



County of Sonoma

State of California

Date: August 4, 2020

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Adopting New Rules and Procedures for Conducting Administrative Hearings Held by a
Hearing Officer**

Whereas, Sonoma County Code Sections 1-7 through 1-7.6 provide for administrative enforcement of a public nuisance and violations of the county code, ordinances, regulations, orders, and permits, and establishes procedures for administrative appeal of these enforcement actions; and

Whereas, other sections of the Sonoma County Code provide for administrative appeals and due process hearings related to various County actions, such as appeals of cannabis business taxes imposed pursuant to Chapter 35; and

Whereas, Sonoma County Code Chapter 2, Division 9, establishes the Office of the County Hearing Officer and authorizes the office to conduct hearings for the county or any board, commission or committee thereof, except hearings conducted by the planning commission; and

Whereas, on November 3, 1987, the Board of Supervisors adopted Resolution No. 87-2044 first establishing uniform hearing procedures for zoning abatement hearings, appointing hearing officers, and empowering them to issue subpoenas, receive evidence, administer oaths, and rule on the questions of law and the admissibility of evidence; and

Whereas, on January 12, 1988, the Board of Supervisors adopted Resolution No. 88-

0097 to amend the uniform quasi-judicial hearing procedures to establish the burden of proof and clarify various rules and procedures related to the proceedings, submission of additional evidence and argument, field trips, hearing recordings, hearing officer recusal, and subpoenas; and

Whereas, it is necessary and desirable to update the rules and procedures for administrative hearings to broaden their potential applicability beyond zoning abatement hearings, establish rules on continuances and post hearing arguments, and amend the rules and procedures to provide more structure for complex and contentious administrative hearings, while maintaining informality and flexibility that ensures the administrative process remains accessible;

Now, Therefore, Be It Resolved, that the Board of Supervisors of the County of Sonoma repeals Resolution No. 88-0097 and replaces it with the “Sonoma County Rules and Procedures for Administrative Hearings” attached to this Resolution as Exhibit A and authorizes County departments, agencies, boards, commissions, and committees to employ these rules and procedures in conducting administrative hearings.

Supervisors:

Rabbitt: Zane: Gore: Hopkins: Gorin:

Ayes: Noes: Absent: Abstain:

So Ordered.