



Community Development

Building | Code Enforcement | Planning | Zoning

**AGENDA
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
COMMISSION CHAMBERS, CITY HALL
JULY 09, 2020
3:00 P.M.**

CALL TO ORDER: MAGISTRATE JEFF DAWSON

EXPLANATION OF PROCEDURES & SWEAR IN: MAGISTRATE JEFF DAWSON

APPROVAL OF MINUTES: FEBRUARY 20, 2020 MEETING

CONSENT AGENDA:

A. AFFIDAVIT OF NON-COMPLIANCE/ FINE CERTIFICATIONS

1. Case # 201900004
Parcel No. 262729496500-000022
MARTIN FAMILY TRUST
295 E PARK LN

2. Case # 201900010
Parcel No. 262732-499500-00012
DENIS, MARIE L
430 E HAINES BLVD

3. Case # 201900012
Parcel No. 262732-505700-000051
SALOMON, CHARITE & ALCEUS
315 S ILAKEE AVE

B. SUPPLEMENTAL ORDER OF NON-COMPLIANCE/ FINE CERTIFICATIONS - N/A

C. CERTIFICATION OF ABATEMENT - N/A

NEW BUSINESS:

A. NEW CASES - N/A

B. REPEAT OFFENCE CASES - N/A

OTHER BUSINESS:

NEXT HEARING DATE: AUGUST 20, 2020

ADJOURN:

**DRAFT MINUTES
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
COMMISSION CHAMBERS, CITY HALL
FEBRUARY 20, 2020
3:00 pm.**

CALL TO ORDER: Magistrate Jeff Dawson

**EXPLANATION OF PROCEDURES / SWEARING IN Magistrate Dawson
SWEARING IN OF WITNESSES: Magistrate Dawson**

Those in attendance: Magistrate Jeff Dawson, Community Development Director Ameen Bailey, Code Enforcement Officer Mac Fuller, City Planner Felicia Hutchinson, Assistant City Attorney Seth Claytor, and Deputy City Clerk Mamie Drane.

Magistrate Dawson approved the minutes from the December 19, 2019 hearing.

Magistrate Dawson called the first case.

- 1.) Case # 201900010
Parcel No. 262732-499500-00012
Denis, Marie L
430 E Haines Blvd

Code Enforcement Officer Fuller read into the record the case facts and recommended to find the property in violation of sanitation of stored material, tall grass/weeds, and inoperable vehicle (302.1, 302.4, and 302.8). The vehicle has been removed. The lawn is still in violation, and the trash and debris are still around the yard. There are other issues in the yard that should be filled in or repaired. He provided the notice information, case documentation, and code requirements. He asked for compliance within 15 days. If a violation still exists after the 15 days, a fine of \$50 per day to be imposed. He asked to award the City the administrative cost of \$24.19, payable within 30 days.

Romild Oscar representing his mother stated he received the notice of violation on March 3rd, and shortly after spoke with Director Bailey. He has since removed the car, and he mowed the grass today. The property is in compliance.

Magistrate Dawson stated based on testimony given, and the facts presented, he finds the property was in violation. He granted the City the administrative cost of \$24.19, payable within 30 days. Code Enforcement will inspect the property to verify the violation has been remedied. If the property is still in violation, the owner will have 15 days to comply. If a violation still exists after 15 days, a fine of \$50 per day would be imposed. If the property is found in violation within the next five (5) years, the fine will begin to run from the day of notice.

- 2.) Case # 201900012
Parcel No. 262732-505700-000051
Salomon, Charite & Alceus
315 S Ilakee Ave

Code Enforcement Officer Fuller read into the record the case facts. He provided the notice information, case documentation, and code requirements. The property was cited for sanitation

and storage and motor vehicles (302.1 and 302.8). He spoke with the property owner before the Holidays, and he had asked for an extension. Code Enforcement Officer Fuller explained to Mr. Salomon that he had enough time to move the vehicles before the hearing date. The vehicles have been moved from the front yard but there are still several vehicles in the back yard. He had asked the property owner if he was selling cars and was told the owner was not selling the cars. Code Enforcement Fuller recommended the owner have 15 days to comply. If a violation still exists after 15 days, a fine of \$50 per day to be imposed and the administrative cost of \$17.02 payable within 30 days. If the property is found in violation within the next five (5) years, the fine will begin to run from the day of notice.

Joanes L. Fequiere, tenant and representative for the property owner, Mr. Fequier, stated he was receiving the certified letters on the owners' behalf. He said there were still vehicles in the back yard. He is trying to be compliant, but some of the vehicles belong to other people.

Magistrate Dawson pointed out that the letters were addressed and were for the owner of the property. He asked if vehicles were still in the back yard and why are there so many vehicles. He said the City is requesting 15 days for compliance, or a fine of \$50 per day will be imposed.

Mr. Fequiere stated he would try his best and asked if he could have 30 days for compliance. All vehicles are operable, but he has to work every day.

Magistrate Dawson asked if all the vehicles are operable. He said if all the cars run, it would be easy to start them up and move them. The Magistrate denied the request for 30 days. He granted the City the administrative cost of \$24.19, payable within 30 days.

- 3.) Case # 201900008
Parcel No. 262728 493500-006050
Estate of George Williams
0 Midway Ave (vacant lot)

Code Enforcement Officer Fuller read into the record the case facts. He provided the notice information, case documentation, and code requirements. The property was cited for tall grass/weeds (302.4). These are three (3) adjoining lots. Today the properties are in compliance. The lots have been mowed.

Magistrate Dawson stated since the property is in compliance as of today, no fine will be imposed. Any further violation of this type will be treated as a repeat offense. The City was awarded an administrative cost of \$24.19, payable within 30 days.

- 4.) Case # 201900011
Parcel No.262733-516000-001140
Estate Of Patricia Blanton
680 E Haines Blvd

Code Enforcement Officer Mac Fuller read the case into the record and recommend to find the property in violation of tall grass/weeds, motor vehicle and unsafe structure and equipment (302.4, 302.8 and 108) Someone was at the house on Wednesday they are preparing the home for sale. The yard had been mowed. He asked for three days for compliance or a \$50 per day fine to be imposed, and the payment of the incurred administrative cost of \$24.19, payable in 31 days. He also asked for the City to have the right to inspect and abate the property if needed.

Magistrate Dawson stated based on testimony given, and the facts presented, he finds the property in violation. He will follow the recommendation presented by the City. Failure to comply and secure the property, after three days, there will be a fine of \$50 per day imposed. He awarded the City the incurred administrative cost of \$24.19 payable in 31 days. He also awarded the City the right to abate and secure the property.

5.) Case # 201900005 Repeat Offender
Parcel No. 26-27-28-493500-005150
Mccullough, Essie Mae & Andre
670 Lemon Ave.

Code Enforcement Officer Mac Fuller read the case into the record and recommend to find the property in violation of tall grass and weeds. Since it is a repeat violation, the City would like permission to abate.

Director Bailey stated the current violation begin in June of 2013; the previous order was issued in December 2019. The violation has existed since June 2013 and has not been corrected.

Assistant City Attorney Claytor stated the owner has the opportunity to pay the invoice for the abatement before it becomes a lien against the property. The fine will begin to accrue on the date that the violation was first observed by Code Enforcement, up until the last day the property was inspected, which was February 13, 2020.

Magistrate Dawson stated based on testimony given, and the facts presented, he finds the property is a repeat violation. He awarded the City the incurred administrative cost and a certified fine of \$1,351.62 (January 11, 2020, until February 5, 2020, at \$50 per day.) payable in 30 days.

NEXT HEARING DATE:

With no other business, the hearing was adjourned at 3:42 pm.

Respectfully Submitted,

Deputy City Clerk
Mamie Drane