

ORDINANCE NO. 08-12

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF WILDOMAR, CALIFORNIA, PARTIALLY
SUPERSEDING COUNTY ORDINANCE NO. 457
REGARDING THE BUILDING BOARDS OF APPEAL**

THE CITY COUNCIL OF THE CITY OF WILDOMAR DOES ORDAIN AS
FOLLOWS:

SECTION 1. Recitals.

- (a) The City of Wildomar was incorporated on July 1, 2008, as a general law city of the State of California.
- (b) The City Ordinance No. 08-01 adopts the Riverside County ordinances as City ordinances for a period of 120 days, or until such time as the City Council expressly supersedes any or all of the County ordinances.
- (c) County Ordinance No. 457, as amended and codified in Section 15.08.020 of the Riverside County Code, creates seven Boards of Appeal whose functions are to hear and decide appeals of decisions made by the building official relative to the application and interpretation of the various technical codes.
- (d) Subsection (A)(2) of Section 15.08.020 of the Riverside County Code requires the members of the various Boards of Appeal to have specific technical backgrounds and areas of expertise.
- (e) The City Council desires to appoint itself as the sole Board of Appeal for to hear all appeals of decisions made by the building official relative to the application and interpretation of the various technical codes.

SECTION 2. Unified Board of Appeal Created. The City Council hereby ordains that there shall be one Board of Appeal consisting of five members that shall hear all appeals of decisions by the building official relative to the application and interpretation of the various technical codes.

SECTION 3. City Council Designated as the Board of Appeal. The City Council designates itself to act as the Board of Appeal under provisions of County Ordinance No. 457, which has been adopted as a City Ordinance for a period of 120 days, and hereby appoints the members of the City Council to serve on that Board.

SECTION 4. Intent to Supersede County Ordinances. The provisions of this ordinance shall supersede County Ordinance No. 457, as amended, to the extent that it

is inconsistent with the provisions of this ordinance, as that ordinance was adopted by City Ordinance No. 08-01.

SECTION 5. Declaration of Facts Constituting Urgency. County Ordinance No. 457, which was adopted as a City Ordinance for a period of 120 days, requires the City Council to establish seven Boards of Appeal, each consisting of five members with various technical backgrounds and areas of expertise. The City is unable at this time to identify and appoint thirty-five individuals with the required knowledge to serve on these Boards of Appeal. If an individual were to appeal a decision of the building official, there would be no body to hear the appeal. Therefore, the City Council finds that this ordinance is necessary or the immediate preservation of the public peace, health and safety, and declares that it shall take effect immediately upon its adoption as an urgency ordinance.

SECTION 6. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 7. Effective Date. This ordinance shall take immediate effect upon its passage by the City Council.

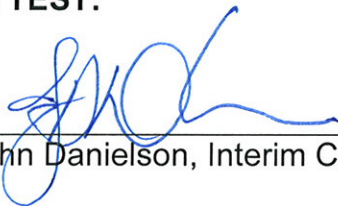
SECTION 8. Publication. The City Clerk shall cause this ordinance to be published or posted in accordance with Government Code section 36933.

PASSED, APPROVED, AND ADOPTED this 1st day of July, 2008.



Bob Cashman, Mayor

ATTEST:



John Danielson, Interim City Clerk

APPROVED AS TO FORM:



Julie Hayward Biggs, Interim City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)
CITY OF WILDOMAR)

I, John Danielson, Interim City Clerk of the City of Wildomar, do hereby certify that the foregoing Ordinance No. 08-12 was duly adopted by the City Council of the City of Wildomar at a special first meeting, held on the 1st day of July, 2008, by the following vote of the Council:

AYES: Cashman; Swanson; Moore; Farnam; Ade
NOES: None
ABSTAIN: None
ABSENT: None



John Danielson, Interim City Clerk