

**ACC APPEAL PROCESS:**

- When an applicant disagrees with a decision of the ACC they may file a written ACC Appeal.
- Applicant may be the recipient of the ACC decision.
- The Board shall not be obligated to hear all appeals and may decline to hear an appeal thereby standing by the ACC's original decision, or, the Board may request additional information before agreeing to hear an ACC Appeal.
- Appealing party must send an email to the Board Secretary requesting an ACC Appeal.
- Appeal request shall be in writing and include all pertinent information to support the reason for the Appeal including clearly written justification, supporting information, plans, photos or similar materials sufficient to completely characterize the circumstance.
- ACC may respond to the applicant's appeal with an ACC opinion or statement for consideration by the Board.
- The applicant and the Chair of the ACC will be given written notice by the Secretary of the Board of the date that the appeal is scheduled. This notice is to be furnished on all appeals accepted to be considered by the Board.
- At the beginning of the closed session, the Board President will take roll.
- Applicant will have the opportunity to speak and present their case for the first 10 minutes of the session and the Board members shall listen to the applicant. Afterward the applicant shall depart the hearing.
- The Board shall then consider the information presented by the applicant, documentation and information provided by the applicant and the ACC, and shall discuss the application. An attorney may be invited to the closed session to provide legal opinions if appropriate.
- Following discussion, the Board will make their decision, or if necessary, suspend to request more information. "Written Notice" will be given to the applicant of either the Board's decision or of a request for more information within ten (10) working days.
- All appeal decisions of the Board are final and may not be further appealed. The failure of the Board to respond to a written appeal application will be deemed to affirm the ACC's decision and to deny the appeal.