

TAB 2



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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.

David Spire
Melanie Spire
1525 17th Street West
Palmetto, Florida 34221
Respondent

Case No. CEB 09-18

Re Violation Location: 1525 17th Street West
Palmetto, Florida 34221

Legal Description: E1/2 OF NE1/4 OF NW1/4 OF NE1/4 OF NE1/4 OF SEC 15 TWN
34 RNG 17, LESS THE E 3 FT THEREOF & LESS RD R/W FOR
17TH ST (2067/2545) Township 34S, Range 17E, Section 15

Parcel ID #: PI#28003.1035/9

ADMINISTRATIVE ORDER

THIS MATTER came before the City of Palmetto Code Enforcement Board for Public Hearing on September 29, 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 cover on the pool located at the south side of the property is in disrepair allowing for breeding of mosquitoes in the stagnant water.
- The above noted 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) & (3) and Section 16-27(a), (b), & (c):

ORDER

The Respondents, David and Melanie Spire, are found in violation of the Palmetto Code of Ordinances as noticed and given until October 6, 2009, to comply with the Palmetto Code of Ordinances cited above. If the aforementioned action is not taken by October 6, 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 Respondents are entitled to notice and an opportunity to be heard prior to a fine being assessed. **A Public Hearing will be held on October 27, 2009, to determine if the violation has been corrected. Administrative costs incurred by the City in the prosecution of the case in the amount of \$383.00, 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.

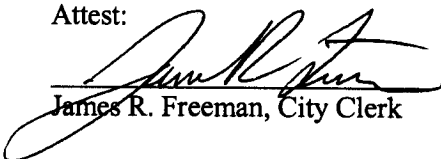
Any aggrieved party may appeal this Administrative Order to the Circuit Court in and for Manatee County. Such appeal shall not be a hearing *de novo*, but shall be limited to appellate review of the record created before the Code Enforcement Board. An appeal shall be filed within thirty (30) days of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

Done and ordered this 29th day of September, 2009.

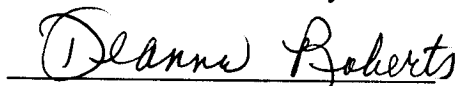
CITY OF PALMETTO
CODE ENFORCEMENT BOARD


Robert Rotondo, Vice Chairman

Attest:


James R. Freeman, City Clerk

I hereby certify that a true copy of the foregoing Administrative Order has been furnished to the Respondent by Certified Mail/ Return Receipt Requested and by Regular Mail this 1st day of October, 2009.


Deanna Roberts, Clerk of the Board