

c. An individual that is not a member of the Board may be assigned by the Board as a hearing officer as long as the individual does not hold any elected or appointed office or position of

employment with the County or any jurisdiction participating in an Interlocal Agreement for joint enforcement through the Board.

d. Any person assigned to be a hearing officer by a code enforcement board shall have experience or shall have received training in the code enforcement process and basic procedural due process as specified in the ordinance creating the code enforcement board. The experience or training shall include, at a minimum, acquired knowledge regarding a party's fundamental due process right to:

- i. Be accompanied and advised by counsel at the hearing;
- ii. Present evidence and witnesses on his or her behalf at the hearing;
- iii. Examine the evidence opposing the party; and
- iv. Confront and cross-examine the witnesses opposing the party.

e. An assigned hearing officer may administer oaths to witnesses prior to their testimony and subpoena alleged violators, witnesses, and evidence to the hearing to which the officer is assigned.

f. Any hearing conducted by a hearing officer under this section shall conform to the procedural requirement of KRS 65.8828(1) to (5).

g. The hearing officers all make written findings of facts and conclusions of law, and enter a final order consistent with the authority granted to the Board under KRS 65.8828(4).

iii. The findings of fact, conclusions of law, and final order shall be forwarded within twenty-four (24) hours of entry to the alleged violator in the manner required by KRS 65.8828(5) and to the Board.

iv. A final order issued by a hearing officer under this subsection may be appealed by the alleged violator to the Board. The appeal shall be filed in writing to the Board within seven (7) days of the receipt of the final order. The failure to file an appeal within seven (7) days shall render the order entered by the hearing officer final for all purposes and an individual receiving a final order under this subparagraph shall be required to exhaust the administrative remedy of appeal to the Board before appealing to District Court as authorized under KRS 65.8831.

10. Hearing, Notice and Final Order.

a. When a hearing has been requested, the Board, through its clerical and administrative staff, shall schedule a hearing.