

TAB 3



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**BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF PALMETTO, FLORIDA**

**CERTIFIED MAIL/RETURN RECEIPT REQUESTED
REGULAR MAIL**

CITY OF PALMETTO

A political subdivision of the
State of Florida

Petitioner,

vs.

Case No. CEB 08-12

Wanda Gordon
1211 Florida Avenue
Clewiston, Florida 33440-5659
Respondent

Re Violation Location: 1610 14th Street West
Palmetto, Florida 34221

Legal Description: LOT 14 LAMP POST PLACE PH 1
Township 34S, Range 17E, Section 15

Parcel ID #: 28000.0170/9

ADMINISTRATIVE ORDER IMPOSING LIEN

THIS MATTER came before the City of Palmetto Code Enforcement Board for Public Hearing on November 12, 2008, at 6:00 p.m., at Palmetto City Hall, after due notice to the Respondent.

FINDINGS OF FACT:

1. The Code Enforcement Board of the City of Palmetto finds as a matter of fact that the Respondent's property contains untended growth of weeds and brush; the property is overgrown. The in-ground swimming pool is full of stagnant water and is providing a breeding ground for mosquitoes. In addition, the pool cage screen has been damaged and can no longer afford protection from infestation. The neglect of this pool cage and the filled pool presents a serious child safety issue.

CONCLUSIONS OF LAW:

1. The Code Enforcement Board is properly convened. Notice has been given and all conditions precedent have been satisfied.
2. The Respondent has violated Palmetto Code of Ordinances Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (1), (3) & (4), and Section 16-27(a), (b), & (c); Chapter 7, Buildings and Building Regulations, Article XI Minimum Maintenance Standards, Section 7-243(a), Requirements For Sites.

ORDER

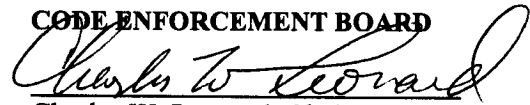
The Respondent, Wanda Gordon, is found in violation of the Palmetto Code of Ordinances as noticed, and given until November 22, 2008, to comply with the Palmetto Code of Ordinances cited above, by mowing, trimming and maintaining the property, repairing the pool cage, and draining, cleaning and maintaining, or covering the pool to eliminate infestation and child safety issues. If the aforementioned action is not taken by November 22, 2008, a fine of up to \$250.00 per day may be imposed for each day the violation continues past the date and time specified herein. The Respondent is entitled to notice and an opportunity to be heard prior to a fine being assessed. **A Public Hearing will be held on December 30, 2008, to determine if the violation has been corrected. Administrative costs incurred by the city in the prosecution of this case in the amount of \$388.20, plus any applicable recording fees, are hereby assessed. Upon recording, such costs shall constitute a lien and shall continue with interest accruing.**

A certified copy of this Administrative 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, any subsequent purchasers, successors-in-interest or assigns.


Any aggrieved party may appeal this Administrative Order to the Circuit Court in and for Manatee County. Such appeal shall not be a hearing *de novo*, but shall be limited to appellate review of the record created before the Code Enforcement Board. An appeal shall be filed within thirty (30) days of the execution of this Administrative Order

Done and ordered this 12th day of November, 2008.

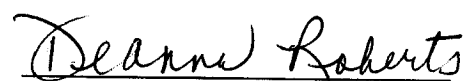
**CITY OF PALMETTO
CODE ENFORCEMENT BOARD**


Charles W. Leonard, Chairman

Attest:


James R. Freeman, City Clerk

I hereby certify that a true copy of the foregoing Administrative Order Imposing Lien has been furnished to the Respondent by Certified Mail/ Return Receipt Requested and by Regular Mail this 13th day of November, 2008.


Deanna Roberts, Clerk of the Board