

## Administrative Order



**Administrative Order No.:** 10-7

**Title:** Appeal Procedures for General Hauler and Landscaper Permit Revocations and Denials

**Ordered:** 10/8/1996

**Effective:** 10/8/1996

### **AUTHORITY:**

Chapter 15, Section 15-17.3 and Section 8CC-10 of the Dade County Code.

### **SCOPE:**

This Administrative Order establishes Departmental administrative procedures for appeals associated with denied or revoked general hauler or landscaper permits. The Director or his designee will conduct appeal hearings for denied or revoked permits after receiving a written request from the applicant.

### **PROCEDURE:**

All Department revocation/denial letters will include a section outlining the appeal process. Revocation/denial letters will be signed by the Director and sent certified mail. Within 14 days of receipt of the certified letter, the applicant who wishes to appeal a permit revocation or denial must submit a letter requesting an appeal hearing. The letter should be addressed to the attention of the Director and mailed to the Department at 8675 N.W. 53rd Street, Suite 201, Miami, Florida, 33166.

The Director or his designee will set a hearing date that will occur within 14-60 days after receipt of the written request for appeal. When the hearing date is set, the Department will send a certified letter to the applicant to inform him of the hearing date, time and location.

The hearing will be conducted by a panel made up of the Director or his designee and other appointees, as appropriate. At the time of the hearing, the applicant will be provided the opportunity to present his case regarding the revocation of his permit or to present proof to the panel that he meets the permit requirements as outlined in the permit application and Chapter 15 of the Metropolitan Dade County Code. For hearings conducted for permit denials, the hearing panel will review the original application and consider supporting documentation provided by the applicant which explains information submitted in the original application. For landscaper permit

denials, new applications or new/supplemental customer lists will not be accepted in conjunction with the appeals process.

## **PERMIT REVOCATION/DENIAL APPEAL PROCEDURES**

At the conclusion of the hearing, the panel will submit its findings to the Director. The Director will provide a written decision either affirming the original decision of staff or directing staff to issue or reinstate the permit. The permit applicant will be notified of the Director's final decision by certified letter within 14 days.

Permit applicants may appeal the Director's final decision to the Circuit Court of the Eleventh Judicial District, Appeals Division. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the written record created before the Department. The appeal to the Circuit Court must be filed within thirty (30) days of the date of the Director's final written decision on the appeal.

This Administrative Order is hereby submitted to the Board of County Commissioners of Dade County Florida.

Armando Vidal, P.E.

County Manager