



CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Steven Anderson
Meeting Date:	Monday, December 4, 2023
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Administrative Citation Fee
Background Information:	<p>On August 8, 2023, the city council adopted Ordinance 23-020 creating Chapter 2, Article 2-VIII Administrative Citations. This ordinance was sought by staff to address City Code violations in a prompt and timely manner rather than seeking enforcement under the criminal court system that could be potentially more costly than the original violation. As part of the Administrative Citation process City Code violators are given their due process through Section 2-410 Administrative Hearing Procedure.</p> <p>A written notice requesting a hearing and a filing fee shall be given to the City Clerk to schedule a hearing with an impartial third party (hearing officer) who will conduct the hearing and make judgement based on the information provided by city staff and the defendant. The ordinance requires that the hearing officer be a current licensed attorney or a retired judge. Attorney Whitmore has garnered the interest of a couple of attorneys who would be willing to be hearing officers for the City of Marshall remotely. Staff are recommending contracting with hearing officers at a rate of \$150/hr. which includes attendance at the hearing and a written decision that includes a finding of fact, conclusion of law and an order.</p>
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	To recommend that a \$150 Administrative Hearing filing fee be added to the fee schedule for 2024.