



**CITY OF OKEECHOBEE CODE ENFORCEMENT**  
**CODE SPECIAL MAGISTRATE HEARING**  
**55 SOUTHEAST THIRD AVENUE, OKEECHOBEE, FLORIDA 34974**  
**OFFICIAL AGENDA**  
**MARCH 10, 2020**  
**6:30 P.M.**

**I. CALL TO ORDER**

- A. Pledge of Allegiance

**II. ATTENDANCE**

Special Magistrate Roger Azcona, Esq.  
City Attorney Carlyn Kowalsky  
Police Lieutenant Justin Bernst  
Code Officer Fred Sterling  
Code Enforcement Board Secretary Melissa Close

**III. CHANGES TO AGENDA**

- A. Requests for the addition, deferral or withdrawal of agenda items.

**IV. APPROVAL OF MINUTES**

- A. Approve the February 11, 2020, meeting minutes.

**V. CASES COMPLIED OR CONTINUED**

- A. **Case Number 191202005; Timothy and Tamara Higgins 406 Southwest 2<sup>nd</sup> Street, Okeechobee, Florida 34974 (Chapter 30 Section 30-44 and 30-43) City of Okeechobee Code Ordinances.**

On December 12, 2019 we sent the Higgins a Notice of Violation giving them 10 days to come into compliance for Chapter 30 Section 30-43 Public Nuisance and Section 30-44 General Cleaning and Beautification. At which time Code Officer Sterling went out to inspect the property and they had done nothing. On December 20, 2019 we sent the Higgins a Statement of Violation and Notice of Hearing, which was signed and returned on December 21, 2019. At the Special Magistrate Hearing on January 8, 2020, Officer Sterling testified that the property was about 30 percent complete and requested a continuation of the case, giving the Higgins time to come into compliance. On January 28, 2020 another Statement of Violation and Notice of Hearing was mailed Certified Returned Mail for the February 11, 2020 Hearing. We received the green card back on January 29, 2020. Again, this case was brought in front of the Special Magistrate and Code Officer Sterling asked for another continuation until the next regular scheduled Special Magistrate Hearing. On February 25, 2020 another Statement of Hearing was sent out Certified Return Receipt mail for the March 10, 2020 Hearing.

**B. Case Number 191217007; Okeechobee-FLA Properties LLC 2000 Block South Parrott Avenue, Okeechobee, Florida 34974 (Chapter 30 Section 30-43 Public Nuisance) City of Okeechobee Ordinances.**

On December 17, 2019; Code Officer Sterling noticed a tree down on the 2000 Block of South Parrott Avenue. We sent the owner of the property a Statement of Violation and Notice of Hearing on December 16, 2019, which was returned and signed by Joel Prince. Mr. Prince contacted us and gave us the information for his lawn maintenance company. Officer Sterling contacted the lawn company and meet with them on the property to go over what needed to be done. As of the January 8, 2020 meeting, the lawn maintenance company had mowed the property, but they had not touched the tree. Officer Sterling also realized that a portion of the tree laid upon Walmart's parcel. Mr. Sterling contacted Walmart and they agreed to help remove the tree. Officer Sterling asked for them to have until the next scheduled Special Magistrate Hearing to come into compliance. At the February 11, 2020 Special Magistrate Hearing Code Officer Sterling Testified that nothing had been down about the tree removal, and recommended the case be tabled until the next scheduled Hearing. On February 25, 2020 another Statement of Hearing was sent out Certified Return Receipt mail for the March 10, 2020 Hearing.

**C. Case Number 190925012; Muhammad & Shahnaz Nooruddin 200 Block Northeast 12<sup>th</sup> Street, Okeechobee, Florida 34972 (Chapter 30 Section 30-43 Public Nuisance and Chapter 30 Section 30-44 General Cleaning and Beautification) City of Okeechobee Ordinances.**

On September 25, 2019; Officer Sterling noticed the property needed to be mowed and debris removed. We sent a courtesy card, giving the owner 10 days to come into compliance, but nothing had been done. On December 19, 2019 we sent through certified mail a Statement of Violation and Notice of Hearing which was returned Unclaimed. As of January 28, 2020, nothing had been done to the property. Officer Sterling hand delivered Statement of Violation and Notice of Hearing on February 4, 2020 as well as posting the property. Officer Sterling testified that he spoke with the owner of the property and that they would get the property mowed. Mr. Sterling asked for this case to be tabled until the next scheduled Special Magistrate Hearing. On February 25, 2020 another Statement of Hearing was hand delivered for the March 10, 2020 Hearing.

**D. Case Number 190925011; Muhammad & Shahnaz Nooruddin 200 Block Northeast 12<sup>th</sup> Street, Okeechobee, Florida 34972 (Chapter 30 Section 30-43 Public Nuisance and Chapter 30 Section 30-44 General Cleaning and Beautification) City of Okeechobee Ordinances.**

On September 25, 2019; Officer Sterling noticed the property needed to be mowed and debris removed. We sent a courtesy card, giving the owner 10 days to come into compliance, but nothing had been done. On December 19, 2019 we sent through certified mail a Statement of Violation and Notice of Hearing which was returned Unclaimed. As of

January 28, 2020, nothing had been done to the property. Officer Sterling hand delivered Statement of Violation and Notice of Hearing on February 4, 2020 as well as posting the property. Officer Sterling testified that he spoke with the owner of the property and that they would get the property mowed. Mr. Sterling asked for this case to be tabled until the next scheduled Special Magistrate Hearing. On February 25, 2020 another Statement of Hearing was hand delivered for the March 10, 2020 Hearing.

**VI. REPEAT VIOLATIONS**

**A.**

**VII. NEW CASES**

**A. Case Number 200110013; Gregory and Sharon Williams 501 Northwest 16<sup>th</sup> Street, Okeechobee, Florida 34972 (Chapter 30 Section 30-41 Inoperable/Abandoned Vehicles and Section 30-44 General Cleaning and Beautification) City of Okeechobee Ordinances.**

On January 10, 2020 Officer Sterling observed multiple cars and boats on the property that were inoperable/abandoned and had no tags or registrations. Mr. Sterling also observed debris in the yard. I sent out a Notice of Violation along with the City Ordinances, Certified Mail Return Receipt. We received the Green Card signed and returned on the 22 of January 2020. Mr. Williams contacted Officer Sterling and Mr. Sterling explained that he needed updated tags on the vehicles and current registration and stickers for the boats, also that he needed to pick up the debris in the yard. Officer Sterling went out and checked the property and nothing had been done. A Statement of Violation and Notice of Hearing was sent out on February 25, 2020 for the March 10, 2020 Special Magistrate Hearing.

**B. Case Number 191016009; Iglesia De Cristo En Okeechobee 506 Northeast 6<sup>th</sup> Street, Okeechobee, Florida 34972 (Chapter 30 Section 30-41 Inoperable/Abandoned Vehicle) City of Okeechobee Ordinances.**

On December 5, 2019 Officer Sterling observed an Abandoned vehicle with no tags. A Statement of Violation and Notice of Hearing was sent out Certified Mail Return Receipt. On January 13, 2020 the certified mail was returned Unclaimed. On January 16, 2020 Officer Sterling went to the property and the car was still there. Mr. Sterling left a door hanger giving the property owner 5 days to comply. I also found a phone number for the owner and called and left a message the same day. At around 2pm on the 16<sup>th</sup> of January we received a call and Officer Sterling explained the issue. The owner stated that they would get the car removed. As of February 21, the car had not been removed. I called the owner on February 24<sup>th</sup> at 1:08pm and left a message, letting them know that were the car sits we have the right to have it towed.

**C. Case Number 200224004; Salary RR Assessed by DOR C/O CSX Corp 800 BLK Hwy 441 North, Okeechobee, Florida 34972 (Chapter 30 Section 30-43 Public Nuisance and Section 30-44 General Cleaning and Beautification) City of Okeechobee Ordinances.**

On February 18, 2020 a local woman came into the office to complain about the Okeechobee train station. On the same day we received an email from the City of Okeechobee Administrator advising us to the debris and landscaping issues. Officer Sterling went out and checked the property and found it to be in disarray. See pictures attached. On February 25, 2020 we sent out a Statement of Violation and Notice of Hearing for the March 10, 2020 Hearing. Officer Sterling also posted the property on February 25, 2020.

**D. Case Number 191030022; William Grigsby JR HWY 441 East, Okeechobee, Florida 34972 (Chapter 30 Section 30-43 Public Nuisance and Section 30-44 General Cleaning and Beautification) City of Okeechobee Ordinances.**

On July 15, 2019 a Notice of Violation was sent out Certified Mail Return Receipt. It was returned on August 27, 2019 signed by William Grigsby. On November 1, 2019 another notice was sent out Certified Mail Return Receipt and was sent back – Forward time had expired. On November 13, 2019, I sent out another Notice of Violation Certified Mail Return Receipt and still had not received anything back. Officer Sterling has been by the property on many occasions and nothing had been done, as of February 2020. On February 25, 2020 I sent out a Statement of Violation and Notice of Hearing Certified Mail Return Receipt, and we also posted the property.

**E. Case Number 191202007; Smalls Electrical Services 405 Southwest Park Street, Okeechobee, Florida 34974 (Chapter 30 Section 30-43 Public Nuisance and Section 30-44 General Cleaning and Beautification) City of Okeechobee Ordinances.**

On December 3, 2019 a Notice of Violation was sent Certified Mail Return Receipt. We did not receive the green card back signed. On January 9, 2020 Mr. Raulerson whom rents the bay from Smalls Electrical Services came into the office to speak with me. Mr. Raulerson stated that they had received the Notice of Violation and had removed his van while he was on vacation. We had also received complaints about a family of skunks living underneath the storage container. On February 25, 2020 a Statement of Violation and Notice of Hearing was sent out Certified Return Receipt Mail for the March 10, 2020 Hearing. Officer Sterling also posted the property on February 25, 2020.

**F. Case Number 200225006; H T Joiner 202 Southwest 9<sup>th</sup> Street, Okeechobee, Florida 34974 (IPMC 304-1 Exterior of Structure Must be Maintained in Good Condition/Repair and Must be Structurally Sound) Florida International Property Maintenance Code.**

On February 24, 2020 we received information regarding the property being in disarray. City Building Official Jeff Newell was informed and asked to go check on the house. Official Newell contacted us around 3:00 pm on February 25, 2020 and stated that the

house on the property is not structurally sound and that we needed to bring them to the next scheduled Special Magistrate Hearing. On February 26, 2020 a Statement of Violation and Notice of Hearing was mailed Certified Return Receipt, and the property was also posted.

**VIII. OLD CASES**

**A.**

**IX. ADJOURN MEETING**

**PLEASE TAKE NOTICE AND BE ADVISED** that if any person desires to appeal any decision made by the Special Magistrate with respect to any matter considered at this proceeding, such interested person will need a record of the proceeding, and for such purpose may need to ensure a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. City Clerk recordings are for the sole purpose of backup for official records of the Clerk. In accordance with the Americans with Disabilities Act (ADA), any person with a disability as defined by the ADA, that needs special accommodation to participate in this proceeding, contact the Board Secretary no later than two business days prior to proceeding, 863-763-3372 ext. 9802.

**BE ADVISED** that should you intend to show any document, picture, video, or item to the Council in support or opposition to any item on the agenda; a copy of the document, picture, video, or item must be provided to the Board Secretary for the City's records.