



**MUNICIPALITY OF ANCHORAGE
ADMINISTRATIVE HEARING OFFICE
City Hall, 632 West 6th Avenue, Suite 740
Anchorage, Alaska 99501
(907) 343-4535; Facsimile (907) 343-4541**

GUIDELINES FOR REQUESTING A HEARING AND PREPARATION FOR HEARING

You have the right to appeal Notices of Violation (NOV) issued to you. You may also appeal certain administrative actions such as animal classifications under AMC 17.40. This means you will have a hearing at which time Animal Control must present the evidence to support the NOV or the administrative decision. You should first review the sections of Title 17 of the Anchorage Municipal Code that apply. Title 17 can be accessed through the Internet at www.muni.org or at your local library. You should especially determine if there are any defenses that apply to you. Remember the fine is set by code and the Hearing Officer has no authority to waive or reduce the fine amount if you are found guilty of the violation(s). You must request the hearing in writing no later than 15 business days of receipt of the NOV or decision. Fill out the attached form and file it with the Hearing Office at the address shown above. Do not file your appeal with the Animal Control Center on Bragaw Street.

The following are some reasons why you may wish to appeal:

1. You may want to require Animal Control to prove the facts that support what you are appealing. This is a part of due process and is your right.
2. You may contest the allegations stated in the NOV or the administrative decision and you are going to refute them. Be prepared with documents or testimony supporting your version of the facts.
3. You may believe the NOV or the administrative decision does not comply with the code.

You may request copies of documents that Animal Control may rely upon at hearing from the Animal Control Center at 4711 South Bragaw Street, 343-8122. In order to obtain the information, you must complete a "Request for Information" form and submit it to their staff. Such information must be provided to you within seven days of your request. You may request the identity of witnesses Animal Control intends to have testify at the hearing. The Hearing Office does not have this information prior to the actual hearing.

The Hearing Office will mail the Notice of Hearing to you at the address you provided on your appeal form. All hearings take place at City Hall, 632 W. 6th Avenue, Suite 740. You are entitled to have an attorney represent you at your own expense.

You may subpoena the attendance of witnesses by obtaining a subpoena from the Municipal Clerk's office at 343-4311. You are responsible for serving the subpoena upon the witness. **Bring three copies of all exhibits that you intend to introduce into evidence at hearing; for the Hearing Officer, the Animal Control representative, and yourself. Failure to submit the copies may cause a delay in the hearing or result in a rejection of exhibits.**

Requests to reschedule hearings must be made in writing and filed with the Administrative Hearing Office and served on Animal Control prior to hearing. Failure to timely appear at the scheduled hearing may result in a default judgment being entered against you. The Hearing Officer will prepare a document called "Findings of Fact, Conclusions of Law and Recommended Decision" which will be the final decision on the appeal. Further appeal rights from the decision are set forth at the end of the decision.

If you require accommodations to attend the hearing, please advise the Hearing Office at least three business days prior to the hearing so that assistance service may be scheduled. Failure to do so may cause delays in the hearing process.



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REQUEST FOR HEARING

Please read attached Guidelines - page 1

You must file this request for hearing within 15 business days of the date of service of the Notice of Violation or the Animal Control decision you wish to appeal.

This is a Request for Hearing on: _____ Notice of Violation (NOV)/Citation
 _____ Animal Control Classification Decision
 _____ Other Animal Control Decision

Animal Control Case Number: _____ NOV Number: _____ Level of Classification: _____

Please type or print clearly. Attach a copy of the NOV or the Animal Control decision being appealed.

Your Name: _____ Animal's Name: _____

Residence Address: _____ Zip Code: _____

Mailing Address: _____ Zip Code: _____

Home Telephone: _____ Work Telephone: _____

Describe the animal (type, breed, sex, age and color): _____

State why you are requesting a hearing. If more space is needed, attach additional sheets. At hearing, you may present photographs, diagrams, documents and other relevant evidence. You may call witnesses. If you must obtain subpoenas, see attached page. If a witness is unable to attend, you may present his/her notarized sworn statement.

STATEMENT OF RIGHTS

I understand that I am entitled to attend the hearing and submit evidence at the hearing. I understand that I may present witnesses, cross-examine witnesses called by Animal Control, and may engage the services of an attorney to represent me; I may also subpoena witnesses, including Animal Control officers. If I do not attend for any reason, I waive the right to present evidence in my defense at hearing. I understand that if for any reason I do not attend, a decision may be rendered against me by default. I understand that the notice of the hearing date, time and place, and all decisions will be served by mail.

I declare that all information provided above is true, accurate and complete. In the absence of a notary public, I personally certify under penalty of perjury, that the foregoing statements are true.

 Signature Date