

MINUTES
TOWN OF OCEAN RIDGE
SPECIAL MAGISTRATE/ CODE ENFORCEMENT HEARING
NOVEMBER 7, 2017

Present: Town Attorney Brian Shutt, Officer Plesnik and Administrative Assistant Karla Armstrong.

The meeting was called into order at 10:00 AM by Special Magistrate Ashton.

A. ADOPTION OF OCTOBER 3, 2017 MINUTES

The Code Enforcement Hearing Minutes of October 3, 2017 were adopted by Special Magistrate Ashton.

B. VIOLATION HEARING

**CASE NO. CE#2017-002 Bill Morris, 2 Coconut Ln, Ocean Ridge, FL
33435
RE: BOYNTON BEACH PARK LT 3 BLK 2
(2 Coconut Ln)**

NATURE OF VIOLATION

Violate Section 67-174 (C) of the Town's Code of Ordinances due to improper maintenance of property with grass and weeds in excess of 12 inches.

Special Magistrate Ashton noted that the Town was the only party present.

All those persons planning to provide testimony were sworn in by Special Magistrate Ashton.

Town Attorney Shutt briefed the Special Magistrate on the nature of the violation and previous Code Enforcement Hearings. He stated that the purpose of this meeting is to do a Fine Assessment for previous hearings where it was established there was a violation.

Special Magistrate Ashton accepted the following Town exhibits into evidence without objection: Return to Sender Certified Mail of the Order Finding Violation as Exhibit #1; Prosecution Cost Recovery Calculation Worksheet in the amount of \$226.74 as Exhibit #2; and pictures of the property taken on November 7, 2017 as Exhibit #3.

Town Attorney Shutt asked Officer Plesnik to the podium for testimony. He asked her if she is the Officer who took the pictures entered into evidence, and she responded that she is. Town Attorney Shutt asked if the pictures accurately show the condition of the property, and Officer Plesnik confirmed. Officer Plesnik testified that the property is in violation of Town Code.

Special Magistrate Ashton asked Officer Plesnik if she has noted whether anything has been done to the Property, and Officer Plesnik responded that nothing has been done. Special Magistrate Ashton asked Officer Plesnik if the Order of Violation was served to the property owner, and Officer Plesnik responded

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that she did not post the property, and that the Town sent the notice by certified mail. Town Attorney Shutt noted that there is evidence that mail was sent and returned, but he is unsure of whether there was any posting to the property. Town Attorney Shutt stated that the Town Clerk is out of town and cannot speak today about the posting of the property.

Town Attorney Shutt asked to postpone the hearing to December and stated a revised notice will be sent out to the property owner. He also stated that if it wasn't posted on the property, then it will be posted. Special Magistrate Ashton granted the postponement to December 5, 2017, and if the notice was properly posted then the order assessing fine would start on October 14, 2017. Special Magistrate Ashton stated that if it wasn't posted property, then in December, the Fine Assessment would be determined at a later date. Town Attorney Shutt asked about Fine Assessment going back to September, and Special Magistrate Ashton stated she preferred having it start October 14, 2017.

The meeting was postponed to Tuesday, December 5, 2017 at 10:00 am.

C. ADJOURNMENT

The meeting was adjourned at 10:09 am.

Minutes were adopted on December 5, 2017.

ATTEST:



Tracey L. Stevens, Town Clerk