



APPEAL TO THE CITY MANAGER OF STVR LICENSE & PERMIT SUSPENSION

An appeal hearing by the City Manager must be requested as follows:

- 1) Within 10 days from the issuance of the suspension
- 2) In writing and filed with the City Clerk
 - Via email at CityClerkMail@LaQuintaCA.gov
 - Via snail mail at 78495 Calle Tampico, La Quinta, CA 92253
- 3) Include a copy of the administrative decision you wish to appeal
- 4) Provide evidence to be considered as grounds for the appeal
- 5) The relief or action(s) sought from the appeal
- 6) One-time non-refundable processing fee of \$250

- Every effort will be made to schedule the appeal hearing as soon as feasibly possible.
- The City will notify the Appellant of the scheduled hearing time and date at least five (5) calendar days in advance.
- The City Manager will issue a final decision in writing within ten (10) working days from the hearing conclusion.

2.08.180 Appeals to the city manager.

- A. Except when an appeals procedure is otherwise specifically set forth in this code, any person excepting to the denial, suspension, or revocation of a permit or license applied for or held by him or her pursuant to any of the provisions of this code, or aggrieved by an administrative decision made by any city official, if the denial, suspension, or revocation of the permit or license, or the determination of the administrative decision involves the exercise of administrative discretion or personal judgment exercised pursuant to any of the provisions of this code, may appeal in writing to the city manager by filing with the city clerk a written notice of the appeal. Notwithstanding any other provision in this code to the contrary, the appellant must file the notice of appeal with the city clerk in addition to any other department or designated city officer identified in this code.
- B. No appeal may be taken to any such administrative decision made by a city official pursuant to any of the provisions of this chapter unless the decision to appeal has been first taken up with the permit administrator, and each such official has not adjusted the matter to the appellant's satisfaction.
- C. No right of appeal to the city manager from any administrative decision made by a city official pursuant to any of the provisions of this code shall exist when the decision is ministerial and thus does not involve the exercise of administrative discretion or personal judgment exercised pursuant to any of the provisions of this code, whether the administrative decision involves the denial, suspension, or revocation of a permit, license, or any other administrative decision. Also, there shall be no such right of appeal with regard to law enforcement activities involving state law. (Ord. 583 § 1, 2020; Ord. 524 § 5, 2015)

2.08.190 Notice of appeal—Time limit—Contents—Fee.

- A. Within ten calendar days after the issuance of an administrative decision, an appellant may request a hearing before the city manager to present evidence on his or her behalf. If the tenth calendar day is a nonworking day for the city, the appeal period shall be extended to include the next city working day; no appeal shall be accepted after this period has expired.
- B. The notice of appeal shall be in writing and shall set forth: (1) name(s) of the person(s) filing the appeal ("appellant(s)"); (2) the specific action being appealed; (3) the specific grounds of the appeal; (4) the relief or action sought from the city manager; and (5) the signatures of all parties named as appellants and their mailing address. The notice of appeal may also include any additional information or documentation the appellant(s) wish to provide on the matter. The notice of appeal, or certain information contained in the notice of appeal, may be subject to public disclosure.
- C. Except in those instances where an appeal is filed by a public official in pursuance of official duties, the written notice of appeal from the action of an administrative official shall be accompanied by such fee as may have been established by resolution of the city council. An appellant may request a waiver of a filing fee, which shall be reviewed and decided upon, based on the provisions set forth in Section 2.04.115 of this code.
- D. Any appeal filed that fails to provide all of the information required by this section, or fails to include the appropriate filing fee, or both, shall be deemed incomplete. The city clerk shall return the incomplete appeal to the appellant with a brief statement the reasons for the deficiency, and the appellant shall thereafter be allowed five calendar days in which to perfect and refile the notice of appeal. If the fifth calendar day is a nonworking day for the city, the appeal period shall be extended

to include the next city working day; no appeal shall be accepted after this period has expired. (Ord. 583 § 1, 2020; Ord. 524 § 5, 2015)

City of La Quinta				
Master Fee Schedule				
Schedule of Appeal Fees				
Fee Description	Fee	Unit	Notes	
1	Appeal to Hearing Officer of Administrative Citation	\$25	per appeal	[a]
2	Appeal of an Administrative Decision to City Manager	\$250	per appeal	[a]
3	Appeal to Construction Board of Appeals	\$1,500	per appeal	[a]
4	Appeal to Planning Commission	\$1,500	per appeal	[a]
5	Appeal to City Council	\$1,500	per appeal	[a]

[a] Depending on the subject of the appeal, specialized expertise may be solicited, at the expense of the applicant, for the purpose of providing input to the City Manager, Construction Board of Appeals, Planning Commission or City Council.

2.08.200 Appeal initiated by the city manager.

At the discretion of the city manager, or as required in this code, the city manager may initiate and conduct a hearing prior to the issuance of an administrative decision to afford an applicant an opportunity to present evidence on the applicant’s behalf when an application denial, or existing permit suspension or revocation is about to be issued. Notice shall be serviced as prescribed in Section 1.01.300 and the city manager may include in the notice a requirement for the applicant to provide additional information or documentation at the time of the hearing. (Ord. 583 § 1, 2020; Ord. 524 § 5, 2015)

2.08.210 Appeals—Hearings—Notices.

Upon the timely filing of a notice of appeal in proper form, the city manager shall set the time and place for such hearing and shall serve notice to the appellant pursuant to Section 1.01.300 as soon as practical thereafter but in no event, shall the notice be served less than five calendar days prior to the date of the hearing thereon. Where applicable, the notice shall state the grounds for the administrative decision at issue. (Ord. 583 § 1, 2020; Ord. 524 § 5, 2015)

2.08.220 Failure to appeal.

In the event no appeal is made within the time period or in the manner prescribed in this code, the decision of the city manager shall become final and conclusive on the expiration of the time fixed for an appeal. (Ord. 583 § 1, 2020; Ord. 524 § 5, 2015)

2.08.230 Appeals to the city council.

Any person aggrieved by any decision of the city manager may appeal to the city council pursuant to Sections 2.04.100 through 2.04.130 of this code. (Ord. 583 § 1, 2020; Ord. 524 § 5, 2015)