

WAC 296-403A-160 Appeals. (1) Decisions by the department under this chapter can be appealed when:

(a) An operating permit has been denied or revoked.

(b) The department has ordered the cessation of the operation of an amusement ride or structure.

(c) An amusement ride inspector application has been denied, or certificate has been suspended or revoked.

The appeal will be conducted in accordance with chapter 34.05 RCW. An appeal does not stay the decision of the department. The appeal must be filed within twenty days after notice of the decision of the department is sent by certified mail, return receipt requested, or is served upon the owner or operator.

(2) An appeal is made by filing a written notice of appeal with the department's chief electrical inspector and must state the decision by the department that is being appealed and the relief that is desired. The formal appeal must be accompanied by a certified check for two hundred dollars which will be returned to the holder of the certificate or permit if the department's decision is overturned. If the department's decision is not overturned, the two hundred dollars will be applied to pay the costs associated with the appeal, and any balance remaining after payment of per diem and expenses will be paid into the electrical license fund.

(3) All requests for appeals must be filed with the department's chief electrical inspector, Department of Labor and Industries, 7273 Linderson Way, P.O. Box 44460, Olympia, WA 98504-4460. The filings may be submitted by ordinary mail, certified or registered mail, or by personal delivery. The date of filing is the date the paper is actually received in the office of the chief electrical inspector.

(4) See chapter 34.05 RCW and chapter 10-08 WAC for additional information on appeals.

[Statutory Authority: RCW 19.28.010, 19.28.031, 19.28.061, 19.28.101, 19.28.171, 19.28.191, 19.28.201, 19.28.251, 19.28.271, 19.28.311, 19.28.321, 67.42.020, 67.42.025, 67.42.050, and chapters 19.28 and 67.42 RCW. WSR 02-21-103, § 296-403A-160, filed 10/22/02, effective 11/22/02.]