



AGENDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF PORT ORANGE

Meeting Date: Wednesday, January 11, 2017 **Time:** 9:00 AM

Type of Meeting: Regular

Location: Council Chambers
City Hall, 1000 City Center Circle

A. CALL TO ORDER

1. Attorney Overview of Special Magistrate Code Enforcement Process
2. Consideration of Minutes - December 14, 2016

B. FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. CEB Case No.: 16-1638

Respondent: George & Ethel M. Morgan

Address of Violation: 709 Sheldon Cir., Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 11/07/2016

Compliance: No

Cited for violation(s) - Chapter 3, Section 304.1.1 (7 & 8) (Unsafe Conditions) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Land Development Code; as well as Chapter 3, 304.2 Protective Treatment, Section 304.5 Foundation Walls, 304.6 Exterior walls, 304.7 Roofs & Drainage, 304.10 Stairways, decks, porches and balconies, 304.15 Doors, 304.18 Building Security and Chapter 42, Article V, Division 3 - Abatement of Unsafe Structures of the City of Port Orange Code of Ordinances.

4. CEB Case No.: 16-1457

Respondent: Terri G. Curatolo

Address of Violation: 3640 Scott Street, Port Orange, FL 32129

Code Officer: Dena Joseph

First Notified: 11/29/2016

Compliance: No

Cited for violation(s) - Chapter 3 (General Requirements), Section 303 (Swimming Pools, Hot Tubs & Spas), 303.1 (Swimming Pools), of the International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange

Code of Ordinances,

Chapter 3 (General Requirements), Section 303 (Swimming Pools, Hot Tubs & Spas), 303.2 (Enclosures), of the International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances, and

Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (Cleanliness of Property Generally-Duty of Owner), (d) Maintenance of Improved Residential Lots of the City of Port Orange Code of Ordinances.

C. ORDER IMPOSING FINE/LIEN

5. CEB Case No.: 16-1612

Respondent: Jaqueline M. & Donald A. Acosta

Address of Violation: 825 Upland Drive, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 09/28/2016

Compliance: No

Cited for violation(s) - Chapter 42 (Nuisances) of the City of Port Orange Code of Ordinances, Article II (Garbage, Junk and Undergrowth), Section 42-26 (Cleanliness of Property Generally-Duty of Owner), (d) Maintenance of Improved Residential Lots.

6. CEB Case No.: 16-1498

Respondent: Jaqueline M. & Donald A. Acosta

Address of Violation: 825 Upland Drive, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 09/10/2016

Compliance: No

Cited for violation(s) - Chapter 3, Section 303 Swimming Pools, Spas, and Hot Tubs of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances, 303.1 Swimming Pools

7. CEB Case No.: 16-1832

Respondent: Scott T. Gilroy

Address of Violation: 104 Tumbler Drive, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 11/11/2016

Compliance: No

Cited for violation(s) - Chapter 42 Nuisances Article 2 Garbage, Junk and Undergrowth, Section 42-26 - Cleanliness of property generally-Duty of owner, (d) Maintenance of improved residential lots.

8. **CEB Case No.:** 16-1833

Respondent: Scott T. Gilroy

Address of Violation: 104 Tumbler Drive, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 11/11/2016

Compliance: No

Cited for violation(s) - Chapter 16 Miscellaneous Regulations Section 3: Fences and walls Modified (b) General Provisions (4) Design and maintenance (a) and (b) of the City of Port Orange Land Development Code and

Chapter 3, Section 303 Swimming Pools, Spas, and Hot Tubs of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances, specially 303.1 Swimming Pools.

9. **CEB Case No.:** 16-1054

Respondent: Bryon Dickerson

Address of Violation: 5434 Hibiscus Ave., Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 10/14/2016

Compliance: No

Cited for violation(s) - City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-26 (d) (f) & (h) and Port Orange Land Development Code, Chapter 16, Section 3 (b)(4)(b)(d) as relates to fencing.

10. **CEB Case No.:** 16-1677

Respondent: Karen Baker Antico TR

Eva Baker Revoc Trust

Address of Violation: 831 McDonald Road, Port Orange, FL 32129

Code Officer: Dena Joseph

First Notified: 11/08/2016

Compliance: No

Cited for violation(s) - Chapter 42 (Nuisances), Article II (Sanitary Conditions), Section 42-54 (Sanitary Nuisance Prohibited) of the City of Port Orange Code of Ordinances;

Chapter 42 (Nuisances), Article V (Unsafe Conditions), Division 3 (Abatement of Unsafe Structures), Section 42-108 (Unsafe Conditions, Nuisance, (a), (4) of the City of Port Orange Code of Ordinances;

Chapter 42 (Nuisances), Article II (Garbage, waste, trash, etc. prohibited), Section 42-26 (Cleanliness of Property Generally-Duty of Owner), (d) Maintenance of Improved Residential Lots of the City of Port Orange Code of Ordinances;

Chapter 42 (Nuisances), Article II (Garbage, waste, trash, etc. prohibited), Section 42-26 (Cleanliness of Property Generally-Duty of Owner), (f) Garbage, waste, trash, etc. prohibited of the City of Port Orange Code of Ordinances;

Chapter 3 (General Requirements), Section 309 (Pest Elimination), 309.1 (Infestation) of the International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances;

Chapter 5 (Plumbing Facilities and Fixture Requirements), Section 504 (Plumbing Systems and Fixtures), 504.3 (Plumbing System Hazards) of the International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances; and

Chapter 5 (Plumbing Facilities and Fixture Requirements), Section 505 (Water System), 505.1 (General) of the International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port ORange Code of Ordinances.

D. ADJOURNMENT

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE **CODE ENFORCEMENT SPECIAL MAGISTRATE** WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE OF THE PROCEEDINGS UPON WHICH THE APPEAL IS TO BE BASED. NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE; IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 1-800-955-8771.