

TOWN OF HAVERHILL
MINUTES
SPECIAL MAGISTRATE
HEARING
APRIL 3, 2024

Present: Special Magistrate William P. Doney, Code Enforcement Officer Joseph Petrick, Town Attorney John Foster, Town Administrator Tracey Stevens, Deputy Town Clerk Jean Wible.

I. CALL TO ORDER:

The meeting was called to order at 9:02 A.M. by Special Magistrate William P. Doney.

II. APPROVAL OF MINUTES:

Special Magistrate Doney approved the minutes of February 6, 2024, and March 6, 2024.

III. SWEARING IN OF WITNESSES:

Special Magistrate Doney administered Oath to Code Enforcement Officer Joseph Petrick and Respondent Aida Rosa Dela Vega.

CODE ENFORCEMENT REPEAT VIOLATION, FINE ASSESSMENT AND STATUS HEARING

CASE NO. 24-00028

ALLMON PROPERTY MANAGEMENT LLC

DAVID SCHMIDT

920 N. HAVERHILL RD

HAVERHILL, FL 33415

PCN: 22-42-43-36-00-000-3130

LEGAL DESCRIPTION: 36-43-42, N 100 FT OF S 200 FT OF W ½ OF NW ¼ OF NW ¼ OF NW ¼ (LESS W 54.50 FT HAVERHILL RD R/W)

NATURE OF VIOLATION: Chapter 58 Article IX Section 58-584 Maintenance and appearance standards for all real property

Code Enforcement Officer (CEO) Joseph Petrick testified that this repeat violation case

was in reference to an apartment complex that was found in violation of Town Code Section 58-584 at the February 6, 2024, Special Magistrate hearing for trash and debris on the property and the parking lot in disrepair. He stated the parking lot restoration is scheduled for a Status Hearing on August 14, 2024, before the Special Magistrate.

On March 6, 2024, CEO Petrick testified that he observed the property in violation of Town Code Section 58-584 again regarding the maintenance and appearance standards for all real property. He stated that on March 6, 2024, he emailed the Respondent requesting the trash and debris be removed and the Respondent emailed back stating he would take care of it. On March 13, 2024, the trash and debris remained and at that time, a Notice of Hearing for a repeat violation was issued and mailed via certified mail to the address listed on the Property Appraiser website, Sun-Biz records, the property was posted, posted on the Code Enforcement board at Town Hall and also emailed to the Respondent. On March 14, 2024, the Respondent requested a compliance inspection. CEO Petrick stated he performed the inspection on March 15, 2024, where it failed. CEO Petrick notified the Respondent. On March 19, 2024, the Respondent requested a compliance inspection. CEO Petrick performed the inspection where it failed. On March 21, 2024, CEO Petrick testified the property was in compliance.

Code Officer Petrick testified that the property was not in compliance for fifteen (15) days (March 6th through March 20, 2024). On April 1st, 2024, CEO Petrick stated that while taking photos for today's hearing, he observed the property was not in compliance as there was trash and debris on the property. Photos were submitted to the Special Magistrate.

CEO Petrick stated the Town was requesting a fine of \$100.00 dollars per day from March 6, 2024, to March 21, 2024, and continuing at \$100.00 dollars per day from April 1, 2024, until compliance is achieved. The cost to the Town to bring this case before the Special Magistrate was \$69.91.

It is the Order of the Special Magistrate that a fine in the amount of One Thousand Five Hundred Dollars (\$1,500.00) is hereby assessed for this repeat violation at the rate of One Hundred Dollars (\$100.00) per day for the violations which existed on the property from March 6, 2024, to March 21, 2024, a period of fifteen (15) days.

Since the Respondent achieved compliance on March 21, the alleged violation occurring on April 1, will be treated as a new repeat violation, and will be heard upon proper notice to the Respondent.

CASE NO. 24-00010

DELA VEGA AIDA ROSA

5070 PONDEROSA LANE

HAVERHILL, FL 33415

PCN: 22-42-43-35-24-002-0160

LEGAL DESCRIPTION: WOODLAND TERRACE NO 2 LT 16 BLK 2

NATURE OF VIOLATION: Chapter 16 Article II Section 16-10 Issuance of a license.

Code Enforcement Officer Joseph Petrick and Town Attorney John Foster requested to withdraw this case.

Order Dismissing Case

This matter came before the Special Magistrate on April 3, 2024, and upon request of Petitioner, the case was dismissed without prejudice.

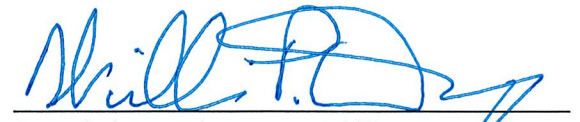
ADJOURNMENT

The hearing was adjourned at 9:16 A.M.

Minutes prepared by Deputy Town Clerk Wible and adopted by Special Magistrate Doney on May 1, 2024.



Jean F. Wible, Deputy Town Clerk



Special Magistrate, William P. Doney