

MINUTES OF CODE ENFORCEMENT
SPECIAL MAGISTRATE HEARING
HELD IN THE COUNCIL CHAMBERS
260 ORANGE TREE DRIVE
ATLANTIS, FL 33462
July 26, 2011

Special Magistrate B. Douglas Mac Gibbon presided over the hearing, which commenced at 9:30 am. In attendance were: City Attorney Abigail Jorandby, City Manager Mo Thornton, Sergeant Sean Mahoney, and City Clerk Jude M. Goudreau

Case No. 11-50 Anthony Figueroa, Brandon Figueroa, Sixto Figueroa, Susy Figueroa and Rolando Herrera. The respondents were not present at the hearing. Sergeant Mahoney testified to the facts in the case. It is the Order of the Code Enforcement Special Magistrate that Respondents shall comply with Sections 4-61 (a) (6) (a) (b) (c) (d) (e) (Lawn needs to be re-sod) and 4-61(a)(1) (Roof needs to be painted) of the Code of Ordinances of the City of Atlantis on or before the **5th day of August, 2011**. If Respondents do not comply within the time specified, a fine of up to Two Hundred and Fifty dollars (\$250.00) per day shall be assessed for each day the violations continue to exist. Respondents shall be assessed administrative costs in the amount of One Hundred Seven Dollars and Eighty-Two Cents (\$107.82) to be paid by the **5th day of August, 2011**.

Case No. 11-52 John Gwynn and Stephen Jankum. The respondents were not present at the hearing. Sergeant Mahoney testified to the facts of the case. It is the Order of the Code Enforcement Special Magistrate that Respondents shall comply with Section 4-61 (a) (6) (a) (b) (c) (d) (e) (Lawn needs to be re-sod and overgrowth trimmed) of the Code of Ordinances of the City of Atlantis by the **5th day of August, 2011**. If Respondents do not comply within the time specified, a fine of up to Two Hundred and Fifty dollars (\$250.00) per day shall be assessed for each day the violations continue to exist. Respondents shall be assessed administrative costs in the amount of One Hundred Seven Dollars and Eighty-two cents (\$107.82) to be paid by the **5th day of August, 2011**.

Case No. 11-54 Arthur and Sandra Vann. The respondents were not present at the hearing. Sergeant Mahoney testified to the facts of the case. It is the Order of the Code Enforcement Special Magistrate that Respondents shall comply with Section 4-61 (a) (6) (a) (b) (c) (d) (e) (Lawn needs to be re-sod) of the Code of Ordinances of the City of Atlantis by the **5th day of August, 2011**. If Respondents do not comply within the time specified, a fine of Twenty-five dollars (\$25.00) per day shall be assessed for each day the violations continue to exist. Respondents shall be assessed administrative costs in the amount of One Hundred Seven Dollars and Eighty-two cents (\$107.82) to be paid by the **5th day of August, 2011**.

Case No. 11-55 Steve and Staci Raymond. The respondents were not present at the hearing. Sergeant Mahoney testified to the facts of the case. It is the Order of the Code Enforcement Special Magistrate that Respondents shall comply with Section 4-61 (a) (6) (a) (b)

(c) (d) (e) (Lawn needs to be re-sod and dead vegetation needs to be removed) of the Code of Ordinances of the City of Atlantis by the **5th day of August, 2011**. If the Respondents do not comply within the time specified, a fine of Fifty dollars (\$50.00) per day shall be assessed for each day the violations continue to exist. Respondents shall be assessed administrative costs in the amount of One Hundred Seven Dollars and Eighty-two cents (\$107.82) to be paid by the **5th day of August, 2011**.

Case No. 11-56 Michael and Karen Langolf. The respondents were not present at the hearing. Sergeant Mahoney testified to the facts of the case. It is the Order of the Code Enforcement Special Magistrate that Respondents shall comply with Section 4-61 (a) (6) (a) (b) (c) (d) (e) (Lawn needs to be re-sod and lamppost needs to be fixed) of the Code of Ordinances of the City of Atlantis by the **5th day of August, 2011**. If Respondents do not comply within the time specified, a fine of Twenty-five dollars (\$25.00) per day shall be assessed for each day the violations continue to exist. Respondents shall be assessed administrative costs in the amount of One Hundred Seven Dollars and Eighty-two cents (\$107.82) to be paid by the **5th day of August, 2011**.

Case No. 11-60 John Terry. The respondent was not present at the hearing. It is hereby ordered by the Special Magistrate that the City of Atlantis may immediately abate the violations by taking reasonable actions concerning the height of the weeds and grass and excessive overgrowth in the planting areas in order to alleviate the dangerous conditions that such vegetation issues may present to surrounding areas and the treatment of the pool due to the possibility of mosquito/insect infestation caused by pool water when left untreated in order to alleviate dangerous conditions that such pool issues may present to surrounding areas pursuant to legislative authority granted to the City by Section 162.09, *Florida Statutes*, and furthermore, such abatement will not create any liability against the City for any damages to the property as a result of such good faith repairs or actions. Additionally, the City may continue to abate the nuisance in the future whenever the height of the vegetation, overgrowth or pool conditions again violate City Code as documented in the code enforcement files for the property. The Respondent shall be assessed One Hundred One Dollars and Seventy-Nine Cents (\$101.79) for the administrative costs incurred in prosecuting the July 26, 2011 Abatement Hearing. The City may also later request a fine assessment hearing on this matter in order to recover the costs of these abatement activities by the City.

The hearing adjourned at 9:38 AM

Jude M. Goudreau, City Clerk

NOTE: A mechanical recording has been made of the foregoing procedures of which these minutes are a part, and is on file in the office of the City Clerk.