

875—140.8 (89B) Notice of noncompliance. The commissioner may rely on the information provided by the fire chief and immediately issue a notice of noncompliance to the employer.

140.8(1) Opportunity for hearing. The notice of noncompliance shall be sent by certified mail and shall set forth that the employer may have an opportunity to be heard, upon demand by the employer. In the event the employer demands a hearing, the commissioner may conduct an investigation or an inspection pursuant to 875—Chapter 3.

140.8(2) In the event the employer does not demand a hearing within 30 days of the receipt of notice of noncompliance, the commissioner shall, without further notice, issue an order for compliance which shall be a final agency action pursuant to Iowa Code chapter 17A.

140.8(3) In the event the issue of noncompliance comes for hearing before the commissioner, the commissioner may, at the conclusion of the hearing, issue an order for compliance which shall be a final agency action pursuant to Iowa Code chapter 17A or dismiss the complaint. Any hearing shall be conducted pursuant to the rules contained in 875—Chapter 1.

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