

Article 2: Code Enforcement Judicial and Administrative Remedies

Division 5: Administrative Enforcement Appeals

*(“Administrative Enforcement Appeals”
added 8-10-1993 by O-17956 N.S.)*

§12.0501 Appeal Procedures

- (a) A *person* served with one of the following documents, orders, or notices may file an appeal within ten (10) calendar days from the service of the following notices:
 - (1) Any Administrative Abatement Notice and Order issued for those *public nuisances* listed under Time Frame One and Time Frame Two of Chapter 1, Article 2, Division 6 of this Code.
 - (2) An Administrative Citation issued pursuant to Chapter 1, Article 2, Division 9 of this Code.
 - (3) A letter from a *Director* indicating an intent to record a Notice of Violation pursuant to Chapter 1, Article 2, Division 10 of this Code.
 - (4) A Notice of Abandoned Property Penalty issued pursuant to Chapter 5, Article 4, Division 3 of this Code.
 - (5) A Notice of Summary Abatement of Unsecured Structure issued pursuant to Chapter 5, Article 4, Division 12 of this Code.
- (b) The appeal shall be made in writing and filed with the *Director*.
- (c) As soon as practicable after receiving the written notice of appeal, a *Director* shall request the City Manager to appoint an Administrative Enforcement Hearing Officer and to schedule a date, time, and place for the hearing.
- (d) *Written* notice of the date, time, and place of the hearing shall be served on the *person* appealing the notice at least ten (10) calendar days prior to the date of the hearing by any one of the methods listed in Chapter 1, Article 1, Division 3, section 11.0301 of this Code.

(Amended 5-28-1996 by O-18301 N.S.)

(Amended 2-26-2007 by O-19579 N.S.; effective 3-28-2007.)

(Amended 10-12-2022 by O-21545 N.S.; effective 11-11-2022.)

§12.0502 Appeal Hearing

The appeal hearing shall be conducted pursuant to the administrative enforcement hearing procedures set forth in Chapter 1, Article 2, Division 4 of this Code.

(“Appeal Hearing” added 8–10–1993 by O–17956 N.S.)

(Amended 10-12-2022 by O-21545 N.S.; effective 11-11-2022.)

§12.0503 Failure to Attend an Administrative Enforcement Hearing

Failure to attend the administrative enforcement hearing by the *person* appealing a notice shall constitute a waiver of his or her rights to an administrative enforcement hearing and adjudication of the notice or any portion of the notice.

(“Failure to Attend an Administrative Enforcement Hearing” added 8–10–1993 by O–17956 N.S.)

(Amended 10-12-2022 by O-21545 N.S.; effective 11-11-2022.)