

## **O-36-14 Building Board of Appeals Member Qualifications**

This legislation amends the membership qualifications of the Building Board of Appeals, BBOA, so that at least one member has a working knowledge in the fields of forest conservation and environmental matters.

The BBOA is responsible for hearing appeals of the decisions of the Director of the Department of Neighborhood and Environmental Programs. The relevant language in the City Code is: "17.14.070-Appeal. Appeals of a decision by the Director pertaining to this chapter shall be made to the Building Board of Appeals."

### **Legislative history:**

The BBOA was established a number of years ago. At the time it was created, the qualifications of the board were established by the Building Officials and Code Administrators International Code, or BOCA code. This is the building code the City had adopted by reference at the time. The BOCA code required the BBOA to include members with backgrounds in the architectural and engineering disciplines. The language from 1993 edition of BOCA is in Attached #1.

When the City switched to the International Building Code, IBC, it adopted the IBC's requirements for the BBOA membership: "The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction." See Attached #2,

At some point, the City Code replaced the language for BBOA qualifications: "at least one member of the board shall be a licensed engineer, one an architect, and one a builder or superintendent of building construction. No more than two members shall be of the same profession," (Attachment #3) with the current City Code language "2.48.070 – Qualifications. The Building Board of Appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the City."

Over the years, appointments to the BBOA have followed these general guidelines with current members representing the engineering, architecture, construction and legal professions. One position is currently vacant.

### **Staff opinion:**

Matters brought before the BBOA are reviewed by the board for their compliance with the City Code and for compliance with the technical aspects of the subsequent building and trade codes. The City Council is considering changes to the Forest Conservation Act ordinance, 17.09.025. These changes found in Ordinance 32-14, will codify an appeal process. As proposed, O-32-14 sends appeals to the BBOA. The professional qualifications of the BBOA members provide them with the background to interpret this often technical material. Staff recommends that if the BBOA is to hear appeals of the Forest Conservation Act, that one member have sufficient technical/scientific background in the fields of forestry and/or environmental science to pass on this information.