

MINUTES
TOWN OF OCEAN RIDGE
SPECIAL MAGISTRATE/CODE ENFORCEMENT HEARING
MAY 5, 2015

Present: Karen Hancsak; Town Clerk, Kenneth Spillias, Town Atty., and Police Chief Hutchins.

Meeting called to order at approximately 10:02 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. The agenda was amended to switch both cases.

A. ADOPTION OF APRIL 7, 2015 MINUTES

The minutes were adopted.

B. FINE ASSESSMENT/STATUS HEARING

**CASE NO. CE#2014-023 Polar Palm Properties, LP, 11 Douglas Drive,
Ocean Ridge FL 33435**

**RE: Palm Beach Shore Acres, Blk A, B & Z of
Lots 18-20, Blk A lying between Oceanview
Drive and Douglas Dr (1-16 Douglas Drive)**

NATURE OF VIOLATION

Violate Section/s 67-177(a)(1) of the Town's Code of Ordinances by failing to maintain a safe and sanitary septic system for the tenant residents at this location. The Owner(s) have knowledge of the required repairs and have failed to make the necessary repairs since Sept. 9, 2014. As a result of ailing to maintain, the septic system; which is buried in front of Unit 11, is seeping sewage through the ground and surfacing on the sidewalk and grassy common. The seepage is causing a green discoloration to be present on the ground's surface and is also causing a very strong odor of raw sewage

No Respondent were present.

SPECIAL MAGISTRATE CODE ENFORCEMENT HEARING OF APRIL 7, 2015

Atty Spillias advised that the Respondent remitted the administrative costs from the last meeting and the Town Clerk would provide an update.

Town Clerk Hancsak testified that she received a status update, including a copy of the Health Dept. permit, and an email advising that the tanks would take approximately 3 weeks for delivery. She added that an email confirmation was sent to Ms. Lyons advising her that the information supplied was satisfactory and no one needed to appear at the meeting today. The email also stated that the Town would extend the completion date to May 28, 2015, failing which the \$50.00 daily fine could commence and the next status hearing date would be June 2, 2015 at 10 AM.

Special Magistrate Alterman accepted the Towns request for a continuance. A continued Status Hearing will be held on April 7, 2015 if necessary.

**CASE NO. CE#2014-022 Mark Lacho, 87 Island Drive So, Ocean Ridge
FL 33435**

**RE: Lot 87, McCormick Mile Addition No 1
Subdivision (87 Island Drive So)**

NATURE OF VIOLATION

Violate Sections 67-174, 67-175 of the Town's Code of Ordinances by not maintaining the property. The exterior of all structures on premises are not maintained causing a blighting influence on neighborhood properties. The exterior walls are not anchored. Pool contains green water

The Respondent was not present.

Atty Spillias summarized the outstanding violation and advised that it is still in violation. He added that the respondent was given until Feb. 25, 2015 to apply for the building permit, which has not been done. At the last meeting the Town advised that they would possibly consider a reduction if the permit was applied for and obtained within a timely manner, however he has not yet applied for the permit.

Town Clerk Hancsak testified that she spoke with Mr. Lacho a couple of weeks ago and he advised that he was just waiting for the roof product approvals and should be in within a week, which has not happened. She has not heard from him since.

Atty Spillias recommended that the Feb. 25th compliance date and \$50.00 daily fine remain in effect until the property is brought into compliance and that the property be liened. He also requested reimbursement of the \$203.03 administrative recovery costs.

Special Magistrate Alterman accepted the following Town exhibits: a copy of the Order on Fine Assessment and Continuing Status Hearing with returned certified letter as #1; and the administrative recovery cost worksheet in the amount of \$203.03 as #2.

SPECIAL MAGISTRATE CODE ENFORCEMENT HEARING OF APRIL 7, 2015

Special Magistrate Alterman advised there was proper notice, the violation continues to exist and the order would reflect a \$50.00 daily fine commencing on Feb. 25, 2015 through full compliance of the cited violations. She also advised that the administrative recovery costs in the amount of \$203.03 may be added to the lien.

C. ADJOURNMENT

The meeting was adjourned at approximately 10:15 AM.

Town Clerk