

CODE ENFORCEMENT BOARD

July 31, 2012

5:00 p.m.

Members Present:

Charlie Leonard, Chair
Robert Rotondo, Vice Chair
Tom Devito
Phil Hoffmann
Rose Quin-Bare
Bob Rickey
Robert Westbrook

Staff Present:

William Strollo, Code Enforcement Director
Kelly Martinson Fernandez, Code Enforcement Board Attorney
Deanna Roberts, Clerk of the Board

Mr. Leonard called the meeting to order at 6:01 p.m. A moment of silence was observed followed by the Pledge of Allegiance.

The roll was called. All members were present.

All persons testifying or speaking before the board were duly sworn.

1. APPROVAL OF AGENDA

MOTION: Mr. Rickey moved, Mr. Hoffmann seconded, and motion carried unanimously to approve the July 31, 2012 Agenda.

2. CONSENT AGENDA

- A. Minutes: June 26, 2012
- B. Legal expenses through June 2012

MOTION: Mr. Rickey moved, Mr. Hoffmann seconded, and motion carried unanimously to approve the July 31, 2012 Consent Agenda.

3. PUBLIC HEARINGS

A. Case No. 12-04 (Continued from May 29, 2012 and June 26, 2012)

Marie Phillips
P.O. Box 51081
Sarasota, Florida 34232

Violation Location: 1501 11th Avenue West, Palmetto, Florida

Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26(4), and Section 16-27(a), (b), & (c); Chapter 17, Housing, Article II, Housing Standards, Section 17-28 Palmetto Property Maintenance Code; Section 108 Unsafe Structures and Equipment, Section 108.1 General; Section 108.1.1 Unsafe Structures; Section 108.1.3 Structure Unfit For Human Occupancy; Section 304 Exterior Structure, Section 304.1 General; Section 304.2 Protective Treatment; Section 304.4 Structural Members; Section 304.6 Exterior Walls; Section 304.13 Window, Skylight, and Door Frames; Section 304.13.1 Glazing; Section 304.15 Doors; Section 305 Interior Structure, Section 305.1

General; Section 305.2 Structural Members; Section 305.3 Interior Surfaces; Section 401 Light, Section 402.3 Other Spaces; Section 404 Occupancy Limitations, Section 404.4.4 Prohibited Occupancy; Section 404.4.5 Other Requirements; Section 404.7 Food Preparation; Section 602 Heating Facilities, Section 602.2 Residential Occupancies; Section 604 Electrical Facilities, Section 604.1 Facilities Required; Section 604.3 Electrical System Hazards; Section 605 Electrical Equipment, and Section 605.1 Installation:

Mr. Stollo stated that he had been sworn prior to his testimony and that his credentials are on file with the secretary to the Board. He told the Board that he wished to withdraw the case as the majority of the most serious issues have been resolved by the contractor. He showed pictures of the property and the current condition. The condemned sheds have been removed. Anything beyond repair has been demolished. The front door needs to be replaced, and some boarded windows need to be taken care of. He advised the Board that he will continue to monitor the property to make sure all violations are corrected. If the Respondent does not comply, he will open a new case.

B. Case No. 12-06

Peter A. Whittaker
Jean S. Whittaker
6301 Merna Lane
Lanham, Maryland 20706-2862

Violation Location: 2801 Trinidad Way, Palmetto, Florida

Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (2), (3), & (4), and Section 16-27(a), (b), & (c):

Mr. Stollo stated that he is the Director of Code Enforcement and that he had been sworn prior to his testimony and that his credentials are on file with the secretary to the Board. He informed the Board that this case began in October 2011 in cooperation with the Police Department. The tenant connected to reclaimed water, as the city water had been turned off. A Cease and Desist Order was issued on October 13, 2011 due to the fact there was no water service. The Stormwater Supervisor cut off the reclaimed water, and the tenants left. Mr. Stollo said he wrote to the property owners and advised them that the plumbing and electrical must be fixed before it could be rented again. The property remained vacant until May 2, 2012 when the demolition of the structure began. The Respondent hired someone who was not a licensed contractor and did not secure a permit. Mr. Stollo stopped the demolition on May 5, 2012 and was in regular contact with Debbie Whittaker, the owner's daughter, until July 3 to get the work completed. He finally issued a Notice of Violation on July 3, 2012, and issued a Notice of Hearing on July 9 for tonight's hearing. A permit was secured on July 10th to cap the water, sewer and electric. On July 18, 2012 a permit was issued to remove the mobile home and the above-ground concrete. There is a dumpster on site and [the mobile home] is half demolished. He asked the Board to continue the case until next month. If no progress is made, he will ask the Board for costs and a date certain to get the building demolished.

MOTION: Mr. Hoffmann moved, Mr. Rickey seconded, and motion carried unanimously to continue the case to the next regularly scheduled meeting.

4. OLD BUSINESS

Case No. 12-05/ Henry Lawrence, 2110 2nd Avenue East/Palmetto, FL 34221
Violation Location: 401 17th Street West, Palmetto, Florida

Mr. Leonard opened the public hearing.

Mr. Strollo stated for the record that he is the Director of Code Enforcement for the City of Palmetto, that he had been sworn prior to his testimony and that his credentials are on file with the secretary to the Board. He testified that the Board had issued an Order Imposing Fine and Lien on June 26, 2012 as the Respondent had not complied with the Administrative Order requiring remediation by June 5, the date certain. The Board imposed a fine of \$50 per day commencing July 5, 2012 and continuing until the property was brought into compliance. He said he would have issued a Report of Compliance on July 5 as the owner trimmed trees and cleared the property. The fence issue is no longer a safety issue, and the fence may be a litigious matter between the owner and the contractor that worked on the 17th Street Project. The property is beginning to become overgrown again, but the Respondent has complied with the basic dictates of the Board. Mr. Strollo recommends finding the Respondent in compliance by the date certain. He will bring it back as a repeat violation if the Respondent does not maintain the property. In reply to Mr. Leonard, Mr. Strollo advised the Board that he has never had contact with the owner. He informed the Board that costs have already been assessed. If this comes back to the Board, the only question will be how much the Board wants to fine him from the date he is noticed. He will ask the City to pick up the debris. He said he has money in his budget to remediate property in the CRA District, and this is part of that district. Mr. Strollo said he will issue a Report of Compliance if the Board is in agreement. There was no comment from Board members.

Mr. Leonard closed the public hearing.

5. NEW BUSINESS

Mrs. Quin-Bare brought up illegal signs in the City. She asked if Code Enforcement can address this signage and look at another way to enforce the problem without using City personnel to pull all the signs. Mr. Strollo said he and staff pull about two hundred signs per month. Off-site signs are not allowed in the City. Statewide these are called "snipe" signs and they advertise foreclosures, homes for sale, services, etc. Code Enforcement statewide is beginning to use a program called robo-calling. He has referred this to the City Clerk for review. The program is inexpensive. Citations will be issued when the violator brings in the signs as directed on the call. He will be exploring the new program.

6. PUBLIC COMMENTS

None

7. ADJOURNMENT

The meeting was adjourned at 5:35 p.m.

Minutes approved: September 25, 2012

Charles W. Leonard

Charles W. Leonard, Chair