

- H. Make and enter written findings of fact and conclusions to support his or her decisions;
- I. At the Examiner's discretion, hold conferences for the settlement or simplification of the issues;
- J. Conduct discovery;
- K. Dispose of procedural requests of similar matters;
- L. Take official notice of matters of law or material facts;
- M. Issue summary orders in supplementary proceedings; and
- N. Take any other action authorized by or necessary to carry out this chapter and those matters within the jurisdiction of the Examiner.

#### **14.17.090 Public Hearing**

Before rendering a decision, the Examiner shall hold at least one public hearing thereon. Notice of the time and place of the public hearing shall be given as provided for in the Ferndale City Code. The City shall prescribe the rules and regulations for the conduct of hearings under this Chapter, subject to confirmation by the City Council. The Examiner shall be empowered to issue summons for and compel the appearance of witnesses, to administer oaths, and to preserve order. The privilege of cross examination of witnesses shall be accorded to all interested parties or their counsel in accordance with the rules of the Examiner.

#### **14.17.100 Hearing Examiner Fees**

All persons or parties having a matter heard before the Hearings Examiner shall pay a fee equal to the cost the Examiner imposes upon the city for said services. Upon scheduling a matter before the Examiner, the proponent shall pay a deposit fee to the City equaling \$500.00. Upon issuance of the Hearing Examiner's findings and decision and upon receipt by the City of the final Hearing Examiner's cost, the City will refund any unused portion of the deposit or shall move to recover the additional cost from the person or party involved in the action.

#### **14.17.110 Examiner Decision and Findings**

When the Examiner renders a decision, such Examiner shall make and enter findings from the record and conclusions thereof which support such decision. The findings and conclusions pertaining to land use regulatory matters shall set forth and demonstrate the manner in which the decision carries out and helps implement the goals and policies of the Comprehensive Plan, other land use regulatory documents and the standards set forth in the various land use regulatory codes.

Within 10 calendar days of the conclusion of a public hearing, the Examiner shall render a written decision, including findings and conclusion which supports the decision. The Examiner may approve, conditionally approve, or deny the application or matter. The Examiner shall transmit a copy of such decision by first class mail to the City, applicant, and to any other party of record in the case requesting the same.