

MINUTES
TOWN OF OCEAN RIDGE
SPECIAL MAGISTRATE/CODE ENFORCEMENT HEARING
SEPTEMBER 7, 2021

Present: Special Magistrate Amity Barnard, Town Attorney Christy Goddeau, Town Manager Tracey Stevens, Assistant Town Clerk Kathie Gatewood, Police Officer Nubia Savino, Town Clerk Karla Armstrong and Building Official Durrani Guy.

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

Special Magistrate Barnard explained the hearing process, noting that the Town will call cases as they appear on the agenda. Once the case is called, the Town will present evidence first, then the Respondent will have the opportunity to see the evidence, ask any questions, and then the Respondent will provide testimony and evidence. Once all of the evidence and testimony has been concluded, the Special Magistrate will make a ruling, and the Town and Respondent will receive the written order in the mail within the next few days. This is not meant to be a formal courtroom and formal rules of evidence do not apply.

All those persons planning to provide testimony were sworn in by Special Magistrate Barnard.

A. ADOPTION OF August 3, 2021 MINUTES

The Code Enforcement Hearing Minutes of August 3, 2021 were adopted as amended by Special Magistrate Barnard.

There was a correction to add exhibit numbers to case CE2021-006.

**B. VIOLATION HEARING
CASE NO. 2021-006**

**DAVID & MICHELLE SOCHA
6260 N OCEAN BLVD, OCEAN RIDGE, FL 33435
RE: BOYNTON BEACH PARK LT 1 BLK 5
NATURE OF VIOLATION
Violate Section(s) 30-173 Failure to Maintain Pool and
67-51 Work Without a Permit According to Town Code.**

Town Attorney Goddeau summarized the case for Special Magistrate Barnard.

Building Official Guy testified that the unmaintained pool was now in compliance; however, the work without a permit violation was not in compliance. He summarized a timeline of events leading up to today's hearing.

Town Attorney Goddeau asked that Town Exhibits #1-3 be entered into evidence. She stated that previously the Town recommended a fine of Two Hundred Fifty Dollars (\$250.00) per day for the work without a permit violation if not achieved within thirty (30) days. She requested that Special

SPECIAL MAGISTRATE CODE ENFORCEMENT HEARING OF SEPTEMBER 7, 2021

Magistrate Barnard reaffirm the August 3, 2021 unpaid Administrative Costs of Two Hundred Forty Nine Dollars and Forty Cents (\$249.40) and for the Town to be awarded Administrative Costs for Two Hundred Seven Dollars (\$207.00) for this hearing to be paid within thirty (30) days.

Special Magistrate Barnard accepted Town Exhibits #1-3 into evidence without objection.

Special Magistrate Barnard advised that she would make the following findings of fact and conclusions: the Respondents are the owners of the above-described property, notice is proper and sufficient though the Respondents were not present at the hearing. By the "Order Finding Violation" dated August 3, 2021, the Special Magistrate ordered the Respondents to comply with Section 30-173 of the Code of Ordinances of the Town of Ocean Ridge on or before August 13, 2021 regarding the unmaintained pool and with Section 67-51 on or before September 3, 2021 regarding work without a permit. Based upon the evidence, pictures and testimony presented at the hearing on September 7, 2021, the Special Magistrate found that the property came into compliance with Section 30-173 on August 13, 2021. The property remains in violation of Section 67-51 of the Code of Ordinances of the Town of Ocean Ridge.

Special Magistrate Barnard ordered the Respondents to continue to comply with Sections 30-173 of the Code of Ordinances of the Town of Ocean Ridge. The Special Magistrate further ordered a fine of One Thousand Dollars (\$1,000.00) hereby be assessed, at Two Hundred Fifty Dollars (\$250.00) per day, for the violation of Section 67-51 of the Code of Ordinances of the Town of Ocean Ridge which existed on the property beginning from September 4, 2021 through September 7, 2021, a period of four (4) days; and the fine amount shall continue to accrue at Two Hundred Fifty Dollars (\$250.00) per day until compliance is achieved.


Administrative costs for the August 3, 2021 hearing were reaffirmed for Two Hundred Forty Nine Dollars and Forty Cents (\$249.40), and Administrative costs for the September 7, 2021 hearing for Two Hundred Seven Dollars (\$207.00) were ordered to be paid within thirty (30) days of the order date.

C. ADJOURNMENT

The meeting was adjourned at 10:09 A.M.

Minutes prepared by Assistant Town Clerk Gatewood, and adopted by Special Magistrate Barnard on September 7, 2021.

ATTEST:


Karla Armstrong, Town Clerk