

Chapter 2.33

HEARING EXAMINER

Sections:

- 2.33.010 Purpose
- 2.33.020 Creation of Hearing Examiner
- 2.33.030 Appointment
- 2.33.040 Qualifications
- 2.33.050 Removal
- 2.33.060 Freedom from Improper Influence
- 2.33.070 Rules
- 2.33.080 Duties of the Hearing Examiner
- 2.33.090 Conflicting Code Provisions and Rules of Procedure

2.33.010 Purpose. The purpose of this chapter is to establish a quasi-judicial hearing system, which will ensure procedural due process and appearance of fairness in regulatory hearings and will provide an efficient and effective hearing process for quasi-judicial matters.

2.33.020 Creation of Hearing Examiner. The Office of Hearing Examiner, hereinafter referred to as "Examiner," is created. The Examiner shall perform the duties and functions specified in this chapter, together with such other quasi-judicial duties and functions as may be delegated by the Mayor and City Council. Unless the context requires otherwise, the term "Examiner" as used herein shall include any examiner pro tem who may be appointed.

2.33.030 Appointment. The Examiner shall be appointed by the Mayor subject to confirmation by a majority vote of the City Council. The terms of the Examiner's employment shall be specified by a professional service contract. An Examiner pro tem may also be appointed by the mayor subject to confirmation by majority vote of the City Council. An Examiner pro tem shall serve in the event of absence or disqualification of the Examiner.

2.33.040 Qualifications. The Examiner shall be appointed solely with regard to his or her qualification for the duties of the office, and will have such training and experience as will qualify the examiner to conduct administrative and quasi-judicial hearings on regulatory enactments and to discharge such other functions conferred upon the examiner by the Mayor and City Council. The Examiner shall hold no other elective or appointive office or position in City government.

2.33.050 Removal. The Examiner may be removed from office for cause by the Mayor, subject to confirmation by a majority vote of the City Council.

2.33.060 Freedom from Improper Influence. No Councilmember, City official or any other person shall attempt to interfere with or improperly influence the Examiner in the performance of his or her designated duties.

2.33.070 Rules. The Examiner shall have the power to prescribe written rules and regulations for the scheduling and conduct of hearings and other procedural matters related to the duties of the office.

2.33.080 Duties of the Hearing Examiner. The Examiner is vested with the duty and authority to hold public hearings and render decisions as specified in Title 14.

2.33.090 Conflicting Code Provisions and Rules of Procedure. Any and all provisions of this code, and any and all provisions of the rules of procedure adopted by the examiner, which are in conflict with this chapter are superseded. (Ord. 1801, 1996; Ord. 1873, 1998; Ord. 1872, 1998)