

13.12.586 – Procedures for revocation

- A. The Director of Public Works may order any User who causes or allows any action relative to a permit which is subject to revocation under Section 13.12.585 above to show cause before a hearing officer designated by the Mayor with advice and consent of the City Council why the permit should not be revoked. A notice shall be served on the User specifying the time and place of a hearing to be held by such hearing officer regarding the violation, the reasons why the action is to be taken, the proposed action, and directing the User to show cause before the hearing why its permit should not be revoked. The notice of the hearing shall be served personally or by registered or certified mail, return receipt requested, except where the Director of Public Works determines an emergency exists, at least ten (10) days before the hearing. Service may be made on any agent or officer of a User.
- B. The City Council may itself conduct the hearing and take the evidence, or may designate any of its members, its attorney or other person as a hearing officer to:
 1. Issue in the name of the City notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearing;
 2. Take the evidence;
 3. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendation to the City Council for action thereon.
- C. At any hearing held pursuant to this chapter, testimony taken shall be under oath and recorded. The transcript, so recorded, will be made available to any party to the hearing upon payment of the usual copying charges therefore.
- D. After the City Council has reviewed the evidence, it may issue an order to the User responsible for the discharge directing:
 1. that the discharge permit be revoked and the service be disconnected;
 2. that following a specified time the permit shall be revoked and sewer service discontinued unless adequate treatment facilities, devices or other related appurtenances have been installed and operated properly to comply with the discharge permit;
 3. direct the User to cease the unauthorized discharge effective after a specified period of time; or
 4. that such other relief as deemed necessary by the City Council to abate the discharge be granted.Further orders and directives as are necessary may be issued.
- E. Following an order of revocation, the User shall cease discharging to the City's POTW. Failure to do so shall be evidence of continuing harm to the City and provide grounds for the granting of injunctive relief or temporary restraining orders.