

MINUTES
TOWN OF OCEAN RIDGE
SPECIAL MAGISTRATE/CODE ENFORCEMENT HEARING
November 5, 2019

Present: Special Magistrate Amity Barnard, Town Attorney Brian Shutt, Assistant Town Clerk Kathie Gatewood, and Building Official Wayne Cameron.

The meeting was called to order at 10:00 A.M. by Special Magistrate Barnard.

All those persons planning on providing testimony were sworn in by Special Magistrate Barnard.

(Town Clerk's Note: The items in the minutes will appear in a different order than the printed agenda.)

A. ADOPTION OF October 1, 2019 MINUTES

The Code Enforcement Hearing Minutes of October 1, 2019 were adopted by Special Magistrate Barnard.

B. FINE ASSESSMENT HEARING

**CASE NO. 2019-004B PATRICK F. SCANLAN RESIDUARY TRUST &
PATRICIA SCANLAN
11 Coconut Lane, Ocean Ridge, FL 33435
RE: BOYNTON BEACH PARK LT 4 BLK 1**

NATURE OF VIOLATION

Violate Section(s) 30-173, 67-174 (a) (1) of The Town's Code of Ordinances by not maintaining the pool and spa of the property according to Town Code.

Town Attorney Shutt summarized the case and entered into evidence the previous case file and Town exhibits for today's hearing.

Special Magistrate Barnard accepted the previous case file and the following Town exhibits into evidence without objection: Town's Cost Recovery Calculation Worksheet as #1 and Photographic Evidence as #2.

Building Official Cameron informed Special Magistrate Barnard that as of Friday, November 1, 2019 no progress has occurred. Special Magistrate Barnard noted that the respondent was not present for testimony.

Town Attorney Shutt told Special Magistrate Barnard the Town recommended a fine of \$200.00 at 50.00 per day, beginning from November 2, 2019 through November 5, 2019, and the fine amount continue to accrue at \$50.00 per day until the respondent achieves compliance.

Town Attorney Shutt informed Special Magistrate Barnard that there were \$170.00 in administrative fees for today's hearing; and in addition, the respondent has not paid the

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administrative costs for the October 1 hearing for \$176.85 or the August 6 violation hearing for \$267.40.

Special Magistrate Barnard advised that she would make the following findings of fact and conclusions: the respondents were not present at the hearing; however, there was a finding of proper notice, based upon the evidence, pictures and testimony presented at the hearing, Special Magistrate Barnard found that the property remained in violation of Section(s) 30-173, 67-174 (a) (1) of the Town's Code of Ordinances of the Town of Ocean Ridge. A fine of \$200.00 will be assessed at 50.00 per day, for violations, which exist on the property beginning from November 2, 2019 through November 5, 2019, and the fine amount shall continue to accrue at 50.00 per day until compliance is achieved. Administrative costs for the November 5, 2019 hearing were awarded to the Town for \$176.85, to be paid within 30 days. Administrative costs for the August 6, 2019 hearing (\$267.40) and the October 1, 2019 (\$176.85) were reaffirmed. Administrative costs to date total \$614.25.

D. ADJOURNMENT

The meeting was adjourned at 10:05 A.M.

Minutes prepared by Assistant Town Clerk Gatewood, and adopted by Special Magistrate Barnard on December 3, 2019.

ATTEST:



Karla Armstrong, Town Clerk