



CITY OF HENDERSON
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BUILDING & FIRE SAFETY
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Guidelines for Board of Appeals Application

The following are guidelines for filing an appeal with the Board of Appeals:

1. Appeals to the Board of Appeals may be made from any written order, plan review correction, inspection correction, written action, application and interpretation of the technical codes, or determination of the Building & Fire Safety Department.
2. Appeals must be initiated within ten calendar days from the act, decision or interpretation which is the subject of the appeal. All appeals shall be accompanied by a \$50 filing fee as established in the fee schedule adopted by the City Council. If the appeal is upheld, the fee will be refunded. Ten (10) copies of all documents to be presented to the Board must be provided, which will be kept in the official file and not returned. The appeal must be submitted to the Building and Fire Safety Director, City of Henderson, 240 Water Street, Henderson, NV 89015.
3. The Board of Appeals will meet no later than fourteen calendar days after the filing of an appeal.
4. The attached appeal form must be completed, and must contain sufficient information for the Board to understand the order or decision being appealed, the basis for the appeal, and the reasons why the appeal should be granted. The appeal must be in the form of a written statement delivered to the Building & Fire Safety Director or Fire Chief, as applicable, within the time prescribed in item #2 above. The written appeal must contain the name, address, and telephone number of the applicant and a statement of the act, decision or interpretation being appealed. The appeal must be based on a claim that the true intent of the applicable code or the rules legally adopted in the codes have been incorrectly interpreted, the provisions of the code do not fully apply, or the requirements of the code are adequately satisfied by other means. Only those grounds stated in the written appeal may be considered by the Board of Appeals.
5. The Board of Appeals does not have authority relative to the interpretation of the administrative provisions of the technical codes or the administrative code, nor is the Board empowered to waive any requirements of the administrative code or the technical codes. The Board will only determine whether to uphold, modify or reverse the decision of the Building & Fire Safety Director or Fire Chief. Appeals regarding the issuance of criminal citations are required to be heard by a court of competent jurisdiction and are not within the scope of authority of the Board of Appeals.
6. The appeal will be heard and considered by the Board of Appeals in a public meeting. At the time of the hearing, the appellant or his representative will be heard by the board. The appellant may present any supporting oral, legal arguments or evidence. The Board may require an appellant to present the reports of experts on the subject matter of the appeal. The responsibility for, and the expense of obtaining and presenting expert reports, is that of the appellant. The hearing may be continued from time to time as the Board may deem appropriate to reach a just decision on the appeal.
7. At the conclusion of the hearing, the Board will deliberate in public meeting and reach a decision based on the evidence presented at the hearing. The Board will also issue a written decision signed by the Chairman.