



COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING & BUILDING  
Administrative Fine Appeal

COD-1001  
09/25/2017

## INTRODUCTION

Per County of San Luis Obispo Code 1.05.010 et seq., you are entitled to appeal the Administrative Fine issued to you. The appeal must be written on this form and arrive at the County of San Luis Obispo Department of Planning and Building, 976 Osos St., RM 200, 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. The amount will be held as a deposit. If you win your appeal, the deposit will be returned to you. If your appeal is denied, 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 805-781-5718 prior to noon no less than ten (10) business days before your hearing. The hearing will be held in the County of San Luis Obispo Board of Supervisors Chambers at 1055 Monterey Street in San Luis Obispo, California. You are allotted 20 minutes. If you are late your appeal will be considered denied and your deposit 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 were not the property owner at the time the fines were assessed).
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 pecuniary gain, this section does not apply).
5. You were fined even though you 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).

**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 in 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 an opportunity to present your case and ask questions of the Investigator. A decision will not be given at the time of the hearing. You will receive a written decision on your case within two weeks.

## Administrative Fine Appeal

### 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 was not the property owner at the time the fines were assessed).

Explain: \_\_\_\_\_

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): \_\_\_\_\_