

Per Eugene Code, section 7.735, a person who wishes to appeal the decision of a System Development Charge (SDC) fee may do so by filing a written request for consideration by the Hearings Official and by paying an appeal fee of \$100.00. The written request must be filed within 15 working days of the date of the decision (e.g. date building permit was issued) and shall include the following information submitted along with this form:

- The name and address of the appellant;
- The site address, building permit number of the development for which an SDC fee(s) is being appealed;
- The nature of the determination being appealed and for which system (i.e. transportation, stormwater, local wastewater, parks);
- The reason the determination is incorrect; and
- What the correct determination of the appeal should be or how the correct determination should be derived.

An appellant who fails to file such a statement within the time permitted waives his/her objections, and his/her appeal shall be dismissed. Unless the appellant and the city agree to a longer period, an appeal shall be heard by a hearings official within 15 working days of the receipt of the notice of intent to appeal. At least ten working days prior to the hearing, the city shall mail notice of the time and location thereof to the appellant.

The Hearings Official shall hear and determine the appeal on the basis of the appellant's written statement and any additional evidence he/she deems appropriate. At the hearing the appellant may present testimony and oral argument personally or by council. The rules of evidence as used by courts of law do not apply.

The appellant shall carry the burden of proving that the determination being appealed is incorrect and what the correct determination should be or how a correct determination should be derived.

The Hearings Official shall issue a written decision within ten working days after the hearing date and the decision of the hearings officer shall be final. Pursuant to Oregon Revised Statutes 223.302(3) (a), "A local government must advise a person who makes a written objection to the calculation of a system development charge of the right to petition for review pursuant to ORS 34.010 to 34.100."

This Document Must Accompany a Written Request for Consideration

I (we) hereby acknowledge that I (we) have read the above information, understand the requirements for filing an appeal of a System Development Charge, and have provided all information as specified.

Appellant _____ Appellant _____
(Print Name) (Print Name)

Address _____ Address _____

Telephone _____ Telephone _____

Signature: _____ Signature: _____

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