

MUNICIPALITY OF ANCHORAGE



Development Services Department

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APPEALS TO THE BOARD OF BUILDING REGULATION EXAMINERS AND APPEALS

Anchorage Municipal Code (AMC) Title 23, Part 23.10.103 allows for appeal of orders, decisions or determinations made by the Building Official relative to the application and interpretations of the technical code. Part 23.45 also allows for appeals of certain orders of the Fire Official. Appeals are made to the Building Board of Regulations Examiners and Appeals.

1. Some reasons for appealing to the Building Board may be:
 - a. difference of opinion in interpretation of code;
 - b. denial of a request for alternate methods and materials.

2. The procedure for filing an appeal is:
 - a. The appellant must pay a \$100.00 filing fee and submit their notarized appeal to the Building Board Secretary, who schedules a hearing date.
 - i. Materials presented to the board may not exceed a five page executive summary.
 - ii. Supporting documents, such as drawings and/or calculations may not exceed 15 pages.
 - iii. Materials must be turned in 7 days before the meeting to staff.
 - iv. Time allowed for initial case presentation is limited to 10 minutes; staff and the appellant shall each have 30 minutes to present; the appellant shall have 15 minutes for rebuttal.
 - b. A staff report presenting Building Safety's or Fire Prevention's opinions is prepared and will be available to the appellant at least seven (7) days prior to the hearing date.
 - c. The notice of appeal and hearing date is posted in the Municipality's electronic calendar system.

3. Appellant or their representative must appear before the Building Board on the specified date and time to plead their own case. Legal counsel may be utilized by the appellant, but is not required. Specific procedures governing appeals are described in the Anchorage Municipal Code of Regulations (AMCR) 3.40.4.05.120. 23.10.010.

4. In most cases, decisions are rendered at the time of the hearing.

5. If appeal is denied, the appellant may further appeal to the Alaska Superior Court within 30 days.

Scott Bohne, chair
Board of Building Regulations
Examiners & Appeals Examiners & Appeals

Kent Kohlhase, P. E.
Acting Building Official

MUNICIPALITY OF ANCHORAGE
Board of Building Regulations Examiners and Appeals

___ Appeal Emanating from Action of the Building Official

___ Appeal Emanating from Action of the Fire Official

I (we) _____
Appellant Telephone Number

of _____
Mailing Address City State Zip Code

request a determination be made by the Building Board on the case of:

a. _____ permit denial
(Type)

b. _____ (other)

Street Address of Project: _____

Legal Description: _____

Between Cross Streets: _____ and _____

Status of Project: (check applicable boxes)

- ___ a. Construction has ___ has not ___ started.
- ___ b. Construction was suspended more than six months ago.
- ___ c. Construction is in progress but a stop-work order has been issued by the Municipality.
- ___ d. Construction is pending.
- ___ e. Other _____
(please state)

This appeal is based on the action of the Building Official or Fire Official, who claims that:
(check one or more)

- ___ a. Materials(s) chosen (is) (are) not appropriate for intended use.
- ___ b. Type(s) or method(s) of construction (is) (are) not permitted.
- ___ c. A Fire/Life Safety deficiency exists for the intended type of occupancy, which takes precedence over the plans as submitted and approved for permit.
- ___ d. Other _____
(please state)

I (we) contend that such an interpretation is incorrect or incomplete as per

Section _____ of the _____, which supports the following belief:
(number & paragraph) (state which code)

State main reason(s), please be brief: _____

Signature of Appellant

Telephone

Address

Fax

City State Zip Code

Subscribed and sworn to before me this ____ day of _____, 20____.

Notary Public in and for Alaska

My Commission Expires: _____