

OLD LANGUAGE--Strike-out Type
NEW LANGUAGE--Underlined

BOARD OF APPEALS AND ADVISORS

SEC. 204. (a) General Provisions. There shall be a Board of Appeals and Advisors consisting of ten (10) members who shall serve without compensation and who are qualified by experience and training to pass upon matters pertaining to design and construction of buildings. The members of the Board shall be appointed by the Mayor, ~~with Council confirmation, and shall hold office at the pleasure of the~~ Mayor and confirmed by the Council. ~~The members shall serve for a term of two (2) years but not longer than the elective term of the appointing Mayor. However, each member shall serve until his successor is duly appointed and qualified.~~ The members shall serve two (2) year terms and each member shall serve until his successor is duly appointed and qualified. The members shall be appointed in such a manner that the terms of not more than five (5) members shall expire in any year. The expiration date of all terms shall be March 1. During March of each year the Mayor may designate one (1) member as Chairman; however, in the absence of such designation, the Board shall, on or after April 15, select from among their members a Chairman. The Director of Building Inspection, the Chief of the Fire Department, and the City Attorney shall be ex officio members of the Board but they shall have no vote. The Director of Building Inspection or his appointed representative shall act as Secretary to the Board. ~~The Board shall select a chairman from its membership annually.~~ Five members shall constitute a quorum for the transaction of business,

and a majority vote but not less than four affirmative votes shall be necessary to pass any recommendation.

The Board shall adopt rules to govern its meetings and shall render its findings and recommendation in writing to the City Manager and to applicants for Board action. All officers and department heads of the City shall cooperate with the Board and render all reasonable assistance to it.

(Paragraph (b) remains the same)

ORDINANCE NO. **10277**
(New Series)

AN ORDINANCE AMENDING CHAPTER 2, SECTION 204, OF THE CITY OF SAN DIEGO BUILDING CODE, RELATING TO BOARD OF APPEALS AND ADVISORS.

BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

Section 1. That Chapter 2, Section 204, of The City of San Diego Building Code, be, and the same is hereby amended to read as follows:

"SEC. 204. BOARD OF APPEALS AND ADVISORS

(a) General Provisions. There shall be a Board of Appeals and Advisors consisting of ten (10) members who shall serve without compensation and who are qualified by experience and training to pass upon matters pertaining to design and construction of buildings. The members of the Board shall be appointed by the Mayor and confirmed by the Council. The members shall serve two (2) year terms and each member shall serve until his successor is duly appointed and qualified. The members shall be appointed in such a manner that the terms of not more than five (5) members shall expire in any year. The expiration date of all terms shall be March 1. During March of each year the Mayor may designate one (1) member as Chairman; however, in the absence of such designation, the Board shall, on or after April 15, select from among their members a Chairman. The Director of Building Inspection, the Chief of the Fire Department, and the City Attorney shall be ex officio members of the Board but they shall have no vote. The Director of Building

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Inspection or his appointed representative shall act as Secretary to the Board. Five members shall constitute a quorum for the transaction of business, and a majority vote but not less than four affirmative votes shall be necessary to pass any recommendation.

The Board shall adopt rules to govern its meetings and shall render its findings and recommendation in writing to the City Manager and to applicants for Board action. All officers and department heads of the City shall cooperate with the Board and render all reasonable assistance to it.

(b) Duties of Board. On its own motion, or at the request of an applicant for Board action, or when requested by the Director of Building Inspection, the Board shall investigate and advise as to the suitability of alternate materials and types of construction, and shall recommend reasonable interpretations of the provisions of this chapter. The Board may also conduct public hearings upon, and recommend to the City Council, the passage of new legislation pertaining to the design and construction of buildings.

The Board may recommend approval of minor deviations from the provisions of this chapter upon demonstration:

(1) That strict application, operation, or enforcement thereof would result in practical difficulty or unnecessary hardship; and

(2) The alternate materials or type of construction proposed is, for the purpose intended, at least equivalent to the requirements of this chapter in quality, strength, effectiveness, fire resistance, and durability, and also in providing

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for the public health and safety."

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By *Kenneth H. Lounsbery*
Kenneth H. Lounsbery
Chief Deputy City Attorney

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Passed and adopted by the Council of The City of San Diego on APR 21 1970
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

APR 7 1970, and on APR 21 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>10277</u>	Adopted <u>APR 21 1970</u>

ATTORNEY (5)

* City of San Diego
Community Concourse
San Diego, California

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
AN ORDINANCE AMENDING CHAPTER 2, SECTION 204,
OF THE CITY OF SAN DIEGO BUILDING CODE, RELATING
TO BOARD OF APPEALS AND ADVISORS

RECEIVED
CITY OF SAN DIEGO, CALIF.
1970 MAY - 1 PM 4:29
SAN DIEGO, CALIF.

ORDINANCE NO. 10277 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER 2, SECTION 204, OF THE CITY OF SAN DIEGO BUILDING CODE, RELATING TO BOARD OF APPEALS AND ADVISORS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. That Chapter 2, Section 204, of The City of San Diego Building Code, be, and the same is hereby amended to read as follows:

"SEC. 204. BOARD OF APPEALS AND ADVISORS

(a) General Provisions. There shall be a Board of Appeals and Advisors consisting of ten (10) members who shall serve without compensation and who are qualified by experience and training to pass upon matters pertaining to design and construction of buildings. The members of the Board shall be appointed by the Mayor and confirmed by the Council. The members shall serve two (2) year terms and each member shall serve until his successor is duly appointed and qualified. The members shall be appointed in such a manner that the terms of not more than five (5) members shall expire in any year. The expiration date of all terms shall be March 1. During March of each year the Mayor may designate one (1) member as Chairman; however, in the absence of such designation, the Board shall, on or after April 15, select from among their members a Chairman. The Director of Building Inspection, the Chief of the Fire Department, and the City Attorney shall be ex officio members of the Board but they shall have no vote. The Director of Building Inspection or his appointed representative shall act as Secretary to the Board. Five members shall constitute a quorum for the transaction of business, and a majority vote but not less than four affirmative votes shall be necessary to pass any recommendation.

The Board shall adopt rules to govern its meetings and shall render its findings and recommendation in writing to the City Manager and to applicants for Board action. All officers and department heads of the City shall cooperate with the Board and render all reasonable assistance to it.

(b) Duties of Board. On its own motion, or at the request of an applicant for Board action, or when requested by the Director of Building Inspection, the Board shall investigate and advise as to the suitability of alternate materials and types of construction, and shall recommend reasonable interpretations of the provisions of this chapter. The Board may also conduct public hearings upon, and recommend to the City Council, the passage of new legislation pertaining to the design and construction of buildings.

The Board may recommend approval of minor deviations from the provisions of this chapter upon demonstration.

(1) That strict application, operation, or enforcement thereof would result in practical difficulty or unnecessary hardship; and

(2) The alternate materials or type of construction proposed is, for the purpose intended, at least equivalent to the requirements of this chapter in quality, strength, effectiveness, fire resistance, and durability, and also in providing for the public health and safety."

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on April 7, 1970.

Passed and adopted by the Council of The City of San Diego on April 21, 1970.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)

Published Apr. 30, 1970

X-888

I, Patricia M. Applestill hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of the printer of said newspaper; that the

ORDINANCE NO. 10277 (NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

April 30, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

April 30, 1970

Patricia M. Applestill
(Signature)

95/8" \$38.50