

CODE ENFORCEMENT SPECIAL MAGISTRATE
MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
OCTOBER 8, 2025

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

PRESENT: David Fuller Jr., Special Magistrate

ALSO PRESENT: Scott Allman, Code Enforcement Officer
Dena Joseph, Code Enforcement Officer
Rachel Lippens, Code Enforcement Officer
Tracee Cody, Records Coordinator

Oaths

Code Enforcement Officers Dena Joseph, Rachel Lippens, and Scott Allman were sworn in by Special Magistrate Fuller.

CALL TO ORDER

1. Attorney Overview of Special Magistrate Code Enforcement Process

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

2. Consideration of Minutes - September 10, 2025

Special Magistrate Fuller approved the September 10, 2025 meeting minutes as presented.

FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 25-2143
Respondent: FL & Z INC.
Address of Violation: 5545 S. Williamson Blvd.
Code Officer: Dena Joseph
First Notified: 5/27/2025

Compliance: No

Cited for violation(s) - FL NFPA 01 2021 Chapter 13 Fire Protection Systems 13.3.3.2 (Fire Sprinkler System Not Inspected/Maintained Per NFPA 25)A sprinkler system installed in accordance with this code, shall be inspected, tested and maintained in accordance with NFPA 25; and FL NFPA 01 2021 Chapter 13 Fire Protection Systems 13. 7.1.4.2 (Fire Alarm System Not Inspected or Maintained) To ensure operational integrity, the fire alarm system shall have an approved maintenance and testing program complying with the applicable requirements of NFPA 70 AND NFPA 72.

Dena Joseph, Code Enforcement Officer, was sworn in by Special Magistrate Fuller and requested a continuation of the case until November 12, 2025. Special Magistrate Fuller granted the continuation request.

4. CEB Case No.: 25-2585

Respondent: Francis E Thompson

Address of Violation: 1292 Harms Way

Code Officer: Dena Joseph

First Notified: 9/15/2025

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), (h) Abutting property owner maintenance of parkages.

Ms. Joseph was sworn in by Special Magistrate Fuller and testified as to the condition of the property, as well as the notice provided to the property owner. Photos were submitted into evidence and accepted by Special Magistrate Fuller with no objections. The violation was to be corrected immediately by mowing, weed-eating, removing all undergrowth, and blowing all debris back onto the property. Additionally, all the weeds in the landscaped areas must be weed-eated, and all grass must be removed off the sidewalk and driveway.

Ms. Joseph recommended the property owners be found in violation of the above referenced codes with the violations to be corrected immediately by mowing and weed-eating the entire property, removing all undergrowth, and blowing debris back onto the property. Additionally, all the weeds in the landscaped areas must be weed-eated and all grass must be removed off the sidewalk and driveway. In the event the property is not brought into compliance on or before the compliance date, and/or not maintained in a state of compliance, a one-time fine in the amount of \$500.00 shall be imposed. Accused should be further ordered to contact the Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the order. Ms. Joseph requested any future violations under this ordinance be considered repeat, and that the property be deemed a health and safety concern for the surrounding neighbors in that the high grass and weeds could be a habitat for vermin, snakes, insects, etc. The cost sheet in the amount of \$51.61 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.

Special Magistrate Fuller granted the recommendation as presented and deemed the property a health and safety violation. The property owner has immediately to mow and weed-eat the entire property, remove all undergrowth, and blow debris back onto the property. Additionally, all the weeds in the landscaped areas must be weed-eated and all grass must be removed off the sidewalk and driveway or a one-time fine in the amount of \$500.00 shall be imposed. Costs in the amount of \$51.61 were awarded to the City.

5. **CEB Case No.:** 25-1334
Respondent: JMCG S NOVA RD LLC
Address of Violation: 5231 S Nova Road
Code Officer: Joseph Brewer
First Notified: 8/10/2025

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), (C) (Maintenance of Commercial and Industrial Zoned lots) of the City of Port Orange Code of Ordinances.

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

ORDER IMPOSING FINE/LIEN

6. **CEB Case No.:** 25-0828
Respondent: Rainbow Development Group LLC
Address of Violation: 4015 S. Williamson Blvd.
Code Officer: Rachel Lippens
First Notified: 6/4/2025

Compliance: No

Cited for violation(s) - 2024 International Property Maintenance Code, Chapter 3, Section 304 Exterior Structure, as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: 304.7 Roofs and drainage. City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 1 (Accessory Uses and Structures), (e) Outside Storage (3) (a) Commercial Vehicles and Equipment. Chapter 14, Article VII, Section 318 (b), (1), (4) - sign and (c), (3) - Fence. Chapter 14, Article VII, Section 314 (a), (1) and (2) Maintenance of trees and shrubs and (d) (2) and (7) irrigation.

Rachel Lippens, Code Enforcement Officer, was sworn in by Special Magistrate Fuller and requested an Order Setting Fine/Lien as the property was not in compliance by September 23, 2025, as ordered in the previous hearing on July 23, 2025, by the Special Magistrate. She requested a daily fine in the amount of \$100.00 per day beginning September 24, 2025, for each and every day the violation exists, as ordered in the Finding of Fact, Conclusion of Law & Order. Ms. Lippens noted that when she re-inspected the property, the shrubs had been planted but the irrigation system is still in non-compliance. A cost sheet for mailing and recording costs in the amount of \$97.01 was tendered and submitted into evidence without objection.

Dr. Ammar Hemaidan, property owner, was sworn in by Special Magistrate Fuller and testified as to the condition of the property. He stated he corrected all the violations he could; however, he could not do the irrigation himself. He hired a company that he thought could do the work in time, but the company didn't have any workers available and delayed

the progress. Dr. Hemaidan since then has hired a new company that informed him, they should be done by September 22, 2025. Dr. Hemaidan requested the Special Magistrate extend his compliance date until the end of October to allow for completion.

Special Magistrate Fuller found the property in non-compliance and awarded a daily fine in the amount of \$100.00 beginning September 24, 2025, through and including September 30, 2025, for each and every day the violation exists; however, imposing the daily fine will be suspended from October 1, 2025, through October 31, 2025. Special Magistrate Fuller further imposed the mailing and recording costs, which to date, are in the amount of \$97.01. A lien in the amount of \$97.01 shall be imposed.

7. **CEB Case No.:** 25-1589
Respondent: Fair Value Homebuyers LLC
Address of Violation: 830 Sugar House Blvd
Code Officer: Scott Allman
First Notified: 6/18/2025

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 V (Unsafe Conditions), Division 2 (Nuisance Trees), Section 42-103 (Declaration of Nuisance) of the City of Port Orange Code of Ordinances.

Scott Allman, Code Enforcement Officer, was sworn in by Special Magistrate Fuller and requested an Order Setting Fine/Lien as the property was not in compliance by August 25, 2025, as ordered in the previous hearing on August 13, 2025, by the Special Magistrate. Mr. Allman requested a daily fine in the amount of \$100.00 per day beginning August 26, 2025, and running through and including August 27, 2025, for a total of one day as ordered in the Finding of Fact, Conclusion of Law & Order. The City retained vendor Scott Boy Landscaping, who abated the violation(s) at the cost of \$950.00. A cost sheet for mailing and recording costs in the amount of \$109.04 was tendered and submitted into evidence without objection.

Special Magistrate Fuller found the property in non-compliance and awarded a daily fine in the amount of \$100.00 beginning August 26, 2025, and running through and including August 27, 2025, for a total of \$100.00, abatement costs of \$950.00 and mailing and recording costs to date of \$109.04. A lien in the amount of \$1,159.04 shall be imposed.

ADJOURNMENT – 9:21 a.m.


Special Magistrate David Fuller Jr.