

St. Tammany Parish
Bureau of Administrative Adjudication
P. O. Box 628, Covington, LA 70434
Phone: (985) 898-2521 Fax: (985) 249-7533

APPEAL - ANIMAL SERVICES

You have the right to appeal any adverse decision rendered against you. There will be a cost to you for any such appeal. Please see the categories below to determine the number of days required to appeal the decision of the Administrative Hearing Office. The procedure for this appeal is set forth in **Sec. 4.132.04** of the Parish Ordinances. Please submit your appeal to:

22nd Judicial District Court, Parish of the St. Tammany
Mailing Address: Post Office Box 1090, Covington, LA 70434

-or-

Physical Address/In Person: 701 N. Columbia Street, Covington, LA 70433

The procedure for this appeal is set forth in **Sec. 1-012.18** of Ord. Cal. No. 2973, Ord. C.S. No. 04-1023, set forth below. Please do not file your appeal with the Bureau of Administrative Adjudication or the Parish's Legal Department.

SIMPLE CRUELTY:

Sec. 4-129.06 (E) Any person aggrieved by a decision of the St. Tammany Parish hearing officer may appeal that decision to the Twenty-Second Judicial District Court. Notwithstanding the provisions of Section 1-012.18, if the animal is in the custody of the Department of Animal Services, such appeal shall be perfected within **ten (10) calendar days** from the rendition of the order and shall be made returnable to the Twenty-Second Judicial District Court in not more than **fifteen (15) calendar days** from the rendition of the order. The hearing officer may order the person to post an amount sufficient to cover the cost of boarding and caring for the animal for a period of time not to exceed **fifteen (15) days**. If the animal is not in the custody of the Department, an appeal of the decision shall be in accordance with the provisions set forth in Section 1-012.18 of the Code of Ordinances. (Ord. No. 09-2000, adopted 02/05/2009)

DANGEROUS OR POTENTIALLY DANGEROUS:

Sec. 4-132.04 (A) The owner of the dog may appeal to the court of competent jurisdiction an order of the hearing officer determining the dog to be potentially dangerous or dangerous. Notwithstanding the provisions of Section 1-012.18, such appeal shall be perfected within **five (5) calendar days** from the rendition of the order and shall be made returnable to the Twenty-Second Judicial District Court in not more than **fifteen (15) calendar days** from the rendition of the order. The hearing officer may order the person to post an amount sufficient to cover the cost of boarding the animal for a period of time not to exceed **fifteen (15) days**. (Ord. No. 09-2000, adopted 02/05/2009)

VICIOUS DOG DESIGNATION:

Sec. 4-133.01 (C) The notice (of Vicious Dog Designation) shall, in large print, inform the person noticed that he may appeal the Department's designation of the animal as vicious by appealing that determination, in writing, within **fifteen (15) days** of the date of the notice of designation. The appeal may be made by signing below the "Appeal-Request for Administrative Hearing" section on the notice of designation and returning same to the Department within **fifteen (15) days** of the date of the notice.

ANIMAL ESTABLISHMENT:

Sec. 4-134 (B) (4) (d) Any person aggrieved by a decision of the St. Tammany Parish hearing officer may appeal that decision to the Twenty-Second Judicial District Court. If any animal is in the custody of the Department of Animal Services, such appeal shall be perfected within **ten (10) calendar days** from the rendition of the order and shall be made returnable to the Twenty-Second Judicial District Court in not more than **fifteen (15) calendar days** from the rendition of the order. The hearing officer may order the person to post an amount sufficient to cover the cost of boarding and caring for the animal for a period of time not to exceed **fifteen (15) days**. If the animal is not in the custody of the Department, an appeal of the decision shall be in accordance with the provisions set forth in Section 1-012.18 of the Code of Ordinances.

ALL OTHER:

Sec. 1-012.18 (1) Any person or persons jointly or severally aggrieved by any decision of the St. Tammany Parish hearing officer may present a petition to the **District Court of the Parish** along with payment of such reasonable costs, as may be required by the clerk. Such petition shall be duly verified, set forth that the decision is illegal, in whole or in part, and specify the grounds of the illegality. The petition shall be presented to the court within **thirty (30) days** after the filing of the decision of the hearing officer. (2) Upon the presentation of such petition, the court may allow a writ of certiorari directed to the hearing officer to review the decision of the hearing officer and there shall be prescribed therein the period of time within which a return may be made and served upon the relator's attorney. Such period shall be not less than **ten (10) days**, but may be extended by the court. The allowance of the writ shall not stay the proceedings upon the decision or any enforcement thereof, unless the person who files the appeal for writ of certiorari furnishes security prior to filing notice of appeal with the agency of the parish designated by ordinance to accept such payments in the amount to be fixed by the hearing officer sufficient to assure satisfaction of the finding of the hearing officer relative to the fine, fee, penalty, costs of the hearing, and costs, if any, of correcting the violation. *(Continued Page 2)*

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(3) The St. Tammany Parish hearing officer shall not be required to return the original papers acted upon by the hearing officer, but may return certified or sworn copies thereof or such portions thereof as may be called for by the writ. The return

shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified. (4) If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, the court may take additional evidence or appoint a referee to take such evidence as it may direct. Such referee shall report the same to the court with his findings of fact and conclusions of law, and his report shall constitute a part of the proceedings upon which the determination of the court shall be made. (5) The court may reverse or affirm, wholly or in part, or may modify the decision brought up for review. All issues in any proceedings under this Section shall have preference over all other civil action and proceedings. The appellant and St. Tammany Parish shall be parties in such civil action and proceeding; the St. Tammany hearing officer shall not be a party to such civil action and proceeding.

RE-HEARING

If you failed to appear at the hearing and an adverse decision is rendered against you, then you may request a re-hearing. The procedure for this appeal is set forth in **Ord. No. 1-012.12(d)**, below:

(d) Failure of any person charged with a violation to appear at the hearing shall be considered an admission of liability for the charged violation; provided that the notice requirements established in paragraphs (a), (b) and (c) of this Section have been satisfied, and provided further that a Hearing Officer, in his sound discretion and for good cause shown, may vacate an order issued on the basis of such an admission and reopen the proceedings, and may do so when requested in writing by the violator or by the appropriate director.

(1) In case of application for an administrative re-hearing by the violator, the violator shall timely notice the director within **fifteen (15) days** of the issuance of the notice of the final order of a request for a re-hearing. (2) In such a request, the violator shall submit any and all proof that he deems necessary to demonstrate "good cause" for such a re-hearing. (3) In such a case, the director shall have exclusive authority to recommend or not recommend a re-hearing to the Hearing Officer. (4) The director shall submit his recommendation to the Hearing Officer within **fifteen (15) days**. (5) The Hearing Officer shall deny or grant a re-hearing within **fifteen (15) days** of receipt of the director's recommendation. (6) The Administrative Procedure Act (Title 49) shall specifically not apply to this limited procedure of a request for a re-hearing.

Please submit your request to:

**St. Tammany Parish Government, Director of the Legal Department,
Office Box 628, Covington, LA 70434**

PAYMENTS OF JUDGMENTS

After the final amount due of your judgment can be determined, your debt is payable to the Parish of St. Tammany by check, cashier's check, money order or cash. Partial payments are not accepted by St. Tammany Parish. You may pay via mail at the address above or in person at the Legal Department, 21454 Koop Drive, Suite 2G, Mandeville, Louisiana.