

Chapter 1.20 ADMINISTRATIVE APPEALS

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1.20.010 Right to appeal.

Except where an appeals procedure is otherwise specifically set forth in this code, any person excepting to the denial, suspension or revocation of a permit applied for or held by him or her pursuant to any of the provisions of this code or to any administrative decision made by any official of the city, if the denial, suspension or revocation of such permit or the determination of such administrative decision involves the exercise of administrative discretion or personal judgment exercised pursuant to any of the provisions of this code, may appeal in writing to the council by filing with the city clerk a written notice of such appeal, setting forth the specific grounds thereof. No appeal may be taken to any such administrative decision made by an official of the city pursuant to any of the provisions of this chapter unless such decision to appeal has been first taken up with the department head concerned. No right of appeal to the council from any administrative decision made by an official of the city pursuant to any of the provisions of this code shall exist when such decision is ministerial and thus does not involve the exercise of administrative discretion or personal judgment exercise pursuant to any of the provisions of this code, whether the administrative decision involves the denial, suspension or revocation of a permit or any other administrative decision.

(Prior code § 1-4.01)

1.20.020 Time limits for filing.

The appellant shall file a notice of appeal with the city clerk within fourteen (14) days after the receipt of the notice of the administrative decision concerned.

(Prior code § 1-4.02)

1.20.030 Hearings—Notices.

Upon the filing of the notice of appeal in proper form, the city clerk shall place the matter on the council agenda for the next regular meeting of the council which will be held at least five days after the date of the filing of the notice of appeal. Except in cases of emergency when the council may determine the matter immediately, the council shall set the matter for hearing at a subsequent meeting, but in no event later than thirty (30) days after the date of the filing of the notice of appeal with the city clerk. The city clerk shall cause a written notice of the hearing to be given to the appellant not less than five days prior to such hearing, unless such notice is waived in writing by the appellant.

(Prior code § 1-4.03)

Title 1 - GENERAL PROVISIONS

Chapter 1.20 ADMINISTRATIVE APPEALS

1.20.040 Hearings.

At the hearing required by the provisions of Section 1.20.030 of this chapter, the appellant shall show cause on the grounds set forth in the notice of appeal why the action appealed from should not be approved. The council may continue the hearing from time to time and its findings on the appeal shall be final and conclusive in the matter.

(Prior code § 1-4.04)