

CHAPTER 29
Sanitary Sewer Use and Wastewater Treatment
(Cr. #40-87)(Am. #19-89)(Am. #17-92)
(Repealed and replaced #1-18)

29.14 Reconsideration and Appeals
(section title amended #1-18)

(Repealed and replaced #1-18)

- (a) **Reconsideration of Administrative Decisions.** Any Person to whom an administrative decision under this Chapter is issued by the Department may request, in writing, that the Department reconsider its decision. The request for reconsideration must include a bona fide allegation that the Department's decision was based, in whole or in part, on a mistake of factual circumstances or incorrect application of the law, or that new facts have arisen which may alter the decision. The written request must be served on the Department no later than 10 days after the date of the administrative decision of which reconsideration is sought. Reconsideration shall be in the sole discretion of the Department. Proceedings to enforce the decision shall be stayed pending the Department's response to the request for reconsideration. Violations that continue during the stay shall be subject to enforcement and penalties if the request for reconsideration is denied, or if on reconsideration the Department amends its decision but the amended decision does not excuse the continuing violation.
- (b) **Appeal of Administrative Decisions.** Administrative decisions issued by the Department under this Chapter may be appealed to the City Administrative Review Appeals Board, pursuant to WMC §2.11. Appeals shall be filed, in writing, with the Administrative Review Appeals Board no later than 10 days after the decision is issued by the Control Authority, or, if reconsideration of the decision has been requested pursuant to subsection (a), above, no later than 10 days after a decision on reconsideration has been issued by the Department.
- (c) **Appeal of Permit Terms and Conditions.** Regardless of subsections (a) and (b), above, appeals of the terms and conditions of an issued Permit shall be made to the Administrative Review Appeals Board, pursuant to WMC §2.11, no later than 30 days after the Permit is issued. Requests for reconsideration pursuant to subsection (a), above, may not be made of the terms and conditions of Permits.