



## APPLICATION FOR CODE ENFORCEMENT HEARING OFFICER

### CONTACT INFORMATION

Name: \_\_\_\_\_ Home Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

### WORK & COMMUNITY EXPERIENCE

Employer: \_\_\_\_\_ Title: \_\_\_\_\_

Statement of Occupational Experience: \_\_\_\_\_

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List any past or current community or public service appointments with dates served: \_\_\_\_\_

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What experience or special knowledge can you bring as a Code Enforcement Hearing Officer? \_\_\_\_\_

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*PERSONS HOLDING THIS POSITION ARE REQUIRED TO FILE CONFLICT OF INTEREST STATEMENTS IN ACCORDANCE WITH THE POLITICAL REFORM ACT AND THE CITY OF LEMON GROVE CONFLICT OF INTEREST CODE.*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Hearing Officer Procedures and Policies**  
**(Reference Hearing Officer Procedures and Policies Manual and Chapter 1.24 of the**  
**Lemon Grove Municipal Code)**

The purpose of the administrative citation and fines ordinance is to encourage compliance with community standards by applying a monetary penalty for continuing violations. The City of Lemon Grove Municipal Code Section 1.24.070 provides a recipient of an administrative citation the option to appeal a citation. A hearing officer is needed to preside over administrative citation hearings, review evidence, and make an unbiased judgment.

**The following criteria are established as requirements to be considered for the position of Hearing Officer:**

1. A candidate is not required to be a resident of Lemon Grove. However, the distance in which the candidate resides may be a consideration factor in determining his or her ability to attend appeal hearings.
2. A Hearing Officer candidate must be able to conduct a hearing, analyze the City's Municipal Code, weigh evidence and make unbiased judgments based on evidence and testimony presented.
3. A Hearing Officer must possess effective communication skills—both verbal and written.
4. A Hearing Officer candidate may not have been issued a code enforcement citation with a fine for a period of 18 months from the time of applying for a Hearing Officer position.
5. In the event a Hearing Officer is issued an administrative citation with a fine while serving a term, he or she shall be disqualified as a Hearing Officer.
6. A Hearing Officer may not be a full or part-time employee of the City of Lemon Grove (including paid committee or commission members).

The City Council may fill a panel of no less than three and no more than six Hearing Officers. Hearing Officers may apply in writing for consideration for Council selection at any time, if the panel is not full. The Council may conduct interviews with the full Council or may appoint a sub-committee of members of the Council to administer the selection process. The full Council must ratify the appointment of a Hearing Officer to the panel.

The term of the Hearing Officer shall be no more than three years. However, the Council may re-appoint a Hearing Officer through the selection process identified in the previous section. To create appropriate conclusion of terms, the Council may decide periodically, on a case-by-case basis, to reduce the length of a term to two years to create staggered terms on the Hearing Officer panel.

A Hearing Officer shall be compensated \$75 per appeal hearing. For purposes of this Section, an "appeal hearing" shall include, but not be limited to, all appeals consolidated into a single hearing and any subsequent continuance or future dates until a final determination is rendered by the Hearing Officer. This amount is for travel, preparation time, conducting the hearing, and preparing the written decision. There shall be no additional payment in the event the Hearing Officer is requested to testify at a court proceeding. In the event the hearing is canceled after

the Notice of Hearing has been established, the Hearing Officer shall be compensated \$40. In the event, the Hearing Officer is disqualified or recuses him/herself, no compensation shall be paid.

Hearing Officers are required to disqualify themselves from serving as the Hearing Officer for a particular case if they have a personal or business relationship or any other type of relations, with any of the involved parties which might cause them to have a conflict of interest, bias or prejudice in regard to the case to be heard.

In the event that the Hearing Officer believes that a conflict of interest does not exist but might be perceived, he or she is required to disclose to both the City and the appealing party the nature of any relationship that might cause such a perception at least eight (8) days prior to the hearing date. Either of the parties may then request that a new Hearing Officer be selected, provided that such request is made known to the Hearing Officer within two (2) business days of such notification.

In the event that the Hearing Officer does not disqualify her/himself or does not announce a relationship that might be perceived as a potential conflict of interest and either party believes that a conflict of interest may exist, that party may request of the City Manager that a different Hearing Officer be selected, provided such request is made within five (5) days of the hearing date. The City Manager shall determine whether or not to take such action based on the evidence presented of a relationship, prejudice or bias that might impede the Hearing Officer's ability to provide a fair hearing.

Failure to disclose a conflict of interest as defined herein may result in the termination of the Hearing Officer's participation on the panel.