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Appeal Policy

PORT OF POULSBO

Draft: September 8, 2014

Executive Approval: September 22, 2014

Commission Adoption: October 2, 2014

Revised: March 17, 2022

Review Date: March 17, 2025

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| Appeal Policy | Logo1inch.png |

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| **1. POLICY STATEMENT** |

The intent of this policy and procedure is to provide a process by which an appeal of an Executive Director decision may be filed.

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| **2. POLICY GUIDELINES** |

It shall be presumed by the Port Commission that decisions and orders of the Executive Director are lawful and proper.  In the absence of evidence to the contrary, decisions and orders shall stand.

Any aggrieved person desiring to appeal the final decision or order of the Executive Director shall follow the procedure below.

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| **3. APPEAL PROCEDURE** |

1. Appellant shall file a written appeal with the Executive Director within five (5) calendar days of the final decision or order of the Executive Director.
2. The written appeal shall be limited to one 8.5” x 11” page.
3. The Executive Director shall, within two (2) calendar days, provide copies to each Commissioner for review.
4. Copies may be transmitted by email by appellant directly to Commissioners.
5. Said written appeal shall provide, as a minimum, the following information:
6. Identity of appellant, date of appeal, and any applicable vessel name and slip number.
7. Short summary of relevant and specific facts.
8. Summarized statement of Executive Director's action giving rise to the appeal.
9. Each argument in support of appeal and specific relief requested.
10. Regulations, Port policies, and City and/or state laws being challenged.
11. Regulations, Port policies, and City and/or state laws in support of appeal.
12. After review of the written appeal by any Commissioner, the appellant, upon request, may be granted, by that Commissioner, a ten minute hearing at the next regularly scheduled Board meeting to present, by way of oral testimony, his/her arguments in support of the appeal.  Otherwise the appeal will be decided on the record without further hearing, with a final decision by the Board, usually within twenty-one (21) calendar days.
13. The written appeal, after conclusion of any hearing, will be reviewed by the Board. Absent a finding of illegality, arbitrariness, or abuse of discretion by the Executive Director, the decision of the Executive Director will be final.
14. For appeals regarding continuation of moorage privileges, the appellant is entitled to retain the assigned slip only if he/she has paid in advance, monthly moorage fees and charges anticipated for the period of the appeal's review.