

MINUTES
TOWN OF OCEAN RIDGE
SPECIAL MAGISTRATE/CODE ENFORCEMENT HEARING
December 2, 2014

Present: Karen Hancsak; Town Clerk, Tara Duhy, Town Atty., Officer Savino, Lt. Hutchins, and Chief Yannuzzi.

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

Special Magistrate Barbara Alterman 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 and Respondent would present their case and she would render a decision and issue a Final Order or Order of Assessment.

Everyone planning on providing testimony were sworn in.

A. ADOPTION OF NOVEMBER 4, 2014 MINUTES

The minutes were adopted.

C. FINE ASSESSMENT/STATUS HEARING

CASE NO. CE#2014-010 JP Morgan and Chase Bank National Assn and Shapiro and Fishman LLP C/O, 2424 N Federal Hwy, Suite 360, Boca Raton FL 33431-7780
RE: Lot 23&24, Inlet Cay (24 Eleuthera Drive)

NATURE OF VIOLATION

Violate Sections 67-174(a)(1), 64-81. and 34-6 of the Town's Code of Ordinances by not maintaining the property to wit: the pool contains green water, visible signs of erosion under the pool deck, grass and weeds in excess of 12 inches, exposed electrical conductor in the rear of property, the sea wall supports are not being maintained and there are visible signs of deterioration, and there are erosion pockets at the seawall which are draining into the intracoastal.

The Respondent was not present, however; Atty Duhy advised that the Town and Respondent have agreed to continue this case until January 6, 2015 because the Town had received a sufficient update regarding the DEP permit status.

C. VIOLATION HEARING
CASE NO. CE#2014-020

**Ocean Ridge Beach Group, LLC, Post Office
Box 3453, Los Altos, CA 94024**

**RE: Lot 17 & Und Int in Lot B, Ocean Shore
Estates (5615 N Ocean Blvd)**

NATURE OF VIOLATION

Violate Sections 67-174(a)(1) of the Town's Code of Ordinances by not maintaining the property. The roof contains mildew

The Respondent was not present.

Atty Duhay summarized the violation by stating the respondent was cited under Section 67-174(a)(1) not maintaining the property by permitting mildew on the roof. She advised that Officer Savino originally observed the violation on 7/24/14 and contacted the Property Manager on 8/12/14 to advise them of the violation. Officer Savino posted the Notice of Violation at the property on 10/20/14 and also sent it certified mail. She stated that there is partial but not full compliance. She requested that there be a finding of proper notice, a finding that the violation existed and still exists, the Town be reimbursed for the administrative recovery costs, and that the respondent be given until Dec. 30, 2014 for compliance failing which a \$50 daily fine should commence.

Special Magistrate Alterman accepted the following Town exhibits: The Affidavit and Notice of Violation, code section, Property Appraiser Ownership Sheet, and certified mail receipt as composite #1; photographs taken on 10/20/14 and 12/2/14 as #2; and the administrative recovery cost sheet in the amount of \$306.51 as #3.

Special Magistrate Alterman advised that she did find there was proper notice and that the violation existed and continues to exist. She stated she would prepare a Final Order requiring full compliance by Dec. 30, 2014 failing which a \$50.00 daily fine would begin. She also would include that the Town be reimbursed the \$306.51 administrative recovery costs by Dec. 30, 2014. A Fine Assessment/Status Hearing is scheduled for Jan. 6, 2015 if necessary.

D. ADJOURNMENT

The meeting was adjourned at approximately 10:10 AM.

Town Clerk