

SECTION 108.8 APPEALS BOARD

108.8.1 General. Every city, county or city and county shall establish a local appeals board and a housing appeals board. The local appeals board and housing appeals board shall each be comprised of at least five voting members that shall serve at the pleasure of the city, county or city and county. Appointments shall not be employees of the jurisdiction and shall consist of members who are qualified and specifically knowledgeable in the California Building Standards Codes and applicable local ordinances.

108.8.2 Definitions. The following terms shall for the purposes of this section have the meaning shown.

HOUSING APPEALS BOARD. The board or agency of a city, county or city and county which is authorized by the governing body of the city, county or city and county to hear appeals regarding the requirements of the city, county or city and county relating to the use, maintenance and change of occupancy of buildings and structures, including requirements governing alteration, additions, repair, demolition and moving. In any area in which there is no such board or agency, "Housing appeals board" means the local appeals board having jurisdiction over the area.

LOCAL APPEALS BOARD. The board or agency of a city, county or city and county which is authorized by the governing body of the city, county or city and county to hear appeals regarding the building requirements of the city, county or city and county. In any area in which there is no such board or agency, "Local appeals board" means the governing body of the city, county or city and county having jurisdiction over the area.

108.8.3 Appeals. Except as otherwise provided in law, any person, firm or corporation adversely affected by a decision, order or determination by a city, county or city and county relating to the application of building standards published in the California Building Standards Code, or any other applicable rule or regulation adopted by the Department of Housing and Community Development, or any lawfully enacted ordinance by a city, county or city and county, may appeal the issue for resolution to the local appeals board or housing appeals board as appropriate.

The local appeals board shall hear appeals relating to new building construction and the housing appeals board shall hear appeals relating to existing buildings.

SECTION 108.9 UNSAFE BUILDINGS OR STRUCTURES

108.9.1 Authority to enforce. Subject to other provisions of law, the administration, enforcement, actions, proceedings, abatement, violations and penalties for unsafe buildings and structures are contained in the following statutes and regulations:

1. For applications subject to the State Housing Law as referenced in Section 108.3.2.1 of this code, refer to Health and Safety Code Sections 17910 through 17995.5 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1.

2. For applications subject to the Mobilehome Parks Act as referenced in Section 108.3.2.2 of this code, refer to the Health and Safety Code, commencing with Section 18200, and California Code of Regulations, Title 25, Division 1, Chapter 2.
3. For applications subject to the Special Occupancy Parks Act as referenced in Section 108.3.2.3 of this code, refer to the Health and Safety Code, commencing with Section 18860, and California Code of Regulations, Title 25, Division 1, Chapter 2.2.
4. For applications subject to the Employee Housing Act as referenced in Section 108.3.2.4 of this code, refer to Health and Safety Code Sections 17000 through 17062.5 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 3.
5. For applications subject to the Factory-Built Housing Law as referenced in Section 108.3.2.5 of this code, refer to Health and Safety Code Sections 19960 through 19997 and California Code of Regulations, Title 25, Division 1, Chapter 3, Subchapter 1.

108.9.2 Actions and proceedings. Subject to other provisions of law, punishments, penalties and fines for violations of building standards are contained in the following statutes and regulations:

1. For applications subject to the State Housing Law as referenced in Section 108.3.2.1 of this code, refer to Health and Safety Code Sections 17980 through 17995.5 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1.
2. For applications subject to the Mobilehome Parks Act as referenced in Section 108.3.2.2 of this code, refer to Health and Safety Code Sections 18200 through 18700 and California Code of Regulations, Title 25, Division 1, Chapter 2.
3. For applications subject to the Special Occupancy Parks Act as referenced in Section 108.3.2.3 of this code, refer to Health and Safety Code Sections 18866 through 18869 and California Code of Regulations, Title 25, Division 1, Chapter 2.2.
4. For applications subject to the Employee Housing Act as referenced in Section 108.3.2.4 of this code, refer to Health and Safety Code Sections 17060 through 17062.5 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 3.
5. For applications subject to the Factory-Built Housing Law as referenced in Section 108.3.2.5 of this code, refer to Health and Safety Code Sections 19995 through 19997 and California Code of Regulations, Title 25, Division 1, Chapter 3, Subchapter 1.

SECTION 108.10 OTHER BUILDING REGULATIONS

108.10.1 Existing structures. Subject to the requirements of California Health and Safety Code Sections 17912, 17920.3, 17922(c), 17922.3, 17958.8 and 17958.9, the provisions contained in Chapter 34 relating to existing