


Administrative Actions



Lesson No. 10

ENV H 471
Environmental Health Regulation
March 2, 2004

Lesson Overview

- ❖ Compliance Procedures
- ❖ Administrative Hearings
- ❖ Summary Abatement of Nuisance

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Lesson Objectives

- ❖ Know the administrative options generally available to resolve environmental health problems;
- ❖ Be able to determine which options are available for a given program;
- ❖ Be able to select the most appropriate course of action to resolve a given problem.

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Compliance Procedures

- ❖ **Suspension / Revocation of permit or license**
- ❖ **Seizure of goods / products**
- ❖ **Condemnation of property**
- ❖ **Assessment of Penalties**

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Administrative Hearings

- ❖ **Nature**
- ❖ **Types**
 - **Quasi-legislative hearings**
 - **Quasi-judicial hearings**
- ❖ **Procedures**
- ❖ **Effect**

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Summary Abatements


- ❖ **Public vs. Private Nuisances**
- ❖ **Requirements**
 - **Authority**
 - **Grounds**
 - **Procedures**
 - **Notice**
 - **Right to a hearing**
 - **Effect**

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 **Cases**


- ❖ *DEQ v. Chemical Waste*
- ❖ *Yaffee v. Ft. Smith*
- ❖ *Rome v. New York Health Dept.*
- ❖ *Commonwealth v. Sadecky*
- ❖ *Dworkin v. Town of Lakeview*

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 **DEQ v. Chemical Waste**


- ❖ **Facts & Arguments**
 - **Who's suing whom, for what?**
- ❖ **Court History**
- ❖ **Legal Issues**
 - **Why?**
- ❖ **Decision**
- ❖ **Concurrence and/or Dissent**
- ❖ **Application**

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 **Yaffee v. Ft. Smith**


- ❖ **Facts & Arguments**
 - **Who's suing whom, for what?**
- ❖ **Court History**
- ❖ **Legal Issues**
 - **Why?**
- ❖ **Decision**
- ❖ **Concurrence and/or Dissent**
- ❖ **Application**

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 **Rome v. New York Health Dept.**


- ❖ **Facts & Arguments**
 - **Who's suing whom, for what?**
- ❖ **Court History**
- ❖ **Legal Issues**
 - **Why?**
- ❖ **Decision**
- ❖ **Concurrence and/or Dissent**
- ❖ **Application**

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 **Commonwealth v. Sadecky**


- ❖ **Facts & Arguments**
 - **Who's suing whom, for what?**
- ❖ **Court History**
- ❖ **Legal Issues**
 - **Why?**
- ❖ **Decision**
- ❖ **Concurrence and/or Dissent**
- ❖ **Application**

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 **Dworkin v. Town of Lakeview**

- ❖ **Facts & Arguments**
 - **Who's suing whom, for what?**
- ❖ **Court History**
- ❖ **Legal Issues**
 - **Why?**
- ❖ **Decision**
- ❖ **Concurrence and/or Dissent**
- ❖ **Application**


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Next Lesson

U.S. Judicial System

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Assignment for Lesson 11

- ❖ **Grad: Review - Chapter 15.**
- ❖ **Required Readings:**
 - **Reading #32 - The United States Courts**
 - **Reading #33 - A Citizen's Guide to Washington Courts**
 - **Reading #34 - Courts of Limited Jurisdiction.**
- ❖ **Due: March 4, 2004**

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