

Ronald Brown
Special Magistrate

Troy Bell, ICMA-CM
MPA, MS-Finance
City Manager



Eddie Cutwright
Community Affairs Director

CODE COMPLIANCE HEARING
WITH SPECIAL MAGISTRATE

David Green
Code Compliance Officer

Christy Lowe
Code Compliance Officer

Jane West, Esq.
City Attorney

MINUTES
July 16, 2024 at 1:30 PM

A. Call to Order

The proceedings were called to order at 1:30 PM. The following are the Minutes of the Proceedings of the hearing held at the City Hall, 201 N. 2nd St., Palatka, FL 32177 on July 16, 2024.

B. Briefing by Special Magistrate, Ron Brown

The Magistrate advised he was appointed by the City of Palatka to preside over the proceedings today. Any evidence presented must be such that a reasonable conclusion can be drawn to the matter at hand.

C. Swearing in of Code Compliance Officers

- a. Eddie Cutwright
- b. David Green
- c. Christy Lowe

The Magistrate administered the oath of office to the individuals named above. All Officers were sworn in under oath.

Also present: Jane West, City Attorney; Sunni Krantz, City Clerk;

CASES FOR 2nd REVIEW

1. Case #2023-041/ Officer Christy Lowe 217 & 219 Mimosa Drive Palatka, FL 32177

First Hearing: March 21, 2023 @ 1:30 p.m. Compliance Date: May 22, 2023

- **Section 30-169 Building fronts and side abutting streets or public area. Prohibited Conditions and Public Nuisance - Description: Missing Roof and structural damage.**
- Ms. Lowe advised that she post notice of the hearing at the property, City Hall and the Palatka Daily News Paper and sent certified mail which the green card was received signed. No one was present on behalf of the owner. Ms. Lowe

advised the violations still exist, and the total amount of fines are \$10,475.00 to date. Fines continue at \$25 per day per violation.

- Magistrate found it appropriate for the City to record a lien on the property in accord with Sec. 162 Fla. Stat.

This property was pulled from the hearing.

2. Case #2023-0198/David Green 204 S. 3rd Street Palatka, FL 32177 Code Enforcement Officer David Green checked the status of the property and pulled the case for further investigation.

- **Section 30-17(a) Every broken or cracked or missing window wall shall be repaired or replaced with glass. - Description: Broken, cracked or missing windows.**

NEW CASES:

1. Case # 2024-074/Officer David Green 1223 Reid Street Palatka, FL 32177
 - Section 30-32(a) Prohibited Conditions and Public Nuisance
 - Description: Trash and Debris
 - Section 30-169 Building fronts and sides abutting streets or public areas - Description: Paint deteriorating
 - Section 30-169 Building fronts and sides abutting streets or public areas. - Description: Mold and Mildew

Mr. David Green presented the case. The property owner Tiffany Chandler was present via Zoom to present her testimony. Mr. Green advised certified mail was sent and the property owner was notified. Mr. Green presented photos of the code violations that exist. Mr. Green testified that the trash and debris had been removed and he has closed that violation. He asked for 120 days for the owner to come into violation at the rate of fines of \$50 per day per violation. The Magistrate found two violations of Sec. 30-169 and 169 of the City's code. For mold and mildew and rotten and weakened wood panels. He entered an order finding the violations are to be brought into compliance by November 13, 2024. If not in compliance by that date, fines shall commence in the amount of \$50 per day per violation.

2. Case # 2024-059 /Officer David Green 1016 Olive Street Palatka, FL 32177
 - Section 30-171 Windows - Description: Broken Windows

Mr. Green presented the case. The heir to the property was present for the Hearing and identified himself as Danny Woods who resides at 1016 Olive Street Palatka, Florida 32177. Mr. Green testified that a green card (return receipt) was returned from the certified mail, he posted notice of the hearing at the property and spoke with a family member. Mr. Green advised the property has come into compliance except for the missing or broken windows. The property owner Mr. Woods stated that a family member broke the windows, he has the new windows and just needs to have them installed.

The Magistrate found the violations of the code listed above exist. He entered an Order for the property to come into compliance within 60 days (September 14, 2024). In the event of noncompliance, a fine of \$25 per day per violation shall commence.

ADJOURN The Magistrate adjourned the proceedings at 3:21 PM.

NOTICE: ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE MY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. FL 286.0105