



2.21

OFFICE OF THE
CITY CLERK

CITY OF SACRAMENTO
CALIFORNIA

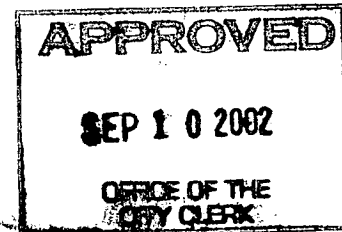
CITY HALL
915 I STREET, ROOM 304
SACRAMENTO, CA
95814-2671

PH 916-264-5427
FX 916-264-7672

www.cityofsacramento.org

August 27, 2002

City Council
City Hall
Sacramento, California



Honorable Members in Session:

SUBJECT: AN ORDINANCE AMENDING (1) THE CHAPTER DESIGNATION OF SACRAMENTO CITY CODE CHAPTER 2.52, AND (2) SECTION 2.52.010 OF THE SACRAMENTO CITY CODE, TO RENAME THE PUBLIC ACCOMMODATIONS FOR PHYSICALLY HANDICAPPED PERSONS APPEALS BOARD AS THE JOINT CITY/COUNTY DISABILITIES APPEALS BOARD

LOCATION/COUNCIL DISTRICT: All Districts

STAFF RECOMMENDATION: ADOPT ORDINANCE

CONTACT PERSON: Valerie Burrowes, City Clerk 264-5799

FOR COUNCIL MEETING OF: September 10, 2002

SUMMARY:

- * The renaming of the board more aptly describes the purpose of the board
- * The ordinance will eliminate the words "public accommodations for physically handicapped persons" from the current board name.
- * This ordinance was presented for Pass for Publication on September 3, 2002.

COMMITTEE ACTION:

- * The request for a name change was introduced and requested by members of the P&PE Committee.
- * Staff was requested to coordinate with the County for suggested changes and to report back to committee for a decision.
- * At their meeting of June 4, 2002, P&PE Committee chose the name
"Joint City/County Disabilities Appeals Board"

BACKGROUND AND DISCUSSION:

- * The board consist of five members; two appointed by the mayor and two appointed by the board of supervisors; one member is jointly appointed by the board and the mayor.
- * Two members (one appointed by the mayor and one appointed by the board of supervisors shall be physically handicapped persons;

Two members (one appointed by the mayor and one appointed by the board of supervisors shall be experienced in construction;

The one member appointed jointly shall be a public member
- * Term of office is three (3) years

FINANCIAL IMPACT:

There is no financial impact connected with this process

POLICY MATTERS:

This item is presented for approval of publication of title in accordance with City Charter Section 32.

ESBD ISSUES:

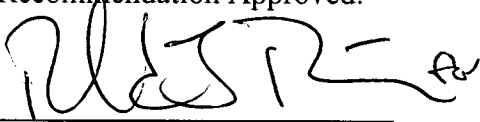
There is no application necessary with this report

Respectfully submitted,

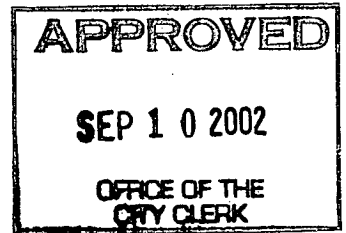


VALERIE A. BURROWES
City Clerk

Recommendation Approved:



ROBERT P. THOMAS,
City Manager



ORDINANCE NO. 2002-034

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE AMENDING (1) THE CHAPTER DESIGNATION OF SACRAMENTO CITY CODE CHAPTER 2.52, AND (2) SECTION 2.52.010 OF THE SACRAMENTO CITY CODE, TO RENAME THE PUBLIC ACCOMMODATIONS FOR PHYSICALLY HANDICAPPED PERSONS APPEALS BOARD AS THE JOINT CITY/COUNTY DISABILITIES APPEALS BOARD

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

The designation of Chapter 2.52 of the Sacramento City Code is hereby amended to read as follows:

Chapter 2.52
Joint City/County Disabilities Appeals Board

SECTION 2.

Section 2.52.010 is hereby amended to read as follows:

2.52.010 Created.

In order to provide for reasonable interpretation and continual review of laws relating to making public facilities and accommodations accessible to physically handicapped persons, there is created a Joint City/County Disabilities Appeals Board. Such board shall hereinafter be referred to in this chapter as the board.

FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____

SECTION 3.

This ordinance shall become operative only if a similar ordinance changing the name of the Public Accommodations For Physically Handicapped Persons Appeals Board is enacted by the Sacramento County Board of Supervisors, and in that case the operative date shall be thirty days after enactment by the City Council or the date on which the County ordinance takes effect, whichever occurs later.

ATTEST:

MAYOR

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____

Chapter 2.52

**PUBLIC ACCOMMODATIONS FOR
PHYSICALLY HANDICAPPED PERSONS
APPEALS BOARD**

Sections:

- 2.52.010 **Created.**
 2.52.020 **Membership.**
 2.52.030 **Secretary to the board.**
 2.52.040 **Rules and regulations.**
 2.52.050 **Appeals.**
 2.52.060 **Alternative methods of providing
access.**

2.52.010 Created.

In order to provide for reasonable interpretation and continual review of laws relating to making public facilities and accommodations accessible to physically handicapped persons, there is created a public accommodations for physically handicapped persons appeals board. Such board shall hereinafter be referred to in this chapter as the board. (Prior code § 9.20.600)

2.52.020 Membership.

The board shall consist of five members who shall be appointed as follows:

- A. Two members shall be appointed by the mayor with the approval of the city council;
- B. Two members shall be appointed by the board of supervisors of the county;
- C. One member shall be appointed by the board of supervisors of the county and the mayor with the approval of the city council;
- D. One member appointed pursuant to subsection A of this section and one member appointed pursuant to subsection B of this section shall be physically handicapped persons;
- E. One member appointed pursuant to subsection A of this section and one member appointed pursuant to subsection B of this section shall be experienced in construction;
- F. The one member appointed pursuant to subsection C of this section shall be a public member;
- G. The board of supervisors of the county may appoint an alternate to the member appointed under subsection C of this section;
- H. Vacancies occurring during the term shall be filled for the unexpired term by the appointing authority or authorities.

The term of office of each member shall be three years, except for the term of office of the members first appointed, which shall be determined as follows:

1. At the first meeting of the board, the members first appointed, except the member appointed pursuant to subsection C of this section, shall draw lots to determine their individual terms. Based upon the results of the lots drawn, the members first appointed shall have terms as provided in subsections (H)(2), (3) and (4) of this section.

2. One member appointed pursuant to subsection A of this section and one member appointed pursuant to subsection B of this section shall have an initial term of one year.

3. One member appointed pursuant to subsection A of this section and one member appointed pursuant to subsection B of this section shall have an initial term of two years.

4. The member appointed pursuant to subsection C of this section shall have an initial term of three years. (Prior code § 9.20.601)

2.52.030 Secretary to the board.

The director of building inspections of the city and the director of building inspections of the county or their designated representatives shall serve as secretaries and ex officio members of the board. They shall have no right to vote on matters before the board. They shall keep accurate records of its meetings and hearings. (Prior code § 9.20.602)

2.52.040 Rules and regulations.

The board shall adopt reasonable rules for the hearing of appeals and the conducting of its "business." It shall select a chairperson and shall establish procedures to be followed by the secretary of the board. Three voting members shall constitute a quorum. Action taken by the board must be approved by a majority of the members present and voting on the matter before the board. The board shall meet at such regular intervals as it deems necessary to prompt and expeditious handling of matters within its jurisdiction. (Prior code § 9.20.603)

2.52.050 Appeals.

Any person aggrieved by an interpretation given by the city or county building director relating to provisions of Chapter 7 of Division 5 of Title 1 of the Government Code, Part 5.5 of Division 13 of the Health and Safety Code, applicable provisions of the Uniform Building Code or other laws and regulations relating to access for physically handicapped persons to public facilities and accommodations which are enforced by local building officials, may appeal such interpretation to the board.

Appeals shall be in writing and shall specify in detail the matter on which the appeal is taken. Notice of appeal shall be filed with the secretary of the board and shall be accompanied by a fee of fifty dollars (\$50.00). Where the application or interpretation of code provision is uncertain or ambiguous, the board may affirm, reject or modify such contested interpretations and may, by resolution, establish reasonable guidelines for the interpretation and enforcement of such code provisions; provided, however, that the board shall have no powers to make substantive changes in code provisions or interfere with or prevent the proper enforcement and administration of code provisions. If the matter appealed to the board involves suitability of alternative methods of providing access, any decision of the board approving the use of alternate methods which is of general application shall be effective upon the adoption of rules and regulations in the manner provided by Section 2.52.050 of this chapter. (Prior code § 9.20.604)

2.52.060 Alternative methods of providing access.

The board shall formulate and enforce such implementing rules and regulations concerning the use of alternative methods of providing access as are necessary to supplement provisions of the codes governing access for physically handicapped persons. It may, on its own motion or upon the request of any interested party, promulgate general or specified rules and regulations determining the suitability of alternate methods. Rules and regulations of general application approving alternate methods of providing access shall be published once in the official newspaper of the city within ten (10) days of the adoption and shall not be effective until ten (10) days after the date of the publication. The published rules and regulations shall be maintained in the office of the city clerk and shall be made available to the public upon request. (Prior code § 9.20.605)



2.21
2.13

OFFICE OF THE
CITY CLERK

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CALIFORNIA

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FX 916-264-7672

www.cityofsacramento.org

August 20, 2002

City Council
City Hall
Sacramento, California

~~PASSED FOR
PUBLICATION
& CONTINUED
TO _____~~

PASSED FOR
PUBLICATION
& CONTINUED
TO 9/10/02

Honorable Members in Session:

SUBJECT: AN ORDINANCE AMENDING (1) THE CHAPTER DESIGNATION OF SACRAMENTO CITY CODE CHAPTER 2.52, AND (2) SECTION 2.52.010 OF THE SACRAMENTO CITY CODE, TO RENAME THE PUBLIC ACCOMMODATIONS FOR PHYSICALLY HANDICAPPED PERSONS APPEALS BOARD AS THE JOINT CITY/COUNTY DISABILITIES APPEALS BOARD

LOCATION/COUNCIL DISTRICT: All Districts

STAFF RECOMMENDATION: PASS FOR PUBLICATION AND CONTINUE TO SEPTEMBER 10, 2002 FOR ADOPTION

CONTACT PERSON: Valerie Burrowes, City Clerk 264-5799

FOR COUNCIL MEETING OF: September 3, 2002

SUMMARY:

- * The renaming of the board more aptly describes the purpose of the board
- * The ordinance will eliminate the words "public accommodations for physically handicapped persons" from the current board name.

COMMITTEE ACTION:

- * The request for a name change was introduced and requested by members of the P&PE Committee.
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Two members (one appointed by the mayor and one appointed by the board of supervisors shall be experienced in construction;

The one member appointed jointly shall be a public member
- * Term of office is three (3) years

FINANCIAL IMPACT:

There is no financial impact connected with this process

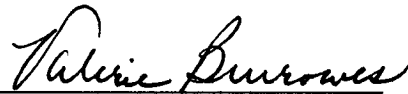
POLICY MATTERS:

This item is presented for approval of publication of title in accordance with City Charter Section 32.

ESBD ISSUES:

There is no application necessary with this report

Respectfully submitted,



VALERIE A. BURROWES
City Clerk

Recommendation Approved:



ROBERT P. THOMAS,
City Manager

Chapter 2.52

PUBLIC ACCOMMODATIONS FOR PHYSICALLY HANDICAPPED PERSONS APPEALS BOARD

Sections:

2.52.010	Created.
2.52.020	Membership.
2.52.030	Secretary to the board.
2.52.040	Rules and regulations.
2.52.050	Appeals.
2.52.060	Alternative methods of providing access.

2.52.010 Created.

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- E. One member appointed pursuant to subsection A of this section and one member appointed pursuant to subsection B of this section shall be experienced in construction;
- F. The one member appointed pursuant to subsection C of this section shall be a public member;
- G. The board of supervisors of the county may appoint an alternate to the member appointed under subsection C of this section;
- H. Vacancies occurring during the term shall be filled for the unexpired term by the appointing authority or authorities.

The term of office of each member shall be three years, except for the term of office of the members first appointed, which shall be determined as follows:

1. At the first meeting of the board, the members first appointed, except the member appointed pursuant to subsection C of this section, shall draw lots to determine their individual terms. Based upon the results of the lots drawn, the members first appointed shall have terms as provided in subsections (H)(2), (3) and (4) of this section.

2. One member appointed pursuant to subsection A of this section and one member appointed pursuant to subsection B of this section shall have an initial term of one year.

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ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE AMENDING (1) THE CHAPTER DESIGNATION OF SACRAMENTO CITY CODE CHAPTER 2.52, AND (2) SECTION 2.52.010 OF THE SACRAMENTO CITY CODE, TO RENAME THE PUBLIC ACCOMMODATIONS FOR PHYSICALLY HANDICAPPED PERSONS APPEALS BOARD AS THE JOINT CITY/COUNTY DISABILITIES APPEALS BOARD

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FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____

SECTION 3.

This ordinance shall become operative only if a similar ordinance changing the name of the Public Accommodations For Physically Handicapped Persons Appeals Board is enacted by the Sacramento County Board of Supervisors, and in that case the operative date shall be thirty days after enactment by the City Council or the date on which the County ordinance takes effect, whichever occurs later.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____

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FOR CITY CLERK USE ONLY

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ATTEST:

MAYOR

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____

**CITY OF SACRAMENTO
ORDINANCES**

On September 3, 2002, 2 p.m., the following ordinances were considered by the Sacramento City Council and will be considered for final adoption at the regular meeting of September 10, 2002, 2p.m. In accordance with Sacramento City Charter Section 32, the titles are herein published:

AN ORDINANCE AMENDING (1) THE CHAPTER DESIGNATION OF SACRAMENTO CITY CODE CHAPTER 2.52, AND (2) SECTION 2.52.010 OF THE SACRAMENTO CITY CODE, TO RENAME THE PUBLIC ACCOMMODATIONS FOR PHYSICALLY HANDICAPPED PERSONS APPEALS BOARD AS THE JOINT CITY/COUNTY DISABILITIES APPEALS BOARD

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.40, ARTICLE IV, SECTION 2.40.120 (C) OF THE CITY CODE, TO PROVIDE A CLEAR DEFINITION OF THE PHRASE "UNEXPIRED TERM" AS IT RELATES TO BOARDS AND COMMISSIONS APPOINTMENTS

Anyone interested in the full text of the above ordinances may contact the Office of the City Clerk, City Hall, 915 "I" Street, Room 304, phone (916) 264-5427.

SACRAMENTO CITY COUNCIL



BY: VALERIE A. BURROWES
CITY CLERK

AD NO.: 9527
RUN ONE TIME: 9/6/02
2 PUB PROOFS

HP OfficeJet G Series G95
Personal Printer/Fax/Copier/Scanner

Fax-History Report for
City Clerk's Office
916-264-7672
Sep 05 2002 8:11am

Last Fax

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Sep 5	8:10am	Sent	94440636	0:44	2	OK

Result:

OK - black and white fax
Okay color - color fax



CITY CLERK'S OFFICE

City of Sacramento
915 I Street, Room 304
Sacramento, CA 95814

FAX COVER SHEET

To: Barbara From: Laura Date: 9/5/02
Department: _____ Organization: _____
Organization: _____ Telephone: 264-5799
Telephone: _____ Fax: 264-7672
Fax: 444-0636

Total number of pages including cover sheet: 2

Message:

Attached are 2 ordinances to
run on Friday, Sept 6, 2002

Thanks,
Laura

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE AMENDING (1) THE CHAPTER DESIGNATION OF SACRAMENTO CITY CODE CHAPTER 2.52, AND (2) SECTION 2.52.010 OF THE SACRAMENTO CITY CODE, TO RENAME THE PUBLIC ACCOMMODATIONS FOR PHYSICALLY HANDICAPPED PERSONS APPEALS BOARD AS THE JOINT CITY/COUNTY DISABILITIES APPEALS BOARD

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FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____

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ATTEST:

MAYOR

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

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