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RESOLUTION NO. 09-46

**A RESOLUTION OF THE ALBANY CITY COUNCIL
ESTABLISHING A BOARD OF APPEALS AND AUTHORIZING THE CITY
ADMINISTRATOR TO APPOINT THE BOARD MEMBERS**

WHEREAS, the City of Albany amended Chapter 12 “Building and Housing” of the Albany Municipal Code to adopt by reference the Uniform Code for the Abatement of Dangerous Buildings (UCADB); and

WHEREAS, the UCADB provides “a just, equitable and practicable method, to be cumulative with and in addition to any other remedy provided by the Building Code, Housing Code or otherwise available by law, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants may be required to be repaired, vacated or demolished.”

WHEREAS, Section 205.1 of the UCADB, states that there shall be a Board of Appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the jurisdiction; and

WHEREAS, the City of Albany may receive appeals of decisions made by the Building Official that relate to a notice and order to repair, vacate, or demolish a building or structure that does not comply with the UCADB, Health and Safety Code, Building Code, Housing Code or other relevant codes; and

WHEREAS, it is preferred that appointment to the Board be made by the City Administrator in that Board members will serve on a voluntary basis, and membership may fluctuate from time to time.

NOW THEREFORE THE CITY COUNCIL DOES HEREBY RESOLVE that:

1. A Board of Appeals be established to hear and decide appeals, decisions or determinations made by the Building Official relative to the Uniform Code for the Abatement of Dangerous Buildings, and other relevant codes.
2. The City Administrator shall be authorized to appoint Board of Appeals members provided they are qualified by experience and training to pass upon matters pertaining to building construction and are not employees of the jurisdiction.

Marge Atkinson, Mayor