

**MINUTES
CODE ENFORCEMENT BOARD
June 30, 2009**

Board Members Present:

Charlie Leonard, Chair
Robert Rotondo, Vice Chair
Scott Dougherty
Phil Hoffmann
Bob Rickey

Staff and Others Present:

Bill Stollo, Code Enforcement Director
Whitney Ewing, Code Enforcement Officer
Kelly Martinson, Code Enforcement Board Attorney
Deanna Roberts, Administrative Assistant

Mr. Leonard called the meeting to order at 6:00 pm. All persons testifying or wishing to address the Code Enforcement Board were sworn in.

1. APPROVAL OF AGENDA

MOTION: Mr. Rickey moved, Mr. Hoffmann seconded and motion carried unanimously to approve the June 30, 2009 agenda.

2. APPROVAL OF CONSENT AGENDA

A. Expenses: Code Enforcement Board legal expenses through May 2009.
B. Minutes: May 26, 2009

MOTION: Mr. Rickey moved, Mr. Hoffmann seconded and motion carried unanimously to approve the June 30, 2009 Consent Agenda.

3. PUBLIC HEARINGS

A. Case No. 09-09

Eugenio Betancourt
317 15th Street West
Palmetto, Florida 34221

Violation Location: 317 15th Street West, Palmetto
Codes Violated: Palmetto Code of Ordinances Chapter 6, Animals, Article II Livestock and Fowl, Section 6-28(a) and Section 6-31; Chapter 7, Buildings and Building Regulations, Article XI, Minimum Maintenance Standards, Section 7-243(a); Chapter 16, Article II, Nuisances, Section 16-26, Section 16-26(2), and Section 16-27(a),(b)&(c); and Chapter 17 Housing, Article II, Housing Standards, Section 17-28 Palmetto Property Maintenance Code, Standards 302.1 Sanitation, 304.1 General, and 307.1 Accumulation of Rubbish or Garbage.

Mr. Leonard opened the Public Hearing. Mr. Stollo distributed pictures of the subject property. He reported that the animals are now gone, but the bags of garbage remain and the backyard has not been cleaned up. He informed the Board the property is zoned multi-family. He recommended the Respondent be found in violation, directed to bring the property into compliance within five days, and that costs be assessed in the amount of \$323.00.

Mr. Rotondo asked if this were the owner of the property, and Mr. Stollo said the Respondent is the tenant. The Board questioned why the owner was not a part of the case. Mr. Stollo said he could bring the landlord in as an additional Respondent in a future similar case. The landlord has been advised of

these violations. Mr. Strollo said if the Board wants landlords brought in for the cases, he has no problem with that. Attorney Martinson interjected that it would be easier to enforce a lien against real property; more challenging to enforce a lien against personal property.

Mr. Leonard closed the Public Hearing for deliberation. He reopened the Hearing to present the findings.

MOTION: Mr. Rotondo moved, Mr. Hoffmann seconded and motion carried unanimously to:

- 1) Find as a matter of fact that the occupants of this duplex were raising chickens and pigs, and there is a large accumulation of trash and debris including bicycles, discarded aluminum cans, lawn mowers, tires and other rubbish stored and scattered in the rear yard of this duplex;
- 2) Conclude as a matter of law that the Respondent has violated Sections of the Code of Ordinances of the City of Palmetto, Florida, as read into the record at the June 30, 2009, meeting of the Code Enforcement Board;
- 3) Order that the Respondent shall comply with the City Code of Ordinances by correcting the violation within five days of this hearing, or by July 6, 2009;
- 4) Assess administrative costs incurred by the City in the prosecution of the case in the amount of \$323.00, plus any applicable recording fees;
- 5) Schedule a Public Hearing on July 28, 2009, at 6:00 p.m. to determine if the violation has been corrected;
- 6) Authorize the Chairman of the Code Enforcement Board to sign the completed Administrative Order handed down by the Board at the June 30, 2009 meeting.

Mr. Dougherty said in the future the landlord and the tenant should be noticed at the same time. It is not the Board's job to police the landlord's property. Several members of the Board concurred that the responsible party is the property owner.

Mr. Strollo withdrew the next three cases, CEB 09-10, 11, and 12. The Knowlton children, CEB 09-10, promised to correct the violations, and the other two cases have been resolved.

4. OLD BUSINESS

Mr. Strollo submitted the Report of Compliance for CEB 09-07, Hobbs, and CEB 09-08, Mendez/Debarrerra. A Release of Lien was submitted for Palmetto Plantation Homeowners' Association, CEB 06-08.

5. NEW BUSINESS

None.

6. PUBLIC COMMENTS

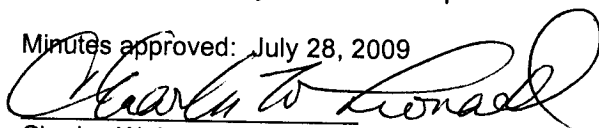
None.

7. ADJOURNMENT

MOTION: Mr. Hoffmann moved, Mr. Dougherty seconded, and motion carried unanimously to adjourn the meeting.

The meeting was adjourned at 6:34 p.m.

Minutes approved: July 28, 2009



Charles W. Leonard, Chair