

**REQUEST FOR PRELIMINARY REVIEW
OF NOTICE OF VIOLATION
A.M.C. Section 1.20.035**

I, _____, was issued a Notice of Violation dated _____,
20_____, relating to property at the following address or location as specified in the Notice of Violation:
_____, Anaheim, California.

I hereby request a Preliminary Review of said Notice of Violation pursuant to the provisions of
Section 1.20.035 of the Anaheim Municipal Code, for the following reasons (s):

check applicable boxes

- (1) The violation(s) alleged in the notice did not occur;
- (2) The violation(s) alleged in the notice (was) (were) corrected prior to issuance of the notice;
- (3) I am not a person responsible for the violation(s) as such term is defined in Section 1.20.020.160 of the Anaheim Municipal Code.

If this request relates to more than one alleged violation and you are contesting the notice for different reason, please indicate which of the above reasons (by number) apply to each alleged violation:

Please attach any written writings, photographs, or other documentary evidence which supports this request.

I hereby request that the above-described Notice of Violation be canceled for the aforesaid reasons.

DATE: _____

Signature

Mail Address: _____

Telephone: _____

NOTE: This request must be received by the Code Enforcement Office not later than ten (10 days following the date of the Notice of Violation. The purpose of a Preliminary Review is solely to uncover and cancel any mistakenly issued notices due to errors that are readily verifiable, and not to resolve factual disputes concerning any violations.

- SEE REVERSE SIDE -

1.20.035 PRELIMINARY REVIEW.

.010 A responsible person issued a notice of violation pursuant to this chapter may request a preliminary review, if the request is received by the Department within ten (10) days of the date the notice is issued.

.020 To obtain a preliminary review, the responsible person or his or her representative shall contact the Department at City Hall and bring a copy of the notice of violation and file a signed written request, stating the reasons why and any evidence showing no violation occurred or exists, or why he or she is not a person responsible for the violation. All filed requests shall be date stamped upon receipt by the department.

.030 The preliminary review shall be conducted by the Manager or his or her designee. The reviewer shall not be the Code Enforcement Officer who issued the notice. The purpose of the review is to uncover and cancel any mistakenly issued notices due to errors that are readily verifiable, and not to resolve factual disputes concerning any violation that is the subject of the notice.

.040 The preliminary review shall be decided on the same day filed, or within three (3) business days thereafter, and shall consist of a review of the notice of violation and the written statement and any other evidence submitted at the time of the request by the responsible person.

.050 The recipient shall be notified of the results of the review by being given a written notice of decision. The notice may be given by mail, facsimile transmission, or in person. The department shall keep a record of all preliminary review requests, decisions, and notices for a minimum period of two (2) years.

.060 A request for preliminary review does not extend any time periods for compliance, including the fine due date, the time any correction period ends, or the time within which to request an administrative review.

.070 If, following a preliminary review, the reviewer determines that no Code violation occurred or that the recipient was not a person responsible for the violation, the notice of violation shall be canceled.

1.20.020.160 “Responsible person” or “person responsible” shall mean any of the following:

- .01 A person who causes any violation of this Code to occur;
- .02 A person who maintains or allows any violation of this Code over which such person has control to continue, by his or her action or failure to act;
- .03 A person whose agent, employee, or independent contractor causes any violation of this Code, by its action or failure to act;
- .04 A person who is the owner, or lessee or sublessee with a current right of possession, of real property upon which a property-related violation of this Code occurs or exists;
- .05 A person who is the on-site Manager of a business who normally works at the site when the business is open and is responsible for the activities at such premises;
- .06 A person who is the beneficiary under a deed of trust for the property upon which a property-related violation exists, and who has not corrected the violation within thirty (30) days after being notified by a Code Enforcement Officer in writing that: (i) such violation exists, (ii) the trustee under the deed of trust is no longer living on the property, and (iii) such trustee's whereabouts are unknown to the City;
- .07 A minor who personally commits any violation of this Code and, jointly and severally, any parent or guardian of any such minor.