

Procedure for Appeal of an Application for Encroachment Permit

The Deputy Secretary for Engineering upon receiving the written appeal letter will direct the appropriate Chief Engineer to review all materials in EPPS and provide a recommendation. The Chief Engineer and appropriate staff will evaluate the appeal and provide additional information concerning the site details, standards applied, and the basis of the appeal. The Chief Engineer will then provide a recommendation to the Deputy Secretary for Engineering.

If at any time the terms of the Application for Encroachment Permit are substantially and significantly changed upon review and negotiation, the appeal process may be ended, the applicant contacted, and an amended or revised Application for Encroachment Permit can be resubmitted.

The Deputy Secretary of Engineering will either 1) approve the denial of the application or 2) approve the waiver for the standard that conflicted with approval. If the application is denied, the DSE will respond in writing to the applicant, copying DPE or RME, and indicate that a further appeal may be made to the Circuit Court of appropriate jurisdiction. If the DSE approves the waiver, the DSE will respond in writing to the applicant and direct the signed waiver to the District Permit Engineer and the permit will be issued by the DPE or RME.