

TAB 5

PALMETTO

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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 10-07

Juana Sanchez
Francisco T. Sanchez
Amalia Sanchez
Mario A. Alvarado
1218 Dr. Martin Luther King, Jr. Place
Palmetto, Florida 34221

Respondents:

ORDER IMPOSING FINE AND LIEN

Violation Location: 1218 Dr. Martin Luther King, Jr. Place
Palmetto, Florida 34221

On May 25, 2010, the Code Enforcement Board (CEB) of the City of Palmetto conducted a duly noticed Public Hearing in regard to the above Respondents. Following receipt of sworn testimony and other evidence, the Board makes the following findings:

1. The Respondents were found in violation of the City of Palmetto Code of Ordinances at a hearing held on April 27, 2010. A copy of the Board's Order is attached hereto and incorporated herein as Exhibit "A".

2. The Order required the Respondents to comply with the Palmetto Code of Ordinances, as cited, by May 7, 2010. The Order was sent to the Respondents by Certified Return Receipt Requested U.S. Mail and Regular U.S. Mail on April 28, 2010 and posted on the property and at City Hall on May 14, 2010.
3. The Respondents were notified in that Order that the Code Enforcement Board would hold a hearing on May 25, 2010, to determine whether the Respondents were in compliance with the Order, and if not, whether to impose a fine.
4. At the May 25, 2010 Hearing, the City of Palmetto Code Enforcement Director, Bill Strollo, testified that the Respondents had not complied with the Palmetto Code of Ordinances as ordered by the Administrative Order dated April 27, 2010.

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 April 27, 2010 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.

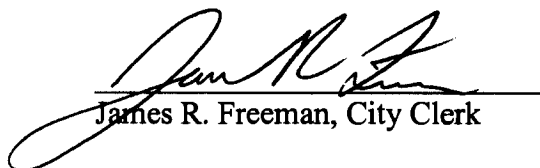
ORDER

Based on the foregoing, the Code Enforcement Board imposes a fine of \$250.00 per day commencing May 7, 2010 and continuing until the violation is corrected. If the Respondent has not complied with this Order by June 25, 2010, 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 violators come into compliance, or until judgment is rendered in a suit to foreclose on a lien created herein, whichever occurs first.**

Date: May 25, 2010


Charles W. Leonard, Chair
Code Enforcement Board

Attest:


James R. Freeman, City Clerk

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

CITY OF PALMETTO
A political subdivision of the
State of Florida
Petitioner

vs.

Case No. CEB 10-10

Joseph M. Kevelighan
1502 14th Street West
Palmetto, Florida 34221
Respondent:

ORDER IMPOSING FINE AND LIEN

Violation Location: 1502 14th Street West
Palmetto, Florida 34221

On May 25, 2010, 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 April 27, 2010. 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 May 17, 2010. The Order was sent to the Respondent by Certified Return Receipt Requested U.S. Mail and Regular U.S. Mail on April 28, 2010 and posted on the property and at City Hall on May 4, 2010.
3. The Respondent was notified in that Order that the Code Enforcement Board would hold a hearing on May 25, 2010, to determine whether the Respondent was in compliance with the Order, and if not, whether to impose a fine.
4. At the May 25, 2010 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 April 27, 2010.

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 April 27, 2010 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.

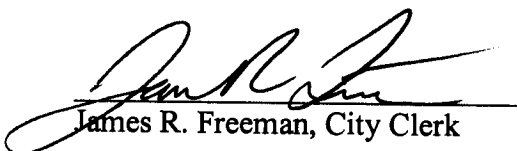
ORDER

Based on the foregoing, the Code Enforcement Board imposes a fine of \$250.00 per day commencing May 17, 2010 and continuing until the violation is corrected. If the Respondent has not complied with this Order by June 25, 2010, 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 violators come into compliance, or until judgment is rendered in a suit to foreclose on a lien created herein, whichever occurs first.**

Date: May 25, 2010


Charles W. Leonard, Chair
Code Enforcement Board

Attest:


James R. Freeman, City Clerk



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CITY OF PALMETTO

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Petitioner,

vs.

Joseph M. Kevelighan
1502 14th Street West
Palmetto, Florida 34221

Case No. CEB - 10-10

Respondent.

REPORT OF COMPLIANCE

This is notice that pursuant to the Administrative Order and the Order Imposing Fine And Lien of the Code Enforcement Board of the City of Palmetto dated April 27, 2010 and May 25, 2010 respectively, the violation of the Palmetto City Code in this matter was corrected effective June 7, 2010.



Director, Code Enforcement

cc: (property owner)