Lesson 10. Administrative Actions

Lesson No. 10
ENV H 471
Environmental Health Regulation
March 2, 2004

Lesson Overview

- Compliance Procedures
- Administrative Hearings
- Summary Abatement of Nuisance

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

Administrative Hearings

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

Summary Abatements

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

Cases

- DEQ v. Chemical Waste
- Yaffee v. Ft. Smith
- Commonwealth v. Sadecky
- Dworkin v. Town of Lakeview

DEQ v. Chemical Waste

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

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

Dworkin v. Town of Lakeview

- Facts & Arguments
  - Who’s suing whom, for what?
- Court History
- Legal Issues
  - Why?
- Decision
- Concurrence and/or Dissent
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Next Lesson

U.S. Judicial System

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

ENV H 471: Winter 2004