

ORDINANCE NO. 2011-032

Adopted by the Sacramento City Council

August 4, 2011

AN ORDINANCE REPEALING AND ADDING SECTION 5.136.740 OF THE SACRAMENTO CITY CODE, RELATING TO THE APPEAL OF ACTIONS ON TAXICAB PERMITS

Section 1.

Section 5.136.740 of the Sacramento City Code is repealed.

Section 2.

Section 5.136.740 of the Sacramento City Code is added to read as follows:

5.136.740 Appeal of action on permit.

- A. Any applicant or permittee aggrieved by the director's decision to deny, suspend, or revoke a permit issued pursuant to this chapter, may appeal the decision by submitting a written notice of appeal to the director within ten calendar days from the date of service of the notice of decision. The written notice of appeal shall contain:
1. A brief statement in ordinary and concise language of the specific decision protested, together with any material facts claimed to support the contentions of the appellant;
 2. A brief statement in ordinary and concise language of the relief sought, and the reasons why it is claimed the protested decision should be reversed or otherwise set aside;
 3. The signatures of all parties named as appellants and their official mailing addresses; and
 4. A declaration under penalty of perjury by at least one appellant as to the truth of the matters stated in the notice of appeal.

- B. The appeal hearing shall be conducted by a hearing examiner appointed pursuant to Section 8.04.070 of this code.
- C. Upon receipt of any appeal filed pursuant to this section, the director shall transmit the appeal to the secretary of the hearing examiner who shall calendar it for hearing as follows:
 - 1. If the appeal is received by the director not later than 15 days prior to the next regularly scheduled appeal hearing date, it shall be calendared for hearing on that date.
 - 2. If the appeal is received by the director less than 15 days prior to the next regularly scheduled appeal hearing date, it shall be calendared for hearing on the next subsequent appeal hearing date.
- D. Written notice of the time and place of the hearing shall be given at least ten days prior to the date of the hearing to each appellant by the secretary of the hearing examiner either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal.
- E. Only those matters or issues specifically raised by the appellant in the written notice of appeal shall be considered in the appeal hearing.
- F. Failure of any person to file a timely appeal in accordance with the provisions of this section shall constitute an irrevocable waiver of the right to an administrative hearing and a final adjudication of the matter and any portion thereof.

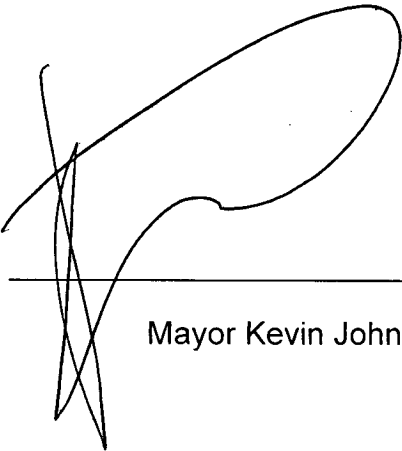
Adopted by the City of Sacramento City Council on August 4, 2011 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



A handwritten signature in black ink, consisting of several overlapping loops and a vertical line, positioned above a horizontal line.

Mayor Kevin Johnson

Attest:



A handwritten signature in black ink, written in a cursive style, positioned above a horizontal line.

Shirley Concolino, City Clerk

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