

STEP 2

ATASCADERO POLICE DEPARTMENT
5505 El Camino Real, Atascadero CA 93422

**REQUEST FOR ADMINISTRATIVE HEARING OF
NOTICE OF PARKING VIOLATION**

This request must be made after completion of an Administrative Review (Step 1) and within 21 calendar days of the mailing of the results of the review. Appellants must **pay the full amount due for the citation before** receiving an administrative hearing, unless indigent as defined in CVC 40220 and able to provide satisfactory proof of inability to pay per CVC 40215.

I CONTEST the below listed parking citation and request an Administrative Hearing on this matter as follows (please choose Option A or B):

Date Citation Received:	Citation #:	Vehicle License Plate #:
Name:	Phone #:	Email (optional):
Address: (#, Street, City, State, Zip)		

OPTION A - HEARING BY MAIL

_____ BY MAIL. I hereby file with the Atascadero Police Department a written statement setting forth my version of the circumstances surrounding this citation. The Lieutenant will review the citation and any documentation or evidence available from the Atascadero Police Department, provided by me or found due to their own investigation to form the basis of their decision. I understand that if I fail to submit my statement, the decision will be based solely on the information provided by the Atascadero Police Department.

OPTION B - HEARING IN PERSON

_____ IN PERSON. I understand that I must appear at my hearing, and that if I do not appear at the hearing, the decision will be based solely on the information provided by the Atascadero Police Department or found due to the Lieutenant's own investigation.

I have read the "Statement of Rights and Responsibilities" form provided herewith and paid the penalty amount.

Appellant's Signature: _____ Date: _____

APD USE ONLY:

Payment Verification: [] CASH [] CHECK Receipt # _____ Verified By: _____

Hearing Scheduled: Date: _____ Time: _____ Notified By: _____

Parking Violation: [] UPHELD [] DISMISSED

Comments: _____

Lieutenant's Signature: _____ Hearing Date : _____

Date Mailed: _____ By: _____

Return Form to: Atascadero Police Department • 5505 El Camino Real • Atascadero, CA 93422

DECLARATION OF FACTS

For Parking Violation Administrative Hearing

Instructions: Use and sign this form if "Option A - Hearing by Mail" is selected.

Return a completed and signed copy to the Atascadero Police Department along with your Request for Administrative Hearing and a copy of proof of citation payment.

Note: Your statement should be brief and concise and directly to the point. It should outline the facts as you feel they exist and be set forth as you would explain them to the Lieutenant if you were appearing in person.

Appellant's Name: _____ Citation #: _____
PLEASE PRINT

Statement: _____



Executed under penalty of perjury at _____, on _____
(City) (Date)

Appellant's Signature: _____

APD USE ONLY

Lieutenant: _____ Hearing Date: _____
Return Form to: Atascadero Police Department • 555 El Camino Real • Atascadero, CA 93422

ATASCADERO POLICE DEPARTMENT

5505 El Camino Real, Atascadero CA 93422

STATEMENT OF RIGHTS & RESPONSIBILITIES

For Parking Violation Administrative Hearing

Instructions: Read and sign this form if "Option B - Hearing in Person" is selected.

Return a signed copy to the Atascadero Police Department along with your Request for Administrative Hearing and a copy of proof of citation payment. You will be notified when a hearing date is set.

You have exercised your right to an **Administrative Hearing** for the purpose of contesting this matter. The Hearing is held before a independent Lieutenant. The proceedings are informal and rules regarding the admissibility of evidence will not be strictly applied. The Lieutenant will make a decision based on all the evidence produced. No special accommodations are available to individuals with any condition that may limit them from participating in the hearing. If you require any assistance, please plan to provide it.

Hearings are conducted at the Atascadero Police Department, 5505 El Camino Real, Atascadero, CA.

PLEASE BE ADVISED THAT:

1. The registered owner of the vehicle in issue is required to attend unless responsibility has been transferred via timely affidavit of non-liability per CVC 40209/ CVC 40210.
2. The Lieutenant will decide only the citation/s that are prepared for hearing at this time.
3. An original or true copy of a citation that contains all material information is sufficient to establish that the violation occurred, unless disproved by evidence to the contrary. The issuing officer will not be required to be present at the hearing.
4. You have the obligation to show by a preponderance of the evidence (that is, by evidence that has more convincing force and the greater probability of truth than that opposed to it) that the citation in question was not validly issued. Such evidence may include, but is not limited to, records, documents and/or testimony of witnesses. Bring all of your evidence with you. Your hearing cannot be continued to obtain additional evidence.
5. You are to remain in the hearing room until your hearing is completed. If you should fail to appear or leave prior to the completion of your hearing, you will be considered in default and a decision will be made on the evidence already in the record.
6. You have the right to seek review of the final determination of the Lieutenant within 30 calendar days from the mailing of the Lieutenant's decision by filing an appeal with the San Luis Obispo Superior Court per CVC 40230.

I have read the above and understand my right and responsibilities.

Appellant's Name: _____ Citation #: _____
PLEASE PRINT

Appellant's Signature: _____ Date: _____

APD USE ONLY

Lieutenant: _____ Hearing Date: _____

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