

TAB 6



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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 08-15

Clement Flynn
154 New York Street
Palmetto, Florida 34221

Respondents:

ORDER IMPOSING FINE AND LIEN

Violation Location: 154 New York Street
Palmetto, Florida 34221

On January 27, 2009, the Code Enforcement Board (CEB) of the City of Palmetto conducted a duly noticed Public Hearing in regard to the above Respondent. Following receipt of sworn testimony and other evidence, the Board makes the following findings:

1. The Respondent was found in violation of the City of Palmetto Code of Ordinances at a hearing held on January 27, 2009. A copy of the Board's Order is attached hereto and incorporated herein as Exhibit "A".

2. The Order required the Respondent to comply with the Palmetto Code of Ordinances, as cited, by February 1, 2009. The Order was sent to the Respondent by Certified Return Receipt Requested U.S. Mail and Regular U.S. Mail on January 29, 2009.
3. The Respondent was notified in that Order that the Code Enforcement Board would hold a hearing on February 24, 2009, to determine whether the Respondent was in compliance with the Order, and if not, whether to impose a fine. A notice of the Code Enforcement Board hearing scheduled for February 24, 2009, was posted at Palmetto City Hall.
4. At the February 24, 2009, Hearing, the City of Palmetto Code Enforcement Director, Bill Strollo, testified that the Respondent had not complied with the Palmetto Code of Ordinances as ordered by the Administrative Order dated January 27, 2009.

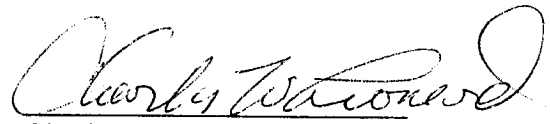
CONCLUSIONS OF LAW

1. The hearing has been properly notified and convened. A quorum is present and voting.
2. Section 2-87 of the Code of Ordinances states that:
 - (2) In determining the amount of the fine, if any, the CEB shall consider the following factors:
 - a. The gravity of the violation;
 - b. Any actions taken by the violator to correct the violation;
 - c. Any previous violations committed by the violator.
3. The prior Administrative Order of this Board, dated January 27, 2009, was not complied with by the date set forth in the Administrative Order.
4. The Board has considered the three factors cited above in arriving at its determination to impose a fine.

ORDER

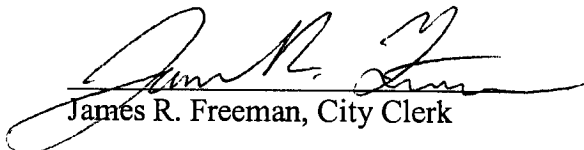
Based on the foregoing, the Code Enforcement Board imposes a fine of \$150.00 per day commencing February 1, 2009, and continuing until the violation is corrected. If the Respondent has not complied with this Order by March 26, 2009, a certified copy of this Order shall be recorded in the Public Records of Manatee County, and any other county within the State of Florida where the Respondent has real or personal property, and it shall thereafter constitute a lien upon any real or personal property owned by the violator. Upon petition to the circuit court by the City, such Order may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but such Order shall not be deemed to be a court judgment except for enforcement purposes. **A fine imposed pursuant to this Order shall continue with interest accruing until the violator comes into compliance, or until judgment is rendered in a suit to foreclose on a lien created herein, whichever occurs first.**

Date: February 24, 2009

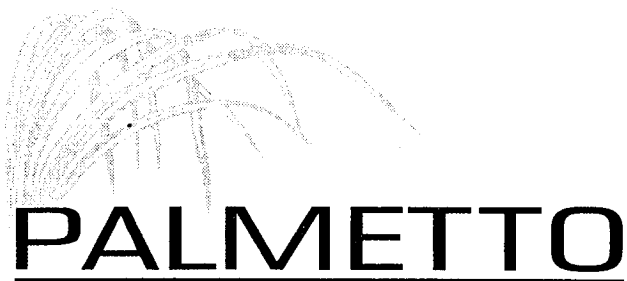


Charles W. Leonard, Chair
Code Enforcement Board

Attest:



James R. Freeman, City Clerk



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**CERTIFIED MAIL/RETURN RECEIPT REQUESTED
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CITY OF PALMETTO
A political subdivision of the
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Petitioner

vs.

Case No. CEB 09-01

Wayne T. Jordan
Denise C. Jordan
1704 14th Street Court West
Palmetto, Florida 34221

Respondents:

ORDER IMPOSING FINE AND LIEN

Violation Location: 1704 14th Street Court West
Palmetto, Florida 34221

On January 27, 2009, the Code Enforcement Board (CEB) of the City of Palmetto conducted a duly noticed Public Hearing in regard to the above Respondent. Following receipt of sworn testimony and other evidence, the Board makes the following findings:

1. The Respondent was found in violation of the City of Palmetto Code of Ordinances at a hearing held on January 27, 2009. A copy of the Board's Order is attached hereto and incorporated herein as Exhibit "A".

2. The Order required the Respondent to comply with the Palmetto Code of Ordinances, as cited, by February 6, 2009. The Order was sent to the Respondent by Certified Return Receipt Requested U.S. Mail and Regular U.S. Mail on January 29, 2009, and posted on the property and at City Hall on February 2, 2009.
3. The Respondent was notified in that Order that the Code Enforcement Board would hold a hearing on February 24, 2009, to determine whether the Respondent was in compliance with the Order, and if not, whether to impose a fine. A notice of the Code Enforcement Board hearing scheduled for February 24, 2009, was posted at Palmetto City Hall.
4. At the February 24, 2009, Hearing, the City of Palmetto Code Enforcement Director, Bill Strollo, testified that the Respondent had not complied with the Palmetto Code of Ordinances as ordered by the Administrative Order dated January 27, 2009.

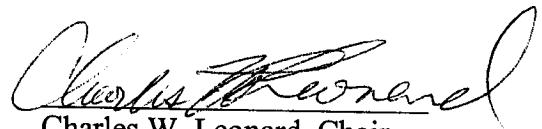
CONCLUSIONS OF LAW

1. The hearing has been properly notified and convened. A quorum is present and voting.
2. Section 2-87 of the Code of Ordinances states that:
 - (2) In determining the amount of the fine, if any, the CEB shall consider the following factors:
 - a. The gravity of the violation;
 - b. Any actions taken by the violator to correct the violation;
 - c. Any previous violations committed by the violator.
3. The prior Administrative Order of this Board, dated January 27, 2009, was not complied with by the date set forth in the Administrative Order.
4. The Board has considered the three factors cited above in arriving at its determination to impose a fine.

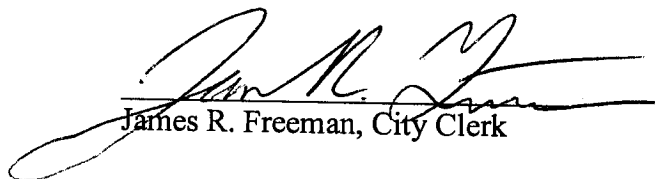
ORDER

Based on the foregoing, the Code Enforcement Board imposes a fine of \$50.00 per day commencing February 6, 2009, and continuing until the violation is corrected. If the Respondent has not complied with this Order by March 26, 2009, a certified copy of this Order shall be recorded in the Public Records of Manatee County and any other county within the State of Florida where the Respondent has real or personal property and it shall thereafter constitute a lien upon any real or personal property owned by the violator. Upon petition to the circuit court by the City, such Order may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but such Order shall not be deemed to be a court judgment except for enforcement purposes. **A fine imposed pursuant to this Order shall continue with interest accruing until the violator comes into compliance, or until judgment is rendered in a suit to foreclose on a lien created herein, whichever occurs first.**

Date: February 24, 2009


Charles W. Leonard, Chair
Code Enforcement Board

Attest:


James R. Freeman, City Clerk



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CITY OF PALMETTO

A political subdivision of the
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Petitioner,

vs.

Wayne T. Jordan
Denise C. Jordan
1704 14th Street Court West
Palmetto, Florida 34221

Case No. CEB – 09-01

Respondent.

REPORT OF COMPLIANCE

This is notice that pursuant to the Administrative Order Imposing Lien and the Order Imposing Fine and Lien of the Code Enforcement Board of the City of Palmetto dated January 27, 2009 and February 24, 2009 respectively, the violation of the Palmetto City Code in this matter was corrected effective February 25, 2009.

Director, Code Enforcement

cc: (property owner)