



## **BUILDING BOARD of APPEALS**

### **Informational Sheet**

#### **WHAT IS AN APPEAL?**

An appeal is a request for the Building Board of Appeals to review decisions of the Building Official in which it's believed the conclusion reached was inappropriate. Orders, decisions, or determinations of the Building Official can be appealed. Please note that any appeal of a Notice and Order issued pursuant to the Uniform Code for the Abatement of Dangerous Buildings (UCADB) shall follow the criteria and requirements of UCADB Chapter 5.

#### **WHAT ISSUES CAN BE CONSIDERED IN AN APPEAL?**

An application for appeal is based on a claim that the true intent of the California Building Code, and other regulations governing the use, maintenance, and change of occupancy, have been incorrectly interpreted, the provisions of the California Building Code does not fully apply, or an equally good or better form of construction is proposed. The Building Appeals Board may consider appeals of any building-related order, decision, or determination made by the Building Official.

#### **WHO CAN APPEAL A DECISION OR DETERMINATION?**

Any involved person may appeal an order, decision, or determination made by the Building Official.

#### **WHEN DOES AN APPEAL NEED TO BE FILED?**

An appeal shall be filed within 30 days of the date of the rendering of the order, decision or determination made by the Building Official.

#### **WHERE IS AN APPEAL FILED?**

All appeals made to the Building Board of Appeals must be filed with the City of Richmond's Community Development Department – Building Division.

#### **WHAT IS THE FILING FEE FOR A BUILDING APPEAL?**

The filing fee for an appeal is the filing fee noted in the Master Fee Schedule, which is refundable if the appeal is upheld.

#### **WHAT IS REQUIRED TO FILE AN APPEAL?**

All appeals to the Building Board of Appeals must be filed on an official [City of Richmond Building Board of Appeals Application for Appeal Form](#). These forms are available on the [Building Division webpage](#) under [Forms and Handouts](#). The application form must be filled out completely and clearly state those issues or portion of the order, decision, or determination being appealed since the Building Board of Appeals will consider **only those issues or**

**portions which were raised on the application form.** Once an appeal is accepted for filing, additional issues cannot be raised after this time or at the hearing.

### **WHAT HAPPENS AFTER THE APPEAL IS FILED?**

Once a complete appeal is accepted for filing, a hearing is scheduled. The appellant will be notified of the date, time, and place of the hearing by mail at least ten days prior to the date of the hearing. A staff report will be submitted to the Building Appeals Board and made available to the appellant prior to the hearing. The staff report provides information on the appeal and the decision or determination being appealed and may include a recommended action and proposed decision in a form that may be adopted by the Board. The hearing on the appeal is then held.

### **WHAT HAPPENS DURING THE APPEAL HEARING?**

The Building Appeals Board conducts a public hearing on the appeal to consider all relevant evidence, including, but not limited to, oral and written evidence offered from each party. The order of proceedings starts with the City's presentation of evidence and followed by the appellant. The Building Appeals Board members may ask questions of staff, appellant, or other persons providing input at the appropriate time in the hearing process.

Following the party's presentation of evidence, the Board of Appeals will begin deliberations. Once the deliberation phase begins, the Board of Appeals can take action to uphold the appeal thereby modifying or overturning the previous decision or determination, to deny the appeal, or to continue the hearing for further deliberation or information. The Board of Appeals ruling then becomes final upon service of the written decision on the parties.

### **WHERE TO FILE:**

City of Richmond  
Community Development Department  
Building Division  
450 Civic Center Plaza, 2<sup>nd</sup> Floor.  
Richmond, CA 94804