Town of Wrightsville Beach

CIVIL PENALTY APPEALS PROCESS

The Town of Wrightsville Beach has adopted an Appeals Process for civil penalties pursuant to a violation of one or more of the Town's ordinances. If you received a civil citation and wish to appeal that decision, you must make that appeal to the Chief of Police within 14 days of the date of violation. The appeal will not be considered beyond the 14 day time limit to file an appeal.

The following circumstances will not constitute a basis for appeal and will be denied;

- Lack of knowledge of the Town's ordinances or new to the area.
- The citing officer could have issued a warning.
- Signs listing prohibitions on the beach were not adequate.
- Did not see the signs listing prohibitions on the beach.
- The amount of the civil penalty is excessive.
- Unable to pay the amount of the fine.
- The violator is a homeowner in Wrightsville Beach.
- The citing officer's conduct (See instructions below # 5)

Please follow the instructions below to ensure your appeal is heard in the designated time frame.

Instructions:

1. Please fill out the enclosed form completely and have it notarized. The Chief of Police will not accept any appeals that have not been notarized.

2. Please use as much detail as possible concerning the events that you feel led to the issuance of the civil penalty.

3. Attach as many additional pages as you may feel necessary to fully explain events. You may want to include any support documentation such as names and contact information for witnesses, written witness statements, photographs or any other documentation you feel would aid the Police Chief in making a fair and impartial decision in this matter.

4. Once completed, return the enclosed form to the police department front desk or by mail to:

   Wrightsville Beach Police Department
   Attn: Chief Daniel House
   P. O. Box 452
   Wrightsville Beach, NC 28480

5. **If your appeal is based on an officer's conduct, *<u>do not use this form!</u>*** Please contact the duty sergeant or the Uniform Patrol Division Commander for any complaint dealing with officer conduct. The desk receptionist will be happy to help you contact either of these individuals. The Police Department Main Number is 910-256-7945.

6. Any payment of penalty is temporarily suspended once an appeal is filed. All appeals are reviewed and you will be notified by mail of the outcome of your appeal, which will include instructions regarding any payment of penalties.

Thank you for participating in our process. **Please note that the Police Chief cannot change the amount of penalty, change a procedural policy, or change the elements describing a violation**. These are functions of the Town of Wrightsville Beach's governing body and questions or concerns covering these matters will not be addressed under the Civil Penalty Appeal Process.

Town of Wrightsville Beach

CIVIL PENALTY APPEAL

Date: _____ Time: _____

Name: _____

Address: _____

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Email Address: _____

Home Phone #: _____ Cell Phone:_____

Citation #: _____ Citation Date: _____

Basis of Appeal (Describe in detail why citation should be dismissed):

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(Attach additional pages as necessary)

I affirm that the information above is true and correct to the best of my knowledge

Signature: _____

The above signature must be notarized. The Chief of Police will not consider any appeal unless it has been notarized.

State of _____

County of _____

I, _____, Notary Public for said County and State, do hereby certify _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the _____ day of _____ 20 ___.

_____

Notary Public

My Commission Expires:_____