

PORT ORANGE CODE ENFORCEMENT
SPECIAL MAGISTRATE MINUTES
COUNCIL CHAMBERS
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
JUNE 26, 2019

THE SPECIAL MAGISTRATE HEARING of the City of Port Orange was called to order by Special Magistrate Fuller at 9:00 a.m.

PRESENT: David Fuller, Special Magistrate

ALSO PRESENT: Amanda Bonin, Code Compliance Inspector
Dena Joseph, Code Compliance Inspector
Scott Allman, Code Compliance Inspector
Debbie Pearson, Code Enforcement Manager
Robin Fenwick, City Clerk

Attorney Overview of Special Magistrate Code Enforcement Process

Special Magistrate Fuller gave an overview of the code enforcement process as there were members of the public present.

Consideration of Minutes

Special Magistrate Fuller approved the June 12, 2019 meeting minutes as presented.

Oaths

Code Compliance Inspectors Dennis Boehmer, Amanda Bonin, Scott Allman, Dena Joseph and Deborah Pearson Code Compliance Manager were sworn in by Special Magistrate Fuller.

B. FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 19-0431

Respondent: Douglas William Meyer
Tressa Sue Meyer

Address of Violation: 72 Brandy Hill Dr, Port Orange, FL 32129

Code Officer: Dennis Boehmer

First Notified: 3/25/2019

Compliance: No

Cited for violation(s) - Chapter 42 (Nuisances), Article II (Garbage , Junk and Undergrowth), Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

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.

Chapter 42, (Nuisances), Article II, (Garbage, Junk and Undergrowth), 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.

Dennis Boehmer, Code Compliance Inspector, was sworn in by Special Magistrate Fuller and testified as to the condition of the property, as well as the notice provided to the property owner. Photos were submitted into evidence and accepted by Special Magistrate Fuller with no objections. The violation was to be corrected by May 27, 2019 by removing all outside stored items to an enclosed building, mowing and maintaining the entire property to include the rights of way, edging, weed eating, and blowing yard debris/grass clippings back onto the property, and removing all garbage, waste, trash, debris and junk to be properly disposed of by taking to the curb for pick-up.

Don Huseman, Attorney for Tressa Meyer, was present and had no objections to the pictures testified to and submitted into evidence.

Mr. Boehmer recommended the property owners be found in violation of the above referenced code with the violations to be corrected on or before July 6, 2019 by mowing/weed-eating the entire yard, cleaning/removing the undergrowth and vegetation found on the right side of the home, all grass clippings are to be blown back into the yard from the street, removing all outside storage of items from the back porch area to an enclosed shed or garage and all trash and debris to be taken to the curb for pick-up. In the event the property is not brought into compliance on or before the compliance date, and/or not maintained in a state of compliance, a daily fine in the amount of \$100.00 per day shall be assessed for each day the property is in violation beyond the compliance date. Accused should be further ordered to contact the Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the order. Mr. Boehmer requested any future violations under this ordinance be considered repeat. The cost sheet in the amount of \$56.20 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.

Mr. Huseman objected to the previous notices presented by Mr. Boehmer as Ms. Meyer was not the owner of the property although she did live there with her father at the time. He confirmed the violations that have been corrected and those that remain in non-compliance with Mr. Boehmer.

Deborah Pearson, Code Enforcement Manager, was sworn in by Special Magistrate Fuller and testified as to the weeds growing along the side of the home.

Tressa Meyer, owner of the property, was sworn in by Special Magistrate Fuller and testified as to the violations that have been corrected in the back corner of the property. Matthew Jones, Deputy City Attorney, stipulated that the photos shown by Ms. Meyer from her cell phone were accurately represented by her and Mr. Huseman. He questioned Ms. Meyer as to the violations corrected yesterday. Ms. Meyer agreed the property remains in non-compliance relating to the weeds growing along the side of the home. She did not plant them.

Special Magistrate Fuller granted the recommendation as presented. The property owner has until July 6, 2019 to mow/weed-eat the entire yard, clean/remove the undergrowth and vegetation found on the right side of the home, all grass clippings are to be blown back into the

yard from the street, remove all outside storage of items from the back porch area to an enclosed shed or garage and all trash and debris to be taken to the curb for pick-up or a daily fine in the amount of \$100.00 per day shall be imposed. Costs in the amount of \$56.20 were awarded to the City. While most of the violations have been corrected, not all have, and they must all remain in compliance to avoid the daily fine of \$100.00.

Mr. Huseman had no objection to the entry of the Finding of Fact, Conclusion of Law, and Order as presented.

4. **CEB Case No.:** 19-559

Respondent: Adam D & Carrie L Erdelyan

Address of Violation: 3837 Long Grove Lane, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 4/15/2019

Compliance: No

Cited for violation(s) - 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) & (h) (Abutting property owner maintenance of parkages) of the City of Port Orange Code of Ordinances.

Amanda Bonin, Code Compliance Inspector, was sworn in by Special Magistrate Fuller and testified as to the condition of the property, as well as the notice provided to the property owner. Photos were submitted into evidence and accepted by Special Magistrate Fuller with no objections. The violation was to be corrected by May 27, 2019 by mowing the entire property, trimming, edging, and cleaning up all debris. This includes the right of way, landscape beds, and the xeriscape area.

Aaron Reid, HOA's Property Manager, was sworn in by Special Magistrate and testified as to the condition of the property and the on-going issues with this property and property owner.

Ms. Bonin recommended the property owners be found in violation of the above referenced codes as the property was not in compliance until June 25, 2019. Ms. Bonin requested any future violations under this ordinance be considered repeat. The cost sheet in the amount of \$41.60 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.

Special Magistrate Fuller granted the recommendation as presented. Costs in the amount of \$41.60 were awarded to the City.

5. **CEB Case No.:** 18-1569

Respondent: Lowe's Home Centers, LLC

C/O Corporation Service Company RA

Address of Violation: 1751 Dunlawton Avenue, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 9/21/2018

Compliance: No

Cited for violation(s) - City of Port Orange Code of Ordinances, Chapter 14 Buildings and Building Regulations, Article VII Commercial Property Maintenance Standards:
Sec. 14-314. - Landscaping and buffers - Maintenance criteria.
Sec. 14-315.- Same - Replacement criteria.
Sec. 14-317.- Parking, sidewalk and driveway areas.
Sec. 14-318.- Other property improvements; maintenance criteria.

Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

Ms. Bonin requested a continuance of this case to the July 10, 2019 hearing. Special Magistrate Fuller granted the continuance request. A representative from Lowe's was present and agreed to the continuance.

6. **CEB Case No.:** 19-696
Respondent: Jennifer M Foster
Address of Violation: 45 Elda Ln., Port Orange, FL 32127
Code Officer: Scott Allman
First Notified: 5/10/2019

Compliance: Yes

Cited for violation(s) - 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.

Scott Allman, Code Compliance Inspector, was sworn in by Special Magistrate Fuller and requested a dismissal of the case as it is in compliance. Special Magistrate Fuller granted the dismissal request.

7. **CEB Case No.:** 19-179
Respondent: Thomas A. Williams
Address of Violation: 3 Lawrence Ct., Port Orange, FL 32127
Code Officer: Scott Allman
First Notified: 2/4/2019

Compliance: Yes

Cited for violation(s) - Sixth Edition (2017) Florida Building Code, Section 105 (Permits), 105.1 (Permits Required), as adopted by Chapter 8, Article 1, of the City of Port Orange Land Development Code.

Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

Mr. Allman requested a dismissal of the case as it is in compliance. Special Magistrate Fuller granted the dismissal request.

8. **CEB Case No.:** 19-616

Respondent: Jacqueline M. Sale

Address of Violation: 825 Upland Dr., Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 4/25/2019

Compliance: Yes

Cited for violation(s) - 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.

Mr. Allman requested a dismissal of the case as it is in compliance. Special Magistrate Fuller granted the dismissal request.

9. **CEB Case No.:** 19-517

Respondent: Mr. Frank Murden

Address of Violation: 341 Sagewood Dr., Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 4/8/2019

Compliance: No

Cited for violation(s) - 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.

Chapter 42, (Nuisances), Article II, (Garbage, Junk and Undergrowth), 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.

Mr. Allman testified as to the condition of the property, as well as the notice provided to the property owner. Photos were submitted into evidence and accepted by Special Magistrate Fuller with no objections. The violation was to be corrected by May 31, 2019 by mowing the property, trimming all high weeds, removing tall weeds in front of the garage and by removing the leaf pile from the front yard.

Mr. Allman recommended the property owners be found in violation of the above referenced code with the violations to be corrected on or before July 8, 2019 by mowing the entire property to include the rights of way, edging, weed eating, and blowing of yard debris, grass clippings are to be blown back onto the property and off the street and sidewalk, remove weeds in front of garage, and remove the leaf pile from front yard. In the event the property is not brought into compliance on or before the compliance date, and/or not maintained in a state of compliance, the City shall have the option to abate the violations and impose a fine for the costs. Accused should be further ordered to contact the Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the order. Mr. Allman requested any future violations

under this ordinance be considered repeat. The cost sheet in the amount of \$41.60 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.

Special Magistrate Fuller granted the recommendation as presented. The property owner has until July 8, 2019 to mow the entire property to include the rights of way, edging, weed eating, and blowing of yard debris, grass clippings are to be blown back onto the property and off the street and sidewalk, remove weeds in front of garage, and remove the leaf pile from front yard or the City shall have the option to abate the violations as it is a health and safety concern. No fine was imposed. Costs in the amount of \$41.60 were awarded to the City.

10. CEB Case No.: 19-500

Respondent: Dana Deella Anderson

Address of Violation: 3248 S. Peninsula Dr., Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 4/3/2019

Compliance: No

Cited for violation(s) - 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.

Chapter 42, (Nuisances), Article II, (Garbage, Junk and Undergrowth), 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.

Sixth Edition (2017) Florida Building Code, Section 105 (Permits), 105.1 (Permits required), as adopted by Chapter 8, Article 1, of the City of Port Orange Land Development Code.

Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.13 (Window, skylight and door frames), of the 2018 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

Chapter 42 (Nuisances), Article II (Garbage , Junk and Undergrowth), Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.1, of the 2018 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

Dena Joseph, Code Compliance Inspector, was sworn in by Special Magistrate Fuller and testified as to the condition of the property, as well as the notice provided to the property owner. Photos were submitted into evidence and accepted by Special Magistrate Fuller with no objections. The violation was to be corrected by June 10, 2019 by mowing the property to include weed eating, edging, and blowing debris off sidewalks and driveway areas, removing all trash and debris, removing all outside storage to include (but not limited to) saw, window/mirror, extension cord, bucket, wire fencing, etc. and storing in an enclosed building. All broken windows on site must be repaired, all missing soffit must be repaired or replaced, and all

dilapidated fencing on site that was installed without a permit must be removed OR a permit must be acquired and fencing repaired to include the payment of all pertinent fees and all inspections performed, OR a new fence must be installed with an approved permit to include the payment of all pertinent fees and all inspections performed.

Dana Deella Anderson, property owner, was sworn in by Special Magistrate Fuller and testified as to the condition of the property as of today.

Ms. Joseph recommended the property owner be found in violation of the above referenced code with the violations to be corrected on or before July 14, 2019 by mowing and maintaining the property to include weed eating, edging, and blowing debris off sidewalks and driveway areas, removing all trash and debris, removing all outside storage to include (but not limited to) saw, window/mirror, extension cord, bucket, wire fencing, etc. and storing in an enclosed building. All broken windows on site must be repaired, all missing soffit must be repaired or replaced, and all dilapidated fencing on site that was installed without a permit must be removed OR a permit must be acquired and fencing repaired to include the payment of all pertinent fees and all inspections performed, OR a new fence must be installed with an approved permit to include the payment of all pertinent fees and all inspections performed. In the event the property is not brought into compliance on or before the compliance date, and/or not maintained in a state of compliance, a daily fine in the amount of \$50.00 per day shall be assessed for each day the property is in violation beyond the compliance date. Accused should be further ordered to contact the Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the order. Ms. Joseph requested any future violations under this ordinance be considered repeat. The cost sheet in the amount of \$34.30 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.

Ms. Anderson asked for an additional week to complete the repairs.

Special Magistrate Fuller granted the recommendation with some amendments. The property owner has until July 21, 2019 mow and maintain, weed eat, edging, and blow free all grass clippings from the roadway back onto the property, all trash and debris on site must be removed, all outside stored items to include, but not limited to (saw, window/mirror, extension cord, bucket, wire fencing, etc.) must be removed and properly stored in an enclosed building, all broken windows on site must be repaired, all missing soffit must be repaired or replaced, and all dilapidated fencing on site that was installed without a permit must be removed OR a permit must be acquired and fencing repaired to include the payment of all pertinent fees and all inspections performed, OR a new fence must be installed with an approved permit to include the payment of all pertinent fees and all inspections performed. No fine was imposed as Ms. Anderson agreed to bring the property into compliance. Costs in the amount of \$34.30 were awarded to the City.

11. CEB Case No.: 19-732

Respondent: Edwina V. Schaffer

First National Bank of America

Address of Violation: 5348 Landis Avenue, Port Orange FL 32127

Code Officer: Dena Joseph

First Notified: 5/16/2019

Compliance: No

Cited for violation(s) - 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.

Chapter 42, (Nuisances), Article II, (Garbage, Junk and Undergrowth), 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 42 (Nuisances), Article II (Garbage , Junk and Undergrowth), Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

Sixth Edition (2017) Florida Building Code, Section 105 (Permits), 105.1 (Permits required), as adopted by Chapter 8, Article 1, of the City of Port Orange Land Development Code.

Chapter 42, (Nuisances), Article V - Unsafe Conditions, Division II Nuisance Trees, Section 42-103 Declaration of a nuisance, 42-104 Nuisance abatement requirements, & 42-105 Enforcement - Failure of owner to abate nuisance; assessments of costs, creation of lien.

Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.13 (Window, skylight and door frames) of the 2018 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

Ms. Joseph testified as to the condition of the property, as well as the notice provided to the property owner, who has been determined to be deceased. Photos were submitted into evidence and accepted by Special Magistrate Fuller with no objections. The violation was to be corrected by June 20, 2019 by mowing and maintaining the property (to include the area between the sidewalk and roadway), weed eating, edging, and blowing all grass clippings in the roadway back onto the property, the large nuisance Pine tree was to be removed from the property which would require a tree removal permit be obtained from the City of Port Orange Building Department, removing all trash and debris on site, removing all outside stored items to include but not limited to (couch, clothing, shoes, weights, plastic bottles, extension cord, etc.) and properly store them in an enclosed building, replace or repair all broken windows on site, and obtaining a building permit for the addition that was built on the property without a permit which would include paying all fees associated with the cost of the permit and performing all inspections for compliance with the permit.

Ms. Joseph recommended the property owners be found in violation of the above referenced code with the violations to be corrected on or before July 14, 2019 by mowing and maintaining the property (to include the area between the sidewalk and roadway), weed eating, edging, and blowing all grass clippings in the roadway back onto the property, the large nuisance Pine tree was to be removed from the property which would require a tree removal permit be obtained from the City of Port Orange Building Department, removing all trash and debris on site, removing all outside stored items to include but not limited to (couch, clothing, shoes, weights, plastic bottles, extension cord, etc.) and properly store them in an enclosed building, replace or repair all broken windows on site, and obtaining a building permit for the addition that was built on the property without a permit which would include paying all fees associated with the cost of the permit and performing all inspections for compliance with the permit. In the event the

property is not brought into compliance on or before the compliance date, and/or not maintained in a state of compliance, a daily fine in the amount of \$50.00 per day shall be assessed for each day the property is in violation beyond the compliance date. Accused should be further ordered to contact the Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the order. Ms. Joseph requested any future violations under this ordinance be considered repeat. The cost sheet in the amount of \$56.20 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.

Special Magistrate Fuller granted the recommendation as presented and deemed the property a health and safety violation. The property owner has until July 14, 2019 to mow and maintain the property (to include the area between the sidewalk and roadway), weed eating, edging, and blowing all grass clippings in the roadway back onto the property, the large nuisance Pine tree needs to be removed from the property which would require a tree removal permit be obtained from the City of Port Orange Building Department, remove all trash and debris on site, remove all outside stored items to include but not limited to (couch, clothing, shoes, weights, plastic bottles, extension cord, etc.) and properly store them in an enclosed building, replace or repair all broken windows on site, and obtain a building permit for the addition that was built on the property without a permit which would include paying all fees associated with the cost of the permit and performing all inspections for compliance with the permit or a daily fine in the amount of \$50.00 per day shall be imposed. Costs in the amount of \$56.20 were awarded to the City.

12. CEB Case No.: 18-1291

Respondent: John Crouch

Address of Violation: 410 Grant Street, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 6/5/2018

Compliance: Yes

Cited for violation(s) - City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 2 (Home Occupations), (d) Restrictions, (3), (4), (10) and (12)

Chapter 42, (Nuisances), Article II (Sanitary Conditions), Section 42-55 Obnoxious and Contaminating Businesses and Occupations, (a) and (b) of the City of Port Orange Code of Ordinances.

City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 2 (Home Occupations), (b) Permitted Home Occupations, (1), (2), (3), and (4) of the City of Port Orange Land Development Code.

NFPA 1: Fire Code, 2015 Edition - Chapter 43 Spraying, Dipping, and Coating Using Flammable or Combustible Materials. There is no mixing or spraying room.

NFPA 33: Standard for Spray Application Using Flammable or Combustible Materials, Chapter 4 (general requirements)

NFPA 33, Chapter 9 (Protection), there is no sprinkler system in place

Ms. Joseph requested a dismissal of the case as it is in compliance. Special Magistrate Fuller granted the dismissal request.

C. ORDER IMPOSING FINE/LIEN

13. CEB Case No.: 19-0176

Respondent: Kenneth D. Veradi & Ruth P. Veradi

Address of Violation: 5411 Landis Avenue, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 2/1/2019

Compliance: Yes

Cited for violation(s) - 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.

Chapter 42, (Nuisances), Article II, (Garbage, Junk and Undergrowth), 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 42 (Nuisances), Article II (Garbage , Junk and Undergrowth), Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

Chapter 18 (Businesses), Article II (Local Business Tax), Section 18-27 (Business Tax Imposed) of the City of Port Orange Code of Ordinances.

Ms. Joseph requested a dismissal of the case as it is in compliance. Special Magistrate Fuller granted the dismissal request.

14. CEB Case No.: 18-1662

Respondent: Thomas S. Wintink

Address of Violation: 1391 N. Dexter Drive, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 10/11/2018

Compliance: No

Cited for violation(s) - 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.

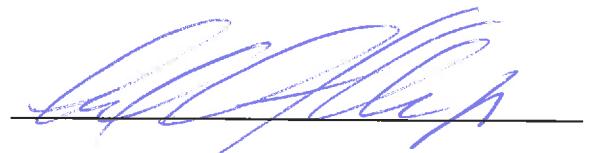
Chapter 42 (Nuisances), Article II (Garbage , Junk and Undergrowth), Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 3 (Fences and Walls), (b) General Provisions, (4) Design and Maintenance, (b) All fences shall be maintained in their original upright condition & (d) Missing boards, pickets, or posts shall be replaced in a timely manner with material of the same type and quality.

Ms. Bonin requested an Order Setting Fine/Lien as the property was not in compliance by April 24, 2019 as ordered in the previous hearing on April 10, 2019 by the Special Magistrate. She requested a daily fine in the amount of \$150.00 per day as ordered in the Finding of Fact, Conclusion of Law & Order to begin on April 25, 2019. The City retained vendor Mark Solomon Properties who abated a portion of the violations at the cost of \$625.00. A cost sheet for mailing and recording costs in the amount of \$92.90 was tendered and submitted into evidence without objection. The fence was not abated due to costs; however, the screen on the pool enclosure was fixed to secure the pool.

Special Magistrate Fuller found the property in non-compliance and awarded \$625.00 in abatement costs, daily fines in the amount of \$150.00 per day the fence remains in non-compliance and mailing and recording costs to date of \$92.90. A lien is imposed on the property in the amount of \$717.90 with ongoing fines in the amount of \$150.00 per day.

D. ADJOURNMENT - 10:37 a.m.


Special Magistrate Fuller