

BROWARD COUNTY ENVIRONMENTAL PERMITTING DIVISION ENVIRONMENTAL RESOURCE GENERAL LICENSE

GL-POB2309-014

Broward County Code of Ordinance(s): 27-336(a)(1)a.

Applicant: Mark Ruffu

777 S FEDERAL HWY, #105-C, Pompano Beach

Description: Removal of a 11' x 41' marginal dock and associated construction of a 11' x 41' marginal dock in same footprint with 10 new 10" wood pilings and a 4' x 4'6" access ramp.

Total width of the proposed dock over water will be 11'-8" as measured from the Mean High Water line to the waterward edge of the proposed 10-inch dock pilings, and the total area of all over water structures shall not exceed 454 square feet.

Issue Date: <u>10/11/2023</u> Expiration Date: <u>10/10/2025</u>

The above project has been reviewed and was verified to meet the criteria outlined in Chapter 27-336(a) of the Broward County Natural Resource Protection Code (Code) for the issuance of this Environmental Resource General License (GL). This approval is specific for the plans and description described on this verification.

Construction shall be in accordance with the submitted Application, the approved plans and the General Conditions required for all licenses pursuant to Section 27-58(b) of the Code. This approval does not authorize impacts to natural resources (mangroves, sea grasses, etc). Failure to comply with the license conditions may result in suspension or revocation of the license and/or enforcement actions.

Issuance of this license does not relieve the licensee from obtaining any other required federal, state or local permits or authorizations required for this project prior to commencement.

Per Section 27-58(b)(9) of the Code, "The licensee, by acceptance of this license, specifically agrees to allow access and shall allow access to the licensed source, activity, or facility at times to the COUNTY personnel for the purposes of inspection and testing to determine compliance with this license and this chapter."

Telephone: <u>(954) 519-1228</u>

email: <u>kscheffer@broward.org</u>

Broward County General Conditions

(Required for all licenses)

- The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the licensee and enforceable by the Resilient Environment Department (RED) pursuant to Chapter 27 of the Broward County Code of Ordinances. RED will review this license periodically and may revoke the license, initiate administrative and/or judicial action for any violation of the conditions by the licensee, its agents, employees, servants or representatives or principals.
- 2. This license is valid only for the specific uses set forth in the license application, and any deviation from the approved uses may constitute grounds for revocation and enforcement action by RED.
- 3. The licensee agrees to comply with Chapter 27 of the Broward County Code of Ordinances, as amended.
- 4. Enforcement of the terms and provisions of this license shall be at the reasonable discretion of RED, and any forbearance on behalf of RED to exercise its rights hereunder in the event of any breach by the licensee shall not be deemed or construed to be a waiver of RED"s rights hereunder.
- 5. In addition to the general conditions set forth above, each license issued by RED shall contain specific conditions determined by site conditions and requirements pursuant to the regulations as determined by the director of RED. The licensee agrees that specific conditions are enforceable by RED for any violation thereof.
- 6. If the licensee wishes to renew a license or extend its term, the licensee shall make application sixty (60) days prior to its expiration. Expired licenses are not renewable.
- 7. This license does not constitute a waiver or approval of any other license that may be required for other aspects of the total project.
- 8. The licensee, by acceptance of this license, specifically agrees to allow access to the licensed source at reasonable times by RED personnel for the purposes of inspection and testing to determine compliance with this license and Chapter 27 of the Broward County Code of Ordinances.
- 9. This license must be available for inspection on the licensee's premises during the entire life of the license.
- 10. The issuance of this license does not convey any vested rights or exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, or any violations of federal, state or local laws or regulations.
- 11. In the event the licensee is temporarily unable to comply with any of the conditions of the license, the licensee shall notify RED within twelve (12) hours. Within five (5) working days of the event, the licensee shall submit a written report to RED that describes the incident, its cause, the measures being taken to correct the problem and prevent its reoccurrence, the owner"s intention toward repair, replacement, and reconstruction of destroyed facilities, and a schedule of action leading toward operation within the license conditions.
- 12. Any new owner of a licensed facility shall apply by letter for a transfer of license within thirty (30) days after sale or legal transfer. The transferor shall remain liable for performance in accordance with the license until the transferee applies for, and is granted the transfer of license. The transferee shall also be liable for performance in accordance with the license.
- 13. By accepting this license, the licensee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, that are submitted to RED, may be used by RED as evidence in any enforcement proceeding arising under Chapter 27 of the Broward County Code of Ordinances, except where such use is prohibited by Section 403.111, F.S.

Standard Specific Conditions

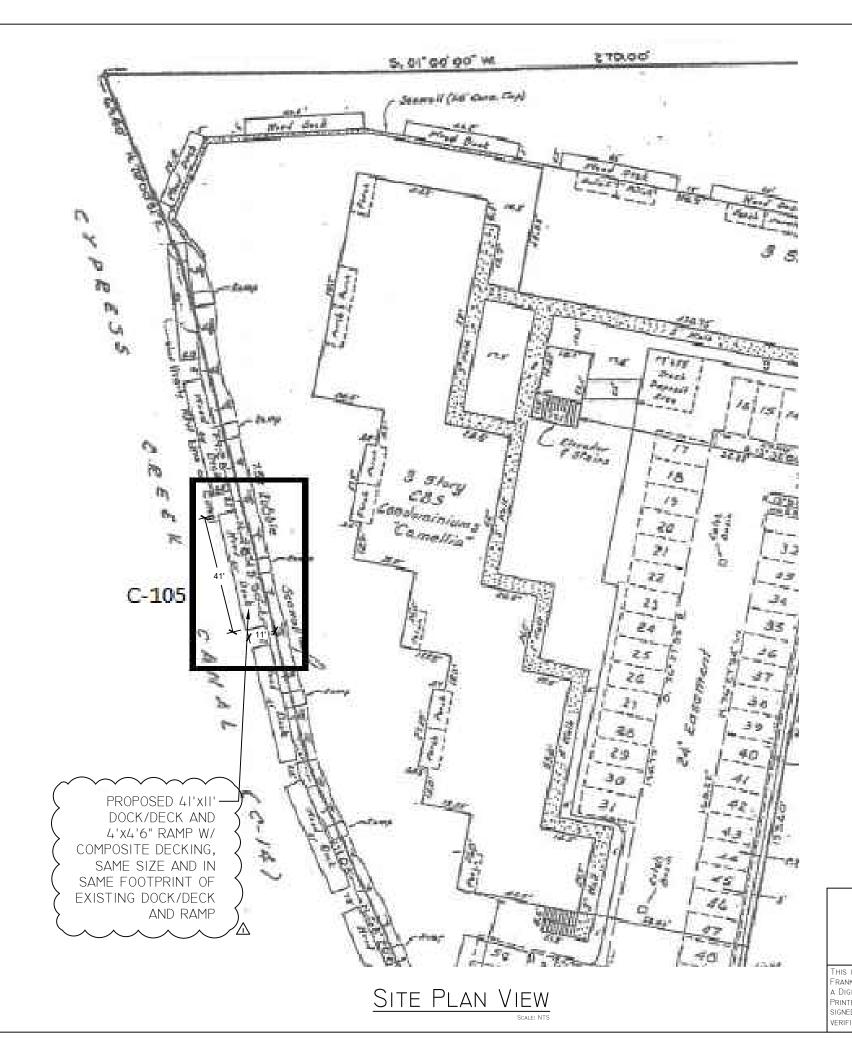
(Required for all licenses)

- 1. Notify the Department in writing a minimum of forty-eight (48) hours prior to project commencement and a maximum of forty-eight (48) hours after project completion.
- 2. Any project caused environmental problem(s) shall be reported immediately to the Department's Environmental Response Line at 954-519-1499.
- 3. All project generated solid waste and/or spoil material must be disposed of in a suitable approved manner in accordance with current regulations at an upland location (not including surface waters and wetlands).
- 4. Turbidity screens or equivalent shall be properly deployed and maintained as necessary during construction activities so that turbidity levels do not exceed twenty-nine (29) Nephelometric Turbidity Units (NTU's) above natural background fifty (50) feet downstream of project.
- 5. Only clean fill and clean demolition materials shall be placed in the water bodies being filled. Clean demolition materials include things such as brick, stone, ceramic and concrete rubble which are uncontaminated by other materials. Any fill material used shall be free of garbage, rubbish, refuse, asphalt, hazardous materials, organic matter such (as) wood, lumber, tree or tree trimmings, or other contaminants. The disposal of any putrescible or deleterious debris in any water body is prohibited.
- 6. This license does not eliminate the necessity to obtain any required federal, state, local or special district permit/license/approval prior to the start of any activity authorized by this license.

Project Specific Conditions

GL-POB2309-014

- 1. All watercraft associated with the construction and use of the permitted structure shall only operate within waters of sufficient depth so as to preclude bottom scouring or prop dredging. Specifically, there shall be a minimum 12-inch clearance between the deepest draft of the vessel (with the motor in the down position) and the top of any submerged resources or canal bottom at mean low water.
- 2. Construction shall be in accordance with the attached plans and drawings. Any deviation may require a new license and may cause enforcement actions to be initiated.
- Turbidity levels shall be monitored and recorded if a visible turbidity plume is observed leaving the site during construction activities. If monitoring reveals that turbidity levels exceed 29 NTU's above natural background 50 feet downstream of the point of discharge, project activities shall immediately cease, and work shall not resume until turbidity levels drop to within these limits (62-302.530(69) Florida Administrative Code [FAC]).
- 4. Turbidity screens, silt fences, or equivalent shall be properly employed and maintained as necessary to effectively contain suspended sediments and/or runoff during construction activities. Dredging, filling, excavation, seawall removal, seawall construction, and other projects which result in similar degrees of disturbance to wet sediments shall in all cases employ turbidity control measures designed to effectively enclose the entire work area. Connected turbidity curtain segments shall be overlapped and tied at the top and bottom so as to prevent turbidity from escaping through gaps between segments.



 THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY RANK ANTHONY RAGONE, PE ON THE DATE NOTED USING A DIGITAL SIGNATURE.
 STATE OF FLORIDA LICENS 708 SE 4TH STREET

 PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED GIGNED AND SEALED AND THE SIGNATURE MUST BE
 DEERFIELD BEACH, FL 334 PHONE: 954-592-7650 EMAIL: ANTHONYR@FARCC

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CONSU

RANK ANTHONY RAGONE

SHEET INDEX

SI SITE PLAN WDI DOCK/DECK PLAN WD2 DOCK/DECK PLAN

SCOPE OF WORK

- 1. CONSTRUCTION TO FOLLOW 2020 FLORIDA BUILDING CODE AND AMENDMENTS AS APPLICABLE AND ALL LOCAL, STATE, AND FEDERAL LAWS.
- 2. CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS PRIOR TO COMMENCEMENT OF THE WORK. ANY CONFLICTS OR OMISSIONS BETWEEN EXISTING CONDITIONS OR THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO THE COMMENCEMENT OF THE WORK. CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR ALL LINES, ELEVATIONS, AND MEASUREMENTS IN CONNECTION WITH THEIR WORK.
- 3. DO NOT SCALE DRAWINGS FOR DIMENSIONS.
- CONTRACTOR TO PAY FOR ALL PERMIT FEES, INSPECTIONS, AND TESTING REQUIRED UNLESS OTHERWISE SPECIFIED IN CONTRACT.
- CONTRACTOR TO VERIFY LOCATION OF EXISTING UTILITIES PRIOR TO COMMENCING WORK.
 CONTRACTOR IS RESPONSIBLE FOR ALL MEANS, METHODS, AND PROCEDURES OF WORK.
- CONTRACTOR IS RESPONSIBLE FOR ALL MEANS, METHODS, AND FROCEDURES OF WORK.
 CONTRACTOR TO OBTAIN ALL PERMITS AS NECESSARY FROM ALL LOCAL, STATE, AND FEDERAL AGENCIES.
- 8. CONTRACTOR TO PROPERLY FENCE AND SECURE AREA WITH BARRICADES.
- 9. ANY DEVIATION AND/OR SUBSTITUTION FROM THE INFORMATION PROVIDED HEREIN SHALL BE SUBMITTED TO THE ENGINEER FOR APPROVAL PRIOR TO COMMENCEMENT OF WORK.
- ALL UNANTICIPATED OR UNFORESEEN DEMOLITION AND/OR NEW CONSTRUCTION CONDITIONS WHICH WHICH REQUIRE DEVIATION FROM THE PLANS AND NOTES HEREIN SHALL BE REPORTED TO THE ENGINEER PRIOR TO COMMENCEMENT OF WORK.
- ALL NEW MATERIALS AND/OR PATCHWORK SHALL BE PROVIDED TO MATCH EXISTING MATERIALS AND/OR ADJOINING WORK WHERE PRACTICAL EXCEPT AS SPECIFICALLY NOTED HEREIN.
- LICENSED CONTRACTOR SHALL USE ALL POSSIBLE CARE TO PROTECT ALL EXISTING MATERIALS, SURFACES, AND FURNISHINGS FROM DAMAGE DURING ALL PHASES OF CONSTRUCTION.
- 13. The licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
- ALL NEW WORK AND/OR MATERIALS SHALL CONFORM TO ALL REQUIREMENTS OF EACH ADMINISTRATIVE BODY HAVING JURISDICTION IN EACH PERTAINING CIRCUMSTANCE.
 LICENSED CONTRACTOR TO VERIFY LOCATION OF EXISTING UTILITIES PRIOR TO
- COMMENCING WORK. 16. ALL ELEVATIONS SHOWN REFER TO THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1088
- TURBIDITY BARRIERS ARE TO SURROUND ALL IN WATER CONSTRUCTION AREAS DURING ALL CONSTRUCTION ACTIVITIES.

DOCK/DECK

18. CONTRACTOR TO DEMOLISH EXISTING DOCK, RAMP, AND RAILING AND DISPOSE OF

- 19. CONTRACTOR TO CONSTRUCT NEW, 41'X11' DOCK/DECK WITH A 4'X4'6" RAMP, SAME SIZE AND IN SAME FOOTPRINT AS EXISTING DOCK/DECK AND RAMP PER PLAN, AS FOLLOWS: 19.1. INSTALL (10) NEW, 10' WOOD DOCK PILES. PILES ARE TO TOPPED WITH COPPER CAPS AND FURRED OUT WITH PRESSURE-TREATED 1"X2"S.
 - 19.2. FRAMING TO BE .60, #1, PRESSURE TREATED LUMBER SECURED WITH STAINLESS STEEL HARDWARE.
 - 19.3. Decking is to be $\frac{7}{4}"x6"$ Wear Deck composite decking boards secured with (2) S.S. screws per stringer. A trim Plate is to be installed on waterside and sides of decking.
 - 19.4. INSTALL 54' OF PICKETED RAILING.

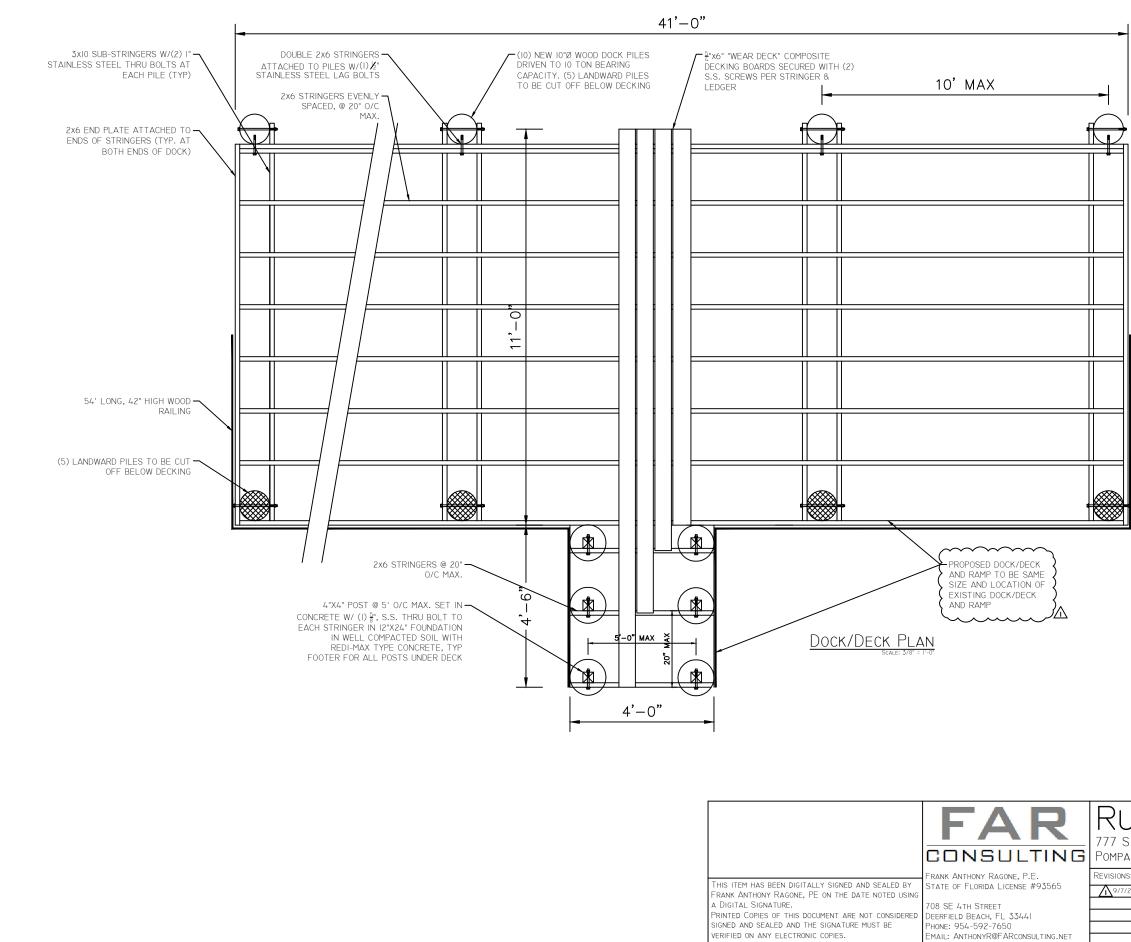
PILE DRIVING NOTES

- PILE DRIVING OPERATIONS SHALL BE OBSERVED BY A SPECIAL INSPECTOR, INCLUDING TEST PILES SUFFICIENT TO DETERMINE THE APPROXIMATE LENGTH REQUIRED TO MEET DESIGN CAPACITY.
- 2. PILES SHALL BE DRIVEN USING AN APPROVED CUSHION BLOCK CONSISTING OF MATERIAL SO
- ARRANGED SO AS TO PROVIDE THE TRANSMISSION OF THE HAMMER ENERGY. 3. PILES SHALL BE DRIVEN TO REQUIRED CAPACITY A MINIMUM OF 6 FEET INTO ROCK OR A MINIMUM OF 10 FEET INTO YIELDING MATERIAL.
- PILES SHALL BE DRIVEN WITH A DROP HAMMER OR GRAVITY HAMMER PROVIDED THE WEIGHT OF THE HAMMER IS NO LESS THAN 3000 POUNDS, AND THE FALL OF THE HAMMER SHALL NOT EXCEED 6 FEET.
- 5. PILES SHALL BE DRIVEN WITH A VARIATION OF NOT MORE THAN $t_{\rm c}^{\rm in}$ PER FOOT FROM THE VERTICAL, OR FROM THE BATTER LINE INDICATED, WITH A MAXIMUM VARIATION OF THE HEAD OF THE PILE FROM THE POSITION SHOWN ON THE PLANS OF NOT MORE THAN 3 INCHES.
- 6. WHERE PILING MUST PENETRATE STRATA OFFERING HIGH RESISTANCE TO DRIVING, THE STRUCTURAL ENGINEER OF RECORD OR SPECIAL INSPECTOR MAY REQUIRE THAT THE PILES BE SET IN PRE-DRILLED OR PUNCHED HOLES. THE PILES SHALL REACH THEIR FINAL PENETRATION BY DRIVING.

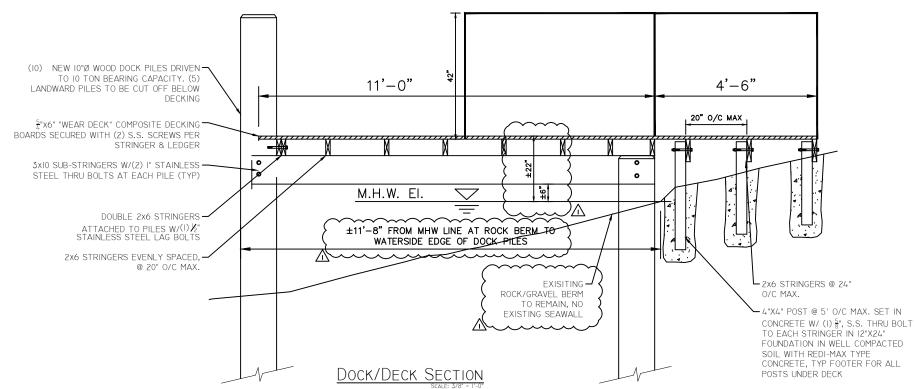
STRUCTURAL TIMBER NOTES

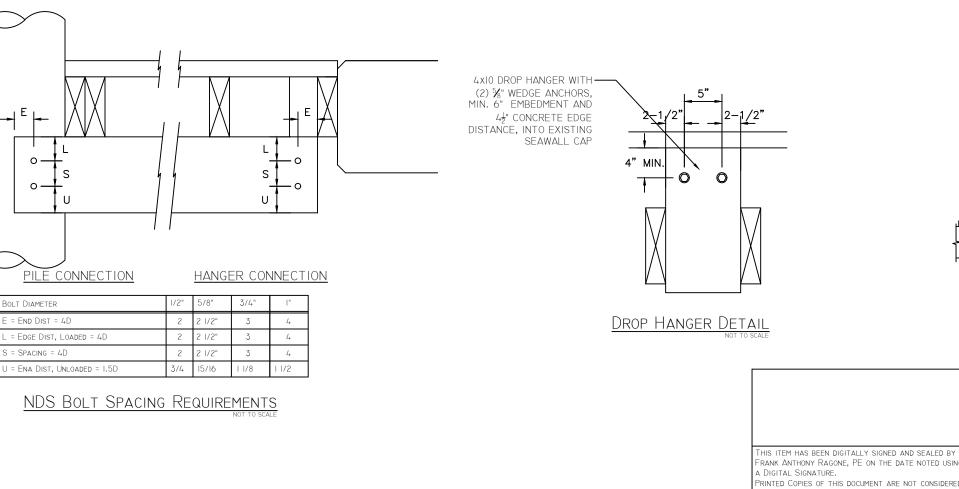
- ALL STRUCTURAL TIMBER FRAMING SHALL BE #2 GRADE, PRESSURE TREATED
- SOUTHERN PINE UNLESS OTHERWISE NOTED.
- 2. All decking shall be #1 Grade, pressure treated Southern Pine unless otherwise noted.

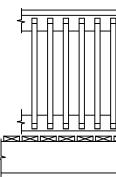
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STATE OF FLORIDA LICENSE RANK ANTHONY RAGONE, PE ON THE DATE NOTED USIN 708 SE 4TH STREET PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE DEERFIELD BEACH, FL 3344 PHONE: 954-592-7650 ERIFIED ON ANY ELECTRONIC COPIES. EMAIL: ANTHONYR@FARCON

SCREW	(TOP & BOTTOM)
ON BOL	RAILING POST @ 5' CENTER MAX SPACING, T TO DOUBLE 2X10 STRINGER WITH CARRIAGE BOLTS
	RAILING DETAILS
FAR	RUFFU 777 S. Federal Hwy. Apt. C-105 Pompano Beach, Florida
Frank Anthony Ragone, P.E. State of Florida License #93565	REVISIONS: Dock/Deck Plan
708 SE 4TH STREET DEERFIELD BEACH, FL 33441 PHONE: 954-592-7650 EMAIL: ANTHONYR@FARCONSULTING.NET	PROJECT #: SFDS-2204 SHEET NO: SCALE: as noted DRAWN: F.A.R. DATE: 10/4/23

ZX6 TOP RAIL

- 2X2 PICKETS MAX 4" SPACING WITH #8 GALV. Sec. 27-14. Administrative review of EPGMD determinations.

- (a) A person with a substantial interest may file a petition to request review of or to intervene in a review of a final administrative determination made pursuant to this chapter concerning:
 - (1) The requirement that a facility or activity obtain a license or environmental review approval.
 - (2) Interpretations of license or environmental review approval conditions.
 - (3) Interpretations of variance conditions.
 - (4) The decision to suspend or revoke a license or environmental review approval.
 - (5) The requirement of certain license conditions.
 - (6) The issuance of a license or environmental review approval.
 - (7) The denial of a license or environmental review approval.
 - (8) The scope of a license or environmental review approval, geographic or otherwise.
 - (9) The scope of a variance, geographic or otherwise.
 - (10) The issuance of a stop work order.
 - (11) Similar final administrative determinations.

This administrative review procedure shall be the only means of review available for the above final administrative determinations by either the petitioner or the intervenor (the parties).

- (b) person may not obtain review by this procedure of:
 - (1) The issuance or adjudication of or other matters involving a notice of violation or a citation.
 - (2) Internal policy decisions
- (c) A person desiring a review of a staff determination made pursuant to this Chapter shall first bring the determination to the attention of the appropriate section supervisor to attempt to resolve the matter. If a resolution cannot be reached, then the decision shall be reviewed by successive supervisory levels until the issue is resolved or reaches the level of the director or his or her designee for the final determination.
- (d) A person desiring administrative review of a final determination made by the director or the designee shall file a petition with the director for review by the hearing examiner. The petition shall be filed within ten (10) days from the rendition of the action taken or of the decision made by the director. An entity whose license or approval is being challenged shall be a party to the action.
- (e) The review shall not be heard until the provisions of subsection (f) are met. Upon motion to the hearing examiner, an insufficient petition shall be dismissed with or without leave to refile. If a petition is determined to be insufficient by the hearing examiner and the petitioner has been given leave to refile by the hearing examiner, unless otherwise ordered by the hearing examiner, the petitioner must refile within ten (10) days of the rendition of the order of dismissal or the petition will be dismissed with prejudice.

- (f) A sufficient petition for review or petition for intervention in the review shall, at a minimum, contain the following information:
 - (1) The nature of the determination sought to be reviewed.
 - (2) A short, plain statement of the facts which form the subject matter upon which the determination was made as asserted by all parties of record at the time that the petition is filed; a statement of the material facts in dispute, if any. If any party is unable to state the matters in sufficient detail at the time initial petition is filed, the petition may be limited to a statement of the issues involved; and thereafter, upon timely written motion, a more definite and detailed statement shall be furnished not less than seven (7) days prior to the date set for the hearing.
 - (3) The specific determination for which the review is sought.
 - (4) The specific legal grounds upon which the parties seek review of the determination.
 - (5) A short statement of the petitioner's or the intervenor's substantial interest in the matter to be reviewed.
 - (6) The specific section of this chapter on which the decision is based, if known, and the specific section that the parties allege should control the decision, if known.
 - (7) A copy of the director's or the designee's written final determination.
 - (8) A statement of the relief requested stating precisely the action that the petitioner wants EPGMD to take with respect to the final determination.
- (g) All pleadings or other documents filed in the proceeding must be signed by a party, the party's attorney, or the party's qualified representative. The signature of a party, the party's attorney or a party's qualified representative constitutes a certificate that he or she has read the pleading or other document and that to the best of his or her knowledge, information, and belief formed after reasonable inquiry, it is not brought for any improper purposes, such as to harass or to cause unnecessary delay or for frivolous purpose or needless increase in the cost of litigation. If a pleading or other document is signed in violation of these requirements, the hearing examiner, upon motion or his or her own initiative, shall dismiss the matter.
- (h) A petitioner or intervenor may request an emergency hearing to stay all activities or work conducted pursuant to the challenged license or approval. Such petitioner or intervenor has the burden of proof to show by a preponderance of the evidence that the continued activities would cause substantial pollution or degradation to the environment. An emergency hearing shall be scheduled by EPGMD and be held within five (5) days of said request or as soon thereafter as possible subject to the availability of the hearing examiner. The petitioner or intervenor shall comply with the notice provisions of section

27-14(j)(2)a. and c. and section 27-14(j)(3) and (4) of this chapter.

(i) The petition for review will not stay environmental protection activities required for the remediation or mitigation of a site or facility, the protection of the environment or the health, safety and welfare of the citizens of Broward County, or the prevention of further environmental degradation. The person responsible for these activities must take all necessary steps to prevent environmental degradation and must conduct the remediation or mitigation activities required by this chapter. The director may allow these activities to be delayed until after the hearing examiner's decision by certifying to

the hearing examiner that, by reason of facts stated in the certificate, a delay in the initiation or completion of these activities would not cause substantial environmental degradation or peril to life or property. The delay for conducting these activities may be subject to appropriate terms to ensure protection of the environment. The person responsible for these activities shall be responsible for any environmental damage or any violation of this chapter caused by the delay.

- (j) Notice and Scheduling Requirements:
 - (1) The hearing on the review shall be scheduled within a reasonable time. It shall be the responsibility of the petitioner to request through EPGMD that the hearing date be scheduled. It shall also be the responsibility of the petitioner to give notice in accordance with this section at least ten (10) days prior to the hearing.
 - (2) The petitioner shall give notice of the hearing by:
 - a. Giving personal notice to all proper parties; and
 - b. Publishing notice on two (2) days in a newspaper of general circulation in the county; and
 - c. Posting notice at a location determined by the Broward County Administrator's Office.
 - (3) The petitioner shall bear the cost of giving notice.
 - (4) The notice shall contain, at a minimum:
 - a. A description and location of the facility or the activity to be conducted by the petitioner; and
 - b. The time and place of the hearing.
- (k) The petitioner shall bear the cost of accurately and completely preserving all testimony and providing full or partial transcripts to all parties.
- (I) The hearing shall be a quasi-judicial hearing.
 - (1) The applicant/petitioner requesting the administrative review, any intervenor/petitioner and EPGMD shall have an opportunity to respond to and to present witnesses, other evidence and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of facts and orders, and to be represented by counsel. Members of the general public who are not intervenors as set forth in Section 27-14 of this chapter are not parties to the proceeding.
 - (2) When appropriate, the general public may be given an opportunity to present oral or written communications. If the hearing examiner proposes to consider such material, then all parties shall be given an opportunity to cross-examine, challenge or rebut it.
- (m) Denial, protest of, revocation, or suspension of a license, environmental review approval, or any other approval:
 - (1) In regard to denial or protest of approval of a license and any other review of an administrative decision, notwithstanding (2) below, the petitioner shall have the burden of showing, by a preponderance of the evidence, that the determination of the director was an arbitrary and/or capricious abuse of discretion, not supported by competent, substantial evidence or not in conformance with the

essential requirements of this chapter. The hearing examiner shall not substitute his or her judgment for that of EPGMD on an issue of discretion even though the hearing examiner may have reached a different conclusion based on the same facts.

- (2) In an action to revoke or suspend a valid license or approval, the burden shall be upon EPGMD to prove, by a preponderance of the evidence in an administrative hearing, the grounds for revocation or suspension. The license holder or approval recipient shall be provided notice of the hearing and a copy of the petition stating the grounds for revocation or suspension as provided in section 27-63 of this chapter. The petition shall state with specificity the acts complained of in order to allow the license holder or approval recipient an opportunity to prepare a defense. The hearing shall be conducted in accordance with the
- provisions of Section 27-37 of this chapter.(n) Findings of fact shall be based exclusively on the evidence of record and on matters officially recognized.
- (o) If the hearing examiner finds that the director or his or her designee has erroneously interpreted a provision and that a correct interpretation compels a particular action, he or she shall remand the case to the director or his or her designee for further action under a correct interpretation of the provision.
- (p) The hearing examiner shall complete and submit to the director and all parties a final order consisting of his or her findings of fact and conclusions of law.
- (q) A party to the hearing may obtain appellate review of the final order as provided by section 27-42 of this chapter.
- (r) A petitioner or intervenor shall pay a filing fee at the time the application for review is filed. The amount of the filing fee shall be set by resolution of the Board.

(Ord. No. 2003-34, § 1, 9-23-03; Ord. No. 2005-08, § 2.03, 4-26-05) Secs. 27-15--27-19. Reserved.