February 11, 2022

To: Nome Common Council
From: Clerk Hammond

RE: **Appeal of Denial of Chauffeur's License**

Mr. Ahmasuk submitted a Chauffeur's license renewal application on January 11, 2022. Upon review by both the Deputy Chief and the Police Chief, neither saw the applicant as fit to hold a chauffeur's license under Nome Code of Ordinances due to the applicant's criminal background. The applicant was presented with a letter of denial (attached) and decided to appeal (attached). Mr. Ahmasuk will not be present at the hearing as he has a previously scheduled conflict that prevents him from appearing before you. He requested the matter move forward without his presence. City Attorney Charles Cacciola is available by telephone, should the Council feel the need for legal advice.

We ask that you rule on the appeal of his chauffeur's license denial.

NCO 3.10.060

(a) In the event that a chauffeur's license application is denied or a previously issued license revoked, and the licensee or applicant has been served with written notice of the reasons for denial or cancellation, the licensee or applicant may, by notice in writing submitted to the city clerk's office, within five days after receiving such notice, appeal the decision to the common council of the city.

> (1) The applicant/licensee may be represented by counsel at this hearing and may introduce evidence to challenge the findings leading to denial of a chauffeur's application or revocation of an existing application.

> (2) The city manager or his/her designee shall have the right to be present and to present evidence in support of the denial or revocation.

(b) After hearing all applicable evidence, the common council shall rule on the appeal and issue written findings of fact and conclusions of law determining either:

> (1) The chauffeur's license approved for the applicant/licensee as in other cases, and so issued; or

> (2) The findings of the city are sustained, and the ruling of denial/revocation shall stand. (Ord. O-11-09-02 § 8, 2011)