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## THE ADMINISTRATIVE HEARING

### An Informational Guide for Appellants

- I. **Purpose for the Hearing** – The purpose of the hearing is to determine whether an Administrative Citation issued for a violation of City Code was justified. The hearing is not a mediation session.
- II. **Structure** – Hearings are informal, in that the strict rules of evidence do not apply. However, the hearing still follows a basic structure to ensure fairness and due process to all parties.
- III. **The Hearing Officer** – An Administrative Hearing Officer, who is neither an employee nor resident of the city, presides over the hearing and is responsible for deciding the case. The Hearing Officer will strive to conduct a fair, efficient hearing.
- IV. **Proper Decorum** – Individuals who appear at the hearing are required to conduct themselves at all times in a dignified, orderly and appropriate manner. During the hearing, all individuals shall address their remarks to the Hearing Officer. Debate or argument among witnesses or litigants is not permitted. Individuals who fail to conduct themselves with the proper decorum may be removed from the proceedings at the order of the Hearing Officer. Be on time for the hearing.
- V. **Failure to Appear** – By failing to appear for a scheduled hearing, you are admitting to the violation in the Administrative Citation.
- VI. **Preparation** – Both parties are expected to have all of their witnesses, documents and exhibits available and with them at the hearing. An extra copy of any documents intended to be offered as evidence is desirable. You may wish to review the *Administrative Enforcement Manual* that the city provided with the initial citation and which also is available on the city's webpage at [www.ci.crystal.mn.us](http://www.ci.crystal.mn.us).
- VII. **Use of Attorneys** – In order to maintain informality, the use of an attorney is discouraged. The city will not be represented by an attorney at the hearing. If you wish to have an attorney present, the attorney may serve in an advisory capacity only and may not make any presentations, question witnesses or participate in cross-examination.
- VIII. **Witnesses** – You may wish to testify and/or present witnesses, but you are not obligated to do so. All witnesses will be sworn to tell the truth. You may bring witnesses to the hearing who have first-hand knowledge that will support your case.
- IX. **Presenting the Case** – The city bears the responsibility for presenting its case first. After the city presents, you will have an opportunity to present defenses and/or contest the allegations. Each side will have the opportunity to present and cross-examine witnesses.
- X. **The Ruling** – The written decision of the Hearing Officer as to whether the city has proven its case for issuance of an Administrative Citation will be mailed to you within 10 days of the conclusion of the hearing.