Administrative Appeal Application

Tacoma-Pierce County Health Department
Healthy People in Healthy Communities

In order for an appeal to be timely, you must submit a complete application **within 15 calendar days** of the decision you want to appeal. We return incomplete applications. See guidance on the back of this form.

A complete application contains:

- A signed, completed copy of this form.
- A copy of the Health Department order, decision, notice of violation, administrative civil penalty, requirement, permit, decision or determination you want to appeal.
- The fee for a Health Officer/administrative hearing appeal.

VALIDATION

Appeal Category:

❑ Onsite Septic ❑ Individual Well ❑ Solid Waste ❑ Food Establishment
❑ Water Recreation Facility ❑ Methamphetamine Contamination
❑ Underground Storage Tank/Contaminated Sites
❑ Public Water–System Name (if applicable) _____
❑ Other _____

Health Department actions affect my: ❑ Property ❑ Activity ❑ Certification

Decision/Notice/Order Date _____ Case Number _____

Site Address _____

Related Health Department staff _____ Other _____

Provide a short statement describing the issue or action you are appealing (attach additional sheets if needed.)

_____

_____

Applicant Name _____

I am the: ❑ Owner ❑ Septic Designer ❑ Well Driller ❑ Water System Operator ❑ Consultant ❑ Attorney

❑ Other _____

Mailing Address _____

City _____ State _____ Zip _____

Phone Number _____ Email _____

Attorney Name (if applicable)_____

Mailing Address _____

City _____ State _____ Zip _____

Phone Number _____ Email _____

Property Owner (❑ Same as Applicant) _____

Mailing Address _____

City _____ State _____ Zip _____

Phone Number _____ Email _____

❑ I have submitted all required information and fees, including a copy of the order, decision, permit, notice that I am appealing. I understand the Health Officer will not grant an appeal based on visual or economic factors. I also understand the Health Officer will not grant an appeal that will, more likely than not, adversely impact public health or the environment.

Applicant Signature _____ Date _____

Information submitted is subject to Public Records Act, Chapter 42.56 RCW.

Administrative Appeal Guidance

Tacoma-Pierce County Health Department
Healthy People in Healthy Communities

*This document gives general guidance. Please see **Environmental Health Code Chapter 1, Section 12** for complete details.*

- Any aggrieved person, as defined in **Environmental Health Code Chapter 1, Section 6,** may appeal a Health Department order, notice of violation, administrative civil penalty, requirement, permit, decision or determination. We conduct appeals under **Environmental Health Code Chapter 1, Section 12.**

- In order for your appeal to be timely, you must submit an application and fee **within 15 calendar days** of our decision or action. The Appeal application must include the specific order, notice of violation, decision or other issue being appealed. You may submit technical reports or exhibits with the Appeal application.

- Except in the case of an emergency order, we will temporarily suspend our action or decision when we receive your completed Appeal application. We will wait until the Health Officer hears the Appeal and makes a decision.

- When we receive your completed Appeal application, we will schedule an administrative hearing **within 30 calendar days,** unless all involved people agree to a different date.

- If the Appeal involves other people (e.g. another property owner or a permit holder), we will notify them and allow them to participate in the administrative hearing.

- The Health Officer may require you and other involved people to attend a pre-hearing conference. At the conference, we will clarify the process and the viewpoint of all the people involved. We will also encourage you and other involved people to find a resolution and sign a written agreement during or before the administrative hearing.

- During the Appeal the Health Department must justify our interpretation and application of the Code. We will explain how our actions or decisions are consistent with the requirements in the Environmental Health Code and state law.

- The Health Officer will issue a written decision within **10 business days** of the administrative hearing.

- The Health Officer's decision is final unless appealed to the Hearing Examiner. An Appeal to the Hearing Examiner is a separate process. You must submit another application and fee within **10 calendar days of the date of the Health Officer's decision**. See **Environmental Health Code Chapter 1, Section 13** for more information.

Contact us at (253) 649-1500 or visit tpchd.org/fees for current appeal fees and other information. Submit completed appeals in person or by mail to:

Attention: Health Officer
Tacoma-Pierce County Health Department
3629 S. D St.
Tacoma, WA 98418-6813