



APPEAL – ADMINISTRATIVE FINE

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET ♦ ROOM 200 ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600

Promoting the Wise Use of Land ♦ Helping to Build Great Communities

INTRODUCTION

Per San Luis Obispo County Code 1.05.010 et seq., you are entitled to appeal the Administrative Fine issued to you. This appeal must be written on this form and arrive at the San Luis Obispo County Department of Planning and Building, County Government Center, San Luis Obispo CA 93408, no later than 4:30 p.m. on the 20th day (inclusive) of the date of the Notice of Fine.

APPEAL PROCESS

You must attach the entire amount of the fine (personal check, money order or cashier's check only) to this form. That money will be held in deposit. If you win your appeal, the deposit will be returned to you. If you lose, the deposit will not be returned to you.

You will be notified by mail of your appeal date, location and time. Please do not be late. This hearing date may only be rescheduled one (1) time. To reschedule, you must call 788-2947 prior to noon no less than ten (10) business days before your hearing. The hearing will be held in the San Luis Obispo County Board of Supervisor's Hearing room at 1055 Monterey Street, San Luis Obispo, California. You are allotted 20 minutes. If you are late your appeal will be considered denied and your bail forfeited.

To have your appeal upheld (to win your appeal) you must prove at least one of the following:

1. You were not the responsible party (you did not cause the violation or were not the property owner at the time the violation occurred).
2. There was no violation as cited in the fine notice.
3. There was no probable cause to investigate the violation.
4. You were not legally notified to correct the violation. (In cases where there is irreparable environmental damage, a repeat offense or financial gain, this section does not apply).
5. You were fined even though you corrected the violation by the given deadline (with exceptions to section 4).

NOTE: The hearing officer will not consider any evidence or statements that do not apply to proving the above (5) elements. This appeal is not an opportunity to plea bargain or negotiate a reduction to your fine. You must present evidence to show that you were either not in violation, not the responsible person, not properly notified, or otherwise did not receive due process per Code and Policy.

The Code Enforcement Investigator will give testimony first. Following that testimony, you will be given opportunity to present your case and ask questions of the Investigator. You will not be given a decision at the time of your hearing. You will receive a written decision on your case within two weeks.



ADMINISTRATIVE FINE - APPEAL FORM

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
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PROJECT INFORMATION

File Number: _____

Print name: _____

Address: _____

Phone Number (daytime): _____

Fine Amount: _____

Date of Notice: _____

Check Number: _____

BASIS FOR APPEAL:

I was not the responsible party (I did not cause the violation or I was not the property owner at the time the violation occurred).

There was no violation as cited in the fine notice. Explain: _____

There was no probable cause to investigate the violation. Explain: _____

I was not legally notified to correct the violation. (In cases where there is irreparable environmental damage, a repeat offense or pecuniary gain, this section does not apply).
Explain: _____

I was fined even though I corrected the violation by the given deadline (In cases where there is irreparable environmental damage, a repeat offense or pecuniary gain, this section does not apply).
Explain: _____

OFFICE USE ONLY

Date and Time of Receipt of Appeal: _____

By: _____

Deposit Received? Yes No

Amount of Deposit Paid: _____

Receipt No. (if applicable): _____