

**CITY OF ST. CLOUD
CODE ENFORCEMENT MEETING
JULY 17, 2019**

MINUTES

- I. CALL TO ORDER -** Special Magistrate Smith called the meeting to order at 3:00 P.M.
- II. PLEDGE OF ALLEGIANCE**
At this time, Magistrate Smith introduced himself to the audience and all those intending to testify were sworn in.
- III. PUBLIC HEARINGS -**

A. NEW CASES -

**CASE #2018 – 2017 - HUANG JEN CHOU, CHAO I. LEE,
LI TSE CHEN, Owner**

Location of Violation: 1116 Florida Avenue, St. Cloud, Florida

Violation: 2015 International Property Maintenance Code, Sections 108.1, 108.1.1, 108.1.2, 108.1.3, 108.1.5, 301.2, 302.1, 302.5, 304.1, 304.1.1(5)(9), 304.4, 304.5, 304.6, 304.7, 304.13, 304.14, 305.1, 305.2, 305.3, 308.1, 308.2, 308.3, 501.2, 502.1, 504.1, 504.3, 505.1, 505.4, 506.1, 506.2, 601.2, 603.1, 604.1, 604.2, 604.3, 604.3.1.1, 605.1, 605.2, 701.2, & 704.2 , adopted by St. Cloud City Code, Section 10-33.

Description of Violation: Failure to prohibit but rather allowed an unsafe residential structure to not meet minimum living standards that is dangerous to the life, safety & health of the public.

Code Enforcement Officer Melissa Howes presented the case in narrative form and provided an evidence packet and a Power Point presentation. At the conclusion of her presentation, she noted that the Respondent had just arrived. Officer Howes noted that it was the city's recommendation that the Respondent be found in violation of having an unsafe residential structure not meeting the minimum living standards that is dangerous to the life, safety and health of the public. She further recommended that the Respondent obtain all required permits by licensed contractors by July 31, 2019 and have all violations completed within the six month expiration of what a permit is required by state statute or pay a fine of \$250.00 per day pay until compliance has been met . She further recommended that the Respondent pay the city for administrative costs in the amount of \$219.72 to be paid within seven days of the Magistrate's written Order.

At this time, Magistrate Smith asked Joe Dupriest, Deputy Building Official for the City of St. Cloud to approach the podium and go through some of the photos for detailed descriptions and explanations of some of the violations.

At this time, the Respondent, Mr. Wilson, approached the podium with an assistant to help interpret. The assistant was sworn in. The assistant offered testimony. Magistrate Smith found the property owner to be in violation of the codes cited by the code enforcement officer. He ordered that the Respondent obtain all required permits necessary to cure the violations on or before August 30, 2019. He further ordered that Respondent shall complete all work necessary to cure the violations within six months from obtaining the necessary permits, and that failure to comply with the order would result in a fine of \$250.00 per day until compliance has been met. He further ordered the Respondent to pay the city for administrative costs in the amount of \$219.22 within seven days of the date of the Magistrate's written order.

**CASE #2019 – 1392 - JEN CHOU HAUNG, CHAO-I LEE, RACHEL PAN
YEA-LING, Owner
NATASHA HOLCY, Tenant**

Location of Violation: 1400 Indiana Avenue, St. Cloud, Florida

Violation: St. Cloud City Code, Section 24-162(A). - **REPEAT VIOLATION**

Description of Violation: Failure to prohibit but rather allowed high grass and weeds over a height of eight inches at this location.

*This case was heard out of sequence according to the agenda due to the Respondent being present for this case.

Code Enforcement Officer Pam Neal presented the case for Officer Terry Sparkman in narrative form and provided an evidence packet and a Power Point presentation. At the conclusion of her presentation, she noted that the Respondent was present. Officer Neal noted that it was the city's recommendation that the Respondent be found in a repeat violation of St. Cloud City Code, Section 24-162(A). She further recommended that the Respondent pay a fine of \$500.00 per day, commencing June 12, 2019 until June 25, 2019. She further recommended that the Respondent pay the city for administrative costs in the amount of \$181.30 to be paid within seven days of the Magistrate's written Order. At this time, the Respondent, Mr. Wilson and his assistant offered testimony. There was discussion regarding a lesser fine amount. City Attorney Jack Morgeson, noted that the city would have no problem applying the fine from the date the notice was signed until compliance was met, which would be five days at \$2,500 plus costs. Magistrate Smith found that the violation did occur and that it was a repeat violation which was cured as of June 25. He imposed a \$500.00 per day fine beginning June 20, 2019 through June 24, 2019 for a total fine amount of \$2,500, to be paid within thirty days of the Magistrate's written order, and further ordered the Respondent to pay the city for administrative costs of \$181.30 within thirty days of the Magistrate's written order.

CASE #2019 – 1114 - BARBARA STIEGLITZ, Owner**Location of Violation:** 3327 Celena Circle, St. Cloud, Florida**Violation:** St. Cloud City Code, Section 24-52(A).**Description of Violation:** Failure to prohibit but rather allowed an abandoned vehicle at this location.

Code Enforcement Officer Melissa Howes presented the case in narrative form and provided an evidence packet and a Power Point presentation. At the conclusion of her presentation, she noted that the Respondent was not present. Officer Howes noted that it was the city's recommendation that the Respondent be found in violation of having an abandoned vehicle at this location. She further recommended that the Respondent be allowed until July 31, 2019 to correct the violation and that failure to comply would result in a daily fine of \$100.00 until compliance has been met. She further recommended that the Respondent pay the city for administrative costs in the amount of \$194.48, to be paid within seven days of the Magistrate's written order. Magistrate Smith found the Respondent to be in violation of an abandoned and unregistered vehicle at the location and ordered the Respondent to correct the violation by July 31, 2019 and that failure to comply would result in a fine of \$100.00 per day shall accrue for each day the violation remains in non compliance. He further ordered the Respondent pay the city for administrative costs in the amount of \$194.48, to be paid within seven days of the Magistrate's written order.

UNFINISHED BUSINESS - None**V. NEW BUSINESS – None****VI. NEXT SCHEDULED MEETING - AUGUST 21, 2019****VII. ADJOURNMENT - Magistrate Smith adjourned the meeting at 3:40 p.m.**

Submitted by _____ Date _____
 Deb Clark, Clerk to the Magistrate