

CODE ENFORCEMENT SPECIAL MAGISTRATE
MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
JUNE 10, 2026

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

PRESENT: David D. Fuller Jr., Special Magistrate

ALSO PRESENT: Dena Joseph, Code Enforcement Officer
Bill Browning, Code Enforcement Officer
Kyle Crider, Division Chief of Fire Safety & Inspections
Tracee Cody, Records Management Coordinator

Oaths

Code Enforcement Officer Dena Joseph was sworn in by Special Magistrate David D. Fuller Jr.

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 - May 13, 2026

Special Magistrate David D. Fuller Jr. approved the May 13, 2026 meeting minutes as presented.

FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 26-0439
Respondent: Elmnic LLC
Address of Violation: 1633 Taylor Road #C
Code Officer: Bill Browning
First Notified: 4/8/2026

Compliance: No

Cited for violation(s) - Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.3 of the 2024 International Property Maintenance Code Buildings shall have approved address numbers placed in a position to be plainly legible and visible

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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 not less than 4 inches in height with a minimum stroke width of 0.5 inch; Code of Ordinance, Chapter 30, Article II, Section 30-26: Florida Fire Prevention Code Adoption NFPA 01 2021 13.7.1.4.2. 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; Code of Ordinances, Chapter 30, Article II, Section 30-26 (Backflow): Florida Fire Prevention Code Adoption NFPA 01 2021 13.5.3.1 Backflow prevention devices shall be inspected, tested, and maintained in accordance with the requirements of NFPA 25; Code of Ordinances, Chapter 30, Article II, Section 30-26 (Covers): Florida Fire Prevention code Adoption NFPA 01 2021 11.1.8 Covers. All panelboard and switchboards, pull boxes, junction boxes, switches, receptacles, and conduit bodies shall be provided with covers compatible with the box or conduit body construction and suitable for the condition of use; Code of Ordinances, Chapter 30, Article II Section 30-26 Florida Fire Prevention Code Adoption NFPA 01 2021 13.3.3.2 A sprinkler system installed in accordance with this Code shall be inspected, tested, and maintained in accordance with NFPA 25.

Dena Joseph, Code Enforcement Officer, was sworn in by Special Magistrate David D. Fuller Jr. and Bill Browning, Code Enforcement Officer, requested a continuation of the case until July 8, 2026. Special Magistrate David D. Fuller Jr. granted the continuation request.

4. CEB Case No.: 26-0380

Respondent: FL & Z Inc

Address of Violation: 5545 S. Williamson Blvd.

Code Officer: Dena Joseph

First Notified: 2/19/2026

Compliance: No

Cited for violation(s) - Code of Ordinance, Chapter 30, Article II, Section 30-26: Florida Fire prevention Code Adoption NFPA 01 2021 13.7.1.4.2. 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.

Mrs. Joseph 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 David D. Fuller Jr. with no objections. The violation was to be corrected by March 8, 2026, by ensuring 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.

Mrs. Joseph recommended the property owners be found in violation of the above-referenced codes with the violations to be corrected by June 25, 2026, by ensuring 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.

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In the event the property is not brought into compliance on or before the compliance date, and/or not maintained in a state of compliance, a daily fine in the amount of \$500.00 per day shall be imposed. Accused should be further ordered to contact the Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the order. Ms. Joseph requested any future violations under this ordinance be considered repeat. The cost sheet in the amount of \$63.39 was tendered into evidence and accepted by Special Magistrate David D. Fuller Jr. with no objections.

Special Magistrate David D. Fuller Jr. granted the recommendation as presented. The property owner has until June 25, 2026, 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 or a daily fine in the amount of \$500.00 per day shall be imposed. Costs in the amount of \$63.39 were awarded to the City.

5. CEB Case No.: 26-0690

Respondent: James R. Miller

Address of Violation: 5340 Landis Ave.

Code Officer: Dena Joseph

First Notified: 4/17/2026

Compliance: No

Cited for violation(s) - Code of Ordinances Chapter 42 (Nuisances), 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. Code of Ordinances Chapter 70 (Traffic), Article II (Stopping, Standing, and Parking), Section 70-49 (Restrictions on abandoned or disabled vehicles), (c) Restrictions, (1) No disabled or abandoned vehicle shall remain on residentially-zoned or agriculturally-zoned private property unless such vehicle is (a) within a completely enclosed garage; or (b) Parked in a carport, parking space or city-approved parking area and covered in good repair, so long as any portion of the vehicle which is not covered is not in a state of disrepair. Code of Ordinances, Chapter 70 (Traffic), Article II (Stopping, Standing, and Parking), Section 70-49 (Restrictions on abandoned or disabled vehicles), (c) Restrictions, (2) No disabled or abandoned vehicle parked on residentially-zoned or agriculturally-zoned private property shall be covered by material other than a standard vehicle cover in good repair unless such vehicle is parked inside a completely enclosed garage. 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. The owner of an improved lot in a residential zone 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. Code of Ordinances, Chapter 42, (Nuisances), Article

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II, (Garbage, Junk and Undergrowth), Section 42-26, (Cleanliness of Property Generally-duty of owner), (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. Code of Ordinances, Chapter 70 (Traffic), Article II (Stopping, standing, and parking), Section 70-36 (Stopping, standing or parking prohibited in specified places) (a)(1)(k)(1)(2)(3), Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall: (1) Stop, stand or park a motor vehicle or trailer: (k) On any other portion of the front yard of a residential lot, except on approved driveways. As used in the section, driveways shall be constructed of the following materials: (1) concrete or paved materials; (2) Nonpaved materials, excluding grass and dirt, provided that loose materials such as gravel, bark or cypress mulch are effectively contained within a border of concrete, railroad ties, or other rigid materials; or (3) Concrete paver strips, paver blocks, or other semi-pervious materials.

Mrs. Joseph 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 David D. Fuller Jr. with no objections. The violations were to be corrected by May 3, 2026, by doing the following: mow, trim, and maintain all weeds and grass on the property. Remove all trash and debris. Remove or properly store all items currently being kept outdoors, including but not limited to lawn equipment, tools, tires, and household items. Remove all unregistered and/or inoperable vehicles from the property or properly register or cover with an approved car cover in good condition. Ensure all vehicles on the property are legally parked. Vehicles must be parked only within the approved driveway or on a driveway extension made of rock or mulch and set apart with railroad timbers so as to appear as a parking space. The property was in compliance as of June 9, 2026.

Mrs. Joseph recommended the property owners be found in violation of the above-referenced codes even though the property was in compliance as of June 9, but not in compliance with the notice of violation. Mrs. Joseph requested any future violations under this ordinance be considered repeat. The cost sheet in the amount of \$78.83 was tendered into evidence and accepted by Special Magistrate David D. Fuller Jr. with no objections.

Special Magistrate David D. Fuller Jr. granted the recommendation as presented. Costs in the amount of \$78.83 were awarded to the City.

6. CEB Case No.: 26-0926
Respondent: Ryan Veilleux
Address of Violation: 5348 Landis Ave.
Code Officer: Dena Joseph
First Notified: 4/6/2026

Compliance: No

Cited for violation(s) - 2023 Florida Building Code, 8th Edition, Section 105 (Permits), Section 105.1 (Required) as adopted per Chapter 8, Article I of the City of Port Orange Code of Ordinances: Failure to Obtain a Building Permit 105.1 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 required impact-resistant coverings, 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. 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), The owner of an improved lot in a residential zone 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. 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, The wonder 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. City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 1 (Accessory Uses and Structures), (B) Principal use and/or principal structure required. Accessory uses and structures shall: (1) Be customarily incidental to the principal use established on the same lot; (2) Be subordinate to and serve such principal use; (3) Be subordinate in area, extent and purpose to such principal use; and (4) Contribute to the comfort, convenience or necessity of users of such principal use. No accessory structure or use shall be permitted on any lot which does not have an established principal use conforming to the requirements of this code. No accessory structure shall be permitted on any lot which does not have a permitted principal structure.

Mrs. Joseph 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 David D. Fuller Jr. with no objections. The violations were to be corrected by May 31, 2026, by doing the following: All required permits are to be applied for to include but not limited to: mobile home replacement, electrical, plumbing, sewer, etc. If the permit is not applied for in the noted time frame, the mobile home must be removed from the property. In addition, the yard must be mowed and maintained to include trimming of all high weeds on site, all trash removed, and boat and trailer removed until the time that there is an approved permit for the installation of a principal structure on the property.

Mrs. Joseph recommended the property owners be found in violation of the above-referenced codes with the violations to be corrected by June 25, 2026, by doing the following: All required permits are to be applied for to include but not limited to mobile home replacement, electrical, plumbing, sewer, etc. If the permit is not applied for in the noted time frame, the mobile home must be removed from the property. In addition, the yard must be mowed and maintained to include trimming of all high weeds on site, all

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trash removed, and boat and trailer removed until the time that there is an approved permit for the installation of a principal structure on the property. In the event the property is not brought into compliance on or before the compliance date, and/or not maintained in a state of compliance, a daily fine in the amount of \$100.00 per day shall be imposed. Accused should be further ordered to contact the Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the order. Mrs. Joseph requested any future violations under this ordinance be considered repeat. The cost sheet in the amount of \$59.63 was tendered into evidence and accepted by Special Magistrate David D. Fuller Jr. with no objections.

Special Magistrate David D. Fuller Jr. granted the recommendation as presented. The property owner has until June 25, 2026, to do the following: All required permits are to be applied for to include but not limited to mobile home replacement, electrical, plumbing, sewer, etc. If the permit is not applied for in the noted time frame, the mobile home must be removed from the property. In addition, the yard must be mowed and maintained to include trimming of all high weeds on site, all trash removed, and boat and trailer removed until the time that there is an approved permit for the installation of a principal structure on the property or a daily fine in the amount of \$100.00 per day shall be imposed. Costs in the amount of \$59.63 were awarded to the City.

ORDER IMPOSING FINE/LIEN

7. **CEB Case No.:** 26-0990

Respondent: Ponce Inlet 4940 LLC

Address of Violation: 5961 Ridgewood Avenue

Code Officer: Dena Joseph

First Notified: 4/6/2026

Compliance: Yes

Cited for violation(s) - Chapter 56 (Solid Waste), Article III (Construction and Demolition Debris Collection Franchises); 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; City of Port Orange Land Development Code,

Chapter 16 (Miscellaneous Regulations), Section 1: Outside storage of equipment and materials shall be permitted only when associated with commercial use and located in designated areas approved for such display as part of a development plan, or as part of a building permit, if the required right-of-way landscape buffer is provided. Additional restrictions are specified: (a) storage of licensed and operable motor vehicles, boats, recreational vehicles, tractor trailers, storage trailers and other such vehicles shall be located out of view from any abutting rights-of-way, private streets, waterways and residential uses. (b) Outdoor display and/or storage may be permitted in conjunction with special sales events such as those permitted under chapter 58, article III, Code of Ordinances, and other uses when permitted by special exception or approved as part of a development plan. (c) Licensed and inoperable motor vehicles awaiting repair may be stored within screened areas on the site of motor vehicle repair facilities and motor

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vehicle service centers, provided that no such vehicle shall be stored for more than 28 consecutive days; City of Port Orange Land Development Code, Chapter 16, SEC. 1 (E)(3)(A): Storage of licensed and operable motor vehicles, boats, recreational vehicles, tractor trailers, storage trailers and other such vehicles shall be located out of view from any abutting rights-of-way, private streets, waterways, and residential uses [Commercial Use Zone].

Mrs. Joseph requested dismissal of the case as it is in compliance. Special Magistrate David D. Fuller Jr. granted the dismissal request.

ADJOURNMENT - 9:31 a.m.



Special Magistrate David D. Fuller Jr.