

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.

Penny Fugate
1108 26th Avenue West
Palmetto, Florida 34221
Respondent

Case No. CEB 09-17

Re Violation Location: 1108 26th Avenue west
Palmetto, Florida 34221

Legal Description: **LOT 17 BAY VIEW PARK RESUB**
Township 34S, Range 17E, Section 15

Parcel ID #: **PI#28166.0000/7**

ADMINISTRATIVE ORDER IMPOSING LIEN

THIS MATTER came before the City of Palmetto Code Enforcement Board for Public Hearing on July 28, 2009, at 6:00 p.m., at Palmetto City Hall, after due notice to the Respondent.

FINDINGS OF FACT:

The Code Enforcement Board of the City of Palmetto finds as a matter of fact that:

- The above noted property has a pool that contains stagnant water, which is a breeding place for mosquitoes.
- The above noted property has garbage, furniture, and debris scattered in the back yard.

- The above noted property contains untended growth of weeds and brush. The property is overgrown

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), (2) & (3) and Section 16-27(a), (b), & (c):

ORDER

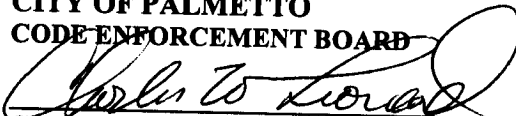
The Respondent, Penny Fugate, is found in violation of the Palmetto Code of Ordinances as noticed, and given until August 3, 2009, to comply with the Palmetto Code of Ordinances cited above. If the aforementioned action is not taken by August 3, 2009, a fine of up to \$250.00 per day may be imposed for 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 August 25, 2009, to determine if the violation has been corrected. Administrative costs incurred by the city in the prosecution of this case in the amount of \$265.00, 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.

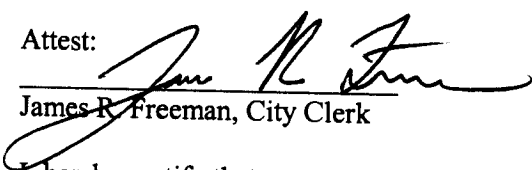
Any aggrieved party may appeal this Administrative Order to the Circuit Court in and for Manatee County. Such appeal shall not be a hearing *de novo*, but shall be limited to appellate review of the record created before the Code Enforcement Board. An appeal shall be filed within thirty (30) days of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

Done and ordered this 28th day of July, 2009.

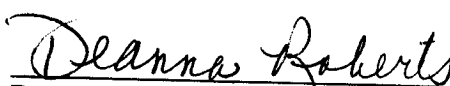
CITY OF PALMETTO
CODE ENFORCEMENT BOARD


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 29th day of July, 2009.


Deanna Roberts, Clerk of the Board