessibility Appeals Board hearing fee is received. The Building Plan Check Section serves as the liaison to the Accessibility Appeals Board and will receive any appeals related to disabled accessibility.

Building Rehabilitation Appeals Board

The duties of the Building Rehabilitation Appeals Board are as follows:

1. Hear and consider all competent evidence offered by any person pertaining to matters set forth in the report of the Building Official.
2. Make written findings of facts as to whether or not the building or property is substandard
3. Make written orders for barricading, demolition, repairing or vacating buildings and/or clean up and removal of inoperative vehicles on private property.
4. Hold hearings to determine the reasonableness and correctness of costs for buildings secured or demolished or other work performed by the County.
5. Recommend new legislation as deemed necessary to the Board of Supervisors
6. Adopt reasonable rules and regulations for conducting its investigations.

The Building Rehabilitation Appeals Board is appointed by the Board of Supervisors and consists of five members qualified to pass on matters pertaining to substandard buildings and property as

defined in Chapters 98 and 99 of the LACBC. The Building Official shall be an ex officio nonvoting member and act as secretary of the Board.

Members of the Building Board of Appeals are ex officio alternate members of the Building Rehabilitation Appeals Board and may serve in the place of absent regular members.

The Property Rehabilitation Section is the liaison for both the Building Rehabilitation Appeals Board and the Code Enforcement Appeals Board.

Code Enforcement Appeals Board

The duties of the Code Enforcement Appeals Board are as follows:

1. Conduct hearings per Government Code Section 54988 regarding the amount of the proposed lien.
2. Make written recommendations to the Board of Supervisors which shall include factual findings based on evidence introduced at the hearing.
3. Authorize the recordation of a lien, at the office of the county recorder, for actual costs of code enforcement.

Members of the Building Rehabilitation Appeals Board shall also serve as the Code Enforcement Appeals Board.

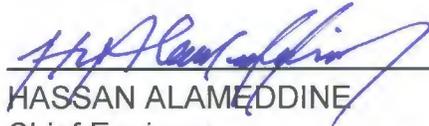
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WRITTEN BY: TIM GROVER
Supervising Bldg & Safety Engineering
Specialist

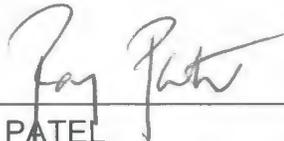
REVIEWED BY: JUAN MADRIGAL
Senior Civil Engineer

RECOMMENDED BY:

APPROVED BY:



HASSAN ALAMEDDINE
Chief Engineer



RAJ PATEL
Superintendent of Building