

18 On page 45, beginning on line 935, after "appeal" strike "~~((statement))~~ or pay the appeal
19 fee," and insert "~~((statement or pay the appeal fee,))~~"

20

21 On page 45, at the beginning of line 935, strike "F." and insert "~~((F-)) E."~~

22

23 On page 45, at the beginning of line 937, strike "G." and insert "~~((G-)) F."~~

24

25 On page 45, at the beginning of line 941, strike "H." and insert "~~((H-)) G."~~

26

27 On page 45, at the beginning of line 944, strike "I." and insert "~~((I-)) H."~~

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29 On page 46, at the beginning of line 947, strike "J." and insert "~~((J-)) I."~~

30

31 On page 46, beginning on line 947, after "'file" means" strike "electronically submitting
32 a ~~((paper copy and an electronic copy))~~ document to the clerk of the council" and insert "
33 ~~((submitting a paper copy and an electronic copy to))~~ emailing the clerk of the council"

34

35 **EFFECT prepared by E. Auzins: Eliminates the \$250 fee for appeals of Hearing**
36 ***Examiner recommendations to the Council. Clarifies what "filing" an appeal with the***
37 ***Council means.***

38

39 SECTION 1. Ordinance 18230, as amended, and K.C.C. 4A.780.010 are hereby
40 amended as follows:

41 A. Except as otherwise provided in subsection B. of this section, the fee for filing
42 an appeal to the office of the hearing examiner under K.C.C. 20.22.080(~~(5)~~) is two

43 hundred fifty dollars.

44 B.1. The fee for filing an appeal to the office of the hearing examiner under
45 K.C.C. 20.22.080, of a permit fee estimate and billing under K.C.C. ~~((chapter 27.50))~~
46 27.02.040.D., is fifty dollars.

47 2. There is no fee for filing an appeal to the office of the hearing examiner of an
48 enforcement or penalty action under K.C.C. Title 6, K.C.C. Title 11, or K.C.C. Title 23,
49 ~~((or))~~ a transit rider suspension under K.C.C. 28.96.130~~((;~~

50 C. The fee for filing)) or an appeal to the council under ((section)) K.C.C.
51 20.22.230.D. ((is two hundred fifty dollars.))

52

53 SECTION 35. Ordinance 18230, Section 46, and K.C.C. 20.22.230, are hereby
54 amended as follows:

55 A. A ~~((person))~~ party initiates an appeal to the council from ~~((an))~~ the examiner
56 recommendation ~~((or decision))~~ by filing an appeal ~~((statement))~~ with the clerk of the
57 council and providing copies of the appeal ~~((statement))~~ to the examiner and to all other
58 parties.

59 B. The appeal ~~((statement))~~ must be received within twenty-four days of the date
60 of the examiner's transmittal of the recommendation ~~((or decision))~~.

61 C. The appeal ~~((statement))~~ shall:

- 62 1. Include a copy of the ~~((decision))~~ recommendation being appealed;
63 2. Identify the location of the property subject to the appeal, if any;
64 3. Identify the legal interest of the appellant;
65 4. Identify the alleged errors in the ~~((decision))~~ recommendation;
66 5. State specific reasons why the ~~((decision))~~ recommendation should be
67 reversed or modified;

68 6. State the harm suffered or anticipated by the ~~((party filing the appeal))~~
69 appellant; and

70 7. Identify the relief sought.

71 D. ((The person filing an appeal shall pay a fee as prescribed in K.C.C.
72 4A.780.010. The fee shall be paid at the time the appeal is filed and is not refundable.

73 ~~E.))~~ The scope of an appeal shall be limited to matters or issues raised in the
74 initial appeal ~~((statement))~~.

75 ~~((F.))~~ E. If a ~~((person))~~ party fails to timely file the appeal ~~((statement or pay the~~
76 ~~appeal fee.))~~ the council does not have jurisdiction to consider the appeal.

77 ~~((G.))~~ E. Within three days of receiving the appeal ~~((statement))~~, the examiner
78 shall notify all interested persons and parties of the appeal filing and of the opportunity to
79 respond and shall post a copy of the examiner recommendation ~~((or decision))~~ and ~~((of~~
80 ~~the))~~ appeal ~~((statement))~~ on the ~~((internet))~~ examiner's website.

81 ~~((H.))~~ G. Within seventeen days of the date the appeal ~~((statement))~~ is filed, a
82 respondent shall file a response with the clerk of the council and provide electronic
83 copies of the response to the examiner, to all other parties, and to the appellant.

84 ~~((I.))~~ H. Within ten days of the date the response is filed, an appellant may file a
85 reply with the clerk of the council, and ~~((providing))~~ provide copies of the reply to the
86 examiner, to all other parties, and to the respondent.

87 ~~((J.))~~ I. For purposes of this section, "file" means ((submitting a paper copy and
88 an electronic copy to)) emailing the clerk of the council.

