

CODE ENFORCEMENT SPECIAL MAGISTRATE
MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
MARCH 12, 2025

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

PRESENT: DAVID FULLER, SPECIAL MAGISTRATE
 KRISTI JONES, CODE OFFICER
 SCOTT ALLMAN, CODE OFFICER

ALSO PRESENT: AMANDA BONIN, DEPUTY CITY CLERK

Oaths

Code Enforcement Officers Kristi Jones and Scott Allman were sworn in by Special Magistrate Fuller.

CALL TO ORDER

1. Attorney Overview of Special Magistrate Code Enforcement Process

Special Magistrate Fuller dispensed with the overview of the code enforcement process as there were no members of the public present.

2. Consideration of Minutes - February 12, 2025

Special Magistrate Fuller approved the February 12, 2025 meeting minutes as presented.

FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 24-1393

Respondent: Binh Ngo

Address of Violation: 543 Orange Avenue, Port Orange, FL 32127

Code Officer: Kristi Jones

First Notified: 9/20/2024

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, (h) Abutting property owner maintenance of parkages.

Code Enforcement Special Magistrate Meeting

March 12, 2025

Page 2 of 4

Kristi Jones 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 February 27, 2025, by mowing the entire property, trimming all high weeds and grass, removing all tree debris, blowing all debris back onto the property, removing all stored items from the property including but not limited to, plywood and a plastic container, and removing all garbage and debris (trash/litter) from the property.

Kristi Jones recommended the property owners be found in violation 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, 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, and City of Port Orange Code of Ordinances, Chapter 42 (Nuisances), Article II (Garbage, junk, and undergrowth), Section 42-32 (storage of vehicles, furniture, etc), with the violations to be corrected by March 21, 2025 by mowing the entire property, trimming all high weeds and grass, removing all tree debris, blowing all debris back onto the property, removing all stored items from the property including but not limited to, plywood and a plastic container, and removing all garbage and debris (trash/litter) from the property. 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 \$250.00 per day shall be imposed. 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. Jones requested any future violations under this ordinance be considered repeat, and that the property be deemed a health and safety concern for the surrounding neighbors in that the high weeds, grass, garbage, and debris, could harbor vermin, insects, snakes, etc. The cost sheet in the amount of \$60.24 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 March 21, 2025 to mow the entire property, trim all high weeds and grass, remove all tree debris, blow all debris back onto the property, remove all stored items from the property including but not limited to, plywood and a plastic container, and remove all garbage and debris (trash/litter) from the property or a daily fine in the amount of \$250.00 per day shall be imposed. option to abate Costs in the amount of \$60.24 were awarded to the City.

4. CEB Case No.: 24-1727

Respondent: Avis M. Constantine

Address of Violation: 5441 Isabelle Avenue

Code Officer: Joseph Brewer

First Notified: 12/11/2024

Compliance: No

Cited for violation(s) - Chapter 3, Section 304 (Exterior Structure), 304.6 (Exterior Walls) of the 2024 International Property Maintenance Code, as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances. 2024 International Property Maintenance Code, Chapter 3, Section 304 Exterior Structure, as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: 304.8 (Decorative Features). 2024 International Property Maintenance Code, Chapter 3, Section 304 Exterior Structure, as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: 304.13 (Window, Skylight and Door Frames).

Scott Allman, Code Enforcement Officer requested a dismissal of the case as it is in compliance. Special Magistrate Fuller granted the dismissal request.

5. CEB Case No.: 24-1734

Respondent: Rosemary Page Estate

Address of Violation: 18 Lawrence Court

Code Officer: Joseph Brewer

First Notified: 2/13/2025

Compliance: Yes

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), (f) Garbage, waste, trash, etc. prohibited of the City of Port Orange Code of Ordinances. Chapter 70 (Traffic), Article II (Stopping, standing, and parking), Section 70-36 (Stopping, standing or parking prohibited in specified places) of the City of Port Orange Code of Ordinances.

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

6. CEB Case No.: 24-1551

Respondent: Off The Wall Enterprises Inc., Property Owner

C/O David Lamotte, Registered Agent

Address of Violation: Vacant Lot - Dunlawton Avenue

Parcel ID: 6309-31-00-0070

Code Officer: Scott Allman

First Notified: 10/15/2024

Code Enforcement Special Magistrate Meeting

March 12, 2025

Page 4 of 4

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), (f) Garbage, waste, trash, etc. prohibited of the City of Port Orange Code of Ordinances.

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

ADJOURNMENT - 9:11 a.m.


Special Magistrate David Fuller