

MINUTES  
TOWN OF OCEAN RIDGE  
SPECIAL MAGISTRATE/CODE ENFORCEMENT HEARING  
December 4, 2007

Present: Karen Hancsak; Town Clerk, Keri-Ann Baker, Atty representing Atty Spillias, and Sgt. Eubanks. No respondents were present.

Meeting called to order at approximately 10:05 A.M.

Special Magistrate Lara Donlon explained that this was an informal hearing and rules of evidence were not required, however, the Town may have exhibits that a respondent has the right to make objections to. She added that the Town would present their case and she would render a decision and issue a Final Order.

At this point all individuals planning on providing testimony were sworn in.

**A. ADOPTION OF NOVEMBER 5, 2007 MINUTES**

Special Magistrate Donlon adopted the November 5, 2007 minutes.

**B. FINE ASSESSMENT/STATUS HEARING**

**CASE NO. CE#2007-019 David and Lorraine B. McCall, 1410  
Wrightstown Road, Newtown, Pennsylvania,  
18940**

**RE: Blks A,B, & z PB Shore Acres PT of Lots  
19 & 20 in DB900P619 & 622 &  
DB1033P84/Being Lots 27-A, 27B, & 29, Unrec  
Plat of Blue Ocean/Blk A (11 Douglas Drive)**

**NATURE OF VIOLATION**

Violate Section(s) 101.2.1, 101.3, 104.5 and 104.6 of the Florida Building Code, and Sections 67-177(b)(1), 67-177(a)(1), 67-179(g)(3), 67-179(b), 67-174(a)(1)(2), 67-177(b)(4), 67-179(c), 67-174(c), 67-178(b), 67-179(b)(c)(1) and 67-179(c)(d) of the Town's Code of Ordinances by having the following violations: Units 9 and 5 have extensive water damage to the base boards and some signs of mold throughout. Several wall areas have signs of water leakage from the ceiling. The bathroom and kitchen fixtures are not in good operable condition and show signs of water leakage. The hot water heater lines have signs of extensive corrosion. Some electrical outlets are not operable; Unit 9 has a grease-laden range, creating a possible fire hazard and unsanitary condition; The roof shows excessive

signs of leakage; Some areas of fascia have extensive water damage, pockets holding water and paint peeling; Several exterior lights are missing light covers and/or bulbs; The exterior of the property contains junk, debris, yard waste, and outside storage of building material; The landscaping has several areas with overgrown weeds, rocks, and dirt bald spots; There is excessive loose and unsecured wiring in the rear of the building by the panel box; Some jalousie windows have broken and/or missing window louvers; Some exterior wall areas below some window A/C units have rust marks; Proper water runoff lines for the window A/C units need to be provided to eliminate water marks on the walls or puddles of water with mold on the walkways in the rear of the property.

Atty Baker summarized that this case was brought before the Special Magistrate on Nov. 5, 2007 but it was determined that the violations were brought into compliance approximately 45 minutes prior but the administrative recovery costs were still assessed in the amount of \$212.78 and due within ten days of the last hearing. She added that the fees had not been paid to date.

Special Magistrate Donlon accepted the following Town exhibits: the Order Finding Violation with the attached green card receipt as #1.

Special Magistrate Donlon stated that she did find there was proper notice and advised she would prepare an Order Assessing Fine for the administrative recovery costs in the amount of \$212.78 and the property can be liened.

**C. VIOLATION HEARING**

**CASE NO. CE#2007-022**

**Thomas W. Perry III, 19 Harbour Drive South, Ocean Ridge FL 33435**

**RE: Lot 48 & ABND Porter Street lying South of & Adjacent Thereto (19 Harbour Drive South)**

**NATURE OF VIOLATION**

Violate Section(s) 67-174(a)(1) of the Town's Code of Ordinances by not maintaining the fence on his property

Atty Baker summarized the violation.

The respondent was not present.

Special Magistrate Donlon accepted the following Town exhibits: the Affidavit and Notice of Violation with Signed Receipt of Affidavit as #1; the Property Appraiser showing the owner as #2; two photographs taken 11/13/07 and one photograph taken

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Dec. 4, 2007 as #3; and the administrative recovery cost sheet in the amount of \$197.04 as #4.

Sgt. Eubanks testified that the original violation was observed on Oct. 6, 2007 whereby she made contact with the respondent who advised that he would have the fence repaired. She stated that on Nov. 11, 2007 she observed that no repairs had been made and in turn prepared the Affidavit and Notice of Violation which was hand delivered on Nov. 13, 2007. She added that an inspection of the property today showed that the violation continues to exist. Special Magistrate Donlon clarified that there was a pool.

Special Magistrate Donlon advised that she did find there was proper notice and she would prepare an Order Finding Violation that requires compliance by noon time on Dec. 5, 2007 failure which would constitute a \$50.00 daily fine until brought into compliance. She also stated that the administrative recovery costs in the amount of \$197.04 shall be assessed and paid in full by Dec. 15, 2007. She stated that a Fine Assessment Hearing will be scheduled for the 8<sup>th</sup> day of January, 2008 at 10:00 AM.

**D. ADJOURNMENT**

The meeting was adjourned at approximately 10:20 AM.

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Town Clerk