



AGENDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF PORT ORANGE

Meeting Date: Wednesday, July 13, 2016

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 - June 22, 2016

B. FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 16-593

Respondent: John Sylvester

Address of Violation: 5404 Isabelle Ave., Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 05/19/2016

Compliance: Yes

Cited for violation(s) - City of Port Orange Code of Ordinances, Chapter 42, Section 42-26(d) Maintenance of improved residential lots and Chapter 42, Section 42-26 (f) Garbage, waste, trash, etc., prohibited.

C. ORDER IMPOSING FINE/LIEN

4. **CEB Case No.:** 16-276 (Continued from June 8, 2016)

Respondent: Vicki L. Bassett

Address of Violation: 909 Tree Garden Drive, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 03/11/2016

Compliance: Yes

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

5. **CEB Case No.:** 15-1481 (Continued from June 8, 2016)

Respondent: Judith Anderson

Address of Violation: 156 Sand Pebble Circle, Port Orange, FL 32129

Code Officer: Dena Joseph

First Notified: 03/14/2016

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 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.1 (Unsafe Structures) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances;

Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment, 108.1.5 (Dangerous Structure or Premises), (7) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances;

Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures), 108.6 (Abatement methods) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances;

Chapter 1 (Scope and Administration), Section 109 (Emergency Measures), 109.1 (Imminent Danger) of the 2015 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 302 (Exterior Property Areas), 302.1 (Sanitation) of the 2015 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 304 (Exterior Structure), 304.1 (General) of the 2015 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 304 (Exterior Structure), 304.1.1 (Unsafe Conditions) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances;

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

Chapter 3 (General Requirements), Section 304 (Exterior Structure), Section 304.7 (Roofs and Drainage) of the 2015 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 304 (Exterior Structure), Section 304.13 (Window, skylight and door frames) of the 2015 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 304 (Exterior Structure), Section 304.15 (Doors)) of the 2015 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 305 (Interior Structure), 305.1 (General)), of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances;

Chapter 6 (Mechanical and Electrical Requirements), Section 604 (Electrical Facilities), 604.1 (Facilities Required) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances; and

Chapter 6 (Mechanical and Electrical Requirements), Section 605 (Electrical Equipment), 605.1 (Installation) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

D. PUBLIC COMMENTS

E. 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.

PORT ORANGE CODE ENFORCEMENT
SPECIAL MAGISTRATE MINUTES
COUNCIL CHAMBERS
1000 CITY CENTER CIRCLE
JUNE 22, 2016

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

PRESENT: Raymond Branch, Special Magistrate

ALSO PRESENT: Scott Allman, Code Compliance Inspector
Chris Hutchison, Code Enforcement Supervisor
Robin Fenwick, City Clerk

Consideration of Minutes

Special Magistrate Branch approved the June 8, 2016 meeting minutes as presented.

Oaths

Code Compliance Inspector Scott Allman was sworn in by Special Magistrate Branch.

FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 16-0450 (Continued from May 11, 2016)
Respondent: John Clark
Address of Violation: 5388 Nova Road, Port Orange, FL 32127
Code Officer: Dena Joseph
First Notified: 04/06/2016

Compliance: ~~No~~-Yes

Cited for violation(s) - Florida Building Code-Building, 5th Edition (2014), Section 105 (Permits), Section 105.1 (Required): Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Chapter 10 (Clearing, Grading and Stormwater Management), Article I (Clearing and Grading), Section 2 (Permit Requirements for Change of Grade) of the City of Port Orange Land Development Code: It is hereby unlawful for any person to change or

modify the grade of any land without obtaining a change of grade permit in accordance with the provisions of this chapter.

Mr. Allman was sworn in by Special Magistrate Branch and requested a dismissal as this case is in compliance. Special Magistrate Branch granted the dismissal.

4. **CEB Case No.:** 16-0798

Respondent: Sonny M. Wilson & Debora M. Wilson

Address of Violation: 4860 Spruce Creek Road, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 05/13/2016

Compliance: Yes

Cited for violation(s) - City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 1 (Accessory Uses and Structures), (e) Outside Storage;

City of Port Orange Code of Ordinances, Chapter 70 (Traffic), Article II (Stopping, Standing or Parking), Section 70-49 (Restrictions on disabled or abandoned vehicles);

City of Port Orange Code of Ordinances, Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (Maintenance of lots generally-duty of owner), (f) Garbage, Waste, Trash, Etc. Prohibited);

City of Port Orange Code of Ordinances, Chapter 56 (Solid Waste), Article II (Collection and Disposal Service), Section 56-32 (Wrapping and preparation of garbage; keeping containers covered); and

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.

Mr. Allman requested a dismissal as this case is in compliance. Special Magistrate Branch granted the dismissal.

5. **CEB Case No.:** 16-292

Respondent: Charles & Peggy Collins

Address of Violation: 5481 Pineland Ave., Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 05/10/2016

Compliance: No

Cited for violation(s) - Code Violation Section(s) City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-26(d) Maintenance of improved

residential lots;

2. Code Violation Section(s) City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-26(f) Garbage, waste, trash, etc. prohibited; and

3. Code Violation Section(s) City of Port Orange Code of Ordinances, Article II, Section 42-32 Storage of vehicles, furniture, etc.

Mr. Allman requested a continuance until July 13, 2016 due to staff availability. Since the Respondents have not received any of the mailings, Special Magistrate Branch granted the continuance until July 27, 2016 based on the date of the hearings listed in the Notice of Violation/Notice of Hearings that was properly posted.

6. **CEB Case No.:** 16-326

Respondent: Shonn A. Isitt

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

Parcel ID #6310-07-33-0130

Code Officer: Scott Allman

First Notified: 05/11/2016

Compliance: ~~No~~-Yes

Cited for violation(s) - City of port Orange Code of Ordinances, Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (d) Maintenance of improved residential lots.

2. City of port Orange Code of Ordinances, Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (f) Garbage, waste, trash, etc., prohibited.

Mr. Allman requested a dismissal as this case is in compliance. Special Magistrate Branch granted the dismissal.

7. **CEB Case No.:** 16-327

Respondent: Allan & Michelle J. Johnson

Address of Violation: 911 Tall Pine Drive, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 05/11/2016

Compliance: ~~No~~-Yes

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

City of Port Orange Land development Code, Chapter 16 (Miscellaneous Regulations), Section 2 (Home Occupations), (d) Restrictions, (2) The use of the dwelling for a home occupation shall be clearly incidental and subordinate to its residential use, and there

shall be no change in the appearance of the dwelling or outside evidence of nonresidential use, except for a maximum one square foot non-illuminated wall sign located adjacent to the main entrance of the structure & (8) There shall be no storage of equipment or supplies associated with the home occupation outside the dwelling.

Mr. Allman requested a dismissal as this case is in compliance. Special Magistrate Branch granted the dismissal.

8. CEB Case No.: 16-599

Respondent: Diane L. Crouter

Address of Violation: 163 Sand Pebble Circle, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 05/12/2016

Compliance: Yes

Cited for violation(s) - Chapter 42 Nuisances, Article 2 Garbage Junk and Undergrowth, Section 42-32 Storage of Vehicles Furniture etc.

Mr. Allman requested a dismissal as this case is in compliance. Special Magistrate Branch granted the dismissal.

9. CEB Case No.: 16-600

Respondent: Robert Colavita, Sr.

Address of Violation: 127 Sand Pebble Circle, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 05/12/2016

Compliance: Yes

Cited for violation(s) - Chapter 42 Nuisances, Article 2 Garbage Junk and Undergrowth, Section 42-32 Storage of Vehicles Furniture etc.

Mr. Allman requested a dismissal as this case is in compliance. Special Magistrate Branch granted the dismissal.

10. CEB Case No.: 16-451

Respondent: Jeffrey A. & Kristine Rundall

Address of Violation: 1102 Southland Court, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 05/12/2016

Compliance: Yes

Cited for violation(s) - Chapter 42 Nuisances, Article 2 Garbage Junk and Undergrowth, Section 42-32 Storage of Vehicles Furniture etc.

Mr. Allman requested a dismissal as this case is in compliance. Special Magistrate Branch granted the dismissal.

11. CEB Case No.: 16-582

Respondent: Linda A. Kellar

Address of Violation: 128 Barefoot Trail, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 05/12/2016

Compliance: Yes

Cited for violation(s) - Chapter 42 Nuisances, Article 2 Garbage Junk and Undergrowth, Section 42-32 Storage of Vehicles Furniture etc.

Mr. Allman requested a dismissal as this case is in compliance. Special Magistrate Branch granted the dismissal.

12. CEB Case No.: 16-438

Respondent: Mitchell J. Scala JTRS

Address of Violation: 1353 E. Dexter Drive, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 05/13/2016

Compliance: Yes

Cited for violation(s) - Land Development Code Chapter 9 Environmental Protection, Article 2 Tree Preservation, Section 10 (a).

Mr. Allman requested a dismissal as this case is in compliance. Special Magistrate Branch granted the dismissal.

13. CEB Case No.: 16-650

Respondent: Robert P. & Jodi A. Petrzala

Address of Violation: 3821 Long Grove Lane, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 05/13/2016

Compliance: Yes

Cited for violation(s) - Chapter 3, Section 304 Exterior Structure of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances 304.6 Exterior walls; and

Chapter 70 of the City of Port Orange Code of Ordinances Article 2 Stopping Standing and Parking Section 70-49 - (c) Restrictions on disabled or abandoned vehicles.

Mr. Allman requested a dismissal as this case is in compliance. Special Magistrate Branch granted the dismissal.

C. ORDER IMPOSING FINE/LIEN

14. **CEB Case No.:** 16-162 (Continued from May 25, 2016 and June 8, 2016)
Respondent: Brian M. Peterson and Brandy M. Peterson
Address of Violation: 767 Sandy Hill Circle, Port Orange, FL 32127
Code Officer: Scott Allman
First Notified: March 4, 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.

Mr. Allman testified as to the condition of the property and the notices provided to the property owners. The City's vendor abated the violation. Sufficient notice was provided to the property owners. The Respondents did not attend the hearing and there was no request for a continuance. Mr. Allman recommended an award of costs in the amount of \$100.14 and abatement costs in the amount of \$400.00 for a total due of \$500.14. There was no daily fine requested.

Special Magistrate Branch granted the recommendation of Mr. Allman as to abatement costs and mailing/recording costs totaling \$500.14.

PUBLIC COMMENTS – There were no public comments.

ADJOURNMENT – 9:35 a.m.

Special Magistrate Raymond Branch



**NOTICE OF VIOLATION
AND
NOTICE OF HEARINGS**

CITY OF PORT ORANGE, FLORIDA

SPECIAL MAGISTRATE

CITY OF PORT ORANGE,

Petitioner

CASE NO. 16-593

To: Mr. John Sylvester
1914 Halifax Dr.
Port Orange, FL 32128-3712

Re: 5404 Isabelle Ave.
Port Orange, FL 32127
Parcel ID: 6315-03-02-0190

LEGAL DESCRIPTION: LOT 19 BLK 2 COMMONWEALTH MOBILE ISTS MB 26 PG 111 PER OR 3867 PG 0006 PER
UNREC D/C PER D/C 6942 PG 3660 PER OR 6942 PG 3661
Volusia County Public Records
Volusia County, FL

An inspection of the premises on April 12, 2016, indicates that certain violation(s) of the City of Port Orange Code exists.

Resident was notified of the violations noted below and given three (3) days to correct. A re-inspection was done on April 21 and again on May 17, 2016, resulting in non-compliance.

This correspondence will serve as official notification that the below stated violation(s) must be corrected by May 28, 2016.

Briefly stated, the property is in violation of the following:

1. City of Port Orange Code of Ordinances, Chapter 42, Section 42-26(d) *Maintenance of improved residential lots*. The owner of an improved lot in a residential zone with lot sizes of one acre or less shall keep such lot free and clear of all fallen trees and limbs. All weeds, grass and undergrowth shall be cut to a height not exceeding ten inches. However, nothing in this subsection shall be construed to require natural areas located within larger improved lots to be cut to a height less than ten inches within such natural areas.
 - I observed this property as being entirely overgrown. To correct this violation the entire property needs to be mowed and maintained on a regular basis to comply with city code.
2. City of Port Orange Code of Ordinances, Chapter 42, Section 42-26(f) *Garbage, waste, trash, etc., prohibited*. The owner of every lot, piece and parcel of land located within the city shall keep each such lot, piece and parcel of land free and clear of garbage, waste, trash, debris and junk.
 - I observed this property as having trash, debris, and yard debris covering the front yard. To correct this violation, the entire property needs to be cleared of all trash, debris, and yard debris according to city code.

Attachments: ☒ Copy of code

☒ Copy of Deed

☒ Copy of Tax Roll

Failure to comply after this date may result in the commencement of appropriate code enforcement action and/or possible fine of up to \$1,000.00 per day for a first violation, \$5,000.00 per day per violation for a repeat violation, and up to \$15,000.00 per violation if the code enforcement board or special magistrate finds the violation to be irreparable or irreversible in nature.

If the violation is corrected and then recurs, or if the violation is not corrected by the specified time for correction by the Code Compliance Inspector, the case shall be presented to the **Special Magistrate** on the date set forth below, even if the violation has been corrected prior to this scheduled hearing.

The burden shall rest upon the Respondent to request a re-inspection by the Code Compliance Inspector to determine whether the property is in compliance.

NOTICE OF HEARING AS TO VIOLATION(S) ALLEGED

**NOTICE: A FINE AND COSTS MAY BE IMPOSED AT THIS HEARING.
PLEASE GOVERN YOURSELF ACCORDINGLY.**

Pursuant to Chapter 2, Article V, Code of Ordinances and Section 162.06, Florida Statutes, you are hereby called upon to take notice that a PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate July 13, 2016, at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will receive testimony and evidence at said PUBLIC HEARING and shall make such findings of facts and conclusions of law as supported by the testimony and evidence pertaining to the matter alleged below, and shall issue a Final Order affording the proper relief. A certified copy of the Final Order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, upon any subsequent purchasers, successors in interest, or assigns. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Inspector. Please govern yourself accordingly.

If the violation is not corrected within the time specified for correction ordered by the **Special Magistrate**, then a certified copy of an order imposing a fine may be recorded in the public records of the county and once recorded, it SHALL CONSTITUTE A LIEN against the property upon which the violation was found to exist and upon any other real or personal property owned by the violator. If said lien remains unpaid for more than ninety days, the City may seek to foreclose on said lien.

As per Chapter 2, Section 2-214, Code of Ordinances and Section 162.09(2)(d), Florida Statutes: "In addition to such fines, a code enforcement board or special magistrate may impose additional fines to cover all costs incurred by the local government in enforcing its codes and all costs of repairs." The costs incurred to date are \$ 7.34 as indicated on the cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

NOTICE OF HEARING SETTING FINE AND LIEN

In the event the **Special Magistrate**, during the hearing on **July 13, 2016**, enters a Final Order finding a violation as alleged, pursuant to Chapter 7, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2nd PUBLIC HEARING will be conducted in the above-styled cause by the Code Enforcement Special Magistrate on **August 24, 2016, at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The Code Enforcement Special Magistrate will consider setting fine lien on the above referenced case at said PUBLIC HEARING. Please govern yourself accordingly.

For further information regarding this matter, you may contact the undersigned Code Compliance Inspector at (386) 506-5644.

DATED this 19th day of May, 2016.

CITY OF PORT ORANGE, FLORIDA
SPECIAL MAGISTRATE

By: Deborah Faircloth
DEBORAH FAIRCLOTH

☒ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to John Sylvester, 1914 Halifax Dr., Port Orange, FL 32128-3712, RE: 5404 Isabelle Ave., Port Orange, FL 32127, was
☐ Hand-delivered Recipient of hand delivered documents: _____
☒ Posted at the property
Time: approx. 11:45 am this 19th day of May, 2016.
Deborah Faircloth
DEBORAH FAIRCLOTH

☒ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to John Sylvester, 1914 Halifax Dr., Port Orange, FL 32128-3712, RE: 5404 Isabelle Ave., Port Orange, FL 32127, was
☐ Posted at City Hall
☒ Sent via certified and regular
this 20 day of May, 2016.
Robert K. Kurch
Secretary, Special Magistrate

RIGHT TO APPEAL

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE **SPECIAL MAGISTRATE** WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETING OR HEARING, SUCH PERSON 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 UPON WHICH THE APPEAL IS TO BE BASED.

ACCOMMODATIONS

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.



Volusia County
Property Appraiser

Morgan B. Gilreath Jr.
M.A., C.F.A.



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Parcel Information: 6315-03-02-0190 **2016 Working Tax Roll** Last Updated: 05-15-2016

Owner Name and Address

Alternate Key	3633563	Parcel Status	Active Parcel (Real Estate)
Short Parcel ID	6315-03-02-0190	Mill Group	402 Port Orange
Full Parcel ID	15-16-33-03-02-0190	2015 Final Mill Rate	20.86510
Created Date	31 DEC 1981		
Property Class	02 Mobile Homes		
Ownership Type	Fee Simple	Ownership Percent	100
Owner Name	SYLVESTER JOHN		
Owner Name/Address 1			
Owner Address 2	1914 HALIFAX DR		
Owner Address 3	PORT ORANGE FL		
Owner Zip/Postal Code	32128-3712		
Situs Address	5404 ISABELLE AV PORT ORANGE 32127		

Legal Description

LOT 19 BLK 2 COMMONWEALTH MOBILE ESTS MB 26 PG 111 PER OR 3867 PG 0006 PER UNREC D/C PER D/C 6942 PG 3660 PER OR 6942 PG 3661

Sales History

Book Page	Sale Date	Sale Instrument	Qualified Unqualified	Improved	Sale Price
6942 3661	12/2013	Warranty Deed	Qualified Sale	Yes	42,000
6942 3660	01/2010	Death Certificate	Unqualified Sale	Yes	100
3867 0006	10/1993	Warranty Deed	Qualified Sale	Yes	40,000
3619 0808	04/1991	Warranty Deed	Affiliated Parties	Yes	100
1482 0469	09/1972	Warranty Deed	Qualified Sale	Yes	17,000
1482 469	09/1972	Warranty Deed	Unqualified Sale	Yes	17,000

History of Values

Year	Land	Bldg(s)	Misc. Impr.	Just Value	School Assessed	Non-School Assessed	School Exemption	School Taxable	Non-School Exemption	Non-School Taxable
2015	15,080	13,843	0	28,923	28,923	28,923	0	28,923	0	28,923
2014	15,080	13,307	0	28,387	28,387	28,387	0	28,387	0	28,387

[Display Value History](#)

Land Data

Code	Land Use Type	Frontage	Depth	No. Units	Unit Type	Rate	Depth	Loc	Shp	Phy	Just Value
0202	MH ON MH SITE PVD	58.0	100.0	58.00	FRONT FEET	260.00	100	100	100	100	15,080
Neighborhood 5773 COMMONWEALTH M-H EST MB 26-PG											
Total Land Classified											0
Total Land Just											15,080

Building Characteristics

Building Number: 115845 (Building 1 of 1)

Bldg. No.	Improvement Type	Base Perimeter	Year Built	Quality Grade	Architecture	Phys. Depr.	Func. Obs.	Loc. Obs.	Next Review
115845	Mobile Home	154	1969	200	Mobile Home	74%	0%	0%	2999
Roof Type	GABLE	Floors	Carpet		Bedrooms	3	4 Fixture Bath		0
Roof Cover	METAL	Wall Type	Plywood Panel		X Fixture Bath	0	5 Fixture Bath		0
Heat Type1	Forced Ducted	Heat Source1	Electricity		2 Fixture Bath	0	6 Fixture Bath		0
Heat Type2		Heat Source2			3 Fixture Bath	2	7 Fixture Bath		0
Foundation	Wd Conc Piers	Year Remodeled			Fireplaces	0	A/C		Yes

Section Number	Area Type	Exterior Wall Type	Number Stories	Year Built	Attic Finish	Bsmt Area	Bsmt Finish	Floor Area
001	Res BASE Area (BAS)	ALUMINUM SIDING	1.0	1969	N	0%		1272 Sq. Feet
002	Carport, Unfinished (UCP)	Non-Applicable	1.0	1969	N	0%	0%	420 Sq. Feet
003	Unfinished Utility (UST)	Non-Applicable	1.0	1969	N	0%	0%	108 Sq. Feet
004	Porch, Screen Unfinished (USP)	Non-Applicable	1.0	1969	N	0%	0%	100 Sq. Feet
005	Unfinished Enclosed Porch (UEP)	Non-Applicable	1.0	1969	N	0%	0%	200 Sq. Feet

Prepared by:
Margie Patchett
Adams Cameron Title Services, Inc.
444 Seabreeze Blvd, Suite 170
Daytona Beach, Florida 32118

File Number: 21421

12/23/2013 04:06 PM
Doc stamps 294.00
(Transfer Amt \$ 42000)
Instrument# 2013-244681 # 1
Book : 6942
Page : 3661
Diane M. Matousek
Volusia County, Clerk of Court

General Warranty Deed

Made this December 18, 2013 A.D. By **Marilyn W. Hordies, an unmarried widow**, whose address is: 4330 Onondaga Dr. Apt. 51, Syracuse, NY13219, hereinafter called the grantor, to **John Sylvester, a married man**, whose post office address is: 1914 Halifax Ave, Port Orange, FL 32128, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Volusia County, Florida, viz:

Lot 19, Block 2, COMMONWEALTH MOBILE ESTATES, as per map in Map Book 26, Page 111, Public Records of Volusia County, Florida. Together with that certain mobile home situate thereon.

TOGETHER WITH THAT 1969 PKWA MOBILE HOME HAVE VIN #FT35724FL1020A AND FT35724FL1020B AND TITLE NUMBERS 8656382 AND 8656383 BEING SITUATED THEREON.

Parcel ID Number: 631503020190

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2013.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Sign M. A. Hordies

Witness Printed Name Mark A Hordies

Sign Matthew M. Miller

Witness Printed Name MATTHEW M. MILLER

State of New York
County of Onondaga

The foregoing instrument was acknowledged before me this 18th day of December, 2013, by Marilyn W. Hordies, an **unmarried widow**, who is/are personally known to me or who has produced driver's license as identification.

Sign Matthew M. Miller (Seal)
Notary Public
Print Name: MATTHEW M. MILLER
My Commission Expires: 3.2.14

ARTICLE II. - GARBAGE, JUNK AND UNDERGROWTH^[2]*Footnotes:**--- (2) ---**Land development code reference—Landscaping and buffers, ch. 13.*

Sec. 42-26. - Cleanliness of property generally—Duty of owner.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Improved lot means any lot which improvements have been made, including, but not limited to, change of grade through filling or excavation, installation of water or sewer line, clearing of property to begin construction, or any other physical alteration which has significantly disturbed the natural vegetation on the site.

Undergrowth means herbaceous plants, plants and grasses with stems that wither away annually as distinguished from trees or shrubs with woody stems that live from year to year.

Unimproved lot means any lot which remains undisturbed and in a natural vegetative state.

- (b) *Purpose and intent.* The city recognizes the need to protect the health, safety and welfare of the citizens of the city through control and elimination of aesthetically displeasing and potentially dangerous accumulations of garbage, waste, trash, debris, junk and undergrowth. It is, therefore, the purpose and intent of this section to reduce or eliminate such conditions within reasonable limits by hereby establishing a duty and responsibility on the part of the owner of designated lots located within the city to keep such lot free and clear of garbage, waste, trash, debris, junk and undergrowth.
- (c) *Maintenance of commercial and industrial zoned lots.* The owner of every improved lot, piece and parcel of land located within a commercial or industrial zone within the city shall keep each such lot, piece or parcel of land free and clear of all fallen trees and limbs and undergrowth exceeding 12 inches in height. However, nothing in this subsection shall be construed to require natural areas located within larger improved lots to be cut to a height less than 12 inches within such natural areas. Owners of unimproved vacant parcels in such zones shall similarly maintain such portion of their property as lies within ten feet of any improved property, any sidewalk, roadway or bicycle path.
- (d) *Maintenance of improved residential lots.* The owner of an improved lot in a residential zone with lot sizes of one acre or less shall keep such lot free and clear of all fallen trees and limbs. All weeds, grass and undergrowth shall be cut to a height not exceeding ten inches. However, nothing in this subsection shall be construed to require natural areas located within larger improved lots to be cut to a height less than ten inches within such natural areas.
- (e) *Maintenance of unimproved residential lots.* The owner of an unimproved lot in a residential zone with lot sizes of one acre or less shall keep that portion of his property abutting and within ten feet of any improved lot, sidewalk, street or bicycle path free and clear of all fallen trees and limbs, and all weeds, grass and undergrowth therein shall be cut to a height not exceeding 12 inches within such area.

- (f) *Garbage, waste, trash, etc., prohibited.* The owner of every lot, piece and parcel of land located within the city shall keep each such lot, piece and parcel of land free and clear of garbage, waste, trash, debris and junk.
- (g) *No property maintenance permit required; other restrictions and requirements applicable.* No permit shall be required for the limited property maintenance required by this section; however, the requirements, restrictions and limitations imposed by other sections of this Code and applicable provisions of the land development code pertaining to environmental preservation, tree removal, change of grade, etc., shall be effective. In the event of any conflict between this section and any other provision of this Code or applicable provision of the land development code, the other sections of this Code or applicable provisions of the land development code shall prevail and govern.
- (h) *Abutting property owner maintenance of parkages.* It shall be the duty of every owner of real property within the city to at all times cause to be cut and moved the grass and weeds, and to cause to be cut and trimmed the flowers, vines, shrubbery, and trees not exceeding six feet in height, in a manner that protects and promotes the public health, safety and welfare and presents an aesthetically pleasing appearance in those areas of the package most nearly abutting their properties. Packages abutting improved residential or commercial lots shall be maintained as provided in subsection (d) of this section for improved residential lots. Packages abutting unimproved residential lots shall be maintained as provided in subsection (e) of this section for the maintained portion of unimproved residential lots. "Package" is that space between the private property lot or survey line of the property owner and the paved or graded portion of the public street adjacent thereto and includes that area between a sidewalk and street. Every property owner shall also have the duty of removing any refuse or other debris existing within the adjacent package, but the placement of refuse for collection in a manner and in containers specified by other provisions of this Code is not prohibited.

(Code 1981, § 10-1; Ord. No. 1994-5, § 1, 3-15-94)

Sec. 42-29. - Disposal of trash or shrubbery trimmings.

It shall be unlawful under any pretense whatever for any person to deposit any trash or trimming of shrubbery on any of the sidewalks or water gutters or streets of the city unless permission is obtained so to do from the city manager.

(Code 1981, § 10-4)

Sec. 42-32. - Storage of vehicles, furniture, etc.

No owner of property within the city shall permit the storage of vehicles or parts of vehicles, furniture, appliances or other personal property upon the premises, except in an enclosed building.

(Code 1981, § 10-7)

Case Cost Sheet Log

Case No. 16-276 (Continued from June 8, 2016)

Name	Activity	Activity_Date	Status	Cost
Clerk of Court	Recording Fees - Finding of Fact/Conclusion of Law & Order	04/27/2016		\$27.00
Vicki L. Bassett	Mailing costs - Finding of Fact/Conclusion of Law & Order to 909 Tree Garden Drive, Port Orange, FL 32127	04/27/2016		\$6.46

Total: 33.46



**NOTICE OF VIOLATION
AND
NOTICE OF HEARINGS**

CITY OF PORT ORANGE, FLORIDA

SPECIAL MAGISTRATE

CITY OF PORT ORANGE,

Petitioner

CASE NO. 16-276

To: Vicki L. Bassett
909 Tree Garden Dr
Port Orange, FL 32127

Re: 909 Tree Garden Dr
Port Orange, FL 32127
Parcel ID: 6316-03-01-0050

LEGAL DESCRIPTION: LOT 5 BLK 1 DEEP FOREST VILLAGE MB 33 PGS 98 TO 100 INC PER OR 4120 PG 2156
Volusia County Public Records
Volusia County, FL

An inspection of the premises on March 3, 2016 indicates that certain violation(s) of the City of Port Orange Code exists. Briefly stated, the property is in violation of the following:

Chapter 42 (Nuisances), of the City of Port Orange Code of Ordinances, Article II (Garbage, Junk and Undergrowth), Section 42-32 (Storage of Vehicles, Furniture, Etc.) No owner of property within the city shall permit the storage of vehicles or parts of vehicles, furniture, appliances or other personal property upon the premises, except in an enclosed building.

An inspection of the property was conducted on March 3, 2016. Upon inspection, I observed stored items in the driveway and in front of the home. A re-inspection was conducted on March 10, 2016 and I again viewed multiple stored items in the driveway and in front of the home. I took photos of the stored items and notified the owner that I would be issuing a Notice of Hearing. To correct the violation, all stored items must be removed from in front of the home and driveway and properly stored.

Attachments: ☒ Copy of code ☒ Copy of Deed ☒ Copy of Tax Roll

This correspondence will serve as official notification that the above stated violation(s) must be corrected by **March 20, 2016**.

Failure to comply after this date may result in the commencement of appropriate code enforcement action and/or possible fine of up to \$1,000.00 per day for a first violation, \$5,000.00 per day per violation for a repeat violation, and up to \$15,000.00 per violation if the code enforcement board or special magistrate finds the violation to be irreparable or irreversible in nature.

If the violation is corrected and then recurs, or if the violation is not corrected by the specified time for correction by the Code Compliance Inspector, the case shall be presented to the **Special Magistrate** on the date set forth below, even if the violation has been corrected prior to this scheduled hearing.

The burden shall rest upon the Respondent to request a re-inspection by the Code Compliance Inspector to determine whether the property is in compliance.

NOTICE OF HEARING AS TO VIOLATION(S) ALLEGED

**NOTICE: A FINE AND COSTS MAY BE IMPOSED AT THIS HEARING.
PLEASE GOVERN YOURSELF ACCORDINGLY.**

Pursuant to Chapter 2, Article V, Code of Ordinances and Section 162.06, Florida Statutes, you are hereby called upon to take notice that a PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate April 27, 2016 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will receive testimony and evidence at said PUBLIC HEARING and shall make such findings of facts and conclusions of law as supported by the testimony and evidence pertaining to the matter alleged below, and shall issue a Final Order affording the proper relief. A certified copy of the Final Order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, upon any subsequent purchasers, successors in interest, or assigns. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Inspector. Please govern yourself accordingly.

If the violation is not corrected within the time specified for correction ordered by the **Special Magistrate**, then a certified copy of an order imposing a fine may be recorded in the public records of the county and once recorded, it SHALL CONSTITUTE A LIEN against the property upon which the violation was found to exist and upon any other real or personal property owned by the violator. If said lien remains unpaid for more than ninety days, the City may seek to foreclose on said lien.

As per Chapter 2, Section 2-214, Code of Ordinances and Section 162.09(2)(d), Florida Statutes: "In addition to such fines, a code enforcement board or special magistrate may impose additional fines to cover all costs incurred by the local government in enforcing its codes and all costs of repairs." The costs incurred to date are \$ 6.95 as indicated on the cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

NOTICE OF HEARING SETTING FINE AND LIEN

In the event the **Special Magistrate**, during the hearing on **April 27, 2016** enters a Final Order finding a violation as alleged, pursuant to Chapter 7, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2nd PUBLIC HEARING will be conducted in the above-styled cause by the Code Enforcement Special Magistrate on **June 8, 2016, at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The Code Enforcement Special Magistrate will consider setting fine lien on the above referenced case at said PUBLIC HEARING. Please govern yourself accordingly.

For further information regarding this matter, you may contact the undersigned Code Compliance Inspector at (386) 506- J. Scott Allman.

DATED this 11 day of March, 2016.

CITY OF PORT ORANGE, FLORIDA
SPECIAL MAGISTRATE

By: J. Scott Allman
J. Scott Allman

☒ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to Vicki L. Bassett, 909 Tree Garden Dr, Port Orange, FL 32127, was

☒ Hand-delivered

Recipient of hand delivered documents: Mrs Bassett

☐ Posted at the property

this 11 day of March, 2016.

Time: approx. 3:00 pm

J. Scott Allman
J. Scott Allman

☐ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to Vicki L. Bassett, 909 Tree Garden Dr, Port Orange, FL 32127, was

☐ Posted at City Hall

☐ Sent via certified

this _____ day of _____, 2016.

Secretary, Special Magistrate

RIGHT TO APPEAL

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE **SPECIAL MAGISTRATE** WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETING OR HEARING, SUCH PERSON 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 UPON WHICH THE APPEAL IS TO BE BASED.

ACCOMMODATIONS

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.



Volusia County
Property Appraiser

Morgan B. Gilreath Jr.
M.A., C.F.A.



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Parcel Information: 6316-03-01-0050 2015 Working Tax Roll Last Updated: 02-28-2016

Owner Name and Address

Alternate Key	3642082	Parcel Status	Active Parcel (Real Estate)
Short Parcel ID	6316-03-01-0050	Mill Group	402 Port Orange
Full Parcel ID	16-16-33-03-01-0050	2015 Final Mill Rate	20.86510
Created Date	31 DEC 1981		
Property Class	01 Single Family		
Ownership Type		Ownership Percent	100
Owner Name	BASSETT VICKI L		
Owner Name/Address 1			
Owner Address 2	909 TREE GARDEN DR		
Owner Address 3	PORT ORANGE FL		
Owner Zip/Postal Code	32127		
Situs Address	909 TREE GARDEN DR PORT ORANGE 32127		

Legal Description
LOT 5 BLK 1 DEEP FOREST VILLAGE MB 33 PGS 98 TO 100 INC PER OR 4120 PG 2156

Sales History

Book Page	Sale Date	Sale Instrument	Qualified Unqualified	Improved	Sale Price
4120 2156	07/1996	Warranty Deed	Qualified Sale	Yes	80,000
3915 2904	04/1994	Warranty Deed	Qualified Sale	Yes	72,500
3444 1452	03/1990	Quit Claim Deed	Affiliated Parties	Yes	100
2714 0417	08/1985	Warranty Deed	Qualified Sale	Yes	73,000
2284 0580	07/1981	Warranty Deed	Qualified Sale	Yes	66,000

History of Values

Year	Land	Bldg(s)	Misc. Impr.	Just Value	School Assessed	Non-School Assessed	School Exemption	School Taxable	Non-School Exemption	Non-School Taxable
2015	24,659	84,820	0	109,479	99,213	99,213	25,000	74,213	25,000	49,213
2014	24,659	78,104	0	102,763	98,426	98,426	25,000	73,426	25,000	48,426

[Display Value History](#)

Land Data

Code	Land Use Type	Frontage	Depth	No. Units	Unit Type	Rate	Depth	Loc	Shp	Phy	Just Value
0101	IMP PVD THRU .49 AC	90.0	197.0	90.00	FRONT FEET	230.00	119	100	100	100	24,659
Neighborhood 5744 DEEP FOREST VILLAGE SUB MB33											
Total Land Classified											0
Total Land Just											24,659

Building Characteristics
Building Number: 116625 (Building 1 of 1)

Bldg. No.	Improvement Type	Base Perimeter	Year Built	Quality Grade	Architecture	Phys. Depr.	Func. Obs.	Loc. Obs.	Next Review
116625	Single Family	204	1977	300		30%	0%	0%	2999
Roof Type	GABLE	Floors	Carpet	Bedrooms	3	4 Fixture Bath			0
Roof Cover	ASPHALT SHINGL	Wall Type	Drywall	X Fixture Bath	0	5 Fixture Bath			0
Heat Type1	Forced Ducted	Heat Source1	Electricity	2 Fixture Bath	0	6 Fixture Bath			0
Heat Type2		Heat Source2		3 Fixture Bath	2	7 Fixture Bath			0
Foundation		Year Remodeled		Fireplaces	0	A/C			Yes

Section Number	Area Type	Exterior Wall Type	Number Stories	Year Built	Attic Finish	Bsmt Area	Bsmt Finish	Floor Area
001	Res BASE Area (BAS)	VINYL SIDING	1.0	1977	N	0%	0%	1676 Sq. Feet
002	Patio (PTO)	Non-Applicable	1.0	1977	N	0%	0%	156 Sq. Feet
003	Finished Garage (FGR)	Non-Applicable	1.0	1977	N	0%	0%	420 Sq. Feet
004	Porch, Open Finished (FOP)	Non-Applicable	1.0	1977	N	0%	0%	45 Sq. Feet

This Instrument Prepared by: Debra Price,
An Officer of Associated Land Title Group, Inc. (357),
632 Dunlawton, Suite C, Port Orange, FL 32127,
For Purposes of Title Ins.
File # 357-1956
Parcel ID # 6316-03-01-0050

07/09/1996 08:29
Doc stamps 560.00
(Transfer Amt \$ 80000)
Instrument # 96116419
Book: 4120
Page: 2156

Warranty Deed

(The terms "grantor" and grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

Made July 3, 1996, BETWEEN

Douglas Creech and Anne Creech, husband and wife
whose post office address is 967 Tall Pine Drive Port Orange, Florida 32127 of the County
of Volusia, State of Florida, grantor, and

Vicki L. Bassett, a married woman
whose post office address is 909 Tree Garden Port Orange, Florida 32127 of the County of
Volusia, State of Florida, grantee,

WITNESSETH: That the said grantor, for and in consideration of the sum of Ten (\$10.00)
Dollars, and other good and valuable considerations to said grantor in hand paid by said
grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the
said grantee, and grantee's heirs, successors and assigns forever, the following described
land, situate, lying and being in Volusia County, Florida to-wit:

**Lot 5, Block 1, Deep Forest Village Subdivision, as per Map 33,
page 99, Public Records of Volusia County, Florida.**

Subject to easements and restrictions of record, if any, which are specifically not
extended or reimposed hereby. Subject to 1996 taxes and assessments.

and said grantor does hereby fully warrant the title to said land, and will defend the same
against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Susan Borich
Witness Signature

Douglas Creech
Douglas Creech

Susan Borich
PLEASE PRINT OR TYPE NAME AS IT APPEARS

Anne Creech
Anne Creech

Debra Price
Witness Signature

Debra Price
PLEASE PRINT OR TYPE NAME AS IT APPEARS

STATE OF Florida

COUNTY OF Volusia

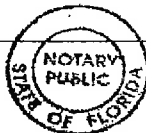
I HEREBY CERTIFY, that on July 1, 1996, before me personally appeared Douglas Creech and Anne Creech, husband and wife who are personally known to me or have produced the identification identified below, who are the persons described in and who executed the foregoing instrument, and who after being duly sworn say that the execution hereof is their free act and deed for the uses and purposes herein mentioned.

SWORN TO AND SUBSCRIBED before me the undersigned Notary Public by my hand and official seal, the day and year last aforesaid.

() To me personally known (X) Identified by Driver's License () Identified by _____

My Commission Expires: _____

Commission No.: _____



DEBRA PRICE
My Comm Exp. 3/01/98
Bonded By Service Ins
No. CC351743
☐ Personally Known ☒ Other I.D.

Debra Price
Notary Public
Debra Price
PLEASE PRINT OR TYPE NAME AS IT APPEARS

Sec. 42-32. - Storage of vehicles, furniture, etc.

No owner of property within the city shall permit the storage of vehicles or parts of vehicles, furniture, appliances or other personal property upon the premises, except in an enclosed building.

(Code 1981, § 10-7)

**CITY OF PORT ORANGE, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CASE NO. 16-276**

CITY OF PORT ORANGE,
a Florida municipal corporation,

Petitioner,

VICKI L. BASSETT
909 TREE GARDEN DRIVE
PORT ORANGE, FL 32127
PARCEL ID: 6316-03-01-0050

Respondent.

FINDING OF FACT, CONCLUSION OF LAW AND ORDER
(THIS DOES NOT CONSTITUTE A LIEN)

THIS CAUSE came on for public hearing before the Code Enforcement Special Magistrate on April 27, 2016 and June 8, 2016, after due notice to the Respondent(s), Vicki L. Bassett and the Special Magistrate having heard testimony under oath, received evidence and heard argument from Staff thereupon issues its Findings of Fact, Conclusions of Law, and Order, as follows:

FINDINGS OF FACT:

A. Respondent(s), Vicki L. Bassett, whose mailing address is 909 Tree Garden Drive, Port Orange, FL 32129, is/are the owner(s) of the property located at 909 Tree Garden Drive, Port Orange, FL 32129, and more particularly described as:

LOT 5 BLK 1 DEEP FOREST VILLAGE MB 33 PGS 98 TO 100 INC PER OR 4120 PG 2156

B. There were items in the driveway and in front of the home. This condition was first observed at the real property described above on March 3, 2016; re-inspections made on March 10, 2016 confirmed the condition as being the same. Respondent, Vicki L. Bassett, via hand delivery to the property on March 11, 2016, and posting at City Hall on March 14, 2016, that the aforesaid conditions constituted a violation 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. and was to be corrected by March 20, 2016.

C. At the time of the hearings on April 27, 2016 and June 8, 2016, the violations cited above: ☒ continue to exist, or ☐ remained noncompliant until _____ [Date].

D. ☐ The condition described above presents a serious threat to the public health, safety and welfare or is irreparable or irreversible.

CONCLUSION OF LAW:

Respondent(s), Vicki L. Bassett, by reason of the foregoing, has/have violated 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.) in that the Respondent(s) failed, on or before the date set in the notice of violation, to remedy the conditions stated above is therefore subject to the provisions of the City of Port Orange Municipal Code 2.207.

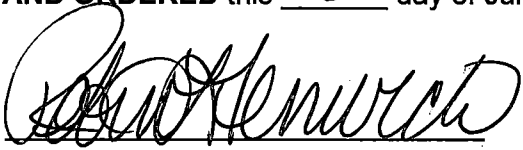
ORDER:

A. Respondent(s), Vicki L. Bassett, shall correct the aforesaid violation by this ORDER on or before **June 20, 2016**. In the event that the property is not brought into compliance on or before **June 20, 2016**, and/or not maintained in a state of compliance, a fine in the amount of \$100.00 per day will be imposed plus costs in the amount of \$33.46. The Order Setting Fine/Lien hearing is hereby continued until **July 13, 2016**. Additionally, as per Chapter 2, Section 2-214, Code of Ordinances: "In addition to any fines, the Special Magistrate may impose additional fines to cover all costs incurred by the city in enforcing its codes and all costs or repairs pursuant to sub section. The Respondent(s) will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion. Any future violations under this ordinance shall be considered repeat violations.

B. The Findings of Fact and Conclusions of Law set forth in the Order of the Special Magistrate constitute a final administrative order which may be appealed by filing a notice of appeal with the Circuit Court within 30 days of the signing of this order.

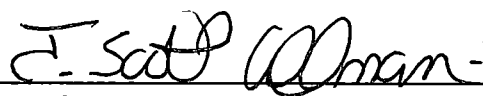
C. A certified copy of this Order may be recorded in the public records of Volusia County, Florida, and shall thereafter constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property. The findings in this Order shall be binding upon Respondent(s) and if the violation concerns real property, any subsequent purchasers, successors in interest, or assigns pursuant to the City of Port Orange Municipal Code 2.207. Failure to comply with this Order shall result in the issuance of an Order Imposing Fine and Lien. The Order Imposing Fine and Lien shall not constitute a lien until a certified copy of said Order is recorded pursuant to Section 162.09(3), Florida Statutes.

DONE AND ORDERED this 8 day of June, 2016.

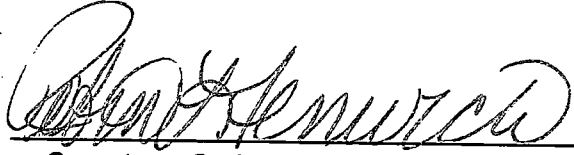
Attest: 
Secretary, Code Enforcement Special Magistrate

By: 
Code Enforcement Special Magistrate

I HEREBY ACKNOWLEDGE AND AGREE that the foregoing findings are true and accurate to the best of my knowledge.

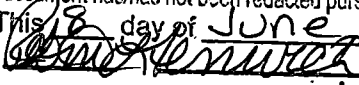

Code Compliance Inspector

I HEREBY CERTIFY that a true and correct copy of the foregoing Findings of Fact, Conclusion of Law, and Order have been furnished to Respondent(s), Vicki L. Bassett, 909 Tree Garden Dr., Port Orange, FL 32127 by Certified and Regular Mail this 8 day of June, 2016.

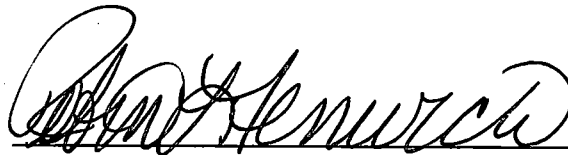


Secretary, Code Enforcement Special Magistrate



CITY OF PORT ORANGE, FLORIDA
I HEREBY CERTIFY the foregoing is a true copy
of the original filed in this office.
This document has/has not been redacted pursuant to Florida Law.
This 8 day of June, 2016.
By: 
/s/ Robin L. Fenwick

I HEREBY CERTIFY that a true and correct copy of the foregoing Findings of Fact, Conclusion of Law, and Order have been furnished to Respondent(s), Vicki L. Bassett, 909 Tree Garden Dr., Port Orange, FL 32127 by Certified and Regular Mail this 8 day of June, 2016.



Secretary, Code Enforcement Special Magistrate

Case Cost Sheet Log

Case No. 15-1481 (Continued from June 8, 2016)

Name	Activity	Activity_Date	Status	Cost
Judith Anderson	Mailing Notice of Violations/Notice of Hearing to 101 Aloha Terrace, Port Orange, FL 32129	03/17/2016	Green card signed for and returned to the Clerk's Office on 3/22/16	\$9.75
Daytona Beach News-Journal	Publication for demolition	04/08/2016	Published on April 8 & 15, 2016	\$664.47
Clerk of Court	Recording Fees - Finding of Fact/Conclusion of Law & Order	04/27/2016		\$27.00
Judith Anderson	Mailing Finding of Fact/Conclusion of Law & Order to 101 Aloha Terrace, Port Orange, FL 32129	04/27/2016		\$6.46

Total: 752.35



NOTICE OF VIOLATION
AND
NOTICE OF HEARINGS

CITY OF PORT ORANGE, FLORIDA

SPECIAL MAGISTRATE

CITY OF PORT ORANGE,

Petitioner

CASE NO. 15-1481

To: Judith Anderson
Property Owner
101 Aloha Terrace
Port Orange, FL 32129

Re: 156 Sand Pebble Circle
Port Orange, FL 32129
Parcel ID: 6305-03-00-1700

LEGAL DESCRIPTION: LOT 170 BAREFOOT PARK MB 31 PG 62 PER OR 3397 PG 0786 PER OR 5221 PG 0742 PER OR 7128 PG 0843

Volusia County Public Records
Volusia County, FL

An inspection of the premises on **August 24, 2015** indicates that certain violation(s) of the City of Port Orange Code exists. Briefly stated, the property is in violation of the following:

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: The owner of an improved lot in a residential zone with lot sizes of one acre or less shall keep such lot free and clear of all fallen trees and limbs. All weeds, grass and undergrowth shall be cut to a height not exceeding ten inches.

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: The owner of every lot, piece and parcel of land located within the city shall keep each such lot, piece and parcel of land free and clear of garbage, waste, trash, debris and junk.

Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.1 (Unsafe Structures) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances: An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment, 108.1.5 (Dangerous Structure or Premises), (7) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances: The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures), 108.6 (Abatement methods) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances: The owner, operator or occupant of a building, premises or equipment deemed unsafe by the code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.

Chapter 1 (Scope and Administration), Section 109 (Emergency Measures), 109.1 (Imminent Danger) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

Chapter 3 (General Requirements), Section 302 (Exterior Property Areas), 302.1 (Sanitation) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.1 (General) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.1.1 (Unsafe Conditions) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

Chapter 3 (General Requirements), Section 304 (Exterior Structure), Section 304.7 (Roofs and Drainage) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Chapter 3 (General Requirements), Section 304 (Exterior Structure), Section 304.13 (Window, skylight and door frames) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

Chapter 3 (General Requirements), Section 304 (Exterior Structure), Section 304.15 (Doors)) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

Chapter 3 (General Requirements), Section 305 (Interior Structure), 305.1 (General)), of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

Chapter 6 (Mechanical and Electrical Requirements), Section 604 (Electrical Facilities), 604.1 (Facilities Required) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605 (Electrical Equipment).

Chapter 6 (Mechanical and Electrical Requirements), Section 605 (Electrical Equipment), 605.1 (Installation) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: Electrical equipment, wiring, and appliances shall be properly installed and maintained in a safe and approved manner.

Initial inspection conducted on **August 24, 2015** after receiving a complaint from several neighbors stating that the structure partially burnt down, and that they are very concerned. They stated that it is bringing their property values down and the smell and rodents are a big concern. Inspection revealed that the fire affected the rear of the structure. Home is not occupied. I am unsure whether or not the structure can be salvaged. In addition to the fire damage, there is a substantial amount of outside storage and garbage, trash and debris. The grass and weeds are very high and there is an unregistered/abandoned truck in the driveway. I left a 30 day door hanger informing residents that they must mow the entire property to include weeds in landscaped areas, remove or properly store all outside storage, remove all trash and debris, properly register, store, or cover inoperable/abandoned vehicle in the driveway, and properly secure the structure. I also asked that I be notified regarding whether or not the structure is due to be demolished. A re-inspection was conducted on **October 15, 2015** and none of the violations have been corrected and I have not been contacted by the owner of the property.

Attachments: ☒ Copy of code ☒ Copy of Deed ☒ Copy of Tax Roll

This correspondence will serve as official notification that the above stated violation(s) must be corrected by April 14, 2016 by mowing entire property to include weeds in landscaped beds and around exterior of home and fence, removing all outside storage, and removing all garbage, trash and debris. The mobile home shall be demolished or repaired. A permit is required from the City of Port Orange Building Department before commencing repairs to the structure. A permit will also be required for demolition of the structure. Demolition of the structure will follow the criteria of City of Port Orange Code of Ordinances, Chapter 42, Article V, Division 3 relating to the abatement of unsafe structures.

Failure to comply after this date may result in the commencement of appropriate code enforcement action and/or possible fine of up to \$1,000.00 per day for a first violation, \$5,000.00 per day per violation for a repeat violation, and up to \$15,000.00 per violation if the code enforcement board or special magistrate finds the violation to be irreparable or irreversible in nature.

If the violation is corrected and then recurs, or if the violation is not corrected by the specified time for correction by the Code Compliance Inspector, the case shall be presented to the **Special Magistrate** on the date set forth below, even if the violation has been corrected prior to this scheduled hearing.

NOTE:

THE BURDEN SHALL REST UPON THE RESPONDENT TO REQUEST A RE-INSPECTION BY THE CODE COMPLIANCE INSPECTOR TO DETERMINE WHETHER THE PROPERTY IS IN COMPLIANCE. IF YOU DO NOT REQUEST A RE-INSPECTION, IT WILL BE ASSUMED THAT THE PROPERTY IS STILL IN VIOLATION AND THE CASE WILL CONTINUE TO BE HEARD AT THE SPECIAL MAGISTRATE MEETING ON THE DATE LISTED IN THIS NOTICE.

NOTICE OF HEARING AS TO VIOLATION(S) ALLEGED

**NOTICE: A FINE AND COSTS MAY BE IMPOSED AT THIS HEARING.
PLEASE GOVERN YOURSELF ACCORDINGLY.**

Pursuant to Chapter 2, Article V, Code of Ordinances and Section 162.06, Florida Statutes, you are hereby called upon to take notice that a PUBLIC HEARING will be conducted in the above-styled cause by the **Code Enforcement Special Magistrate on April 27, 2016 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will receive testimony and evidence at said PUBLIC HEARING and shall make such findings of facts and conclusions of law as supported by the testimony and evidence pertaining to the matter alleged below, and shall issue a Final Order affording the proper relief. A certified copy of the Final Order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, upon any subsequent purchasers, successors in interest, or assigns. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Inspector. Please govern yourself accordingly.

If the violation is not corrected within the time specified for correction ordered by the **Special Magistrate**, then a certified copy of an order imposing a fine may be recorded in the public records of the county and once recorded, it SHALL CONSTITUTE A LIEN against the property upon which the violation was found to exist and upon any other real or personal property owned by the violator. If said lien remains unpaid for more than ninety days, the City may seek to foreclose on said lien.

's per Chapter 2, Section 2-214, Code of Ordinances and Section 162.09(2)(d), Florida Statutes: "In addition to such fines, a code enforcement board or special magistrate may impose additional fines to cover all costs incurred by the local government in enforcing its codes and all costs of repairs." The costs incurred to date are \$ 7.39 as indicated on the cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

NOTICE OF HEARING SETTING FINE AND LIEN

In the event the **Special Magistrate**, during the hearing on **April 27, 2016** enters a Final Order finding a violation as alleged, pursuant to Chapter 7, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2nd PUBLIC HEARING will be conducted in the above-styled cause by the **Code Enforcement Special Magistrate on June 8, 2016, at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The Code Enforcement Special Magistrate will consider setting fine lien on the above referenced case at said PUBLIC HEARING. Please govern yourself accordingly.

For further information regarding this matter, you may contact the undersigned Code Compliance Inspector at (386) 506- 5645.

DATED this 14th day of March, 2016.

CITY OF PORT ORANGE, FLORIDA
SPECIAL MAGISTRATE

By: Dena Joseph
Dena Joseph, Code Compliance Inspector

☒ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to **Judith Anderson, Property Owner, 101 Aloha Terrace Port Orange, FL 32129**, was

☐ Hand-delivered Recipient of hand delivered documents: _____

☒ Posted at the property

this 14th day of March, 2016.

Time: approx. 12:08 PM

Dena Joseph
Dena Joseph, Code Compliance Inspector

☒ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to **Judith Anderson, Property Owner, 101 Aloha Terrace, Port Orange, FL 32129**, was

☐ Posted at City Hall

☒ Sent via certified regular mail

this 17 day of March, 2016.

[Signature]
Secretary, Special Magistrate

RIGHT TO APPEAL

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE **SPECIAL MAGISTRATE** WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETING OR HEARING, SUCH PERSON 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 UPON WHICH THE APPEAL IS TO BE BASED.

ACCOMMODATIONS

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.



Volusia County
Property Appraiser

Morgan B. Gilreath Jr.
M.A., C.F.A.



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Parcel Information: 6305-03-00-1700 2016 Working Tax Roll Last Updated: 03-13-2016

Owner Name and Address

Alternate Key	3585674	Parcel Status	Active Parcel (Real Estate)
Short Parcel ID	6305-03-00-1700	Mill Group	402 Port Orange
Full Parcel ID	05-16-33-03-00-1700	2015 Final Mill Rate	20.86510
Created Date	30 DEC 1981		
Property Class	02 Mobile Homes		
Ownership Type	Fee Simple	Ownership Percent	100
Owner Name	ANDERSON JUDITH A		
Owner Name/Address 1			
Owner Address 2	101 ALOHA TERRACE		
Owner Address 3	PORT ORANGE FL		
Owner Zip/Postal Code	32129-3605		
Situs Address	156 SAND PEBBLE CIR PORT ORANGE 32129		

Legal Description
LOT 170 BAREFOOT PARK MB 31 PG 62 PER OR 3397 PG 0786 PER OR 5221 PG 0742 PER OR 7128 PG 0843

Sales History

Book	Page	Sale Date	Sale Instrument	Qualified Unqualified	Improved	Sale Price
7128	0843	06/2015	Quit Claim Deed	Unqualified Sale	Yes	100
3397	0786	12/1989	Quit Claim Deed	Affiliated Parties	Yes	100
1860	1838	10/1976	Warranty Deed	Qualified Sale	Yes	8,000

History of Values

Year	Land	Bldg(s)	Misc. Impr.	Just Value	School Assessed	Non-School Assessed	School Exemption	School Taxable	Non-School Exemption	Non-School Taxable
2015	19,750	19,428	1,137	40,315	40,315	35,457	0	40,315	0	35,457
2014	19,750	16,975	843	37,568	37,568	32,234	0	37,568	0	32,234

[Display Value History](#)

Land Data

Code	Land Use Type	Frontage	Depth	No. Units	Unit Type	Rate	Depth	Loc	Shp	Phy	Just Value
0202	MH ON MH SITE PVD	62.0	113.0	1.00	LOT	19750.00	100	100	100	100	19,750
Neighborhood 5984 BAREFOOT PARK M-H MB 31 PG 62											
Total Land Classified											0
Total Land Just											19,750

Building Characteristics

Building Number: 111585 (Building 1 of 1)

Bldg. No.	Improvement Type	Base Perimeter	Year Built	Quality Grade	Architecture	Phys. Depr.	Func. Obs.	Loc. Obs.	Next Review
111585	Mobile Home	124	1974	200	Mobile Home	65%	0%	0%	2999
Roof Type	GABLE	Floors	Carpet		Bedrooms	2	4 Fixture Bath		0
Roof Cover	METAL	Wall Type	Plywood Panel		X Fixture Bath	0	5 Fixture Bath		0
Heat Type1	Forced Ducted	Heat Source1	Electricity		2 Fixture Bath	0	6 Fixture Bath		0
Heat Type2		Heat Source2			3 Fixture Bath	2	7 Fixture Bath		0
Foundation	Wd Conc Piers	Year Remodeled			Fireplaces	0	A/C		Yes

Section Number	Area Type	Exterior Wall Type	Number Stories	Year Built	Attic Finish	Bsmt Area	Bsmt Finish	Floor Area
006	Res BASE Area (BAS)	VINYL SIDING	1.0	1974	N	0%	0%	880 Sq. Feet
007	Unfinished Enclosed Porch (UEP)	Non-Applicable	1.0	1974	N	0%	0%	190 Sq. Feet
008	Unfinished Enclosed Porch (UEP)	Non-Applicable	1.0	1974	N	0%	0%	242 Sq. Feet
009	Unfinished Utility (UST)	Non-Applicable	1.0	1974	N	0%	0%	35 Sq. Feet
010	Carport, Unfinished (UCP)	Non-Applicable	1.0	2000	N	0%	0%	121 Sq. Feet

QUITCLAIM DEED

THIS QUITCLAIM DEED, Executed this 10th day of June, 2016 (year),
by first party, Grantor, SARAH P. PIPPEN
whose post office address is 10624 Millbrook Dr. Chester town, MD 21620
to second party, Grantee, Judith A. Anderson
whose post office address is 101 Aloha Terrace Ft. Orange FL 32129

WITNESSETH, That the said first party, for good consideration and for the sum of
Ten Dollars (\$ 10.00) paid by the said second
party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim
unto the said second party forever, all the right, title, interest and claim which the said first party
has in and to the following described parcel of land, and improvements and appurtenances there-
to in the County of Volusia, State of Florida to wit:

Lot 170 BAREFOOT PARK MB 31 Pg P 662 PER OR
3397 PG 0786 PER OR 5221 PG 0742
Parcel # 6306-03-00-1700

KNOWN as 156 SAND Pebble Circle, Ft Orange FL 32129



Signature of Witness

Myles Loller

Print name of Witness

Marcia Clendaniel

Signature of Witness

Marcia Clendaniel

Print name of Witness

Signature of First Party

Sarah P Pippin

Print name of First Party

Signature of First Party

SARAH P Pippin

Print name of First Party

State of Maryland

County of Kent

On June 10, 2015 before me,

appeared Sarah P Pippin

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Karen J Zottarelli

Signature of Notary

Affiant ☒ Known

Type of ID

Produced ID

(Seal)

State of

County of

On

before me,

appeared

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

Affiant _____ Known _____ Produced ID

Type of ID

(Seal)

Signature of Preparer

Print Name of Preparer

Address of Preparer

(2)

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.

Unique ID CF[REDACTED]CB
 Official Unique Id CF[REDACTED]3

ASSIGNMENT OF MORTGAGE

FOR GOOD AND VALUABLE CONSIDERATION, the sufficiency of which is hereby acknowledged, the undersigned, CFNA RECEIVABLES (OK), INC. F/K/A CITIFINANCIAL SERVICES, INC. D/B/A CITIFINANCIAL EQUITY SERVICES, INC., AN OKLAHOMA CORPORATION, WHOSE ADDRESS IS 300 ST. PAUL PLACE, LEGAL DEPARTMENT- 17TH FLOOR, BALTIMORE, MD, 21202, (ASSIGNOR), by these presents does convey, grant, assign, transfer and set over the described Mortgage with all interest secured thereby, all liens, and any rights due or to become due thereon to CITIFINANCIAL SERVICING LLC, A DELAWARE LIMITED LIABILITY COMPANY, WHOSE ADDRESS IS 300 ST. PAUL PLACE LEGAL DEPARTMENT- 17TH FLOOR, BALTIMORE, MD 21202 (800)249-2181, ITS SUCCESSORS AND ASSIGNS, (ASSIGNEE).

Said Mortgage was made by JUDITH A. ANDERSON AND JUDITH A. ANDERSON and recorded in Official Records of the Clerk of the Circuit Court of VOLUSIA County, Florida, in Book 5964, Page 269 and Instrument # 2006-299632, upon the property situated in said State and County as more fully described in said Mortgage.

Dated on 10/13/2015 (MM/DD/YYYY)

CFNA RECEIVABLES (OK), INC. F/K/A CITIFINANCIAL SERVICES, INC. D/B/A CITIFINANCIAL EQUITY SERVICES, INC., AN OKLAHOMA CORPORATION

By: _____

Nadine Homan
 VICE PRESIDENT

All persons whose signatures appear above have qualified authority to sign and have reviewed this document and supporting documentation prior to signing.

Witnesses:

Danielle Burns
 Danielle Burns

Susan Schotsch
 Susan Schotsch

(Seal)



STATE OF FLORIDA COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me on 10/13/2015 (MM/DD/YYYY), by Nadine Homan as VICE PRESIDENT of CFNA RECEIVABLES (OK), INC. F/K/A CITIFINANCIAL SERVICES, INC. D/B/A CITIFINANCIAL EQUITY SERVICES, INC., AN OKLAHOMA CORPORATION, who, as such VICE PRESIDENT being authorized to do so, executed the foregoing instrument for the purposes therein contained. He/she/they is (are) personally known to me.

Nicole Baldwin
 Nicole Baldwin
 Notary Public - State of FLORIDA
 Commission expires: 08/05/2016



Nicole Baldwin
 Notary Public State of Florida
 My Commission # EE 222285
 Expires August 5, 2016

Document Prepared By: E.Lance/NTC, 2100 Alt. 19 North, Palm Harbor, FL 34683 (800)346-9152

CF001 [REDACTED] *C* -- DEFAULT DOCR [REDACTED] [C-1] FRMFL1



D0012982291

Sec. 42-26. - Cleanliness of property generally—Duty of owner.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Improved lot means any lot which improvements have been made, including, but not limited to, change of grade through filling or excavation, installation of water or sewer line, clearing of property to begin construction, or any other physical alteration which has significantly disturbed the natural vegetation on the site.

Undergrowth means herbaceous plants, plants and grasses with stems that wither away annually as distinguished from trees or shrubs with woody stems that live from year to year.

Unimproved lot means any lot which remains undisturbed and in a natural vegetative state.

- (b) *Purpose and intent.* The city recognizes the need to protect the health, safety and welfare of the citizens of the city through control and elimination of aesthetically displeasing and potentially dangerous accumulations of garbage, waste, trash, debris, junk and undergrowth. It is, therefore, the purpose and intent of this section to reduce or eliminate such conditions within reasonable limits by hereby establishing a duty and responsibility on the part of the owner of designated lots located within the city to keep such lot free and clear of garbage, waste, trash, debris, junk and undergrowth.
- (c) *Maintenance of commercial and industrial zoned lots.* The owner of every improved lot, piece and parcel of land located within a commercial or industrial zone within the city shall keep each such lot, piece or parcel of land free and clear of all fallen trees and limbs and undergrowth exceeding 12 inches in height. However, nothing in this subsection shall be construed to require natural areas located within larger improved lots to be cut to a height less than 12 inches within such natural areas. Owners of unimproved vacant parcels in such zones shall similarly maintain such portion of their property as lies within ten feet of any improved property, any sidewalk, roadway or bicycle path.
- (d) *Maintenance of improved residential lots.* The owner of an improved lot in a residential zone with lot sizes of one acre or less shall keep such lot free and clear of all fallen trees and limbs. All weeds, grass and undergrowth shall be cut to a height not exceeding ten inches. However, nothing in this subsection shall be construed to require natural areas located within larger improved lots to be cut to a height less than ten inches within such natural areas.
- (e) *Maintenance of unimproved residential lots.* The owner of an unimproved lot in a residential zone with lot sizes of one acre or less shall keep that portion of his property abutting and within ten feet of any improved lot, sidewalk, street or bicycle path free and clear of all fallen trees and limbs, and all weeds, grass and undergrowth therein shall be cut to a height not exceeding 12 inches within such area.
- (f) *Garbage, waste, trash, etc., prohibited.* The owner of every lot, piece and parcel of land located within the city shall keep each such lot, piece and parcel of land free and clear of garbage, waste, trash, debris and junk.
- (g) *No property maintenance permit required; other restrictions and requirements applicable.* No permit



[International Property Maintenance Code
\[2012 \(Second Printing\) \]](#)

[Chapter 1 - Scope and Administration](#)

▪ [SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT](#)

[\[A\] 108.1 General.](#)

[\[A\] 108.2 Closing of vacant structures.](#)

[\[A\] 108.3 Notice.](#)

[\[A\] 108.4 Placarding.](#)

[\[A\] 108.5 Prohibited occupancy.](#)

[\[A\] 108.6 Abatement methods.](#)

[\[A\] 108.7 Record.](#)

[\[A\] 108.1 General.](#)

[\[A\] 108.2 Closing of vacant structures.](#)

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SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

[A] 108.1 General.

When a structure or equipment is found by the *code official* to be unsafe, or when a structure is found unfit for human *occupancy*, or is found unlawful, such structure shall be *condemned* pursuant to the provisions of this code.

[A] 108.1.1 Unsafe structures.

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the structure by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

[A] 108.1.2 Unsafe equipment.

Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or structure.

[A] 108.1.3 Structure unfit for human occupancy.

A structure is unfit for human *occupancy* whenever the *code official* finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks

maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public.

[A] 108.1.4 Unlawful structure.

An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

[A] 108.1.5 Dangerous structure or premises.

For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or structure is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.

11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

[A] 108.2 Closing of vacant structures.

If the structure is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the structure closed up so as not to be an attractive nuisance. Upon failure of the *owner* to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

[A] 108.2.1 Authority to disconnect service utilities.

The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* and *occupant* of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner* or *occupant* of the building structure or service system shall be notified in writing as soon as practical thereafter.

[A] 108.3 Notice.

Whenever the *code official* has *condemned* a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the *owner* or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the *condemned* equipment. The notice shall be in the form prescribed in Section 107.2.

[A] 108.4 Placarding.

Upon failure of the *owner* or person responsible to comply with the notice provisions within the time given, the *code official* shall post on the *premises* or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the *premises*, operating the equipment or removing the placard.

[A] 108.4.1 Placard removal.

The *code official* shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the *code official* shall be subject to the penalties provided by this code.

[A] 108.5 Prohibited occupancy.

Any occupied structure *condemned* and placarded by the *code official* shall be vacated as ordered by the *code official*. Any person who shall occupy a placarded *premises* or shall operate placarded equipment, and any *owner* or any person responsible for the *premises* who shall let anyone occupy a placarded *premises* or operate placarded equipment shall be liable for the penalties provided by this code.

[A] 108.6 Abatement methods.

The *owner*, *operator* or *occupant* of a building, *premises* or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

[A] 108.7 Record.

The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the *occupancy* of the structure and the nature of the unsafe condition.

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SECTION 109 EMERGENCY MEASURES

[A] 109.1 Imminent danger.

When, in the opinion of the *code official*, there is *imminent danger* of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building *occupants* or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the *code official* is hereby authorized and empowered to order and require the *occupants* to vacate the *premises* forthwith. The *code official* shall cause to be posted at each entrance to such structure a notice reading as follows: "This *Structure* Is Unsafe and Its *Occupancy* Has Been Prohibited by the *Code Official*." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

[A] 109.2 Temporary safeguards.

Notwithstanding other provisions of this code, whenever, in the opinion of the *code official*, there is *imminent danger* due to an unsafe condition, the *code official* shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the *code official* deems necessary to meet such emergency.

[A] 109.3 Closing streets.

When necessary for public safety, the *code official* shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, *public ways* and places adjacent to unsafe structures, and prohibit the same from being utilized.

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302.1 Sanitation.

All *exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* which such *occupant* occupies or controls in a clean and sanitary condition.

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304.1 General.

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

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SECTION 304 EXTERIOR STRUCTURE

304.1 General.

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.1.1 Unsafe conditions.

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
5. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects;
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
7. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;

9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects;
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and handrails, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects; or
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. When substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

304.2 Protective treatment.

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

[F] 304.3 Premises identification.

Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members.

All structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls.

All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls.

All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

304.7 Roofs and drainage.

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features.

All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions.

All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies.

Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers.

All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards.

Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames.

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing.

All glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows.

Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.14 Insect screens.

During the period from [DATE] to [DATE], every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

304.15 Doors.

All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with [Section 702.3](#).

304.16 Basement hatchways.

Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows.

Every *basement* window that is openable shall be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents.

304.18 Building security.

Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

304.18.1 Doors.

Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

304.18.2 Windows.

Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a window sash locking device.

304.18.3 Basement hatchways.

Basement hatchways that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

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SECTION 305 INTERIOR STRUCTURE

305.1 General.

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every *owner* of a structure containing a *rooming house*, *housekeeping units*, a hotel, a dormitory, two or more *dwelling units* or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and *exterior property*.

305.1.1 Unsafe conditions.

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

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SECTION 604 ELECTRICAL FACILITIES

604.1 Facilities required.

Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and [Section 605](#).

604.2 Service.

The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. *Dwelling units* shall be served by a three-wire, 120/240 volt, single-phase electrical service having a minimum rating of 60 amperes.

604.3 Electrical system hazards.

Where it is found that the electrical system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, *deterioration* or damage, or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

604.3.1 Abatement of electrical hazards associated with water exposure.

The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

604.3.1.1 Electrical equipment.

Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable,

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SECTION 605 ELECTRICAL EQUIPMENT

605.1 Installation.

All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and *approved* manner.

605.2 Receptacles.

Every *habitable space* in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every *bathroom* shall contain at least one receptacle. Any new *bathroom* receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

605.3 Luminaires.

Every public hall, interior stairway, *toilet room*, kitchen, *bathroom*, laundry room, boiler room and furnace room shall contain at least one electric luminaire. Pool and spa luminaries over 15 V shall have ground fault circuit interrupter protection.

605.4 Wiring.

Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

**CITY OF PORT ORANGE, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CASE NO. 15-1481**

CITY OF PORT ORANGE,
a Florida municipal corporation,

Petitioner,

JUDITH ANDERSON
156 SAND PEBBLE CIRCLE
PORT ORANGE, FL 32129
PARCEL ID: 6305-03-00-1700

Respondent.

FINDING OF FACT, CONCLUSION OF LAW AND ORDER
(THIS DOES NOT CONSTITUTE A LIEN)

THIS CAUSE came on for public hearing before the Code Enforcement Special Magistrate on April 27, 2016, after due notice to the Respondent(s), and the Special Magistrate having heard testimony under oath, received evidence and heard argument from Staff thereupon issues its Findings of Fact, Conclusions of Law, and Order, as follows:

FINDINGS OF FACT:

A. Respondent(s), Judith Anderson, whose mailing address is 101 Aloha Terrace, Port Orange, FL 32129, is/are the owner(s) of the property located at 156 Sand Pebble Circle, Port Orange, FL 32129, and more particularly described as:

LOT 170 BAREFOOT PARK MB 31 PG 62 PER OR 3397 PG 0786 PER OR 5221 PG 0742
PER OR 7128 PG 0843

B. The structure partially burnt down, there is outside storage and garbage, trash and debris, as well as high weeds and grass and an unregistered/abandoned truck. This condition was first observed at the real property described above on August 24, 2015; re-inspections made on October 15, 2016 confirmed the condition as being the same. Respondent, Judith Anderson, received notice via regular and certified mail and posting at City Hall on March 17, 2016, as well as via posting on the property on March 14, 2016, that the aforesaid conditions constituted a violation of the City of Port Orange Code of Ordinances; Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth, Section 42-26 (d)(f). Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.1 (Unsafe Structures), 108.1.5 (Dangerous Structure or Premises), 108.6 (Abatement methods), Section 109 (Emergency Measures), 109.1 (Imminent Danger). Chapter 3 (General Requirements), Section 302

(Exterior Property Areas), 302.1 (Sanitation), Section 304 (Exterior Structure), 304.1 (General), 304.1.1 (Unsafe Conditions). The following conditions were determined as unsafe and were to be repaired or replaced to comply with the International Building Code or the International Existing Building Code: Chapter 3 (General Requirements), Section 304 (Exterior Structure), Section 304.7 (Roofs and Drainage), 304.13 (Window, skylight and door frames), 304.15 (Doors), Section 305 (Interior Structure), 305.1 (General), Chapter 6 (Mechanical and Electrical Requirements), Section 604 (Electrical Facilities) 604.1 (Facilities Required), Section 605 (Electrical Equipment) 605.1 (Installation), and was to be corrected by April 14, 2016.

C. At the time of the hearing on April 27, 2016, the violations cited above: ☒ continue to exist, or ☐ remained noncompliant until _____ [Date].

D. ☐ The condition described above presents a serious threat to the public health, safety and welfare or is irreparable or irreversible.

CONCLUSION OF LAW:

Respondent(s), Judith Anderson, by reason of the foregoing, has/have violated the City of Port Orange Code of Ordinances; Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth, Section 42-26 (d)(f). Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.1 (Unsafe Structures), 108.1.5 (Dangerous Structure or Premises), 108.6 (Abatement methods), Section 109 (Emergency Measures), Chapter 3 (General Requirements), Section 302 (Exterior Property Areas), 302.1 (Sanitation), Section 304 (Exterior Structure), 304.1 (General). The following conditions were determined as unsafe and were to be repaired or replaced to comply with the International Building Code or the International Existing Building Code: Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.13 (Window, skylight and door frames), Section 305 (Interior Structure), Chapter 6 (Mechanical and Electrical Requirements), Section 604 (Electrical Facilities), Section 605 (Electrical Equipment), in that the Respondent(s) failed, on or before the date set in the notice of violation, to remedy the conditions of the structure being partially burnt down, there being outside storage and garbage, trash and debris, as well as high weeds and grass and an unregistered/abandoned truck is therefore subject to the provisions of the City of Port Orange Municipal Code 2.207.

ORDER:

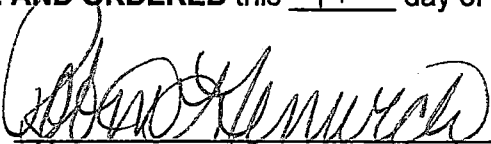
A. Respondent(s), JUDITH ANDERSON, shall correct the aforesaid violation by this ORDER on or before May 27, 2016. In the event that the property is not brought into compliance on or before May 27, 2016, and/or not maintained in a state of compliance, the City may, after submitting an Affidavit of Non-Compliance, abate the violations up to and including demolition with the costs being assessed as a lien against the property. Additionally, as per Chapter 2, Section 2-214, Code of Ordinances: "In addition to any fines, the Special Magistrate may impose additional fines to cover all costs incurred by the city in enforcing its codes and all costs or repairs pursuant to sub section (a)." The cost to date is \$707.68 as indicated on the cost sheet submitted into evidence. The Respondent(s) will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion. Any future violations under this ordinance shall be considered repeat violations.

B. The Findings of Fact and Conclusions of Law set forth in the Order of the Special Magistrate constitute a final administrative order which may be appealed by filing a notice of appeal with the Circuit Court within 30 days of the signing of this order.

C. A certified copy of this Order may be recorded in the public records of Volusia County, Florida, and shall thereafter constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property. The findings in this Order shall be binding upon Respondent(s) and if the violation concerns real property, any subsequent purchasers, successors in interest, or assigns pursuant to the City of Port Orange Municipal Code 2.207. Failure to comply with this Order shall result in the issuance of an Order Imposing Fine and Lien. The Order Imposing Fine and Lien shall not constitute a lien until a certified copy of said Order is recorded pursuant to Section 162.09(3), Florida Statutes.

DONE AND ORDERED this 11 day of May, 2016.

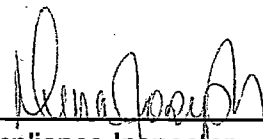
Attest:


Secretary, Code Enforcement Special Magistrate

By:

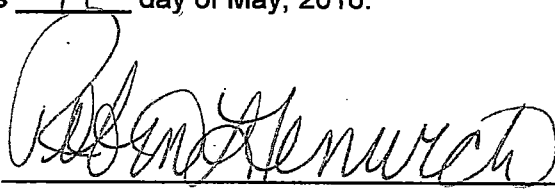
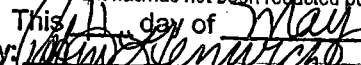

Code Enforcement Special Magistrate

I HEREBY ACKNOWLEDGE AND AGREE that the foregoing findings are true and accurate to the best of my knowledge.


Code Compliance Inspector

I HEREBY CERTIFY that a true and correct copy of the foregoing Findings of Fact, Conclusion of Law, and Order have been furnished to Respondent(s), Judith Anderson, 101 Aloha Terrace, Port Orange, FL 32129 by Certified and Regular Mail this 11 day of May, 2016.



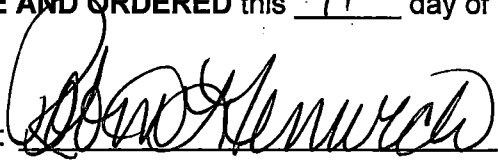

Secretary, Code Enforcement Special Magistrate
CITY OF PORT ORANGE, FLORIDA
I HEREBY CERTIFY the foregoing is a true copy
of the original filed in this office.
This document has/has not been redacted pursuant to Florida Law.
This 11 day of May, 2016.
By: 
/s/ Robin L. Fenwick

B. The Findings of Fact and Conclusions of Law set forth in the Order of the Special Magistrate constitute a final administrative order which may be appealed by filing a notice of appeal with the Circuit Court within 30 days of the signing of this order.

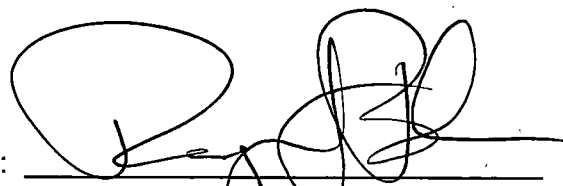
C. A certified copy of this Order may be recorded in the public records of Volusia County, Florida, and shall thereafter constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property. The findings in this Order shall be binding upon Respondent(s) and if the violation concerns real property, any subsequent purchasers, successors in interest, or assigns pursuant to the City of Port Orange Municipal Code 2.207. Failure to comply with this Order shall result in the issuance of an Order Imposing Fine and Lien. The Order Imposing Fine and Lien shall not constitute a lien until a certified copy of said Order is recorded pursuant to Section 162.09(3), Florida Statutes.

DONE AND ORDERED this 11 day of May, 2016.

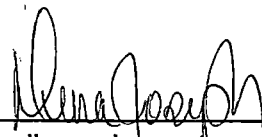
Attest:


Secretary, Code Enforcement Special Magistrate

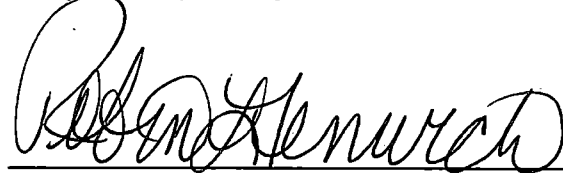
By:


Code Enforcement Special Magistrate

I HEREBY ACKNOWLEDGE AND AGREE that the foregoing findings are true and accurate to the best of my knowledge.


Code Compliance Inspector

I HEREBY CERTIFY that a true and correct copy of the foregoing Findings of Fact, Conclusion of Law, and Order have been furnished to Respondent(s), Judith Anderson, 101 Aloha Terrace, Port Orange, FL 32129 by Certified and Regular Mail this 11 day of May, 2016.


Secretary, Code Enforcement Special Magistrate