

CODE ENFORCEMENT  
SPECIAL MAGISTRATE HEARING  
HELD IN THE COUNCIL CHAMBERS  
260 ORANGE TREE DRIVE  
ATLANTIS, FL 33462  
JANUARY 22, 2013  
MINUTES

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

All parties were sworn in by Special Magistrate Mac Gibbon.

**Case No. 12-47** Sergeant Mahoney testified to the facts in the case. Kip Davis of the Law Offices of Douglas Zahm, who represents the bank, was present at the hearing. It is the Order of the Special Magistrate that a Fine in the amount of One Hundred Dollars (\$100.00) a day is hereby assessed for the violations that continue to exist on the property, commencing on January 3, 2013, and continuing to accrue on a daily basis until compliance is achieved. The Special Magistrate reserves jurisdiction to tax any additional costs incurred by the City for abatement activities on the property. The City may later request a fine assessment hearing on this matter in order to recover the costs of these abatement activities by the City. The Respondents are further assessed One Hundred and Fifteen Dollars and Forty-One Cents (\$115.41) for the unpaid administrative costs incurred in prosecuting the December 13, 2012 Violation Hearing, as well as One Hundred and Fifteen Dollars and Forty-One Cents (\$115.41) for the administrative costs incurred in prosecuting the January 22, 2013 Fine Assessment Hearing.

**Case No. 12-48** Sergeant Mahoney testified to the facts in the case along with City Clerk Jude Goudreau. The Respondent, Roy W. Talmo, was present at the hearing. It is the Order of the Code Enforcement Special Magistrate that Respondent shall comply with Sections 4-22 105.1 (work done without a permit), 4-22 105.12 (Work commencing prior to permit), 4-22 109.4 (Penalty) and 15-10(c)(1)(e)(3) (Work done without Architectural Review Committee Approval) of the Code of Ordinances of the City of Atlantis on or before the 11<sup>th</sup> day of February, 2013 by removing the fence. If Respondent does not comply within the time specified, a fine of One Hundred Dollars (\$100.00) per day shall be assessed for each day the violations continue to exist. The Respondent is further assessed One Hundred and Eight Dollars and Sixteen Cents (\$108.16) for the administrative costs incurred in prosecuting the January 22, 2013 Violation Hearing. The respondent must appear at the Fine Assessment Hearing which will be held on the 26<sup>th</sup> day of February, 2013, at 9:30 a.m.

**Case No. 12-52** Sergeant Mahoney testified to the facts in the case. The respondent Walter Brannock, was present at the meeting. It is the Order of the Code Enforcement Special Magistrate that Respondents shall comply with Section 4-61(a)(1) (Roof is dirty) of the Code of Ordinances of the City of Atlantis on or before the 11<sup>th</sup> day of February, 2013 by obtaining a permit for the installation of a new roof and starting work on the roof.

If 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. The Respondents are further assessed One Hundred and Eight Dollars and Sixteen Cents (\$108.16) for the administrative costs incurred in prosecuting the January 22, 2013 Violation Hearing. The respondent must appear at the Fine Assessment Hearing which will be held on the 26<sup>th</sup> day of February, 2013, at 9:30 a.m.

**Case No. 12-58** Sergeant Mahoney testified to the facts in the case. It is the Order of the Code Enforcement Special Magistrate that Respondent shall comply with Section 4-61(a)(1) (Roof is dirty) of the Code of Ordinances of the City of Atlantis on or before the 1<sup>st</sup> day of February, 2013. If Respondent does 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. The Respondent is further assessed One Hundred and Eight Dollars and Sixteen Cents (\$108.16) for the administrative costs incurred in prosecuting the January 22, 2013 Violation Hearing. The respondent must appear at the Fine Assessment Hearing which will be held on the 26<sup>th</sup> day of February, 2013, at 9:30 a.m.

**Case No. 12-75** Sergeant Mahoney testified to the facts in the case. It is the Order of the Code Enforcement Special Magistrate that Respondents shall comply with Section 4-61(a)(1) (Roof is dirty) of the Code of Ordinances of the City of Atlantis on or before the **1<sup>st</sup> day of February, 2013**. If 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. The Respondents are further assessed One Hundred and Eight Dollars and Sixteen Cents (\$108.16) for the administrative costs incurred in prosecuting the January 22, 2013 Violation Hearing. The respondent must appear at the Fine Assessment Hearing which will be held on the 26<sup>th</sup> day of February, 2013, at 9:30 a.m.

The hearing adjourned at approximately 10:45 a.m.

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.