

# Mono County Construction Board of Appeals

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## APPEAL FILING FORM

**PURPOSE:** This form is used to file an appeal with the Construction Board of Appeals regarding a determination by the Building Official on the application and interpretation of California Building Standards Code Title 24, subject to the modifications and amendments contained in Chapter 15 of the Mono County Code. See Mono County Code §15.04.120 (attached).

### REQUIRED INFORMATION:

Name	Site Address
Mailing Address	City/Town State Zip
City/Town State Zip	Assessor's Parcel Number (APN)
Phone Number	Building Permit Number (if applicable)
Email Address	Applicable Building Code Section(s)

1. Describe the type of interest you have in the property (owner, applicant, neighbor, etc.):

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2. Describe the specific determination(s) and/or action(s) for which you request review and include the applicable code section(s):

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3. Describe the basis of this appeal (attach additional pages if necessary):

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*I certify under penalty of perjury that the information submitted is true and correct to the best of my knowledge, and that I have received a copy of Mono County Code §15.04.120 Board of Appeals.*

Signature

Date

Last Updated March 21, 2011

## MONO COUNTY CODE

### 15.04.120 Board of Appeals.

The construction Board of Appeals shall hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of Mono County Code Title 15 and provide reasonable determinations of decisions rendered by the officials charged with the responsibility of enforcing the Building Codes, as amended from time to time including, but not limited to the following:

- A. Qualifications.** The Construction Board of Appeals (“Board of Appeals”) shall consist of at least five (5) voting members, all of whom should be residents of Mono County. Any specific appeal shall be heard by the members.

  - 1. The members shall consist of persons with experience in the field of construction and deemed qualified to understand issues relating to this field.
  - 2. All members shall be appointed by the Board of Supervisors.
  - 3. No County officer or employee shall serve on the Construction Board of Appeals.
  - 4. The members shall serve for four (4) years and may be reappointed after that for successive terms.
  
- B. Limitations on Authority.** An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, or the provisions of this Code do not fully apply, or an equally good or better form of construction has been proposed and denied by the Building Official.

  - 1. The Board of Appeals shall have no authority relative to interpretation of the administrative provisions of these codes, nor shall the Board be empowered to waive requirements of these codes.
  - 2. Any cost for tests or research required by the Board to substantiate the claim of the appellant shall be the sole responsibility of the appellant.
  
- C. Building Official Ex-Officio member.** The building official for Mono County shall be an ex-officio member of the Board, and shall act as secretary of said Board, but shall have no vote.
  
- D. Rules, Decisions, Legislative Recommendations.** The Board shall adopt reasonable rules and regulations for conducting its investigations and render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant. The Board of Appeals shall establish the procedure by which three members are chosen to hear a specific appeal.
  
- E. Appeals to Board.** Any person aggrieved by a decision of the official charged with the responsibility of enforcing those respective codes may within twenty (20) working days of the decision appeal to the Board of Appeals for a hearing.

  - 1. The appeal must be in writing and accompanied by a filing fee which shall be established by resolution of the County Board of Supervisors.
  - 2. The appeal shall be filed with the County Clerk and respective official. A form will be provided at the County Clerk’s office.
  - 3. All supporting documents shall be submitted with the form at the time of filing the appeal.
  
- F. Hearing.** The County Clerk shall schedule a hearing within twenty (20) working days of receiving the request for hearing and give notice of the time, place, and subject matter of the hearing on the appeal to the person filing the appeal, subject official whose decision is involved and each member of the Board of Appeals.

  - 1. The hearing shall be informal.
  - 2. The Board shall announce its decision within five (5) working days after the hearing has concluded.
  
- G. Finality of Decision.** The decision of the Board of Appeals shall be the final administrative decision, and no provision of any ordinance of the County shall be interpreted as permitting a further administrative appeal to the County Board of Supervisors or any other county board or commission.