



**CITY OF OKEECHOBEE CODE ENFORCEMENT
SPECIAL MAGISTRATE HEARING
55 SOUTHEAST THIRD AVENUE, OKEECHOBEE, FLORIDA 34974
OFFICIAL AGENDA
FEBRUARY 11, 2020
6:30 P.M.**

I. CALL TO ORDER

A. Pledge of Allegiance

II. ATTENDANCE

Special Magistrate Roger Azcona, Esq.

City Attorney

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 January 8, 2020, meeting minutes.

V. CASES COMPLIED OR CONTINUED

A. Case Number 191202005; Timothy and Tamara Higgins 406 Southwest 2nd 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 30-44 General Cleaning and Beautification and Chapter 30-43 Public Nuisance. At that time Code Officer Sterling went and inspected the property and nothing had been done. On December 20, 2019 we sent out a Statement of Violation and Notice to Appear which was signed and returned on December 21, 2019. At the January 8, 2020, Special Magistrate Hearing, Officer Sterling testified that the property was about 30 percent done and requested a continuation of the case giving them until the next scheduled Special Magistrate 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.

VI. REPEAT VIOLATIONS

A.

VII. NEW CASES

A. Case Number 190723008; Anthony Bertram 1001 Southwest 6th Avenue, Okeechobee, Florida 34974 (IPMC Sections 108.1.3, 1.5, 301.3, 302.4, 304.1, 304.1.1 and 304.2) International Property Maintenance Codes

On July 23, 2019; Mr. Bertram was sent a courtesy card for the following violations; 108.1.3 – Structure Unfit for Human Occupancy, 108.1.5 - Dangerous Structure or Premises, 301.3 – Vacant Structure and Land, 302.4 – Weeds, 304.1 – Exterior Structure, 304.1.1 – Unsafe Conditions and 304.2 – Protective Treatment. All from the International Property Maintenance Codes. On January 24, 2020 this property was found to still be in violation. Sent out Statement of Violation and Notice of Hearing on January 28, 2020, returned signed on January 30, 2020.

B. Case Number 190626010; Leon Edouard 903 Southeast 8th Avenue, Okeechobee, Florida 34974 (Chapter 30 Section 30-43 Public Nuisance, IMPC 108, 108.1.1, .3 and 5) International Property Maintenance Codes (Florida Building Code Section 202)

August 13, 2019; Mr. Edouard was found to be in violation of Section 108.1.1 – Unsafe Structure, Section 108.1.3 – Structure Unfit for Human Occupancy, Section 108.1.5 – (3,4,5,6,7,9) See Exhibit A. City of Okeechobee Ordinances; Chapter 30-43 Public Nuisance – See Exhibit B. Florida Building Code Existing Building; Section 202 “Definitions” see Exhibit C. Photos of Property Exhibit D. During the August 12, 2019 Special Magistrate Hearing, City Building Official Jeffery Newell testified and submitted evidence supporting the violations. Special Magistrate Azcona found that this property was in violation and imposed a fine of \$50.00 dollars a day to start 60 days after proper notification and run for 60 days, after the 60 days if nothing had been brought into compliance the fine would increase to \$100.00 a day with a \$25.00 Administrative fee. As of January 2020, the building contractor and the homeowner have stopped all corrections that were to be made on this property. Officer Sterling had delivered the Statement of Violation and Notice of Hearing February 4, 2020. Signed By

C. Case Number 190703003; AJP Land Company 200 Block Northwest 7th Street, Okeechobee, Florida 34972 (Chapter 30 Section 30-43 Public Nuisance and Chapter 30 Section 3-44 General Cleaning and Beautification) City of Okeechobee Ordinances.

On June 26, 2019; Officer Sterling noticed the property need to be mowed. We sent out a Courtesy Card on June 26, 2019 giving the owner 10 days to come into compliance. January 29, 2020 a Statement of Violation and Notice of Hearing was sent out Certified Mail and returned January 30, 2020. On February 3, 2020 Mr. Sterling went out to check this property and it still had not been mowed.

D. Case Number 191015009: Be A Man Buy Land 507 Northeast Park 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 October 15, 2019; Officer Sterling notices that the car wash located at 507 Northeast at Park Street needed mowing and general cleaning. A Courtesy card was sent out giving the owners 10 days to bring the property into compliance. Officers Sterling checked to see if the owners had done anything with the property on January 28, 2020. At that time nothing had been done to bring it into compliance. On January 28, 2020 a Statement of Violation and Notice of Hearing was sent out Certified Mail. We received the green card back on January 30, 2020

E. Case Number 190718008; Be A Man Buy Land 201 Southeast 8th Street, Okeechobee, Florida 34974 (Chapter 30 Section 30-43 Public Nuisance and Chapter 30 Section 30-44 General Cleaning and Beautification) City of Okeechobee Ordinances.

On July 18, 2019; Officer Sterling found this property to need general cleaning and mowing. A Courtesy Card was sent out on July 18, 2019 giving the property owner 10 days to come into compliance. Pictures are enclosed in the exhibit. On January 28, 2020 the property was inspected, and a Statement of Violation and Notice of Hearing was sent out on January 28, 2020. We received the green card signed on January 30, 2020.

F. Case Number 190927017; Jacky Rediker 109 Northeast 10th Street, Okeechobee, Florida 34972 (Chapter 30 Section 30-43 Public Nuisance) City of Okeechobee Ordinances.

On September 27, 2019; Officer Sterling noticed the fence on the above property needed to be repaired or removed. We sent out a Courtesy card on September 27, 2019 giving the property owner 10 days to come into compliance. On January 9, 2020 Mr. Sterling inspected the property and they had still not done any repairs or removal of the fence. On January 28, 2020 a Statement of Violation and Notice of Hearing was sent out. We received the green card back on January 30, 2020.

G. Case Number 190925005; Eight 12 Twenty-Nine LLC 913 Northwest 12th Street, Okeechobee, Florida 34972 (Chapter 30 Section 30-44 General Cleaning and Beautification) City of Okeechobee Ordinances.

On September 25, 2019; Officer Sterling noticed a large dirt pile in the back yard of the property. A courtesy card was sent out on September 25, 2019 giving them 10 days to come into compliance. As of December 19, 2019, nothing had been done to fix the issue. On January 24, 2020 we sent out a Statement of Violation and Notice of Hearing. Officer Sterling posted the property on February 4, 2020. Pictures enclosed in the exhibit.

H. Case Number 190717018; Timothy and Tamara Higgins 900 Block Northwest 6th Street, Okeechobee, Florida 34972 (Chapter 30 Section 30-44 General Cleaning and Beautification) City of Okeechobee Ordinances.

On July 17, 2019; Officer Sterling noticed this property need to be mowed. We sent out a courtesy card on July 17, 2019 giving the property owner 10 days to come into compliance. On December 12, 2019 Officer Sterling inspected the property and nothing had been done. We have sent out Certified Mail the Statement of Violation and Notice of Hearing. Mr. Sterling posted the property on February 4, 2020.

I. Case Number 190925012; Muhammad & Shahnaz Nooruddin 200 Block Northeast 12th 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 them a courtesy, giving the 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.

J. Case Number 190925011; Muhammad & Shahnaz Nooruddin 200 Block Northeast 12th 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 them a courtesy, giving the 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.

K. Case Number 190927020; Harry Schock 1805 Northwest 7th Avenue, 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 27, 2019 Officer Sterling notices multiply violations on this property. Officer Sterling also received multiple complaints due to the debris on this parcel of land, dating back to October 2018. See attached in the exhibits. Mr. Sterling went out to check the property and found, the grass is extremely high on the back side of the property, a lot of junk along the fence line, appliances and tires and old cars. A Demolition/Clean-up Agreement was typed up by the previous City Attorney John Cook, but nothing was done. On January 28, 2020 Officer Sterling went to check on the property and found nothing has been done. A Statement of Violation and Notice of Hearing was sent by certified mail on January 28, 2020 and returned signed on January 30, 2020.

L. Case Number 190906010; Jeanel Jerome 1000 Block Northwest 7th Street, Okeechobee, Florida 34972. (Chapter 30 Section 30-43 Public and Section 30-44 General Cleaning and Beautification) City of Okeechobee Code Ordinances.

On September 6, 2019 Officer Sterling noticed this property needed to be mowed and have general cleaning done. We sent a Courtesy Card out on the 6th of September giving them 10 days to come into compliance. On January 22, Mr. Sterling rei-inspected the property and nothing had been done. January 23, 2020 a Statement of Violation and Notice of Hearing was sent out Certified Mail, which was returned signed on February 5, 2020.

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.