

MINUTES
TOWN OF OCEAN RIDGE
SPECIAL MAGISTRATE/CODE ENFORCEMENT HEARING
Nov. 6, 2012

Present: Karen Hancsak; Town Clerk, Keri-Ann Baker, Town Atty., and Officer Gary Roy.

Meeting called to order at approximately 10:07 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 intending on providing testimony were sworn in.

A. ADOPTION OF MARCH 6, 2012 MINUTES

The minutes were adopted.

**B. VIOLATION HEARING
CASE NO. CE#2012-006**

**Lourdes F. Morejon, at Republic Argentina 76,
Quinto Piso Puerta 14 Gandia 46701 Spain
RE: Lot 14, Ocean Ridge Beach (28 Ixora
Way)**

NATURE OF VIOLATION

Violate Section/s 67-174(a)(1) of the Town's Code of Ordinances by not conducting property maintenance on the swimming pool located at 28 Ixora Way which has resulted in mold, mildew, and unsanitary conditions

The Respondent was not present.

Atty Baker commented that the swimming pool violation of not being maintained was originally noticed in violation on Sept. 12, 2012 and has not been corrected.

Officer Roy testified that the Town had received a complaint regarding the condition of the swimming pool at 28 Ixora Way. He responded on Sept. 12, 2012 and observed that the pool was in poor condition with green sediment and leakage from the side. A registered letter was sent to Spain and returned as undeliverable. On Nov. 6, 2012 he re-inspected the pool, took photographs, and observed the condition was in slightly worse condition and there have been no attempts to fix or repair the violation.

SPECIAL MAGISTRATE CODE ENFORCEMENT HEARING OF NOV. 6, 2012

Special Magistrate Donlon accepted the following Town exhibits: the Affidavit of Service, Affidavit and Notice of Violation, and Code Section as #1; Property Appraiser Print Out as #2; 5 pages of photographs taken by Officer Roy on 11/06/12 as #3; and the Administrative Recovery Sheet in the amount of \$355.85 as #4.

Atty Baker requested that there be a finding of proper notice and violation and that the respondent be given 20 days to come into compliance as the Town has gone to great lengths to treat mosquitoes. She also requested that the administrative costs be assessed.

Special Magistrate Donlon stated she did find there was proper notice and did find that the property was in non-compliance. She stated that her Final Order would require compliance within 20 days, failing which could result in daily fines up to \$250. She also ordered that the administrative recovery costs in the amount of \$355.85 be paid within 20 days. A Fine Assessment/Status Hearing will be held on Dec. 4, 2012 at 10:00 AM if necessary.

C. ADJOURNMENT

The meeting was adjourned at approximately 10:15 AM.

Town Clerk