

SUBJECT: AN ORDINANCE AMENDING MSB 3.08.342(J), FINDINGS AND DECISION; TO CHANGE THE DATE THE HEARING OFFICER'S DECISION IS DUE, FROM CALENDAR DAYS TO BUSINESS DAYS.

AGENDA OF: September 3, 2019

ASSEMBLY ACTION:

Adopted without objection

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER: _____

Route To:	Department/Individual	Initials	Remarks
	Originator: BJH for the Office of Administrative Hearings	<i>BJH</i>	
	Borough Attorney	<i>NS</i>	
	Borough Clerk	<i>JAM</i>	8/26/19 <i>BJH</i>

ATTACHMENT(S) : Fiscal Note: YES _____ NO X
Ordinance Serial No. 19-____ (3 pp)

SUMMARY STATEMENT: This legislation is coming forward at the request of the Office of Administrative Hearings.

The Office of Administrative Hearings is staffed by licensed Attorneys. The State Courts are closed for half a day on Fridays, so that is often a good day that a hearing officer is available for an appeal hearing.

When an appeal hearing is held on a Friday, with the way code currently reads, the hearing officer must work over a weekend in order to produce a final decision within the five calendar days required by code.

The intent is not to delay decisions, but to provide an improved timeframe in which hearing officer decisions can be rendered without requiring them to work over a weekend.

The Office of Administrative Hearings requested that legislation come forward that would change code from five calendar days to five business days.

RECOMMENDATION OF ADMINISTRATION: Adoption of legislation.