

ADMINISTRATIVE HEARING INFORMATION SHEET



REQUESTING A HEARING: All appeals must be submitted in writing, and filed with the Director within 10 days of issuance of the administrative citation (SMC 1.44.070). Notification of the date, time, and place of the scheduled hearing will be mailed to you at least 10 calendar days prior to the date of the hearing, per Section 1.44.080.

The person who has been held responsible for the action being appealed may, upon completing and signing a form available in the Municipal Utilities Department, Stormwater Division Office, authorize another to represent his/her interests at the hearing. In doing so, the person is relinquishing his/her right to have their testimony heard in this matter. Failure of the designee to attend or properly present the case **will not** be considered as grounds for further appeal. The hearing will take place and the Administrative Order will be final and binding.

Failure to attend the hearing, as noticed, will cause the hearing to be held in your absence, unless you have received **written** verification of rescheduling from the Stormwater Program Staff. If the Hearing Officer has retained jurisdiction in the case, the hearing will not be rescheduled without his/her consent.

HEARING PROCEDURES: A Hearing Officer will be appointed to hear your case. The name of the Hearing Officer is listed on the Agenda. If you suspect that there may be a conflict of interest with the Hearing Officer, please contact our office as soon as possible to reschedule your hearing.

All hearings will be conducted in English. Translators will **not** be provided by the City of Stockton. If you are non-English speaking, you will need to bring a translator with you to the hearing.

Hearings are open to the Public. All hearings will be taped for the record.

Be prepared to show photo identification, if asked. Acceptable forms of identification include a California Driver's License, California ID, or a valid passport.

All persons to be heard or bear witness must arrive at or before the scheduled starting time of the meeting. Roll call will be taken and the Oath given at the beginning of the hearing. The cases may not necessarily be heard in the order listed on the agenda. Failure to be in attendance at the starting time may cause the Hearing Officer to decide your case in your absence.

The hearings will be conducted in a fashion similar to a small claims action. The City will first present its facts, and then you will have the opportunity to present your facts. All parties may ask questions of the other. The hearings are informal in nature, but you may bring witnesses and/or documentation to support your testimony. **Note: All documentation submitted as evidence will be marked evidence, and kept in the Official Hearing File. THE DOCUMENTATION WILL NOT BE RETURNED TO YOU! IT IS YOUR RESPONSIBILITY TO PROVIDE COPIES OF WHATEVER DOCUMENTS, PICTURES, ETC. THAT YOU INTEND TO SUBMIT AS EVIDENCE, AND SUBMIT THE COPIES AS OPPOSED TO THE ORIGINALS TO THE HEARING OFFICER.**

Subpoenas for witnesses can be issued, provided you submit a request to the Stormwater Program Office, no later than 5 business days before the scheduled hearing date and it is determined that the witness will have relevant and vital information in regard to your case. You may be required to pay a fee for the processing of the subpoena, **in addition to** bearing all costs related to the subpoena. If you desire to subpoena a witness, you will be responsible for:

- the service of the subpoena and all related costs
- any travel arrangements and/or expense required
- any witness fees to be paid
- any other related actions or costs not mentioned

If you have any further questions please call Stormwater Program Support Staff at (209) 937-8746.