

## **CITY OF PALM BAY, FLORIDA**

### **CODE ENFORCEMENT BOARD REGULAR MEETING 2020-01**

Held on the 8th day of January 2020 at City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law and is on file in the Code Compliance Office, 120 Malabar Rd SE, Palm Bay, Florida.

Chairperson James Ritter called the meeting to order at approximately 1:06 PM.

<b>CHAIRPERSON:</b>	James Ritter	Present
<b>VICE CHAIRPERSON:</b>	James Boothroyd	Present
<b>MEMBER:</b>	Jimmie Glover	Present
<b>MEMBER:</b>	Victor Silva-Martinez	Present
<b>MEMBER:</b>	Alfred Agarie	Present
<b>MEMBER:</b>	Alan Borkowski	Present
<b>MEMBER:</b>	David Wills	Present
<b>STAFF:</b>	James D Stokes	Present
<b>STAFF:</b>	Rodney Edwards	Present

#### **ANNOUNCEMENTS:**

1. Items listed on the agenda today January 8<sup>th</sup>, 2020 under "Hearings", there is a scrivener's error and the files are listed with the year 2019 and should be 2020.
2. Our election of Code Board Officers will be held at the next Code Board Meeting February 12, 2020.

#### **SWEARING IN:**

**All respondents, complainants, and City staff required to testify were sworn in.**

#### **REPORTS:**

Authorization to Impose Fines

The following cases were withdrawn due to compliance:

CEB 20056-19

2027 BEEKMAN ST NE

CEB 20062-19

2398 ROYAL PALM DR NE

The City requested the Board find all respondents / cases listed in the Authorization to Impose Fines Report in non-compliance for the period stated in the report. Inspections were performed on January 6, 2020 and the properties remained in non-compliance.

CEB 20041-19	Maria E Rios Febus	\$50.00 per day
CEB 20044-19	Marie S Estate Paul	\$50.00 per day
CEB 20055-19	Martin Zamarripa / Maria Zamarripa H/W	\$200.00
CEB 20056-19	Emily Rivera	\$200.00
CEB 20058-19	Reginald J Phelps	\$50.00 per day
CEB 20059-19	Brevard Land & Asset Development LLC	\$200.00
CEB 20060-19	Gertrude Eileen Shaw Life Estate	\$50.00 per day
CEB 20062-19	Ellanore Freeman	\$50.00 per day
CEB 20064-19	Robert A Restivo	\$200.00
CEB 20066-19	Sohail Chowdhury	\$200.00
CEB 20067-19	Michael & Martha Gillespie	\$200.00
CEB 20071-19	Ouaida International Trading	\$200.00
CEB 20072-19	Danisha Rachelle Richards	\$200.00
CEB 20073-19	Trevor T Henry	\$200.00
CEB 20074-19	Edmundo Estate Malda	\$200.00
CEB 20077-19	Manoah M Miller	\$200.00
CEB 20078-19	David R Williams / Carola Williams	\$200.00
CEB 20079-19	Clarence Gabriel / Irene Gabriel	\$50.00 per day
CEB 20080-19	Jean F Joseph / Eliette Joseph	\$200.00
CEB 20084-19	Mary Lou Connors / John F Connors	\$200.00
CEB 20085-19	Debra R Jorden / La Shondra M Jorden	\$200.00
CEB 20088-19	Paul C Seitz / Jennifer R Barker	\$50.00 per day
CEB 20089-19	Maura Georges Trustee	\$200.00
CEB 20091-19	Rodolfo S M Santos / Virginia D Santos	\$200.00
CEB 20094-19	Michael John Allen	\$50.00 per day

Motion made by Mr. Borkowski, seconded by Mr. Glover to accept and approve the Authorization to Impose Fines Report, to find the respondents in non-compliance, and to authorize the fines as stated in the report excluding any cases that came into compliance or that were heard individually before the Board and given additional time to comply. The motion carried with the members voting as follows: Mr. Ritter, aye; Mr. Boothroyd, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Borkowski, aye; Mr. Agarie, aye; Mr. Wills, aye.

#### **HEARINGS:**

1. CEB 20169-20 CITY OF PALM BAY VS JOHNATHAN VICTOR PONCE

LOT 33

This case involved a violation of City Code, Section(s) 185.181 (A) and 2015 IPMC 308.1, Code of Ordinances of the City of Palm Bay for property located at 2547 Haverhill Rd NE, Lot 33, Subdivision 76, Township 28, Range 37, Section 14, Brevard County, Florida.

Motion made by Mr. Boothroyd, seconded by Mr. Glover, to find the respondent in violation based on the findings of fact, Section(s) 185.181 (A) and 2015 IPMC 308.1. The motion carried with the members voting as follows: Mr. Ritter, aye; Mr. Boothroyd, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Borkowski, aye; Mr. Agarie, aye; Mr. Wills, aye.

Motion made by Mr. Boothroyd seconded by Mr. Glover, to set a compliance date to March 12, 2020 or that a fine of \$75.00 be imposed for every day the violations continued. The motion carried with the members voting as follows: Mr. Ritter, aye; Mr. Boothroyd, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Borkowski, aye; Mr. Agarie, aye; Mr. Wills, aye.

The following cases were withdrawn due to voluntary compliance:

CEB 20175-20	1200 GLENHAM DR NE
CEB 20178-20	1450 NOLAN ST NE
CEB 20189-20	263 BARBAROSSA RD NW
CEB 20190-20	962 DUPONT ST NE
CEB 20191-20	1022 DOLORES RD NE
CEB 20192-20	180 NADELL AVE NW
CEB 20195-20	1731 NANDINA CT NW

The City submitted all exhibits and affidavits into evidence in the following cases and requested that the Code Enforcement Board find the respondents in violation of the violations not in compliance and that the Code Board set a reasonable time for compliance and a fine per day to be imposed if the respondents fail to come into compliance by the time set.

CEB 20179-20	1114 PORT MALABAR BLVD NE
CEB 20180-20	837 SADNET CIR NE
CEB 20182-20	1566 PAISLEY ST NW
CEB 20183-20	1072 LAMPLIGHTER DR NW

CEB 20184-20	1410 HEARTWELLVILLE ST NW
CEB 20186-20	151 MALABAR RD NE
CEB 20187-20	527 HOLMES AVE NW
CEB 20188-20	1588 HAYWORTH CIR NW
CEB 20197-20	130 HANLEY RD SW
CEB 20198-20	2349 JUPITER BLVD SW
CEB 20199-20	478 GANLEY ST SW
CEB 20200-20	1190 WYOMING DR SE
CEB 20201-20	1262 SAN MATIO ST SE
CEB 20202-20	2110 WAGONWHEEL AVE SE
CEB 20203-20	214 PRAIRIE ST SE
CEB 20204-20	2550 SAN FILIPPO DR SE
CEB 20205-20	1436 SUMMER ST SE
CEB 20206-20	830 RAVENSWOOD ST SE
CEB 20207-20	942 QUINN ST SE
CEB 20208-20	2677 PALMER AVE SE
CEB 20209-20	2099 SAN FILIPPO DR SE
CEB 20210-20	1364 TIDEWELL ST SE

Motion by Mr. Ritter, seconded by Mr. Glover, to find the cases listed by the Board Secretary in violation based on the findings of fact entered into evidence. The motion carried with the members voting as follows: Mr. Ritter, aye; Mr. Boothroyd, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Borkowski, aye; Mr. Agarie, aye; Mr. Wills, aye.

Motion by Mr. Ritter, seconded by Mr. Glover, to give the respondents in these cases a compliance date of January 22, 2020 or that a set fine of \$200.00 be imposed for the violation; and authorize the City to correct the violation at the expense of the property owner if not complied within the date given and charge the property owner with the reasonable cost of the actions along with the fine imposed. The motion carried with the members voting as follows: Mr. Ritter, aye; Mr. Boothroyd, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Borkowski, aye; Mr. Agarie, aye; Mr. Wills, aye.

The City submitted all exhibits and affidavits into evidence in the following cases and requested that the Code Enforcement Board find the respondents in violation of the violations not in compliance and that the Code Board set a reasonable time for compliance and a fine per day to be imposed if the respondents fail to come into compliance by the time set.

CEB 20170-20	2741 BROADVIEW DR NE
CEB 20171-20	380 ENGLAR AVE NE
CEB 20172-20	2100 PORT MALABAR BLVD NE
CEB 20173-20	2280 HARRIS AVE NE
CEB 20174-20	2138 WASHINGTON ST NE
CEB 20176-20	4570 BABCOCK ST NE
CEB 20177-20	2186 WASHINGTON ST NE
CEB 20181-20	2122 MONROE ST NE
CEB 20185-20	146 CARMELITE AVE NW
CEB 20193-20	1065 EMERSON DR NE
CEB 20194-20	580 ARCADIA AVE NE
CEB 20196-20	1733 HAYWORTH CIR NW

Motion by Mr. Ritter, seconded by Mr. Glover, to find the cases listed by the Board Secretary in violation based on the findings of fact entered into evidence. The motion carried with the members voting as follows: Mr. Ritter, aye; Mr. Boothroyd, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Borkowski, aye; Mr. Agarie, aye; Mr. Wills, aye.

Motion by Mr. Ritter, seconded by Mr. Glover, to give the respondents in these cases a compliance date of January 27, 2020 or that a fine of \$50.00 be imposed for every case for each and every day the violations continue. The motion carried with the members voting as follows: Mr. Ritter, aye; Mr. Boothroyd, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Borkowski, aye; Mr. Agarie, aye; Mr. Wills, aye.

**ADJOURNMENT:**

The meeting adjourned at approximately 1:24 PM.

ATTEST:

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Lisa Weggeland, Board Secretary

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James Ritter, Chairperson