

City of Sonoma

Notice of Appeal

For City Use

Date Received _____

By _____

Filing Fee \$212 Pd. _____

- Any person dissatisfied with any final decision of a City Commission, board, or City official may appeal such final decision to the City Council. Only final decisions may be appealed to the City Council.

Exceptions:

- Final decisions of the City Planner or a City Commission related to the enforcement or application of Title 19 of the Sonoma Municipal Code (SMC) is governed by the appeal provisions of SMC Title 19. The Planning Appeal Form should be used for these types of appeals.
- Final decisions of the Building Official related to the enforcement or application of the construction codes adopted in SMC Chapter 14.10 is governed by the appeal provisions contained in SMC Chapter 14.10. The Application for Appeal before the Board of Appeals form should be used for these types of appeals.
- The fee to file an appeal is **\$212.00** and must accompany this form.
- Pursuant to Section 1.24.020 of the Sonoma Municipal Code appeals must be filed with the City Clerk **within fifteen (15) calendar days** of the date the final decision, together with the filing fee.
- The application for appeal shall state the decision being appealed, the identity of the appellant and his/her interest in the matter and shall set forth the reasons which, in the opinion of the appellant render the decision unjustified or inappropriate.

Please Print or Type:

SECTION 1. APPELLANT INFORMATION:

Name: _____ Phone # _____

Mailing Address: _____

Email: _____

SECTION 2. SUBJECT OF APPEAL

1. In accordance with the procedures set forth in Chapter 1.24 of the Sonoma Municipal Code (Copy Attached), I hereby appeal the decision of the:

(Name of Official, Committee, or Commission decision being appealed)

2. The date the decision being appealed was rendered: _____

3. The issue, application or project was entitled: _____

**Sonoma Municipal Code, Chapter 1.24
APPEALS BEFORE THE CITY**

Sections:

- 1.24.010 Applicability.
- 1.24.020 Notice.
- 1.24.030 Effect of filing notice.
- 1.24.040 Contents of notice.
- 1.24.050 Hearing.
- 1.24.060 Action of appellate body.
- 1.24.070 Appeals by council members.
- 1.24.010 Applicability.

Any person dissatisfied with any final decision of any city commission, board or official may appeal such final decision to the city council. Only final decisions may be appealed to the city council.

A. For purposes of this section, a “final decision” is one made by a body or official who, by state or federal law, or by virtue of a provision in this Sonoma Municipal Code or other enactment adopted by the city council, is authorized to make a decision that is binding upon the city and becomes effective without any additional approval or decision by any other body or official. Decisions by a body possessing only advisory powers are not “final decisions” for purposes of this chapter. Unless a city employee is expressly granted final decision-making authority by this Sonoma Municipal Code or other enactment adopted by the city council, the only employee who, acting on his or her own, can make a final decision appealable under this section is the city manager.

B. Except for SMC 1.24.040 and 1.24.070, this chapter does not apply to any final decision the appeal of which is governed by some other provision of this Sonoma Municipal Code and/or state or federal law. (Ord. 05-2013 § 1, 2013; Ord. 97-2 § 1, 1997).

1.24.020 Notice.

All appeals shall be initiated by filing with the city clerk a written notice of appeal on a form provided by the city clerk within 15 days of the date of the decision, together with any applicable fees as determined by council resolution. (Ord. 97-2 § 2, 1997).

1.24.030 Effect of filing notice.

The filing of the notice of appeal shall have the effect of staying the issuance of any permit until such time as the matter on appeal is resolved. (Ord. 97-2 § 3, 1997).

1.24.040 Contents of notice.

The notice of appeal shall state the decision being appealed, its identification number, the identity of the appellant and his interest in the matter, and, unless the appeal is by a member of the city council, shall set forth the reasons which, in the opinion of the appellant, render the decision unjustified or inappropriate. (Ord. 97-2 § 4, 1997).

1.24.050 Hearing.

Upon receipt of a notice of appeal in proper form and payment of required fee, the appellate body shall set a hearing date. (Ord. 97-2 § 5, 1997).

1.24.060 Action of appellate body.

The appellate body shall review the proceedings held by other officers or bodies of which prior decisions or interpretation were made. The appellate body’s decision may affirm or modify the previous decision or interpretation. (Ord. 97-2 § 6, 1997).

1.24.070 Appeals by council members.

Except as otherwise provided by law or ordinance of this city, any member of the city council may, at his/her discretion, appeal any final decision of any city commission, board or official to the city council. If an appeal is made by a council member, there shall be a presumption applied that the reason for the appeal is because the appealed decision or interpretation has significant and material effects on the quality of life within the city of Sonoma. No inference of bias shall be made because of the appeal and no other reason need be stated by the council person in his/her notice of appeal. (Ord. 97-2 § 7, 1997).