

43 (5) The individual receiving the citation may testify in their own defense.

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45 (6) Each party may subpoena witnesses.

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47 (7) The hearing shall be open to the public.

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49 (8) An electronic recording shall be made of the hearing.

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51 (d) The hearing officer may exercise independent judgment as to the weight of
52 evidence supporting or refuting the notice of violation or impoundment, and may exercise
53 independent judgment on legal issues raised by the parties.

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55 (e) No later than 30 days following the hearing the hearing officer shall issue a written
56 decision including findings of fact and conclusions of law. Such findings must be reasonably
57 specific so as to provide interested persons and, where appropriate, reviewing authorities, a
58 clear and precise understanding of the reasons for the decision entered. The decision,
59 findings of fact, and conclusions of law shall be forwarded to all parties to the appeal. A final
60 appealable decision must indicate that it is a final order and that a party disputing the
61 decision has 30 days to appeal.

62
63 (f) A final decision issued under subsection (e) of this section may be appealed to the
64 superior court within 30 days after the date the decision was issued. For the purposes of this
65 section the date of issuance is the date upon which the decision was mailed or delivered to
66 the parties.

67
68 Section 2. This Ordinance is of a permanent and general character and shall be
69 included in the City Code.

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71 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 8th day of
72 August, 2016.



CITY OF HOMER

Mary E. Wythe
MARY E. WYTHE, MAYOR

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81 ATTEST:
82 J. Johnson
83 JO JOHNSON, MMC, CITY CLERK
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YES: 6
NO: 0
ABSTAIN: 0
ABSENT: 0

First Reading: 7/25/16
Public Hearing: 8/08/16
Second Reading: 8/08/16
Effective Date: 8/09/16

Reviewed and approved as to form.

Mary Koester
Mary K. Koester, City Manager

Date: 8.11.16

Fiscal Note: NA

Holly Wells
Holly C. Wells, City Attorney

Date: 9.29.16