



ADMINISTRATIVE CITATION APPEALS

Appeal Process Information: Pursuant to Dixon Municipal Code (D.M.C.) section 1.07.100, any recipient of an administrative citation may contest that there was a violation as stated in the administrative citation; that he or she is the responsible party; that the violation was created by a life-threatening medical condition, or that of a member of their household; or the violation could not be corrected or ceased due to the responsible party's life threatening medical condition, or that of a member of their household. The applicant shall submit a request for hearing form and return it to the City Clerk within thirty (30) calendar days from the date of the administrative citation and an advance deposit of the fine, or request for deposit waiver.

The written appeal request shall, at a minimum, contain:

1. A brief statement setting forth the interest the appealing party has in the matter relating to the imposition of the penalty;
2. A brief statement, in ordinary and concise language, of the material facts which the appellant claims support his/her/its contention that no administrative penalty should be imposed or that an administrative penalty of a different amount is warranted;
3. A party contesting the imposition of an administrative fine due to a life-threatening medical condition must provide documentation of the life-threatening medical condition from a licensed health care provider; and
4. An address at which the appellant agrees notice of any additional proceeding or an order relating to the imposition of the administrative penalty may be received by first class mail.

The person requesting the hearing shall be notified by the City Clerk of the time and place set for the hearing at least ten (10) business days prior to the date of the hearing. If the enforcement officer submits an additional written report concerning the administrative citation to the hearing officer for consideration at the hearing, then a copy of this report also shall be served on the person requesting the hearing at least five (5) business days prior to the date of the hearing.

Deposit Waiver: Any person who is financially unable to make the advance deposit of the fine as required may file a request for deposit waiver. The request shall be filed with the Finance Director on a deposit waiver application form, available from the City Clerk, together with the request for hearing form. The Finance Director shall issue a written determination listing the reasons for his or her determination to issue or not issue the deposit waiver within fifteen (15) business days. The written determination of the Finance Director shall be final and shall be served upon the person who applied for the deposit waiver, the enforcement officer and the City Clerk. Failure to serve does not affect the validity of the determination. If the Finance Director determines that the deposit waiver is not warranted, the person shall remit the full amount of the fine as a deposit within ten (10) business days of mailing of the determination. Failure to deposit the full amount of the fine within the ten (10) business day period shall constitute an admission of the violation by the recipient and an admission that the amount of the administrative penalty is appropriate and may constitute a failure to exhaust administrative remedies barring judicial review.