



OFFICE OF THE MUNICIPAL CLERK

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Notice of Appeal

This appeal is governed by [CBJ 01.50](#), the Municipal Appellate Code. This code establishes the standards and procedures for appeals.¹ Anyone who files an appeal should be familiar with the appellate code. The clerk can give you a copy of the code.

Attach a copy of the decision being appealed. Do not attach any other documents, exhibits, or additional pages to this form, except for any pages needed to continue the answers to the requested information below. The clerk will accept this form only if the appropriate filing fee is attached. The fee to file an appeal to the assembly is \$500.00. To be timely, an appeal must be filed within 20 days of the date the decision being appealed is filed with the clerk.

Action Being Appealed

Board decisions are appealable: board recommendations and most staff decisions are not.

- Agency Appealed From:

- Description and Date of Decision:

Concerned Parties

Identify the people who have an interest in the action being appealed: yourself and others.

- | | | | | |
|----------------------------------------------------------------|-----------------|-----------|-----|-------|
| <input type="checkbox"/> Party Filing Appeal | Mailing Address | Telephone | Fax | Email |
| <input type="checkbox"/> Parties Who Won the Decision Appealed | Mailing Address | Telephone | Fax | Email |

1 01.50.070 STANDARD OF REVIEW AND BURDEN OF PROOF. (a) The appeal agency may set aside the decision being appealed only if:
 (1) The appellant establishes that the decision is not supported by substantial evidence in light of the whole record, as supplemented at the hearing;
 (2) The decision is not supported by adequate written findings or the findings fail to inform the appeal agency of the basis upon which the decision appealed from was made; or
 (3) The agency failed to follow its own procedures or otherwise denied procedural due process to one or more of the parties.
 (b) The burden of proof is on the appellant. (Serial No. 92-36 □ 2 (part), 1992).1

Issues on Appeal²

Concisely describe the legal and factual errors that form the basis for your appeal. Do not argue them: argument will be heard later.

Relief Requested

What should the Assembly do with the action being appealed: send it back, modify it, or something else?

Signature

If you are representing any group, or a person other than yourself, you must sign a notarized statement that you are authorized to represent them.

Date

2 01.50.030(b)(5) COMMENCEMENT OF ACTION.

The notice of appeal shall include a concise statement of the legal and factual errors in the decision that form the basis of the appeal.