

CODE ENFORCEMENT BOARD MEETING
Wednesday, March 9, 2016 – 2:00 p.m.
City Hall, Council Chambers, Vero Beach, Florida

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIENCE**
- 3. PRELIMINARY MATTERS**
 - A) Adoption of Minutes – February 10, 2016**
 - B) Agenda Additions, Deletions and Adoption**
- 4. UNLICENSED CONTRACTORS/CITATIONS**
- 5. EVIDENTIARY HEARINGS**
 - A) Citation Appeals**
 - 1. CASE #16-CE-6375 / 806M**
VIOLATOR: Treasure Coast Tax Advisory Group / Jack McEnerney
VIOLATION: Sign violation
VIOLATION ADDRESS: Right-of-way and medians at Indian River Boulevard, Royal Palm Pointe, and 21st Street
 - 2. CASE #16-CE-6466 / 1834**
VIOLATOR: Milos Kondrat
VIOLATION: Uninsured contractor violation; failure to apply for a building permit
VIOLATION ADDRESS: 1340 Indian Mound Trail, Vero Beach, Florida 32963
 - B) Non-Compliance / Compliance Reports**
 - 1. Request for Board Order**
 - a. CASE #15-CE-6009 / 742T**
VIOLATOR: First Choice Healthcare, LLC; Dr. Neal Abarbanell
VIOLATION: Weeds, grass, and undergrowth in excess of 12 inches; unlicensed/inoperable vehicle
VIOLATION ADDRESS: 1867 20th Avenue, Vero Beach, Florida 32960
(Requesting a reduction in civil penalties)

- b. CASE #15-CE-6204 / 0818T**
VIOLATOR: Betty Smith
VIOLATION: Reroof and fascia work without a permit
VIOLATION ADDRESS: 1745 41st Avenue, Vero Beach, Florida 32960
(Paid \$50.00 Civil Penalty)
(Case Continued from January 13, 2016 Hearing and February 10, 2016)
- c. CASE #15-CE-6019 / 743M**
VIOLATOR: ARLP Trust – c/o Ocwen Loan Servicing, LLC
VIOLATION: Failure to remove and properly dispose of tree trimming debris and waste
VIOLATION ADDRESS: 2520 20th Street, Vero Beach, Florida 32960
(Property found in compliance 1/29/16)
- d. CASE #16-CE-6392 / 0906T**
VIOLATOR: 821 Dahlia, LLC – Crystal Pools
VIOLATION: Fill dirt brought onto empty lot without erosion control or permit issuance
VIOLATION ADDRESS: 821 Dahlia Lane, Vero Beach, Florida 32963
(Paid \$50.00 Civil Penalty)
- e. CASE #15-CE-6011 / 748M**
VIOLATOR: Bayview Loan Servicing, LLC
VIOLATION: Landscape debris or waste on property
VIOLATION ADDRESS: 2234 18th Avenue, Vero Beach, Florida 32960
(Property found in compliance as of 2/19/16)
- f. CASE #16-CE-6393 / 813M**
VIOLATOR: Edward J. Fialkowski, Jr.
VIOLATION: Stagnant swimming pool
VIOLATION ADDRESS: 703 Holly Road, Vero Beach, Florida 32963
(Repeat Violation – Civil Penalty of \$100.00)
- g. CASE #16-CE-6398 / 814M**
VIOLATOR: Edward J. Fialkowski, Jr.
VIOLATION: Weeds, grass, or undergrowth at a height of more than 12 inches
VIOLATION ADDRESS: 703 Holly Road, Vero Beach, Florida 32963
(Repeat Violation – Civil Penalty of \$150.00)

- h. CASE #16-CE-6412 / 822M**
VIOLATOR: Matthew Martise
VIOLATION: Demolition done without a permit
VIOLATION ADDRESS: 2020 Delmar Avenue, Vero Beach,
Florida 32960
(Repeat Violation – Civil Penalty of \$100.00)
- i. CASE #16-CE-6405 / 815M**
VIOLATOR: Jeff’s Tractor Service, Inc. – Jeff Falcetta;
Michael Schlitt Construction; 546 Indian Lilac, LLC
VIOLATION: Six Sabal Palm Trees removed without a
permit
VIOLATION ADDRESS: 546 Indian Lilac Road, Vero
Beach, Florida 32963
(Paid \$1,500.00 Civil Penalty)

- 6. OLD BUSINESS**
- 7. ADMINISTRATIVE MATTERS**
- 8. CLERK’S MATTERS**
- 9. ATTORNEY’S MATTERS**
- 10. CHAIRMAN’S MATTERS**
- 11. MEMBER’S MATTERS**
- 12. ADJOURNMENT**

This is a Public Meeting. Should any interested party seek to appeal any decision made by the Board with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and that, for such purpose he may need to ensure that a record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Anyone who needs a special accommodation for this meeting may contact the City’s Americans with Disabilities Act (ADA) Coordinator at 978-4920 at least 48 hours in advance of the meeting.

CODE ENFORCEMENT BOARD MINUTES
Wednesday, February 10, 2016 – 2:00 p.m.
City Hall, Council Chambers, Vero Beach, Florida

PRESENT: Chairman, Kirk Noonan; Vice Chairman, Frank Pizzichillo; Members: Suzanne Shell, Jeffrey McGann, Stephen McDonald, Herbert Whittall, Christopher Bryant and Alternate Member #1, Eric Price **Also Present:** City Attorney, Wayne Coment; Code Enforcement Officer, Tom Ramsey; Code Enforcement Officer, Melody Sanderson; Indian River County Licensing Inspector, David Checchi and Deputy City Clerk, Sherri Philo

1. CALL TO ORDER

Today's meeting was called to order at 2:00 p.m.

2. PLEDGE OF ALLEGIENCE

The Chairman led the Board members and the audience in the Pledge of Allegiance to the flag.

The Deputy City Clerk swore in staff and members of the audience en masse.

3. PRELIMINARY MATTERS

A) Adoption of Minutes – January 13, 2016

Ms. Shell made a motion to adopt the minutes of the January 13, 2016 Code Enforcement Board meeting. Mr. Pizzichillo seconded the motion and it passed unanimously.

B) Agenda Additions, Deletions and Adoption

Mr. Tom Ramsey, Code Enforcement Officer, pulled item 5-B) 1b – Phyllis F. (Collins) Duffey from today's agenda. He reported that there is a new property owner and therefore he voided the citation and issued a new citation to the new property owner. He then pulled item 5-B) 1c - Betty Smith from today's agenda. He reported that Ms. Smith has started the permitting process and she did pay the initial civil penalty and enforcement costs. He said the Board would hear this case at their March meeting. He then pulled item 5-B) 1d – First Choice Healthcare, LLC/Dr. Neal Abarbanell from today's agenda. He reported that Dr. Abarbanell is out of town and filed a request that his case be heard at a later date.

Mr. Pizzichillo made a motion to adopt the agenda as amended. Mr. Whittall seconded the motion and it passed unanimously.

4. UNLICENSED CONTRACTORS/CITATIONS

None

5. EVIDENTIARY HEARINGS

A) Citation Appeals

1. CASE #15-CE-1747 / 1825

VIOLATOR: Kenn Davin

VIOLATION: Unlicensed contracting; failure to apply for a building permit

VIOLATION ADDRESS: 1602 36th Avenue, Vero Beach, Florida 32960

Mr. Checchi reported that on December 30, 2015 staff was notified that there was concrete being poured at 1602 36th Avenue. He observed at least four (4) people screening or pouring concrete from the cement truck forming a circular driveway inside a right-of-way without a City permit or a County building permit. He issued a Stop Work Order and spoke with Mr. Kenn Davin, violator, who stated that he called someone in the County and based on that conversation he determined that a permit was not required. Mr. Checchi said that no one at the Building Department recalls informing a caller that a permit was not required for driveway pours. It is standard procedure that a permit is to be issued for such work. He reported that he cited the homeowner, Mr. Kenn Davin, for concrete work without a permit and unlicensed contracting, as well as Mr. Jerry Yearwood for unlicensed contracting (case to be heard next on today's agenda). He asked the primary workers for their driver's license and Mr. Davin declined. Mr. Yearwood stated that he lost his wallet that morning and a third worker was told not to speak to anyone. He then contacted the Vero Beach Police Department to produce the driver's license. He reported that an after the fact permit was issued on December 31, 2016, but as of February 9, 2016 it had not been filed. He reported that Mr. Davin and Mr. Yearwood were present today to appeal their citations. He noted that Mr. Davin obtained an Owner/Builder Permit for the work being done, but the conditions for the permit is that the house has to be for the owner's own use and cannot be sold or rented for a period of one (1) year and the house is currently up for sale.

Mr. Kenn Davin said that he has been sworn in. He reported that on December 29th at 1:16 p.m., he called the Building Department and told a woman that he was replacing concrete on the existing driveway. She told him that she didn't think he needed a permit, but that he should speak with the Inspector. He called the Inspector and left an extensive message, the Inspector returned his call and left a message, but didn't state that a permit was needed. Mr. Davin said that he returned the Inspector's call the following morning at 8:57 a.m. and when he went in to get his permit he was told that their phone system was not working. He was told that "Rick" was the person who had called him. Mr. Davin said the reason that he put his home up for sale was because of this hassle and because he purchased another property. He did not know that he could not sell his home for one (1) year. He reported that he is licensed in every trade, but not in Florida. He said that he has owned the home for five (5) years and lives there part time. He gave the Board a copy of a picture that he printed from his phone showing the date and time that he called the Building Department from his cell phone (on file in the City Clerk's office).

Mr. Noonan asked were you repairing an existing driveway.

Mr. Davin answered yes. He explained that they were repairing it, but because the trees destroyed so much of the driveway they ended up taking it all out. He said it was at the end of the day when they were told to stop the work, which caused an entire truck of concrete being wasted and he still had to pay for it. He also had to pay for a hotel room because the men working for him were from Knoxville, Tennessee and the concrete plant wasn't open until the following Monday or Tuesday.

Mr. Checchi asked for clarification on the name of the Inspector. He questioned if they had the name correct.

Mr. Davin said he was told that Rick was the man who was on duty that day. He said that he has the message on his phone from the gentleman who called him back if they wanted to hear it.

Mr. Pizzichillo asked do you employ these workers on a regular basis.

Mr. Davin answered yes.

Mr. Pizzichillo asked who told the workers not to provide their driver's license.

Mr. Davin said that he was not sure if they had to produce their driver's license and that he wanted to get in touch with his attorney first.

Mr. Pizzichillo asked what is the current condition of the property.

Mr. Davin said a permit was issued and the work is complete. He reported that the City Inspector came out and said it was okay.

Mr. Pizzichillo asked him what he needed from the Board.

Mr. Davin said if he had known that he needed a permit he would have got one. He noted that he did get the permit the following day.

Mr. Pizzichillo asked Mr. Davin because he is in the construction business in another state, wouldn't it be reasonable to assume that he would need a license to do the work.

Mr. Davin said in Knoxville, if they replace an existing as is a permit is not needed.

Mr. Pizzichillo said by Mr. Davin's own admission, he took out all the concrete.

Mr. Davin said they replaced it exactly as it was.

Mr. Pizzichillo said if you are in the business then you generally should know what the laws are in every state.

Mr. Davin said that he called the Building Department and asked if a permit was needed if he was replacing the driveway as it was. He said that he pulled a permit for everything else that he did on the house.

Mr. Bryant asked did you pour any additional concrete other than what was taken out.

Mr. Davin said they might have curved it a little larger because they were asked to and put asphalt down by the edge.

Mr. Checchi said there is very little change, if any, to the footprint, which is not an issue.

Mr. Davin asked the Board if they wanted to hear the message the Inspector left on his cell phone.

Mr. Bryant asked Mr. Davin if he has been coming to Florida for the past five (5) years or if he has been coming to Florida all of his life.

Mr. Davin answered just for the past five (5) years.

Mr. Noonan asked was the permit issue resolved.

Mr. Checchi answered not to his knowledge. He checked yesterday and final inspection was not done.

Mr. Davin said the City came out and did the inspection.

Mr. Checchi said that was probably for the right-of-way, but the County needs to do a final inspection on the driveway.

At this time, Mr. Davin played back the message from the Building Department that was saved on his phone.

Mr. Bryant asked who was the Planning Examiner working on December 29th.

Mr. Checchi said the message could have been from any one of their Inspectors, but he doesn't know a "Rick".

Mr. Noonan made a motion that the Board finds that because there was some miscommunication and because the permit issue has presumably been resolved, that the Board uphold the unlicensed contracting citation, but not to uphold the construction without a permit citation (fine reduced from \$1,000 to \$500).

Mr. Pizzichillo asked Mr. Noonan to amend his motion to add that he (Mr. Davin) complete the permitting process by having a final inspection.

Mr. Noonan amended his motion to add with the caveat that a final inspection be done. Mr. McGann seconded the motion and it passed unanimously.

2. **CASE #15-CE-1748 / 1827**
VIOLATOR: Jerry Yearwood
VIOLATION: Unlicensed contracting
VIOLATION ADDRESS: 1602 36th Avenue, Vero Beach, Florida
32960

Mr. Jerry Yearwood said the person who was working for Mr. Davin was his nephew and he came down to help him. He reported the he was asked to break up the concrete and haul it off. He said that he was not contracted.

Mr. Noonan asked Mr. Yearwood if he came here at his own expense.

Mr. Yearwood answered yes. He came over to give his nephew a hand. He didn't know Mr. Davin at all.

Mr. Pizzichillo said because there has been a resolution to the previous case and this seems to him to be part of the same case. He felt they should let Mr. Yearwood off the hook because he was only helping. He said that he was prepared to make a motion.

Mr. Wayne Coment, City Attorney, noted that they need to hear from Mr. Checchi.

Mr. Checchi did not have any comments.

Mr. Pizzichillo made a motion that the Board dismisses the citation of unlicensed contracting. Mr. Bryant seconded the motion and it passed unanimously.

B) Non-Compliance / Compliance Reports

1. Request for Board Order

- a. **CASE #15-CE-1146 / 787M**
VIOLATOR: Francisco Flores (Guzman)
VIOLATION: Fence installed without code compliance from the City of Vero Beach Planning and Development Department or a building permit from the Indian River County Building Department
VIOLATION ADDRESS: 3 Lamplighter Lane, Vero Beach, Florida 32960
(Paid \$50.00 Civil Penalty)
(Case was Continued from the December 9, 2015 & January 13, 2016 Hearing)

Ms. Melody Sanderson, Code Enforcement Officer, reported that the property was brought into compliance on January 21, 2016.

Mr. Coment noted that the civil penalty in the amount of \$50.00 has been paid. He asked Ms. Sanderson if she was asking for enforcement costs.

Ms. Sanderson answered no.

Mr. Noonan made a motion that the Board finds there was a violation and that the violation has been corrected as of January 21, 2016. Mr. Whittall seconded the motion and it passed unanimously.

- b. CASE #15-CE-6189 / 0840T**
VIOLATOR: Phyllis F. (Collins) Duffey
VIOLATION: Grass, weeds, and undergrowth in excess of 12 inches
VIOLATION ADDRESS: 1455 15th Avenue, Vero Beach, Florida 32960

This item was pulled from today's agenda.

- c. CASE #15-CE-6204 / 0818T**
VIOLATOR: Betty Smith
VIOLATION: Reroof and fascia work without a permit
VIOLATION ADDRESS: 1745 41st Avenue, Vero Beach, Florida 32960
(Paid \$50.00 Civil Penalty)
(Case Continued from January 13, 2016 Hearing)

This item was pulled from today's agenda.

- d. CASE #15-CE-6009 / 742T**
VIOLATOR: First Choice Healthcare, LLC; Dr. Neal Abarbanell
VIOLATION: Weeds, grass, and undergrowth in excess of 12 inches; unlicensed/inoperable vehicle
VIOLATION ADDRESS: 1867 20th Avenue, Vero Beach, Florida 32960

This item was pulled from today's agenda.

- e. CASE #15-CE-6060 / 752M**
VIOLATOR: Venetian Apartments/Kraig Vann Pyle
VIOLATION: Construction without a permit
VIOLATION ADDRESS: 2545 Indian River Boulevard, Vero Beach, Florida 32960

Ms. Sanderson reported that this case was previously heard before the Board on December 9, 2015 for construction of railing on the second floor balcony without a permit. The Board allowed the violator 60 days to correct the violation (February 5, 2016). She reported that the

Building Department has been unable to accept a permit application as the plans have to be engineered. An Engineer has been hired, but is 30 days out of drawing up the plans.

Ms. Catherine Ergle said that she was sworn in. She submitted into the record a copy of a letter from the Engineer, Mr. Todd N. Smith (on file in the City Clerk's office).

Mr. Bryant asked is something there for safety.

Ms. Ergle answered yes. She said it is completely safe.

Ms. Sanderson asked the Board to allow another 60 days to come into compliance by completing the permitting process. She suggested that they order the compliance date of April 8, 2016, the Friday prior to the April 13, 2016, Code Enforcement Board meeting.

Mr. Pizzichillo made a motion that the Board continues this case to the April 13, 2016 Code Enforcement Board meeting with the correction date of April 8, 2016. Ms. Shell seconded the motion and it passed unanimously.

- f. **CASE #15-CE-6145 / 0798T**
VIOLATOR: Samuel W. and Kim High
VIOLATION: Property is overgrown in excess of 12" and has a large tree dead that has fallen onto the lot
VIOLATION ADDRESS: 1925 22nd Avenue, Vero Beach, Florida 32960

Mr. Ramsey requested that the Board issues a Board order to correct the violation, to pay the initial \$100.00 civil penalty, continuing penalties of \$100.00 per day, and the cost of enforcement in the amount of \$68.25. He reported that this case was initiated months ago and he was contacted by the attorney for the estate who requested an extension. Since that time he has not heard from the attorney and the telephone number he has is no longer in service. Mr. Ramsey reported that this is a repeat violation.

Mr. Noonan made a motion that the Board finds there is a violation, that it is a repeat violation, that the violation continues, and that the Board issue an order to pay the initial \$100.00 civil penalty, the cost of enforcement in the amount of \$68.25, and continuing penalties of \$100.00 per day commencing on November 17, 2015, the day after the correction date, and to correct the violation. Mr. Pizzichillo seconded the motion and it passed unanimously.

- g. **CASE #15-CE-6246 / 793M**
VIOLATOR: Judith Trage
VIOLATION: Weeds, grass, or undergrowth at a height of more than 12 inches; dead tree in the back yard; garbage and trash in the back and front yards; non-operable vehicle in the front yard
VIOLATION ADDRESS: 1030 27th Street, Vero Beach, Florida 32960

Ms. Sanderson reported that the citation that was issued on December 11, 2015 was returned and therefore the property was posted on December 30, 2015. She reported that the violation of a non-operable vehicle was corrected as of December 30, 2015 and the violation of weeds, grass, or undergrowth at a height of more than 12 inches was corrected as of January 27, 2016. She reported that the violation of the dead tree in the back yard remains in violation. She reported that the civil penalty in the amount of \$50.00 has not been paid. There is no cost of enforcement. She requested that the Board issue an order to pay the initial \$50.00 civil penalty and continuing penalties of \$50.00 per day until corrected.

Mr. Pizzichillo made a motion that the Board issues an order finding the property in violation, to pay the initial civil penalty in the amount of \$50.00 and continuing penalties of \$50.00 a day commencing December 29, 2015.

Mr. McGann asked Ms. Sanderson if she has been in contact with the property owner, Ms. Judith Trage.

Ms. Sanderson reported that she has not been in contact with Ms. Trage, but according to the people living in the home there is a local man who collects the rent. She said when she posted the property she asked the people living in the home to notify the person who collects the rent that the citation needed to be acted on.

Mr. McGann thought that he knew the property owner stating that her husband was a realtor.

Ms. Sanderson thought Mr. McGann was speaking of the property owner's son. She asked Mr. McGann if the man he was speaking of was an auctioneer.

Mr. McGann answered yes.

Ms. Sanderson said that she did some research and linked his name to her name through Attorney Fromang. She called him requesting a good address and was told that there was no way for him to provide this information.

Ms. Shell asked who corrected the other violations.

Ms. Sanderson said the gentleman who is living in the home. She reported that the automobile belonged to someone else and it was removed from the property.

Mr. Pizzichillo asked is sending the citation by certified mail sufficient to prove that notice was served.

Mr. Coment answered no. He explained that when certified mail comes back unclaimed or undeliverable the Code Officer then posts the property and sends the citation by regular mail and enters into the record an affidavit of posting, which then makes it sufficient notice.

Mr. Pizzichillo asked was the citation that was sent by regular mail returned.

Ms. Sanderson answered no.

Mr. Noonan stated that the motion on the floor is that the Board finds that there were three (3) violations on the property; a derelict vehicle, weeds, grass and undergrowth over 12 inches and a dead tree, that the violations of a derelict vehicle and weeds, grass, and undergrowth have been corrected and the dead tree in the back yard remains in violation, therefore the Board issues an order finding partial compliance, to correct the violation of the dead tree, to pay the initial civil penalty of \$50.00, and continuing penalties of \$50.00 per day (commencing on December 29, 2016). The motion was seconded and it passed unanimously.

- h. CASE #15-CE-6227 / 0851T**
VIOLATOR: David M. Millner
VIOLATION: Operation of a business entity without issuance of a business tax receipt
VIOLATION ADDRESS: 726 Hibiscus Lane, Vero Beach, Florida 32963

Mr. Ramsey reported that the violation has been corrected and the civil penalty in the amount of \$50.00 has not been paid.

Mr. David Millner, violator, asked Mr. Ramsey what entity was being cited.

Mr. Ramsey reported that there were two (2) entities at this location and he cited the David Millner Group.

Mr. Millner said that is not the one he received. He said then that makes sense.

Mr. Noonan made a motion that the Board issues an order to pay the initial \$50.00 civil penalty. Mr. Pizzichillo seconded the motion and it passed unanimously.

Mr. Ramsey reported that there is no cost of enforcement.

- i. CASE #15-CE-6276 / 0871T**
VIOLATOR: Titone Properties, LLC / Mark Titone
VIOLATION: Extensive trash and debris accumulated along rear property line and drainage area
VIOLATION ADDRESS: 1926 40th Avenue, Vero Beach, Florida 32960

Mr. Ramsey reported that there is a significant amount of trash throughout the property and the civil penalty in the amount of \$50.00 has not been paid. There is a cost of enforcement in the amount of \$62.03. He requested that the Board issues an order of continuing penalties. He reported that the citation was sent by certified mail, which was returned and therefore he posted the property.

Mr. Noonan made a motion that the Board finds there is a violation, that the violation continues, that the Board issues an order to correct the violation, to pay the initial

\$50.00 civil penalty, the cost of enforcement in the amount of \$62.03, and continuing penalties in the amount of \$50.00 a day commencing on January 29, 2016. Mr. Pizzichillo seconded the motion and it passed unanimously.

- j. CASE #15-CE-3315 / 0864T**
VIOLATOR: Andrew F. Zaleski
VIOLATION: Home occupation without active business tax receipt; parking and signage of vehicle
VIOLATION ADDRESS: 1912 26th Avenue, Vero Beach, Florida 32960

Mr. Ramsey reported that the violation remains and the civil penalty in the amount of \$50.00 has not been paid. He reported that the property was posted, which was removed within one hour of being posted. He said the violation of parking and signage of the vehicle has been corrected.

Mr. Noonan made a motion that the Board issues an order to come into compliance by Mr. Andrew Zaleski obtaining his business tax license and to pay the initial civil penalty of \$50.00.

Mr. Coment asked Mr. Ramsey if he was requesting continuing penalties.

Mr. Ramsey answered no.

Mr. Pizzichillo seconded the motion and it passed unanimously.

6. OLD BUSINESS

None

7. ADMINISTRATIVE MATTERS

None

8. CLERK'S MATTERS

None

9. ATTORNEY'S MATTERS

None

10. CHAIRMAN'S MATTERS

None

11. MEMBER'S MATTERS

None

12. ADJOURNMENT

Today's meeting adjourned at 3:00 p.m.

/sp



BEFORE THE CODE ENFORCEMENT BOARD
 OF THE CITY OF VERO BEACH, FLORIDA
 1053 20TH PLACE
 VERO BEACH, FLORIDA 32960
 Telephone (772) 978-4550

5-A)1

CITY OF VERO BEACH

vs.

CASE No's.: 16-CE-6375

TREASURE COAST TAX ADVISORY GROUP /
JACK MCENERNEY

Citation No.: 806M

Violator

TO: Treasure Coast Tax Advisory Group / Jack McEnerney
65 Royal Palm Pointe, Suite B-1
Vero Beach, Florida 32960

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: March 9th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- Appeal of code enforcement citation.
- Failure to Correct Violation(s).
- Failure to Pay Civil Penalty and/or Costs.
- Other (describe): Request to waive civil penalty

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: February 26, 2016

By: 
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 26th day of February 20 16.


Board Clerk



TREASURE COAST TAX AND INSURANCE SERVICES
TAXES AND INSURANCE

65 Royal Palm Pointe, Suite B • Vero Beach, Florida 32960

Office (772) 770-9366

Fax (772) 770-9510

treasurecoasttax.com

February 11, 2016

Melody Sanderson
Vero Beach Police Department
Code Enforcement Division
1055 20th Street
Vero Beach, FL 32960



Response to Citation Number 806M/16-CE-6375

Dear Ms. Sanderson:

The first notice, or warning, we received was for a sign for my office, and it was being hung that same day. We had just moved from number 23 Royal Palm Pointe because our office had burned down.

The following day we received the notice and fine about the road side signs (this was the repeat violation). I had been out of town over that weekend, and, unbeknownst to me, one of my new employees thought they were helping me by placing the street signs out on Friday afternoon. I returned Sunday evening, and when I found out the signs were put out I drove around and tried to retrieve as many signs as I could find.

I understand that the placement of some of these signs were in violation of the Vero Beach City code. My employee did not know of this code. I am very sorry for any violations I, or any of my employees, committed over the weekend in question. I have met with everyone in my office and these actions will never happen again.

I am asking if you could please waive this fine. We experienced a devastating loss-the fire virtually destroyed everything we had. The cost of starting over again has really strained our finances. I'm hoping you can find the kindness to help a Vero Beach business get back up and running. A one thousand dollar fine would set me back even further and add to the already steep cost of rebuilding.

Thank you for your attention<

John E. McEnerney





**VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**

1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 806M / 16-CE-6375

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **January 30, 2016** at **n/a**

Name: **Treasure Coast Tax Advisory Group / Jack McEnerney**
65 Royal Palm Pointe, Suite B-1
of: **Vero Beach, FL 32960**

at (violation address): **r/o/w and medians Indian River Bv, Royal Palm Pointe, 21st St** in the City of Vero Beach, Florida committed the following civil offense: **SIGN VIOLATION - Prohibited signs.**

Violation of code provision(s): **38.17 (a)**

Facts constituting violation: **Ten prohibited signs placed out on 21st Street (4 signs) , Indian River Bv median (3), Indian River Bv east side (2) and Royal Palm Pointe and Indian River Bv (1)**

CIVIL PENALTY: \$1,000.00

PAY BY DATE: 02/16/2016

REPEAT VIOLATION

CORRECTION REQUIRED BY: . **This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Sanderson
Department: VBPD/Code Enforcement

Date Issued: 02/01/2016
Telephone: 7729784561

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation **OR** pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is **NOT** an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

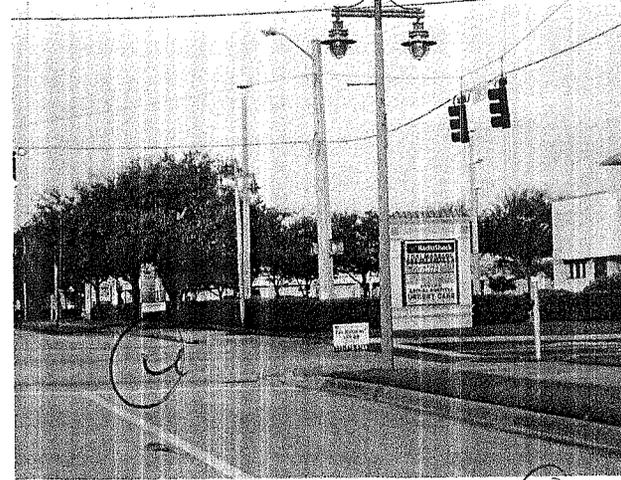
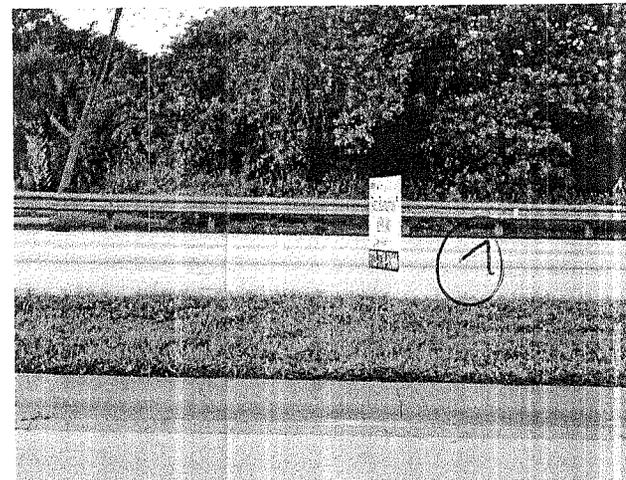
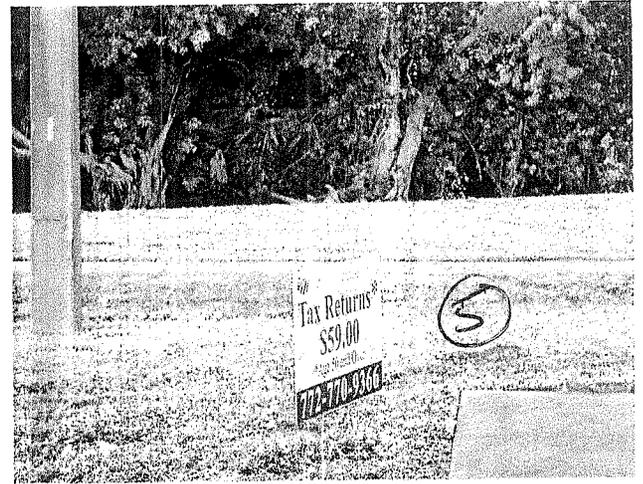
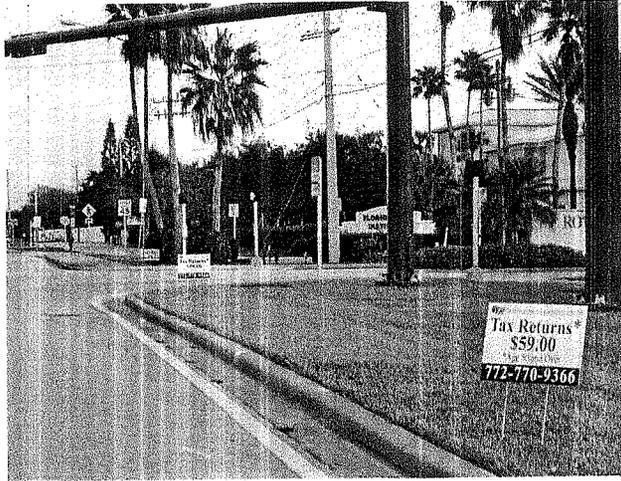
Signature of Individual

Date: _____

CLERK COPY - 16-000123

Certified Mail Receipt: 70150640000696528379





21ST ST / 6th AVES

IR BV MESSIAH DR

IRBV @ RAAT

21ST ST @ WY @

RA @ RAAT IRBV



CITY OF VERO BEACH, FLORIDA
Code Enforcement
1053 20th Place, Vero Beach, FL 32960

CITY OF VERO BEACH
Receipt No: 3293147
Mar 10, 2014 11:39
Acct No:
Amount of Acct: \$50.00

CODE ENFORCEMENT CITATION

No. 0222T / 13-CE-4604

PAID

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on Feb 10, 2014 at 12:00

Name: **Jack Mcenerney**
of: **23 Royal Palm Pointe**
Vero Beach, FL 32960

at (violation address): 23 Royal Palm Pointe in the City of Vero Beach, Florida committed the following civil offense: Unpermitted Sign.

Violation of code provision(s): 38.17 (a)

Facts constituting violation: Unpermitted sign. Please have removed immediately.

CIVIL PENALTY: \$50.00

PAY BY DATE: 02/21/2014

REPEAT VIOLATION

CORRECTION REQUIRED BY: 02/12/2014. This is a correctable violation and must be corrected by the date specified. Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Tom Ramsey
Department: Code Enforcement

Date Issued: 02/10/2014
Telephone: 772-978-4551

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. **WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is **NOT** an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

Signature of Individual

Date: _____

CLERK COPY - 14-000174

Certified Mail Receipt: 70031010000154270670

CITY OF VERO BEACH
FLORIDA

MAR 11 2014

PAID
CASHIER NO 2



BEFORE THE CODE ENFORCEMENT BOARD
 OF THE CITY OF VERO BEACH, FLORIDA
 1053 20TH PLACE
 VERO BEACH, FLORIDA 32960
 Telephone (772) 978-4550

5-A)2

CITY OF VERO BEACH

vs.

CASE No's.: 16-CE-6466

MILOS KONDRAT
 Violator

Citation No.: 1834

TO: Milos Kondrat
1695 Barber Street
Sebastian, Florida 32958

NOTICE OF HEARING

AND

1340 Indian Mound Trail
Vero Beach, Florida 32963

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: March 9th 2 016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- Appeal of code enforcement citation.
- Failure to Correct Violation(s).
- Failure to Pay Civil Penalty and/or Costs.
- Other (describe): _____

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: February 26, 2016

By: 
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 26th day of February 20 16.

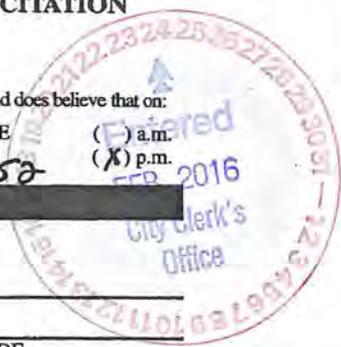

Board Clerk

CITY OF VERO BEACH CONTRACTING CODE ENFORCEMENT CITATION

CITATION No. 1834

THE UNDERSIGNED CERTIFIES THAT upon personal investigation he/she has reasonable cause to believe, and does believe that on:

DAY OF WEEK MONTH DAY YEAR TIME () a.m. (X) p.m.
 FRIDAY JANUARY 5 2016 1:52



CONTRACTING VIOLATOR INFORMATION

NAME (Print) FIRST M.I. LAST
 MILOS KONDRAT
 STREET 1695 BARBER ST
 CITY SEBASTIAN FL 32958 STATE ZIP CODE
 TELEPHONE NO. D.L. STATE D.L. NUMBER K0536-640-
 OCCUPATION CONTRACTOR EMPLOYER 2/4/12 13-0440

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE:

NO WORKERS COMP ON EMPLOYEES, NO PERMIT FOR SCOPE OF WORK
 CONTRACTING VIOLATION INFORMATION

VIOLATION DESCRIPTION: THREE WORKERS ON JOBSITE, CONTRACTOR IS WORKERS COMP EXEMPT. SIDING SUBSTRAT REPLACED W/O PERMIT

LOCATION OF VIOLATION: 1340 INDIAN MOUND TR.

(CHECK VIOLATION(S) THAT APPLY:

- Unlicensed contracting\$500 fine [City Code Section 22-86(a)]
- Contracting advertisement violation\$500 fine [City Code Section 22-86(e)]
- Licensed contractor or owner hiring unlicensed contractor(s)\$500 fine [City Code Section 22-86(f)]
- Uninsured contractor violation\$500 fine [City Code Section 22-87]
- Acts/Omissions\$500 fine [City Code Section 22-89]
- Failure to apply for building permit\$500 fine [City Code Section 22-106]
- Other contracting violations specified in Chapter 489, Florida Statute\$500 fine [Code Section _____]

TOTAL FINE/CIVIL PENALTY ASSESSED: \$ 1000⁰⁰

ISSUING CODE OFFICER/INSPECTOR INFORMATION

THIS CITATION IS ISSUED BY: DAVID CHECKE
 OFFICER NAME (Print):
 AGENCY/DEPARTMENT: BUILDING DEPARTMENT
 OFFICER SIGNATURE: [Signature] ISSUE DATE & TIME: 2/5/16 2:08 PM

WARNING NOTICE

This citation is issued pursuant to City of Vero Beach Ordinance No. 92-18 and Resolution 92-23. PAYMENT OF THE ABOVE CIVIL PENALTY MUST BE RECEIVED BY INDIAN RIVER COUNTY/VERO BEACH BUILDING DIVISION WITHIN IN TEN (10) DAYS (excluding weekends and holidays) of the issuance of this Citation. Failure to either pay the above civil penalty or to request in writing (with-in the above specified ten (10) days time frame) to appear before the City Code Enforcement Board to appeal the issuance of this Citation shall constitute a waiver of the right to an administrative hearing. A waiver of the right to an administrative hearing shall be deemed an admission of the violation and penalties may be imposed accordingly, in the form of a lien on real or personal property.

Additional citations may be issued for each day the applicable violation is found to exist.
 WILLFUL REFUSAL TO SIGN AND ACCEPT THIS CITATION IS A MISDEMEANOR OF THE SECOND DEGREE PUNISHABLE UNDER F.S. 775.082 OR 775.083

SIGNATURE OF INDIVIDUAL DATE
 I WISH TO SEEK AN ADMINISTRATIVE REVIEW OF THE CHARGE 02.05.2016
 SIGNATURE OF INDIVIDUAL DATE

HEARING DATE: IF YOU SEEK AN ADMINISTRATIVE REVIEW, YOU ARE HEREBY NOTIFIED TO APPEAR for a hearing at the regular meeting of the City of Vero Beach Code Enforcement Board to occur on Monday, March 9 2016 at 2:00 PM in the Council Chambers of the City Hall, 1053 20th Place, Vero Beach, Florida. Wednesday 2:00

PAYMENT OF FINE: Payment of the Civil Penalty may be made in person at the Building Division of the County Community Development Office, 1840 25th Street, Vero Beach, FL 32960 (772-226-1800) Monday through Friday between 9:00 A.M. and 5:00 P.M., or by mailing a cashier's check or money order to said address, payable to Indian River County. DO NOT SEND CASH.

1801 27th Ave



**INDIAN RIVER COUNTY/CITY OF VERO BEACH
BUILDING DIVISION**

1801 27th Street, Vero Beach, FL 32960 772-226-1260

2014 5th Edition Florida Building Code Section 115

STOP WORK ORDER

BY ORDER OF THE BUILDING OFFICIAL

Date: January 5, 2016

Location: 1340 Indian Mound Trail, Vero Beach, FL

Permit Number: Permit required

A STOP WORK ORDER is hereby issued at the above referenced location on this date for the following conditions:

- 1. Exterior construction without a permit; Siding and substraat replacement.**

Work may resume at this location upon the following conditions being met:

- 1. Work may resume when a permit is issued, posted on job site, and work completed by a licensed contractor.**

115.1 Authority.

Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop work order.

115.2 Issuance.

The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

115.3 Unlawful continuance.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

NOTICE OF RIGHT TO APPEAL: Any person or entity having any legal interest in the subject property may appeal this Notice and Order to the Indian River County Construction Board of Adjustments and Appeals or the City of Vero Beach Board of Building Appeals. Such appeal shall be in writing and filed with the Building Official within thirty (30) days from the date of service of this notice and must contain the following information: (1) Identification of the building or structure concerned by street address or legal description; (2) A statement identifying the legal interest of each appellant; (3) A statement identifying the specific order or section being appealed; (4) A statement detailing the issues on which the appellant desires to be heard; and (5) The legal signature of all appellants and their official mailing address.

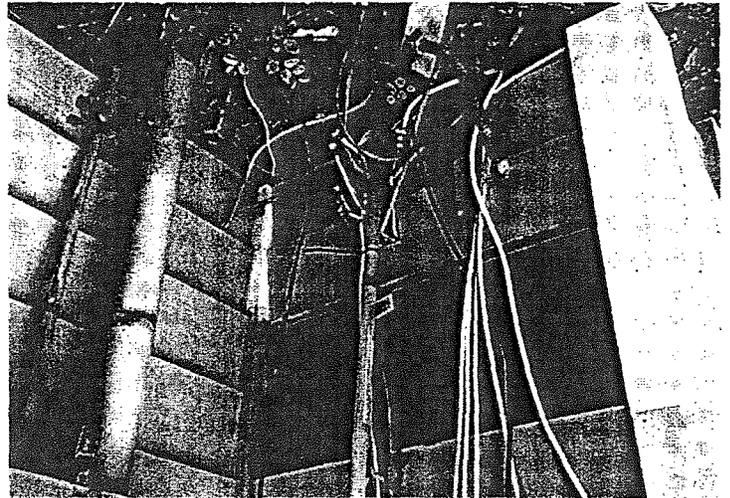
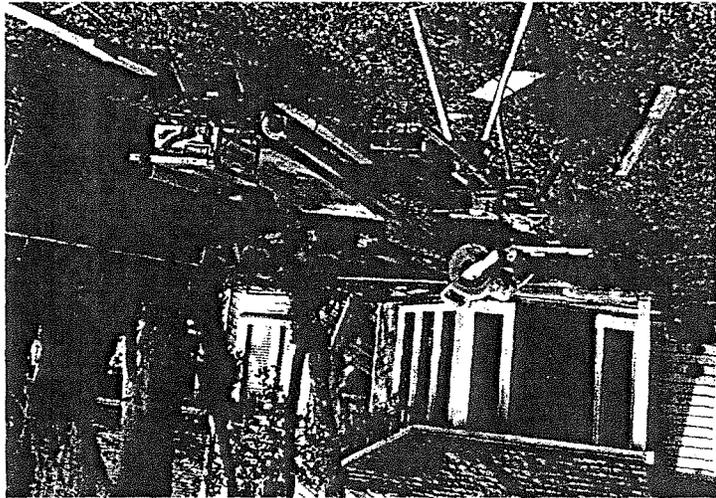
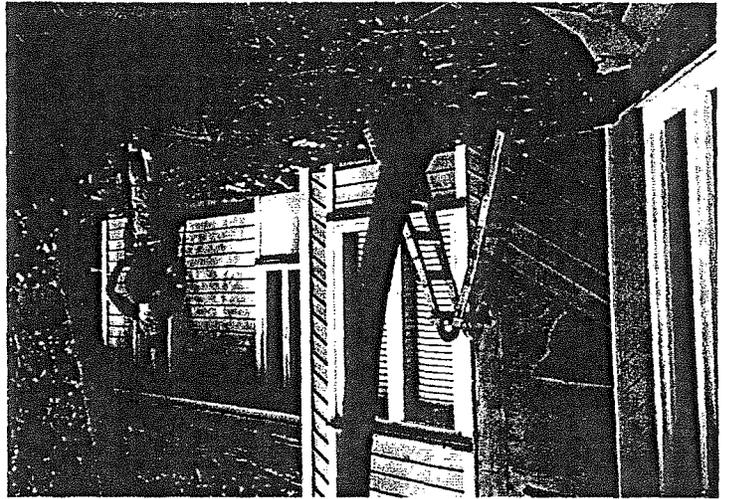
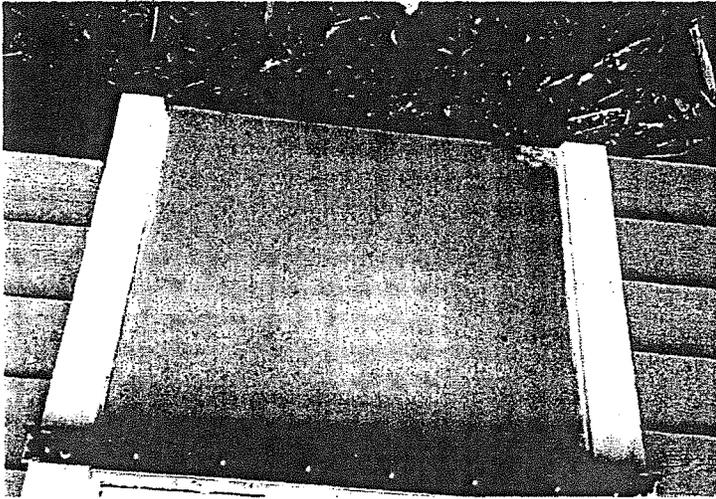
FAILURE TO APPEAL IN THE TIME SPECIFIED WILL CONSTITUTE A WAIVER OF ALL RIGHTS TO AN ADMINISTRATIVE HEARING.

Further information regarding this Stop Work Order may be obtained by contacting the undersigned Building Official at 772-226-1260 or at the Building Department Office in the Indian River County Administration Building, 1801 27th Street, Vero Beach, Florida 32960

**By Investigator:
David Checchi**

**Scott McAdam, CBO, MCP
Building Official**

710 9/5/1





BEFORE THE CODE ENFORCEMENT BOARD
 OF THE CITY OF VERO BEACH, FLORIDA
 1053 20TH PLACE
 VERO BEACH, FLORIDA 32960
 Telephone (772) 978-4550

5-B)1a

CITY OF VERO BEACH

vs.

CASE No's.: 16-CE-6009

FIRST CHOICE HEALTHCARE, LLC
DR. NEAL ABARBANELL

Citation No.: 742T

Violator

TO: First Choice Healthcare, LLC / Dr. Neal Abarbanell
9556 Doubloon Drive
Vero Beach, Florida 32963

NOTICE OF HEARING

AND 1867 20th Avenue
Vero Beach, Florida 32962

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: March 9th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- Appeal of code enforcement citation.
- Failure to Correct Violation(s).
- Failure to Pay Civil Penalty and/or Costs.
- Other (describe): Request for reduction in civil penalties and costs

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that

appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: February 26, 2016

By: 
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 26th day of February 20 16.


Board Clerk

Code Enforcement Board
City of Vero Beach

Jay Kramer
Mayor
City of Vero Beach

1053 20th Place
Vero Beach, Fl
32960



February 4, 2016

Case No: 15-CE-6009
Citation No: 742T

Regarding Notice of Hearing of February 10th 2016, I will be unable to attend this hearing as I have a previous work commitment out-of-town that day.

Despite my attempts I am unable to re-schedule this work commitment and it is at a distance greater than 100 miles.

It is my pleasure to provide the Board with my work schedule and attempt to arrange a date for Hearing which will be amenable with my attendance.

Please accept my apologies for any inconvenience this might cause.

Thank you,

Neal Abarbanell
9556 Doubloon Drive
Vero Beach, Florida 32963

Email: fldem8U@yahoo.com
Home: 772-539-0259
Cell: 305-522-3572
Vero Beach Office: 772-770-5727



**BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960**

CITY OF VERO BEACH

CASE NO. 15-CE-6009

vs.

CITATION NO. 742T

FIRST CHOICE HEALTHCARE, LLC

DR. NEAL ABARBANELL

9556 Doubloon Drive

Vero Beach, FL 32963

AND

1867 20th Avenue

Vero Beach, FL 32960

**ORDER FINDING VIOLATIONS AND TO CORRECT; IMPOSING
CONTINUING CIVIL PENALTIES; AND TO PAY PENALTIES AND COSTS**

VIOLATIONS: City of Vero Beach Code (“Code”) sec. 38-31(b)(1), weeds, grass, and undergrowth in excess of 12 inches; and sec. 38-32(a)(1), unlicensed/inoperable vehicle.

LOCATION: 1867 20th Avenue, Vero Beach, Florida 32963

The above-styled case having come before the Code Enforcement Board of the City of Vero Beach (“Board”) on the 9th day of December 2015 on request of the code enforcement officer for issuance of a Board order, and the Board, having heard testimony of the code enforcement officer regarding the grass and weeds violation being corrected but the inoperable vehicle violation having not been corrected and having reviewed the record in this case, on motion made and approved, found that:

1. The citation and notice of hearing issued in this case were served as provided by law; however the violator did not appear for this hearing.
2. The violator did not appeal issuance of the citation in this case within the time allowed by law and thereby waived the right to a hearing before the Board to contest the issuance of the citation, which waiver is deemed an admission of the violations as specified in the citation.
3. The violation of grass, weeds, and undergrowth in excess of 12 inches has been corrected and, while the unlicensed or inoperable vehicle now appears to have a valid license registration tag, the violation is continuing in that the vehicle remains inoperable due to four flat tires.
4. The initial civil penalty of \$50.00 assessed on the citation has not been paid.
5. The City has incurred enforcement costs of \$50.00 for which the City is entitled to recover pursuant to law and the City is entitled pursuant to law to recover all costs of recording the Board’s orders in the public records and for satisfying and recording releases of the resulting liens upon payment.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

The violator is deemed to have committed the violations as specified above and on the citation, however the violation regarding grass and weeds has now been corrected, but the violation regarding the inoperable vehicle has not been corrected and is continuing. **The violator shall immediately cause correction of the violation** of the inoperable vehicle and, within thirty (30) days from the date of this Order, shall pay to the City Clerk the initial civil penalty of **\$50.00** and a continuing civil penalty of **\$50.00 per day** hereby imposed for each day the violation has remained and continues to remain uncorrected after the date given in the citation for correction (09/28/15), together with enforcement costs of **\$50.00** and all costs of recording the Board's orders in the public records and for satisfying and recording release of the resulting liens upon payment. No hearing costs are assessed at this time.

DONE AND ORDERED at Vero Beach, Indian River County, Florida this 29th day of December 2015.

ATTEST:

CODE ENFORCEMENT BOARD



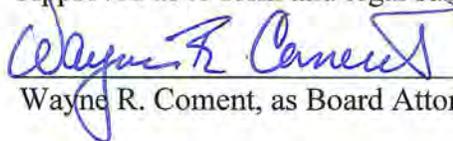
Sherri Philo, as Board Clerk



Kirk Noonan, Vice Chairman

[Seal]

Approved as to form and legal sufficiency:



Wayne R. Coment, as Board Attorney

IMPORTANT INFORMATION

Correction of Violations: AFTER CORRECTING THE VIOLATIONS YOU MUST NOTIFY THE CODE ENFORCEMENT OFFICER at Telephone #772-978-4551 or 772-978-4561, or in person at the Code Enforcement Office, Vero Beach Police Department, 1055 20th Street, Vero Beach, FL 32960 in order to request re-inspection to avoid imposition of additional civil penalties against you.

Payment of Civil Penalties and Costs: You must contact the City Clerk's Office at 772-978-4700 for the total amount of civil penalties, enforcement costs, recording and other costs required to satisfy this order and lien. Payment may be made in person at the City Clerk's Office located in City Hall, 1053 20th Place, Vero Beach, Florida 32960, Monday through Friday between 8:30 A.M. and 5:00 P.M., or by mailing a check or money order for the verified amount to said address, payable to "City of Vero Beach." Do not mail cash!

Repeat Violation: Repeat violation of the same Code provision by the violator, even if committed at a different location, can result in the issuance of a code enforcement citation and assessment of increased civil penalties for the repeat offense.

Notice of Right to Appeal Board Decision: An aggrieved party may appeal the Board's order to the Circuit Court in Indian River County, Florida. A written notice of appeal, together with a copy of the order appealed, must be filed with the Clerk of the Code Enforcement Board **and** with the Clerk of the Circuit Court, together with the applicable court filing fees, within thirty (30) days after the date of this order or the right to appeal is waived. An appeal is limited to appellate review of the record of the proceedings created before the Code Enforcement Board. Ref. F.S. 26.012(1); Florida Rules of Appellate Procedure, 9.030(c)(1)(C); 9.110(c).



**VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**

1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 0742T / 15-CE-6009

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on September 09, 2015 at N/A

Name: **First Choice Healthcare Llc, / Dr. Neal Abarbanell**
9556 Doubloon Dr
of: **Vero Beach, FL 32963**

ORIGINAL

at (violation address): 1867 20^{Ave} in the City of Vero Beach, Florida committed the following civil offense: Grass, weeds, and undergrowth in excess of 12". Expired and inoperable vehicle.

Violation of code provision(s): 38-31 (b)(1), 38-32 (a)(1)

Facts constituting violation: Grass, weeds, and undergrowth in excess of 12". Expired and inoperable vehicle. Please arrange to have property placed on a routine maintenance schedule and vehicle registration brought current and made operable. Compliance date of 9/28/2015.

CIVIL PENALTY: \$50.00

PAY BY DATE: 09/28/2015

REPEAT VIOLATION

CORRECTION REQUIRED BY: 09/28/2015. This is a correctable violation and must be corrected by the date specified. Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Tom Ramsey
Department: VBPD/Code Enforcement

Date Issued: 09/10/2015
Telephone: 772-978-4551

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation **OR** pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.** **WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

Signature of Individual

Date: _____

CLERK COPY - 15-001188

Certified Mail Receipt: 70140150000165020529

ORIGINAL

CODE ENFORCEMENT
CIVIL PENALTIES AND COSTS (ESTIMATED COSTS)
1867 20th Avenue
January 11, 2016

Continuing penalties from 9/29/15 through 1/10/16 (Day prior to date found in compliance)

Case #15-CE-6009

- A civil penalty in the amount of \$50.00
- Cost of prosecution in the amount of \$50.00
- Continuing civil penalties of \$5,150.00 (103 days x \$50.00 per day)

TOTAL PENALTIES AND COSTS: \$5,250.00



BEFORE THE CODE ENFORCEMENT BOARD
 OF THE CITY OF VERO BEACH, FLORIDA
 1053 20TH PLACE
 VERO BEACH, FLORIDA 32960
 Telephone (772) 978-4550

5-B)1a

CITY OF VERO BEACH

vs.

CASE No's.: 16-CE-6009

FIRST CHOICE HEALTHCARE, LLC
DR. NEAL ABARBANELL

Citation No.: 742T

Violator

TO: First Choice Healthcare, LLC / Dr. Neal Abarbanell
9556 Doubloon Drive
Vero Beach, Florida 32963

NOTICE OF HEARING

AND 1867 20th Avenue
Vero Beach, Florida 32962

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: March 9th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- Appeal of code enforcement citation.
- Failure to Correct Violation(s).
- Failure to Pay Civil Penalty and/or Costs.
- Other (describe): Request for reduction in civil penalties and costs

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that

appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: February 26, 2016

By: 
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 26th day of February 20 16.


Board Clerk

Code Enforcement Board
City of Vero Beach

Jay Kramer
Mayor
City of Vero Beach

1053 20th Place
Vero Beach, Fl
32960



February 4, 2016

Case No: 15-CE-6009
Citation No: 742T

Regarding Notice of Hearing of February 10th 2016, I will be unable to attend this hearing as I have a previous work commitment out-of-town that day.

Despite my attempts I am unable to re-schedule this work commitment and it is at a distance greater than 100 miles.

It is my pleasure to provide the Board with my work schedule and attempt to arrange a date for Hearing which will be amenable with my attendance.

Please accept my apologies for any inconvenience this might cause.

Thank you,

Neal Abarbanell
9556 Doubloon Drive
Vero Beach, Florida 32963

Email: fldem8U@yahoo.com
Home: 772-539-0259
Cell: 305-522-3572
Vero Beach Office: 772-770-5727



**BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960**

CITY OF VERO BEACH

CASE NO. 15-CE-6009

vs.

CITATION NO. 742T

FIRST CHOICE HEALTHCARE, LLC

DR. NEAL ABARBANELL

9556 Doubloon Drive

Vero Beach, FL 32963

AND

1867 20th Avenue

Vero Beach, FL 32960

**ORDER FINDING VIOLATIONS AND TO CORRECT; IMPOSING
CONTINUING CIVIL PENALTIES; AND TO PAY PENALTIES AND COSTS**

VIOLATIONS: City of Vero Beach Code (“Code”) sec. 38-31(b)(1), weeds, grass, and undergrowth in excess of 12 inches; and sec. 38-32(a)(1), unlicensed/inoperable vehicle.

LOCATION: 1867 20th Avenue, Vero Beach, Florida 32963

The above-styled case having come before the Code Enforcement Board of the City of Vero Beach (“Board”) on the 9th day of December 2015 on request of the code enforcement officer for issuance of a Board order, and the Board, having heard testimony of the code enforcement officer regarding the grass and weeds violation being corrected but the inoperable vehicle violation having not been corrected and having reviewed the record in this case, on motion made and approved, found that:

1. The citation and notice of hearing issued in this case were served as provided by law; however the violator did not appear for this hearing.
2. The violator did not appeal issuance of the citation in this case within the time allowed by law and thereby waived the right to a hearing before the Board to contest the issuance of the citation, which waiver is deemed an admission of the violations as specified in the citation.
3. The violation of grass, weeds, and undergrowth in excess of 12 inches has been corrected and, while the unlicensed or inoperable vehicle now appears to have a valid license registration tag, the violation is continuing in that the vehicle remains inoperable due to four flat tires.
4. The initial civil penalty of \$50.00 assessed on the citation has not been paid.
5. The City has incurred enforcement costs of \$50.00 for which the City is entitled to recover pursuant to law and the City is entitled pursuant to law to recover all costs of recording the Board’s orders in the public records and for satisfying and recording releases of the resulting liens upon payment.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

The violator is deemed to have committed the violations as specified above and on the citation, however the violation regarding grass and weeds has now been corrected, but the violation regarding the inoperable vehicle has not been corrected and is continuing. **The violator shall immediately cause correction of the violation** of the inoperable vehicle and, within thirty (30) days from the date of this Order, shall pay to the City Clerk the initial civil penalty of **\$50.00** and a continuing civil penalty of **\$50.00 per day** hereby imposed for each day the violation has remained and continues to remain uncorrected after the date given in the citation for correction (09/28/15), together with enforcement costs of **\$50.00** and all costs of recording the Board's orders in the public records and for satisfying and recording release of the resulting liens upon payment. No hearing costs are assessed at this time.

DONE AND ORDERED at Vero Beach, Indian River County, Florida this 29th day of December 2015.

ATTEST:

CODE ENFORCEMENT BOARD



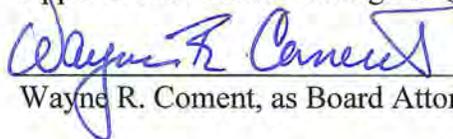
Sherri Philo, as Board Clerk



Kirk Noonan, Vice Chairman

[Seal]

Approved as to form and legal sufficiency:



Wayne R. Coment, as Board Attorney

IMPORTANT INFORMATION

Correction of Violations: AFTER CORRECTING THE VIOLATIONS YOU MUST NOTIFY THE CODE ENFORCEMENT OFFICER at Telephone #772-978-4551 or 772-978-4561, or in person at the Code Enforcement Office, Vero Beach Police Department, 1055 20th Street, Vero Beach, FL 32960 in order to request re-inspection to avoid imposition of additional civil penalties against you.

Payment of Civil Penalties and Costs: You must contact the City Clerk's Office at 772-978-4700 for the total amount of civil penalties, enforcement costs, recording and other costs required to satisfy this order and lien. Payment may be made in person at the City Clerk's Office located in City Hall, 1053 20th Place, Vero Beach, Florida 32960, Monday through Friday between 8:30 A.M. and 5:00 P.M., or by mailing a check or money order for the verified amount to said address, payable to "City of Vero Beach." Do not mail cash!

Repeat Violation: Repeat violation of the same Code provision by the violator, even if committed at a different location, can result in the issuance of a code enforcement citation and assessment of increased civil penalties for the repeat offense.

Notice of Right to Appeal Board Decision: An aggrieved party may appeal the Board's order to the Circuit Court in Indian River County, Florida. A written notice of appeal, together with a copy of the order appealed, must be filed with the Clerk of the Code Enforcement Board **and** with the Clerk of the Circuit Court, together with the applicable court filing fees, within thirty (30) days after the date of this order or the right to appeal is waived. An appeal is limited to appellate review of the record of the proceedings created before the Code Enforcement Board. Ref. F.S. 26.012(1); Florida Rules of Appellate Procedure, 9.030(c)(1)(C); 9.110(c).



**VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**

1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 0742T / 15-CE-6009

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on September 09, 2015 at N/A

Name: **First Choice Healthcare Llc, / Dr. Neal Abarbanell**
9556 Doubloon Dr
of: **Vero Beach, FL 32963**

ORIGINAL

at (violation address): 1867 20 ^{Ave} in the City of Vero Beach, Florida committed the following civil offense: Grass, weeds, and undergrowth in excess of 12". Expired and inoperable vehicle.

Violation of code provision(s): 38-31 (b)(1), 38-32 (a)(1)

Facts constituting violation: Grass, weeds, and undergrowth in excess of 12". Expired and inoperable vehicle. Please arrange to have property placed on a routine maintenance schedule and vehicle registration brought current and made operable. Compliance date of 9/28/2015.

CIVIL PENALTY: \$50.00

PAY BY DATE: 09/28/2015

REPEAT VIOLATION

CORRECTION REQUIRED BY: 09/28/2015. This is a correctable violation and must be corrected by the date specified. Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Tom Ramsey
Department: VBPD/Code Enforcement

Date Issued: 09/10/2015
Telephone: 772-978-4551

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation **OR** pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.** **WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

Signature of Individual

Date: _____

CLERK COPY - 15-001188

Certified Mail Receipt: 70140150000165020529

ORIGINAL

CODE ENFORCEMENT
CIVIL PENALTIES AND COSTS (ESTIMATED COSTS)
1867 20th Avenue
January 11, 2016

Continuing penalties from 9/29/15 through 1/10/16 (Day prior to date found in compliance)

Case #15-CE-6009

- A civil penalty in the amount of \$50.00
- Cost of prosecution in the amount of \$50.00
- Continuing civil penalties of \$5,150.00 (103 days x \$50.00 per day)

TOTAL PENALTIES AND COSTS: \$5,250.00



BEFORE THE CODE ENFORCEMENT BOARD 5-B)16
 OF THE CITY OF VERO BEACH, FLORIDA
 1053 20TH PLACE
 VERO BEACH, FLORIDA 32960
 Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No's.: 16-CE-6204

BETTY SMITH
 Violator

Citation No.: 0818T

TO: Betty Smith
1745 41st Avenue
Vero Beach, Florida 32960

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: March 9th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- Appeal of code enforcement citation.
- Failure to Correct Violation(s).
- Failure to Pay Civil Penalty and/or Costs. PAID
- Other (describe): Case continued from January 13, 2016 & February 13, 2016

Hearing _____

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

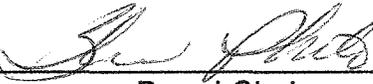
HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: February 26, 2016

By: 
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 26th day of February 20 16.


Board Clerk



BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960

CITY OF VERO BEACH

CASE NO. 15-CE-6204

vs.

CITATION NO. 0818T

BETTY SMITH
1745 41st Avenue
Vero Beach, Florida 32960-2556

**ORDER FINDING VIOLATION AND TO CORRECT,
AND TO PAY COSTS**

VIOLATIONS: City of Vero Beach Code sections 22-106(a) and Fla. Building Code (2000); Re-roof and fascia work without a permit.

VIOLATION LOCATION: 1745 41st Avenue, Vero Beach, Florida 32960-2556

The above-styled case having come before the Code Enforcement Board on the 13th day of January 2016 on request of the code enforcement officer for issuance of a Board order and the Board, having heard testimony of the officer and the violator regarding the violation having not been corrected and having reviewed the record in this case, on motion made and approved, found that:

1. The citation and notice of hearing issued in this case were served as provided by law and the violator appeared and testified at this hearing.
2. The violator did not appeal issuance of the citation in this case within the time allowed by law and thereby waived the right to a hearing before the Board to contest the issuance of the citation, which waiver is deemed an admission of the violation as specified in the citation. The civil penalty assessed on the citation was paid, which is also an admission of the violation.
3. The violation specified in the citation has not been corrected by the violator obtaining after-the-fact building permits required by law.
4. To date the City has incurred enforcement costs of 51.10, for which the City is entitled to recover, together with all costs of recording the Board's orders in the public records and for satisfying and recording releases of the resulting liens upon payment.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

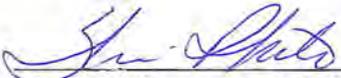
The violator is deemed to have committed the violation as specified above and on the citation, which violation has not been corrected and is continuing. **The violator shall cause correction of the violation by obtaining after-the-fact building permits and final inspections by February 5, 2016. This case is rescheduled for a hearing on compliance on Wednesday, February 10, 2016 at 2:00 P.M.** Enforcement costs of **\$51.10** are assessed against the violator, which costs shall be paid to the City Clerk within thirty (30) days from the date of this Order, together with all costs of recording the Board's orders in the public records and for satisfying and recording release of the resulting liens upon

payment. Imposition of additional or continuing civil penalties and assessment of additional enforcement costs is reserved by the Board at this time.

DONE AND ORDERED at Vero Beach, Indian River County, Florida this 28th day of January 2016.

ATTEST:

CODE ENFORCEMENT BOARD



Sherri Philo, As Board Clerk



Kirk Noonan, Chairman

[Seal]

Approved as to form and legal sufficiency:



Wayne R. Coment, as Board Attorney

IMPORTANT INFORMATION

Correction of Violations: AFTER CORRECTING THE VIOLATIONS YOU MUST NOTIFY THE CODE ENFORCEMENT OFFICER at Telephone #772-978-4551 or 772-978-4561, or in person at the Code Enforcement Office, Vero Beach Police Department, 1055 20th Street, Vero Beach, FL 32960 in order to request re-inspection to avoid imposition of additional civil penalties against you.

Attendance at Hearing: If you do not appear at the hearing in person or by legal representative to defend this matter, the Code Enforcement Board may proceed to hear the case in your absence and rule against you. This case will be presented to the Board even if the violations are corrected prior to the hearing.

Payment of Civil Penalties and Costs: You must contact the City Clerk's Office at 772-978-4700 for the total amount of civil penalties, enforcement costs, recording and other costs required to satisfy this order and lien. Payment may be made in person at the City Clerk's Office located in City Hall, 1053 20th Place, Vero Beach, Florida 32960, Monday through Friday between 8:30 A.M. and 5:00 P.M., or by mailing a check or money order for the verified amount to said address, payable to "City of Vero Beach." Do not mail cash!



**VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
1055 20th Street
Vero Beach, FL 32960**

CODE ENFORCEMENT CITATION
City of Vero Beach
Receipt No: 22807000043

Dec 04, 2015 09:00
No. **0818T / 15-CE-6204** Acct No:
Amount on Acct: \$50.00

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **November 17, 2015** at **N/A**

Name: **Smith, Betty ***
1745 41st Ave
of: **Vero Beach, FL 32960-2556**

ORIGINAL

CITY OF VERO BEACH
UTILITIES

DEC 04 2015

at (violation address): **1745 41st** in the City of Vero Beach, Florida committed the following civil offense: **(a) PAID**
Building permit. A permit shall be obtained from the building official before doing any work or construction of any character, whether permanent or temporary, when a permit is required under the building code. CASHIER NO: 6

Violation of code provision(s): **22-106 (a) & 2000 Bldg. Code**

Facts constituting violation: **Re-roof and Fascia work without a permit. Please proceed to the IRC Building Department for after the fact permitting and inspection. Please remit civil penalty and arrange for permitting on or before 12/4/2015 to avoid possible additional code enforcement action.**

CIVIL PENALTY: \$50.00 PAY BY DATE: 12/04/2015 REPEAT VIOLATION

CORRECTION REQUIRED BY: 12/04/2015. This is a correctable violation and must be corrected by the date specified. Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: **Tom Ramsey**
Department: **VBPD/Code Enforcement**

Date Issued: **11/17/2015**
Telephone: **772-978-4551**

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation **OR** pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is **NOT** an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

Signature of Individual

Date: _____

CLERK COPY - 15-001567

Certified Mail Receipt: 70140150000165020772

ORIGINAL



BEFORE THE CODE ENFORCEMENT BOARD
 OF THE CITY OF VERO BEACH, FLORIDA
 1053 20TH PLACE
 VERO BEACH, FLORIDA 32960
 Telephone (772) 978-4550

5-B)1c

CITY OF VERO BEACH

vs.

CASE No's.: 15-CE-6019

ARLP TRUST C/O OCWEN LOAN SERVICING, LLC
 Violator

Citation No.: 743M

TO: ARLP Trust c/o Ocwen Loan Servicing, LLC
5720 Premier Park Drive
West Palm Beach, Florida 33407

NOTICE OF HEARING

AND 2520 20th Street
Vero Beach, Florida 32960

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: March 9th 2 016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- Appeal of code enforcement citation.
- Failure to Correct Violation(s).
- Failure to Pay Civil Penalty and/or Costs.
- Other (describe): Request to find property in compliance and cease continuing

penalties (This Case Only) _____

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that

appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: February 26, 2016

By: 
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 26th day of February 20 16.


Board Clerk



VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION

1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 743M / 15-CE-6019

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on September 01, 2015 at n/a

Name: **ARLP Trust c/o Ocwen Loan Servicing LLC**
of: **5720 Premier Park Drive**
West Palm Beach, FL 33407

at (violation address): 2520 20th Street in the City of Vero Beach, Florida committed the following civil offense: **Contractor's refuse or waste: It shall be unlawful for any person acting in the capacity of contractor, including but not limited to a lawn maintenance operator, commercial tree trimmer, tree surgeon, landscaper, mechanical contractor, electrical contractor, building contractor, handyman or any other paid laborer or contractor, to produce or accumulate any refuse or waste material on a site without removing same to an authorized dump or landfill.**

Violation of code provision(s): 66-8 (12)

Facts constituting violation: Tree trimming and cutting debris left onsite and must be removed. Contractor Good Choice was notified by phone (941 444 6101) 8/31/15 and has not removed debris.

CIVIL PENALTY: \$50.00 **PAY BY DATE: 10/14/2015** REPEAT VIOLATION

CORRECTION REQUIRED BY: 10/14/2015. This is a correctable violation and must be corrected by the date specified. Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Sanderson
Department: VBPD/Code Enforcement

Date Issued: 09/29/2015
Telephone: 7729784561

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.** **WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

Signature of Individual

Date: _____



BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960

CITY OF VERO BEACH

CASE NO. 15-CE-6019

vs.

CITATION NO. 743M

ARLP TRUST

C/O OCWEN LOAN SERVICING, LLC

5720 Premier Park Drive
West Palm Beach, FL 33407

AND

2520 20th Street
Vero Beach, Florida 32960

**ORDER TO CORRECT VIOLATION, IMPOSING CONTINUING
CIVIL PENALTIES, AND TO PAY PENALTIES AND COSTS**

VIOLATION: City of Vero Beach Code sec. 66.8(12), failure to remove and properly dispose of tree trimming debris and waste.

LOCATION: 2520 20th Street, Vero Beach, Florida 32960

The above-styled case having come before the Code Enforcement Board of the City of Vero Beach ("Board") on the 9th day of December 2015 on request of the code enforcement officer for a Board order and the Board, having heard report of the code enforcement officer regarding the violation having not been corrected and having reviewed the record in this case, on motion made and approved, found that:

1. The citation and notice of hearing issued in this case were served as provided by law; however the violator failed to appear in this enforcement action.
2. The violator did not appeal issuance of the citation in this case within the time allowed by law and thereby waived the right to a hearing before the Board to contest the issuance of the citation, which waiver of hearing is deemed an admission of the violation as specified in the citation.
3. The violation specified in the citation has not been corrected by removal and proper disposal of the tree trimming debris and waste as of this hearing and the initial civil penalty assessed on the citation has not been paid.
4. The City has not requested enforcement costs at this time; however the City is entitled pursuant to law to recover all costs of recording the Board's orders in the public records and for satisfying and recording releases of the resulting liens upon payment.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

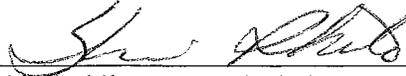
The violator is deemed to have committed the violation as specified above and on the citation, which violation has not been corrected and is continuing. **The violator shall immediately cause correction of the violations** by removal and proper disposal of the tree trimming debris and waste and, within thirty (30) days from the date of this Order, shall pay to the City Clerk the initial civil penalty of **\$50.00** and a continuing civil

penalty of **\$50.00 per day** hereby imposed for each day the violation remained and continues to remain uncorrected after the date given in the citation for correction (10/14/15), together with all costs of recording the Board's orders in the public records and for satisfying and recording release of the resulting liens upon payment. No enforcement or hearing costs are assessed at this time.

DONE AND ORDERED at Vero Beach, Indian River County, Florida this 29th day of December 2015.

ATTEST:

CODE ENFORCEMENT BOARD



Sherri Philo, as Board Clerk



Kirk Noonan, Vice Chairman

[Seal]

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

SHERRI PHILO

BY:  , D.C.

DATE: December 29, 2015

Approved as to form and legal sufficiency:



Wayne R. Coment, as Board Attorney

IMPORTANT INFORMATION

Correction of Violations: AFTER CORRECTING THE VIOLATIONS YOU MUST NOTIFY THE CODE ENFORCEMENT OFFICER at Telephone #772-978-4551 or 772-978-4561, or in person at the Code Enforcement Office, Vero Beach Police Department, 1055 20th Street, Vero Beach, FL 32960 in order to request re-inspection to avoid imposition of additional civil penalties against you.

Payment of Civil Penalties and Costs: You must contact the City Clerk's Office at 772-978-4700 for the total amount of civil penalties, enforcement costs, recording and other costs required to satisfy this order and lien. Payment may be made in person at the City Clerk's Office located in City Hall, 1053 20th Place, Vero Beach, Florida 32960, Monday through Friday between 8:30 A.M. and 5:00 P.M., or by mailing a check or money order for the verified amount to said address, payable to "City of Vero Beach." Do not mail cash!

Repeat Violation: Repeat violation of the same Code provision by the violator, even if committed at a different location, can result in the issuance of a code enforcement citation and assessment of increased civil penalties for the repeat offense.

Notice of Right to Appeal Board Decision: An aggrieved party may appeal the Board's order to the Circuit Court in Indian River County, Florida. A written notice of appeal, together with a copy of the order appealed, must be filed with the Clerk of the Code Enforcement Board **and** with the Clerk of the Circuit Court, together with the applicable court filing fees, within thirty (30) days after the date of this order or the right to appeal is waived. An appeal is limited to appellate review of the record of the proceedings created before the Code Enforcement Board. Ref. F.S. 26.012(1); Florida Rules of Appellate Procedure, 9.030(c)(1)(C); 9.110(c).

CODE ENFORCEMENT CASE #15-CE-6019
ESTIMATED COSTS

- A civil penalty of \$50.00

- A continuing penalty of \$50.00 a day that commenced on October 15, 2015 and ending on the January 28, 2016 – Found in compliance on January 29, 2016 (106 days at \$50.00 a day), which totals \$5,300.00

TOTAL PENALTY OF: \$5,350.00

PLUS ALL COSTS OF RECORDING AND CITY ATTORNEY FEES

5-B)1d



BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No's.: 16-CE-6392

821 DAHLIA, LLC

Citation No.: 0906T

Violator

TO: 821 Dahlia, LLC
2055 US1
Vero Beach, Florida 32960

NOTICE OF HEARING

AND 821 Dahlia Lane
Vero Beach, Florida 32963

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: March 9th 2 016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- Appeal of code enforcement citation.
- Failure to Correct Violation(s).
- Failure to Pay Civil Penalty and/or Costs.
- Other (describe): _____

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: February 26, 2016

By: 
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 26th day of February 20 16.


Board Clerk



VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION

1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 0906T / 16-CE-6392

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on February 03, 2016 at N/A

ORIGINAL

Name: **821 Dahlia LLC**
2055 US Highway 1
of: **Vero Beach, FL 32960**

at (violation address): 821 Dahlia Ln in the City of Vero Beach, Florida committed the following civil offense: **(b) Construction activity. No person may engage in any construction activity without an erosion and sediment control plan approved by the city engineer.**

a) Building permit. A permit shall be obtained from the building official before doing any work or construction of any character, whether permanent or temporary, when a permit is required under the building code.

Violation of code provision(s): 73.33(b), 22-106(a)

Facts constituting violation: Fill dirt brought on empty lot without erosion control or permit issuance. Please cease this activity and arrange for permitting with the COVB Planning Department and the IRC Building Department. Please make corrections and remit civil penalty on/or before 2/18/16 to avoid possible future code enforcement action.

CIVIL PENALTY: \$50.00

PAY BY DATE: 02/18/2016

REPEAT VIOLATION

CORRECTION REQUIRED BY: 02/18/2016. This is a correctable violation and must be corrected by the date specified. Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Tom Ramsey
Department: VBPD/Code Enforcement

Date Issued: 02/03/2016
Telephone: 772-978-4551

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. **WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

Signature of Individual

Date: _____

CLERK COPY - 16-000151

ORIGINAL

Certified Mail Receipt: 7014015000016502108



BEFORE THE CODE ENFORCEMENT BOARD
 OF THE CITY OF VERO BEACH, FLORIDA
 1053 20TH PLACE
 VERO BEACH, FLORIDA 32960
 Telephone (772) 978-4550

5-B)1e

CITY OF VERO BEACH

vs.

CASE No's.: 15-CE-6011

BAYVIEW LOAN SERVICING, LLC
 Violator

Citation No.: 0906T

TO: Bayview Loan Servicing, LLC
4425 Ponce De Leon Boulevard, 4th Floor
Coral Gables, Florida 33146

NOTICE OF HEARING

AND 2234 18th Avenue
Vero Beach, Florida 32960

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: March 9th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- Appeal of code enforcement citation.
- Failure to Correct Violation(s).
- Failure to Pay Civil Penalty and/or Costs.
- Other (describe): Request to find property in compliance and cease continuing

penalties

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that

appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

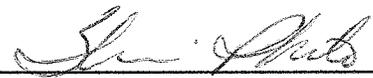
HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: February 26, 2016

By: 
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 26th day of February 20 16.


Board Clerk



BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960

CITY OF VERO BEACH

CASE NO. 15-CE-6011

vs.

CITATION NO. 748M

BAYVIEW LOAN SERVICING, LLC
4425 Ponce De Leon Boulevard, 4th Floor
Coral Gables, FL 33146

AND

2234 18th Avenue
Vero Beach, FL 32960

**ORDER TO CORRECT VIOLATION, IMPOSING CONTINUING
CIVIL PENALTIES, AND TO PAY PENALTIES AND COSTS**

VIOLATION: City of Vero Beach Code section 66.8 (12) ("Code"), Landscape debris or waste on property.

LOCATION: 2234 18th Avenue, Vero Beach, Florida 32960

The above-styled case having come before the Code Enforcement Board of the City of Vero Beach ("Board") on the 9th day of December 2015 on request of the code enforcement officer for issuance of a Board order and the Board, having heard testimony of the code enforcement officer regarding the violation having not been corrected and having reviewed the record in this case, on motion made and approved, found that:

1. The citation and notice of hearing issued in this case were served as provided by law; however the violator has failed to appear in this enforcement action.
2. The violator did not appeal issuance of the citation in this case within the time allowed by law and thereby waived the right to a hearing before the Board to contest the issuance of the citation, which waiver is deemed an admission of the violation as specified in the citation.
3. The violation specified in the citation has not been corrected by proper removal and disposal of the subject landscape debris and waste as of this hearing and the initial civil penalty of \$50.00 assessed on the citation has not been paid.
4. The City has not requested enforcement costs at this time; however the City is entitled pursuant to law to recover all costs of recording the Board's orders in the public records and for satisfying and recording releases of the resulting liens upon payment.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

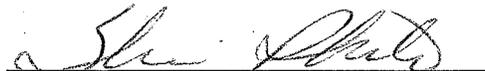
The violator is deemed to have committed the violation as specified above and on the citation, which violation has not been corrected and is continuing. **The violator shall immediately cause**

correction of the violation by proper removal and disposal of the landscape debris and waste and, within thirty (30) days from the date of this Order, shall pay to the City Clerk the initial civil penalty of **\$50.00** and a continuing civil penalty of **\$50.00 per day** hereby imposed for each day the violation has remained and continues to remain uncorrected after the date given in the citation for correction (10/07/15), together with all costs of recording the Board's orders in the public records and for satisfying and recording release of the resulting liens upon payment. No enforcement or hearing costs are assessed at this time.

DONE AND ORDERED at Vero Beach, Indian River County, Florida this 29th day of December 2015.

ATTEST:

CODE ENFORCEMENT BOARD


Sherri Philo, as Board Clerk


Kirk Noonan, Vice Chairman

[Seal]

Approved as to form and legal sufficiency:


Wayne R. Coment, as Board Attorney

THIS IS TO CERTIFY THAT THIS IS A
TRUE AND CORRECT COPY OF THE
ORIGINAL ON FILE IN THIS OFFICE.

SHERRI PHILO

BY:  D.C.

DATE: December 29, 2015

IMPORTANT INFORMATION

Correction of Violations: AFTER CORRECTING THE VIOLATIONS YOU MUST NOTIFY THE CODE ENFORCEMENT OFFICER at Telephone #772-978-4551 or 772-978-4561, or in person at the Code Enforcement Office, Vero Beach Police Department, 1055 20th Street, Vero Beach, FL 32960 in order to request re-inspection to avoid imposition of additional civil penalties against you.

Payment of Civil Penalties and Costs: You must contact the City Clerk's Office at 772-978-4700 for the total amount of civil penalties, enforcement costs, recording and other costs required to satisfy this order and lien. Payment may be made in person at the City Clerk's Office located in City Hall, 1053 20th Place, Vero Beach, Florida 32960, Monday through Friday between 8:30 A.M. and 5:00 P.M., or by mailing a check or money order for the verified amount to said address, payable to "City of Vero Beach." Do not mail cash!

Repeat Violation: Repeat violation of the same Code provision by the violator, even if committed at a different location, can result in the issuance of a code enforcement citation and assessment of increased civil penalties for the repeat offense.

Notice of Right to Appeal Board Decision: An aggrieved party may appeal the Board's order to the Circuit Court in Indian River County, Florida. A written notice of appeal, together with a copy of the order appealed, must be filed with the Clerk of the Code Enforcement Board **and** with the Clerk of the Circuit Court, together with the applicable court filing fees, within thirty (30) days after the date of this order or the right to appeal is waived. An appeal is limited to appellate review of the record of the proceedings created before the Code Enforcement Board. Ref. F.S. 26.012(1); Florida Rules of Appellate Procedure, 9.030(c)(1)(C); 9.110(c).



**VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**

1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 748M / 15-CE-6011

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on September 22, 2015 at n/a

Name: **Bayview Loan Servicing LLC**
4425 Ponce De Leon Bv, 4th Floor
of: **Coral Gables, FL 33146**

ORIGINAL

at (violation address): 2234 18th AVE. in the City of Vero Beach, Florida committed the following civil offense: Contractor's refuse or waste. It shall be unlawful for any person acting in the capacity of contractor, including but not limited to a lawn maintenance operator, commercial tree trimmer, tree surgeon, landscaper, mechanical contractor, electrical contractor, building contractor, handyman or any other paid laborer or contractor, to produce or accumulate any refuse or waste material on a site without removing same to an authorized dump or landfill.

Violation of code provision(s): 66.8 (12)

Facts constituting violation: Two separate piles of landscape debris left on-site by contractor at the rear of the property.

CIVIL PENALTY: \$50.00

PAY BY DATE: 10/07/2015

REPEAT VIOLATION

CORRECTION REQUIRED BY: 10/07/2015. This is a correctable violation and must be corrected by the date specified. Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Sanderson
Department: VBPD/Code Enforcement

Date Issued: 09/22/2015
Telephone: 7729784561

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

Signature of Individual

Date: _____

CODE ENFORCEMENT CASE #15-CE-6011
ESTIMATED COSTS

- A civil penalty of \$50.00
- A continuing penalty of \$50.00 a day that commenced on October 8, 2015 and ending on the February 18, 2016 – Found in compliance on February 19, 2016 (134 days at \$50.00 a day), which totals \$6,700.00

TOTAL PENALTY OF: \$6,750.00

PLUS ALL COSTS OF RECORDING AND CITY ATTORNEY FEES



BEFORE THE CODE ENFORCEMENT BOARD
 OF THE CITY OF VERO BEACH, FLORIDA
 1053 20TH PLACE
 VERO BEACH, FLORIDA 32960
 Telephone (772) 978-4550

5-B)1e

CITY OF VERO BEACH

vs.

CASE No's.: 15-CE-6011

BAYVIEW LOAN SERVICING, LLC
 Violator

Citation No.: 0906T

TO: Bayview Loan Servicing, LLC
4425 Ponce De Leon Boulevard, 4th Floor
Coral Gables, Florida 33146

NOTICE OF HEARING

AND 2234 18th Avenue
Vero Beach, Florida 32960

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: March 9th 2 016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- Appeal of code enforcement citation.
- Failure to Correct Violation(s).
- Failure to Pay Civil Penalty and/or Costs.
- Other (describe): Request to find property in compliance and cease continuing

penalties

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that

appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

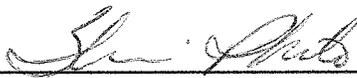
HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: February 26, 2016

By: 
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 26th day of February 20 16.


Board Clerk



BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960

CITY OF VERO BEACH

CASE NO. 15-CE-6011

vs.

CITATION NO. 748M

BAYVIEW LOAN SERVICING, LLC
4425 Ponce De Leon Boulevard, 4th Floor
Coral Gables, FL 33146

AND

2234 18th Avenue
Vero Beach, FL 32960

**ORDER TO CORRECT VIOLATION, IMPOSING CONTINUING
CIVIL PENALTIES, AND TO PAY PENALTIES AND COSTS**

VIOLATION: City of Vero Beach Code section 66.8 (12) ("Code"), Landscape debris or waste on property.

LOCATION: 2234 18th Avenue, Vero Beach, Florida 32960

The above-styled case having come before the Code Enforcement Board of the City of Vero Beach ("Board") on the 9th day of December 2015 on request of the code enforcement officer for issuance of a Board order and the Board, having heard testimony of the code enforcement officer regarding the violation having not been corrected and having reviewed the record in this case, on motion made and approved, found that:

1. The citation and notice of hearing issued in this case were served as provided by law; however the violator has failed to appear in this enforcement action.
2. The violator did not appeal issuance of the citation in this case within the time allowed by law and thereby waived the right to a hearing before the Board to contest the issuance of the citation, which waiver is deemed an admission of the violation as specified in the citation.
3. The violation specified in the citation has not been corrected by proper removal and disposal of the subject landscape debris and waste as of this hearing and the initial civil penalty of \$50.00 assessed on the citation has not been paid.
4. The City has not requested enforcement costs at this time; however the City is entitled pursuant to law to recover all costs of recording the Board's orders in the public records and for satisfying and recording releases of the resulting liens upon payment.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

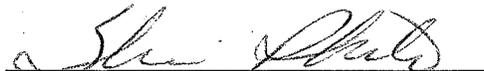
The violator is deemed to have committed the violation as specified above and on the citation, which violation has not been corrected and is continuing. **The violator shall immediately cause**

correction of the violation by proper removal and disposal of the landscape debris and waste and, within thirty (30) days from the date of this Order, shall pay to the City Clerk the initial civil penalty of **\$50.00** and a continuing civil penalty of **\$50.00 per day** hereby imposed for each day the violation has remained and continues to remain uncorrected after the date given in the citation for correction (10/07/15), together with all costs of recording the Board's orders in the public records and for satisfying and recording release of the resulting liens upon payment. No enforcement or hearing costs are assessed at this time.

DONE AND ORDERED at Vero Beach, Indian River County, Florida this 29th day of December 2015.

ATTEST:

CODE ENFORCEMENT BOARD


Sherri Philo, as Board Clerk


Kirk Noonan, Vice Chairman

[Seal]

Approved as to form and legal sufficiency:


Wayne R. Coment, as Board Attorney

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

SHERRI PHILO

BY:  D.C.

DATE: December 29, 2015

IMPORTANT INFORMATION

Correction of Violations: AFTER CORRECTING THE VIOLATIONS YOU MUST NOTIFY THE CODE ENFORCEMENT OFFICER at Telephone #772-978-4551 or 772-978-4561, or in person at the Code Enforcement Office, Vero Beach Police Department, 1055 20th Street, Vero Beach, FL 32960 in order to request re-inspection to avoid imposition of additional civil penalties against you.

Payment of Civil Penalties and Costs: You must contact the City Clerk's Office at 772-978-4700 for the total amount of civil penalties, enforcement costs, recording and other costs required to satisfy this order and lien. Payment may be made in person at the City Clerk's Office located in City Hall, 1053 20th Place, Vero Beach, Florida 32960, Monday through Friday between 8:30 A.M. and 5:00 P.M., or by mailing a check or money order for the verified amount to said address, payable to "City of Vero Beach." Do not mail cash!

Repeat Violation: Repeat violation of the same Code provision by the violator, even if committed at a different location, can result in the issuance of a code enforcement citation and assessment of increased civil penalties for the repeat offense.

Notice of Right to Appeal Board Decision: An aggrieved party may appeal the Board's order to the Circuit Court in Indian River County, Florida. A written notice of appeal, together with a copy of the order appealed, must be filed with the Clerk of the Code Enforcement Board **and** with the Clerk of the Circuit Court, together with the applicable court filing fees, within thirty (30) days after the date of this order or the right to appeal is waived. An appeal is limited to appellate review of the record of the proceedings created before the Code Enforcement Board. Ref. F.S. 26.012(1); Florida Rules of Appellate Procedure, 9.030(c)(1)(C); 9.110(c).



**VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**

1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 748M / 15-CE-6011

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on September 22, 2015 at n/a

Name: **Bayview Loan Servicing LLC**
4425 Ponce De Leon Bv, 4th Floor
of: **Coral Gables, FL 33146**

ORIGINAL

at (violation address): 2234 18th AVE. in the City of Vero Beach, Florida committed the following civil offense: Contractor's refuse or waste. It shall be unlawful for any person acting in the capacity of contractor, including but not limited to a lawn maintenance operator, commercial tree trimmer, tree surgeon, landscaper, mechanical contractor, electrical contractor, building contractor, handyman or any other paid laborer or contractor, to produce or accumulate any refuse or waste material on a site without removing same to an authorized dump or landfill.

Violation of code provision(s): 66.8 (12)

Facts constituting violation: Two separate piles of landscape debris left on-site by contractor at the rear of the property.

CIVIL PENALTY: \$50.00

PAY BY DATE: 10/07/2015

REPEAT VIOLATION

CORRECTION REQUIRED BY: 10/07/2015. This is a correctable violation and must be corrected by the date specified. Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Sanderson
Department: VBPD/Code Enforcement

Date Issued: 09/22/2015
Telephone: 7729784561

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION. Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

Signature of Individual

Date: _____

CODE ENFORCEMENT CASE #15-CE-6011
ESTIMATED COSTS

- A civil penalty of \$50.00
- A continuing penalty of \$50.00 a day that commenced on October 8, 2015 and ending on the February 18, 2016 – Found in compliance on February 19, 2016 (134 days at \$50.00 a day), which totals \$6,700.00

TOTAL PENALTY OF: \$6,750.00

PLUS ALL COSTS OF RECORDING AND CITY ATTORNEY FEES



BEFORE THE CODE ENFORCEMENT BOARD
 OF THE CITY OF VERO BEACH, FLORIDA
 1053 20TH PLACE
 VERO BEACH, FLORIDA 32960
 Telephone (772) 978-4550

5-B)1f

CITY OF VERO BEACH

vs.

CASE No's.: 16-CE-6393

EDWARD J. FIALKOWSKI, JR.
 Violator

Citation No.: 813M

TO: Edward J. Fialkowski, Jr.
703 Holly Road
Vero Beach, Florida

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: March 9th 2 016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- Appeal of code enforcement citation.
- Failure to Correct Violation(s).
- Failure to Pay Civil Penalty and/or Costs.
- Other (describe): _____

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

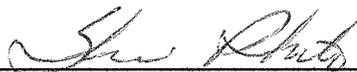
HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: February 26, 2016

By: 
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this

26th day of February 20 16.


Board Clerk



**VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**

1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 813M / 16-CE-6393

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **February 01, 2016** at **n/a**

Name: **Fialkowski, Edward J Jr**
703 Holly Rd
of: **Vero Beach, FL 32963**

at (violation address): **703 Holly Road** in the City of Vero Beach, Florida committed the following civil offense:
Public Nuisance - Stagnant swimming pool.

Violation of code provision(s): 38.31 (b) (6) (7)

Facts constituting violation: STAGNANT SWIMMING POOL IN REAR OF PROPERTY. POOL NEEDS TO BE CHEMICALLY TREATED AND CONTINOUS FILTRATION PROVIDED TO RESTORE WATER CLARITY OR WATER REMOVED AND POOL COVERED.

CIVIL PENALTY: \$100.00

PAY BY DATE: 02/22/2016

REPEAT VIOLATION

CORRECTION REQUIRED BY: 02/22/2016. This is a correctable violation and must be corrected by the date specified. Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Sanderson
Department: VBPD/Code Enforcement

Date Issued: 02/04/2016
Telephone: 7729784561

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

Signature of Individual

Date: _____

CLERK COPY - 16-000152

Certified Mail Receipt: PROPERTY POSTED





BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960

CITY OF VERO BEACH

CASE No.: 13-CE-3789

Citation No.: 0149M

vs.

EDWARD J. FIALKOWSKI, JR.
703 Holly Road
Vero Beach, Florida 32963

**ORDER FINDING CORRECTION OF VIOLATIONS
AND TO PAY CIVIL PENALTIES AND COSTS**

VIOLATIONS: City of Vero Beach Code ("Code") section 38.31(b)(6) & (7); stagnant swimming pool.
LOCATION OF VIOLATIONS: 703 Holly Road, Vero Beach, Florida 32960

The above styled case having come before the Code Enforcement Board of the City of Vero Beach ("Board") on the 14th day of May 2014 on request of the issuing code enforcement officer for a Board order and the Board, having heard the report of the code enforcement officer regarding the violation being corrected, on motion made and approved, found that:

1. Notice of this hearing was served as provided by law however the violator failed to appear.
2. The violations were corrected as of April 20, 2014 as observed and reported by the code enforcement officer.
5. The civil penalty of \$50.00 assessed on the citation and the continuing civil penalties assessed in the previously issued notice of assessment and the Board's prior Order of September 23, 2013 have not been paid, which assessed continuing civil penalties now total \$12,500.00 (250 days x \$50.00 per day) through the last day of violation (April 20, 2014).
6. The City has incurred and requested enforcement costs of \$46.37 as previously assessed in the notice of assessment, for which costs the City is entitled to recover together with all costs of recording the Board's orders in the public records and for satisfying and recording releases of the resulting liens upon payment.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

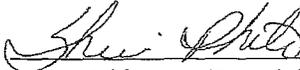
The cited Code violations are deemed corrected as of April 20, 2014. The violator shall pay to the City Clerk, within thirty (30) days from the date of this Order, the total assessed civil penalties of **\$12,550.00**, together with enforcement costs of **\$46.37** and all costs of recording the Board's orders in the public records and for satisfying and recording releases of the resulting liens upon payment of such civil penalties and costs.

3120140031256
RECORDED IN THE PUBLIC RECORDS OF
JEFFREY R SMITH, CLERK OF COURT
INDIAN RIVER COUNTY FL
BK: 2762 PG: 728 Page 1 of 2 5/30/2014 1:21 PM

DONE AND ORDERED at Vero Beach, Indian River County, Florida this 29th day of May 2014.

ATTEST:

CITY OF VERO BEACH, FLORIDA
CODE ENFORCEMENT BOARD



Sherri Philo, As Board Clerk



Kirk Noonan, Vice-Chairman

[SEAL]

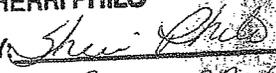
Approved as to form and legal
sufficiency:



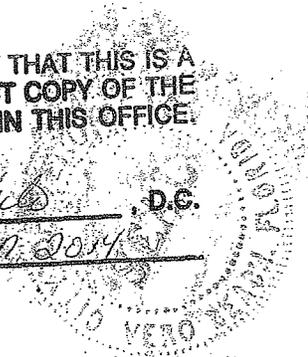
Wayne R. Coment
As Board Attorney

THIS IS TO CERTIFY THAT THIS IS A
TRUE AND CORRECT COPY OF THE
ORIGINAL ON FILE IN THIS OFFICE.

SHERRI PHILO

BY  D.C.

DATE: May 29, 2014



IMPORTANT INFORMATION

Payment of Civil Penalties and Costs: You must contact the City Clerk's Office at 772-978-4700 for the total amount of civil penalties, enforcement costs, recording and other costs required to satisfy this order and lien. Civil penalties and costs may be paid in person at the City Clerk's Office located in City Hall, 1053 20th Place, Vero Beach, Florida 32960, Monday through Friday between 8:30 A.M. and 5:00 P.M., or by mailing a check or money order to said address, payable to "City of Vero Beach." Do not mail cash!

Repeat Violation: Repeat violation of the same Code provision by the violator, even if committed at a different location, can result in the issuance of a code enforcement citation and assessment of increased civil penalties for the repeat offense.

Notice of Right to Appeal Board Decision: An aggrieved party may appeal the Board's order to the Circuit Court in Indian River County, Florida. A written notice of appeal, together with a copy of the order appealed, must be filed with the Clerk of the Code Enforcement Board *and* with the Clerk of the Circuit Court, together with the applicable court filing fees, within thirty (30) days after the date of this order or the right to appeal is waived. An appeal is limited to appellate review of the record of the proceedings created before the Code Enforcement Board. Ref. F.S. 26.012(1); Florida Rules of Appellate Procedure, 9.030(c)(1)(C); 9.110(c).



**BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053-20TH PLACE
VERO BEACH, FLORIDA 32960**

CITY OF VERO BEACH

CASE No.: 13-CE-3789

Citation No.: 0149M

vs.

Edward J. Fialkowski, Jr.
703 Holly Road
Vero Beach, Florida 32963

**ORDER TO CORRECT VIOLATION, IMPOSING CONTINUING
CIVIL PENALTIES, AND TO PAY CIVIL PENALTIES AND COSTS**

VIOLATION: City of Vero Beach Code ("Code") sections 38-31(b)(6) and (7), stagnant swimming pool.

LOCATION OF VIOLATION: 703 Holly Road, Vero Beach, Florida 32963

The above styled case having come before the Code Enforcement Board of the City of Vero Beach ("Board") on the 11th day of September 2013 on request of the issuing code enforcement officer for a Board order and the Board having heard the report of the code enforcement officer regarding the violation remaining uncorrected, on motion made and approved, found that:

1. The citation, notice of assessment, and notices of hearing issued in this case were served as provided by law, however the violator has failed to appear in this enforcement action.
2. The violator did not appeal the issuance of the code enforcement citation or the notice of assessment issued in this case within the time allowed and therefore waived the right to a hearing before the Board to contest issuance of the citation and the notice of assessment.
3. The violator's waivers of hearing are deemed an admission of the violation as specified in the citation and admission of liability for the civil penalties and costs assessed.
4. The violator has not corrected the violation and remains in violation as of the date of this hearing.
5. The violator has not paid the initial civil penalty of \$50.00 or the continuing civil penalties assessed in the notice of assessment.
6. The City has incurred enforcement costs of \$46.37 in this case as previously assessed in the notice of assessment, for which the City is entitled to recover together with all costs of recording the Board's orders in this case and for satisfying and recording releases of the resulting liens upon payment.

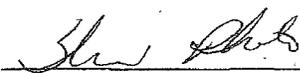
IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

The violator committed the violation as specified in the citation and the violation is continuing. The violator shall immediately cause correction of the violation and pay to the City Clerk, within thirty (30) days from the date of this Order, the initial and accrued civil penalties of \$4,250.00 and a continuing civil penalty of \$50.00 per day for each day the violation remains uncorrected after September 11, 2013, together with enforcement costs of \$46.37 and all costs of recording the Board orders in this case and for satisfying and recording releases of the resulting liens upon payment in full.

DONE AND ORDERED at Vero Beach, Indian River County, Florida this 23rd day of September 2013.

ATTEST:

CODE ENFORCEMENT BOARD

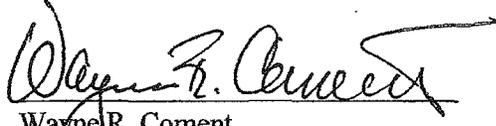


Sherri Philo
As Board Clerk

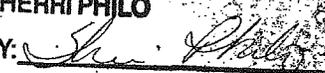


Kirk Noonan
Chairman

Approved as to form and legal sufficiency:



Wayne R. Coment
As Board Attorney

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
SHERRI PHILO
BY:  , D.C.
DATE: September 23, 2013

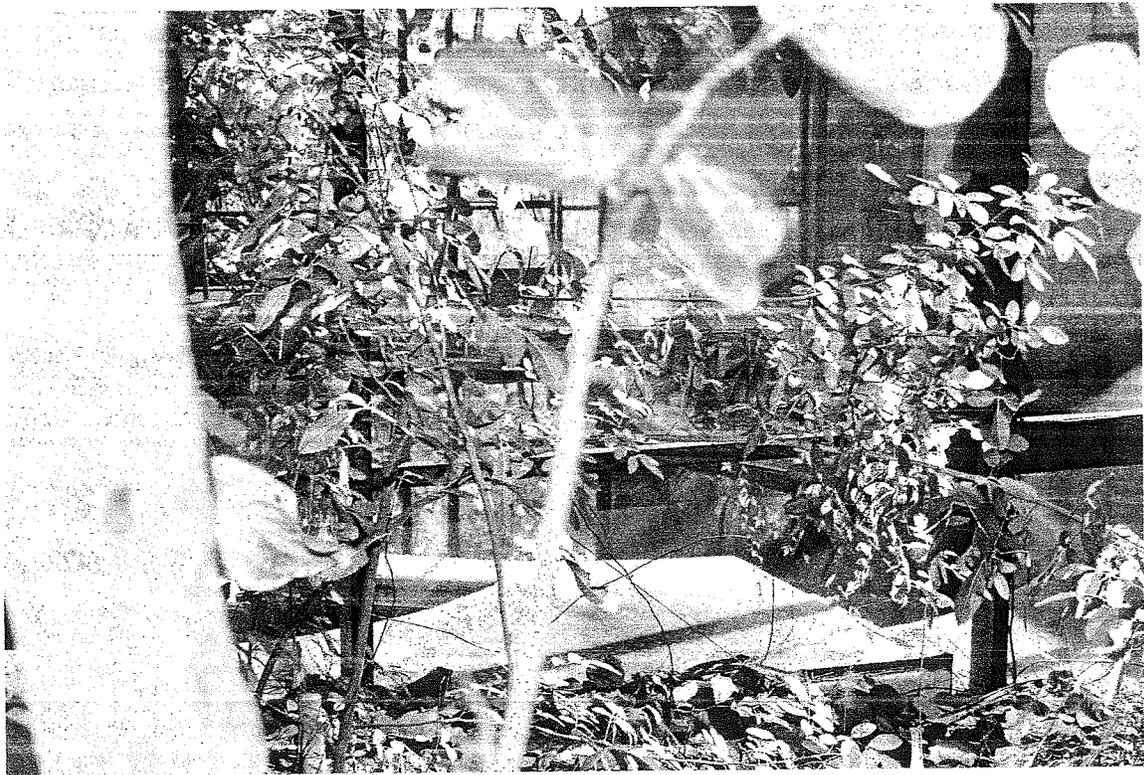
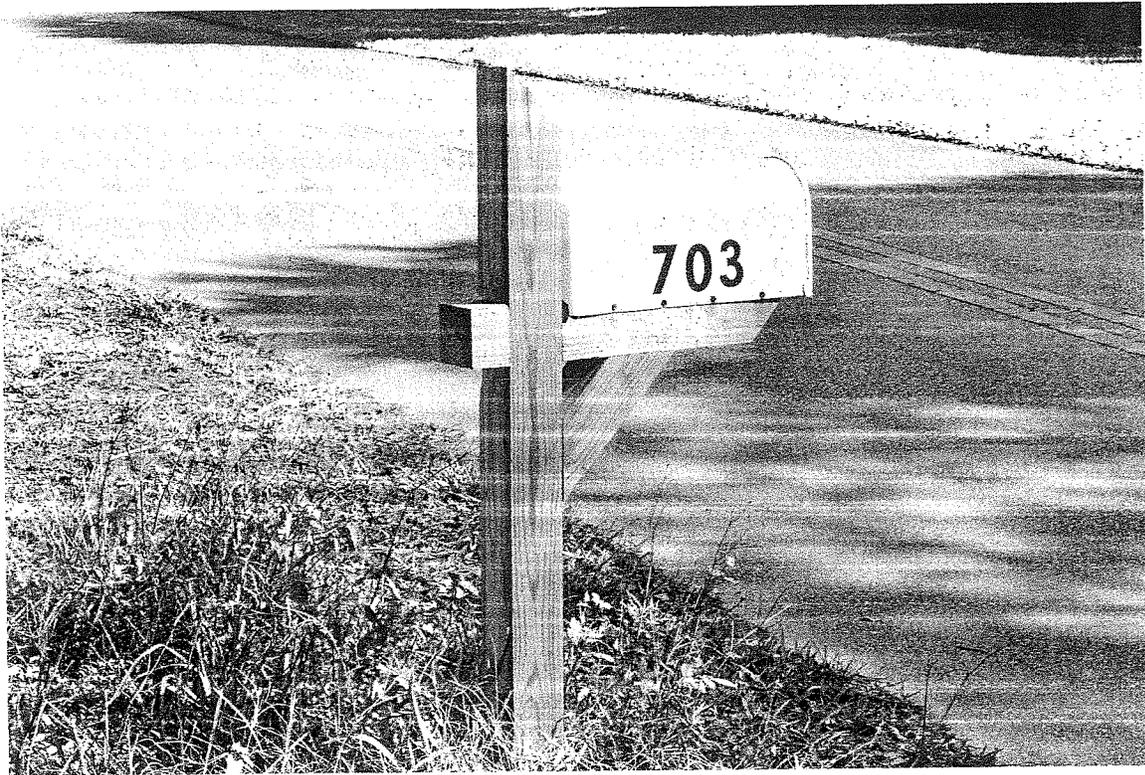
IMPORTANT INFORMATION

Correction of Violations: AFTER CORRECTING THE VIOLATIONS YOU MUST NOTIFY THE ISSUING CODE ENFORCEMENT OFFICER at Telephone 772-978-4561 or at the Code Enforcement Office, City Hall, 1053 20th Place, Vero Beach, FL 32960, to obtain re-inspection and in order to stop accrual of the continuing civil penalties.

Payment of Civil Penalties and Costs: You must contact the City Clerk's Office at 772-978-4700 for the total amount of civil penalties, enforcement costs, recording and other costs required to satisfy this order and lien. Civil penalties and costs may be paid in person at the City Clerk's Office located at City Hall, 1053 20th Place, Vero Beach, Florida 32960, Monday through Friday between 8:30 A.M. and 5:00 P.M., or by mailing a check or money order to said address, payable to "City of Vero Beach." Do not mail cash!

Repeat Violation: Repeat violation of the same Code provision by the violator, even if committed at a different location, can result in the issuance of a code enforcement citation and assessment of increased civil penalties for the repeat offense.

Notice of Right to Appeal Board Decision: An aggrieved party may appeal the Board's order to the Circuit Court in Indian River County, Florida. A written notice of appeal, together with a copy of the order appealed, must be filed with the Clerk of the Code Enforcement Board *and* with the Clerk of the Circuit Court, together with the applicable court filing fees, within thirty (30) days after the date of this order or the right to appeal is waived. An appeal is limited to appellate review of the record of the proceedings created before the Code Enforcement Board. Ref. F.S. 26.012(1); Florida Rules of Appellate Procedure, 9.030(c)(1)(C); 9.110(c).





BEFORE THE CODE ENFORCEMENT BOARD
 OF THE CITY OF VERO BEACH, FLORIDA
 1053 20TH PLACE
 VERO BEACH, FLORIDA 32960
 Telephone (772) 978-4550

5-B)ig

CITY OF VERO BEACH

vs.

CASE No's.: 16-CE-6398

EDWARD J. FIALKOWSKI, JR.
 Violator

Citation No.: 814M

TO: Edward J. Fialkowski, Jr.
703 Holly Road
Vero Beach, Florida

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: March 9th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- Appeal of code enforcement citation.
- Failure to Correct Violation(s).
- Failure to Pay Civil Penalty and/or Costs.
- Other (describe): _____

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: February 26, 2016

By: 
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 26th day of February 2016.


Board Clerk



**VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**

1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 814M / 16-CE-6398

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **February 01, 2016** at **n/a**

Name: **Fialkowski, Edward J Jr**
703 Holly Rd
of: **Vero Beach, FL 32963**

at (violation address): **703 Holly Road** in the City of Vero Beach, Florida committed the following civil offense: **Public nuisance - weeds, grass or undergrowth at a height of more than 12 inches.**

Violation of code provision(s): 38.31 (b) (1)

Facts constituting violation: Weeds, grass or undergrowth at a height of more than 12 inches.

CIVIL PENALTY: \$150.00

PAY BY DATE: 02/22/2016

REPEAT VIOLATION

CORRECTION REQUIRED BY: 02/22/2016. This is a correctable violation and must be corrected by the date specified. Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Sanderson
Department: VBPD/Code Enforcement

Date Issued: 02/04/2016
Telephone: 7729784561

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation **OR** pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is **NOT** an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

Signature of Individual

Date: _____

CLERK COPY - 16-000156

Certified Mail Receipt: PROPERTY POSTED

ORIGINAL



**BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960**

CITY OF VERO BEACH

CASE NO. 14-CE-4007

vs.

CITATION NO. 0199M

EDWARD J. FIALKOWSKI, JR.
703 Holly Road
Vero Beach, FL 32963

AND 14325 80th Avenue
Sebastian, FL 32958

**ORDER FINDING CORRECTION OF REPEAT VIOLATIONS
AND TO PAY CIVIL PENALTIES AND COSTS**

VIOLATION: City of Vero Beach Code ("Code") section 38-31(b)(1), weeds, grass, or overgrowth at a height of more than 12 inches.

VIOLATION LOCATION: 703 Holly Road, Vero Beach, Florida 32963

The above-styled case having come before the Code Enforcement Board of the City of Vero Beach ("Board") on the 12th day of March 2014 on request on the issuing code enforcement officer for report of correction of the violations and a Board order to pay civil penalties and costs assessed in this case, and the Board, having heard the report of the code enforcement officer, on motion made and approved, found that:

1. Notice of this hearing was served as provided by law however the violator failed to appear.
2. The violations were corrected as of February 17, 2014 as observed by the code enforcement officer.
3. The civil penalty of \$100.00 assessed on the citation and the continuing civil penalties assessed in the notice of assessment and the Board's prior Order of October 23, 2013 have not been paid, which assessed continuing civil penalties total \$19,300.00 (193 days x \$100.00) through the last day of violation (February 16, 2014).
4. As previously assessed, the City has incurred and requested enforcement costs of \$38.16 in this case which costs the City is entitled to recover together with all costs of recording the Board's orders in this case and satisfying and recording releases of the resulting liens upon payment.

3120140016664
RECORDED IN THE PUBLIC RECORDS OF
JEFFREY R SMITH, CLERK OF COURT
INDIAN RIVER COUNTY FL
BK: 2746 PG: 1256 Page 1 of 2 3/25/2014 1:20 PM

IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

The cited Code violations are deemed corrected as of February 17, 2014. The violator shall pay to the City Clerk, within thirty (30) days from the date of this Order, the accrued civil penalties of \$19,400.00, together with enforcement costs of \$38.16 and all costs of recording the Board's orders in the public records and for satisfying and recording releases of the resulting liens upon payment of such civil penalties and costs.

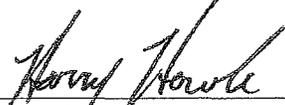
DONE AND ORDERED at Vero Beach, Indian River County, Florida this 24th day of March 2014.

ATTEST:

CODE ENFORCEMENT BOARD
CITY OF VERO BEACH, FLORIDA



Sherri Philo
As Board Clerk



Harry Howle
Chairman

Approved as to form and legal sufficiency:



Wayne R. Coment
As Board Attorney

THIS IS TO CERTIFY THAT THIS IS A
TRUE AND CORRECT COPY OF THE
ORIGINAL ON FILE IN THIS OFFICE
SHERRI PHILO
BY:  D.C.
DATE: March 24, 2014

IMPORTANT INFORMATION

Payment of Civil Penalties and Costs: You must contact the City Clerk's Office at 772-978-4700 for the total amount of civil penalties, enforcement costs, recording and other costs required to satisfy this order and lien. Civil penalties and costs may be paid in person at the City Clerk's Office located in City Hall, 1053 20th Place, Vero Beach, Florida 32960, Monday through Friday between 8:30 A.M. and 5:00 P.M., or by mailing a check or money order to said address, payable to "City of Vero Beach." Do not mail cash!

Repeat Violation: Repeat violation of the same Code provision by the violator, even if committed at a different location, can result in the issuance of a code enforcement citation and assessment of increased civil penalties for the repeat offense.

Notice of Right to Appeal Board Decision: An aggrieved party may appeal the Board's order to the Circuit Court in Indian River County, Florida. A written notice of appeal, together with a copy of the order appealed, must be filed with the Clerk of the Code Enforcement Board and with the Clerk of the Circuit Court, together with the applicable court filing fees, within thirty (30) days after the date of this order or the right to appeal is waived. An appeal is limited to appellate review of the record of the proceedings created before the Code Enforcement Board. Ref. F.S. 26.012(1); Florida Rules of Appellate Procedure, 9.030(c)(1)(C); 9.110(c).



BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960

2239315
THIS DOCUMENT HAS BEEN
RECORDED IN THE PUBLIC RECORDS
OF INDIAN RIVER COUNTY FL
BK: 2608 PG:678, Page 1 of 2
09/24/2012 at 10:32 AM,

CITY OF VERO BEACH

JEFFREY R SMITH, CLERK OF COURT

vs.

CASE NO. 12-CE-3110

EDWARD FIALKOWSKI, JR. (Violator)
703 Holly Road
Vero Beach, Florida 32963

CITATION NO. 889D

ORDER TO PAY CIVIL PENALTY

VIOLATION: City of Vero Beach Code ("Code") sections 38.31(b)(1),(5) weeds, grass or undergrowth over 12 inches, tree and landscape debris.

VIOLATION LOCATION: 703 Holly Road, Vero Beach, Indian River County, Florida

The above-styled case having come before the Code Enforcement Board of the City of Vero Beach ("Board") on the 8th day of August 2012 on request for an order to pay the civil penalty assessed in this case, and the Board having heard report of the clerk and the issuing code enforcement officer and there having been no request for an administrative hearing filed in the time allowed, on motion made and approved, the Board found that:

1. The code enforcement citation issued in this case and the notice of hearing were served as provided by law however the violator failed to appear.
2. The violator did not appeal the issuance of the code enforcement citation issued in this case and therefore waived the right to a hearing before the Board to contest the issuance of the citation.
3. The violator's waiver of hearing is deemed an admission of the violation of Code sections 38.31(b)(1),(5), as specified in the citation, and admission of liability for the civil penalty assessed.
4. While the violation has been corrected, the violator has not paid the civil penalty of \$50.00 assessed on the citation.
5. Costs of enforcement were not requested by the city.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

The violator is deemed to have committed a violation of Code sections 38.31(b)(1),(5), as specified on the code enforcement citation, but the violation has been corrected. The violator shall pay to the City Clerk, within 30 days from the date of this Order, the civil penalty of \$50.00 assessed on the citation, together with all costs incurred by the city for recording a certified copy

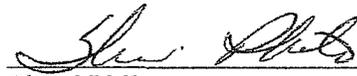
THIS IS TO CERTIFY THAT THIS IS A
TRUE AND CORRECT COPY OF THE
ORIGINAL ON FILE IN THIS OFFICE.
SHERRI PHILD
BY: [Signature] D.C.
DATE: [Signature]

of this Order and satisfying the resulting lien and recording such satisfaction. No enforcement costs are assessed.

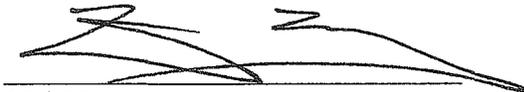
DONE AND ORDERED at Vero Beach, Indian River County, Florida this 21st day of August 2012.

ATTEST:

CODE ENFORCEMENT BOARD

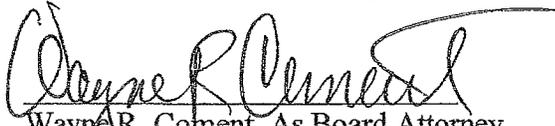


Sherri Philo
Board Clerk



Kirk Noonan
Chairman

Approved as to form and legal sufficiency:



Wayne R. Coment, As Board Attorney

IMPORTANT INFORMATION

Payment of Civil Penalties and Costs: Please contact the City Clerk's Office in person or at Telephone (772) 978-4700 to confirm the total amount due for civil penalties, enforcement costs, recording, and other costs required to satisfy this order and any resulting lien. Civil penalties and costs may be paid in person at the City Clerk's Office located at City Hall, 1053 20th Place, Vero Beach, Florida 32960, Monday through Friday between 8:30 A.M. and 5:00 P.M., or by mailing a check or money order to said address, payable to "City of Vero Beach." Do not mail cash!

Repeat Violation: Repeat violation of the same Code provision by the violator, even if committed at a different location, can result in the issuance of a code enforcement citation and assessment of increased civil penalties for the repeat offense. COVB Code section 2-299.

Notice of Right to Appeal Board Decision: Either party has the right to appeal the Board's order to the Circuit Court in Indian River County, Florida. A written notice of appeal and a copy of the order appealed must be filed with the Clerk of the Code Enforcement Board **and** with the Clerk of the Circuit Court, together with the appropriate filing fee, within thirty (30) days after the date of this order or the right to appeal is waived. An appeal is limited to appellate review of the record of the proceedings created before the Code Enforcement Board. F.S. 26.012(1); Florida Rules of Appellate Procedure, 9.030(c)(1)(C); 9.110(c).

Superiority of code enforcement liens: A lien is created by operation of law against the real and personal property of the violator upon the recording of a certified copy of a Board Order in the public records. Such lien, and any nuisance abatement lien, are deemed prior in dignity to any other lien, including mortgages, irrespective of the date of the recording of the order or lien or the date of the recording of any mortgage or any other lien on the real property of the violator, and such municipal lien shall survive any action to foreclose or otherwise enforce such inferior lien whether such inferior lien arises by virtue of a mortgage or promissory note, a mechanic's lien, a judgment, or other security interest in such real property. COVB Code sections 2-304 and 2-544; F.S. Chap. 162.





BEFORE THE CODE ENFORCEMENT BOARD
 OF THE CITY OF VERO BEACH, FLORIDA
 1053 20TH PLACE
 VERO BEACH, FLORIDA 32960
 Telephone (772) 978-4550

5-B)1h

CITY OF VERO BEACH

vs.

CASE No's.: 16-CE-6412

MATTHEW MARTISE

Citation No.: 822M

Violator

TO: Matthew Martise

NOTICE OF HEARING

2020 Delmar Avenue

Vero Beach, Florida 32960

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: March 9th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- Appeal of code enforcement citation.
- Failure to Correct Violation(s).
- Failure to Pay Civil Penalty and/or Costs.
- Other (describe): _____

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: February 26, 2016

By: 
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this

26th day of February 20 16.


Board Clerk



**VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**

1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 822M / 16-CE-6412

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **February 11, 2016** at **n/a**

Name: **Martise, Matthew**
2020 Delmar Ave
of: **Vero Beach, FL 32960**

at (violation address): **2020 Delmar Avenue** in the City of Vero Beach, Florida committed the following civil offense:
PERMIT REQUIRED - DEMOLITION DONE WITHOUT PERMIT.

Violation of code provision(s): **22-106**

Facts constituting violation: **DEMOLITION DONE WITHOUT PERMIT.**

CIVIL PENALTY: \$100.00

PAY BY DATE: 02/26/2016

REPEAT VIOLATION

CORRECTION REQUIRED BY: 02/26/2016. This is a correctable violation and must be corrected by the date specified. Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Sanderson
Department: VBPD/Code Enforcement

Date Issued: 02/11/2016
Telephone: 7729784561

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation **OR** pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.** **WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is **NOT** an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

Signature of Individual

Date: _____

CLERK COPY - 16-000186

Certified Mail Receipt: PROPERTY POSTED

ORIGINAL



**BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960**

CITY OF VERO BEACH

vs.

CASE NO. 12-CE-3334

**MATT MARTISE (Violator)
OUTLIER INVESTMENTS, INC.
169 12th Avenue
Vero Beach, Florida 32962**

CITATION NO. 1029

ORDER FINDING VIOLATION AND TO PAY CIVIL PENALTY

ALLEGED VIOLATIONS: (1) City of Vero Beach Code ("Code") section 22-106, failure to apply for a building permit; and (2) section 22-86(f), licensed contractor or owner hiring unlicensed contractor.

LOCATION OF ALLEGED VIOLATIONS: 415 Holly Road, Vero Beach, Florida

The above-styled case having come before the Code Enforcement Board ("Board") on the 12th day of September 2012 for an administrative hearing on the contracting citation issued in this case, and the Board having heard testimony and examined evidence, on motion made and approved, found that based on the testimony and other evidence presented:

A. The violator was provided with notice of the citation and this hearing as provided by law and the violator appeared to contest the citation and testified on his own behalf.

B. The violator violated Code section 22-86(f), licensed contractor or owner hiring unlicensed contractor, at the time and place alleged in the contracting citation and the civil penalty of \$500.00 assessed on the citation must be imposed pursuant to law for said violation.

C. The violator did not knowingly violate Code section 22-106, failure to apply for building permit.

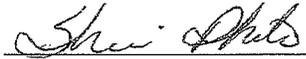
IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

1. The violator shall pay the civil penalty of \$500.00 assessed on the citation for violation of Code section 22-86(f), licensed contractor or owner hiring unlicensed contractor, to the Indian River County Building Division within thirty (30) days from the date of this Order, otherwise this order shall be recorded in the public records of Indian River County, Florida and be and remain a lien upon the subject property upon which the violation occurred and all other real and personal property of the violator until satisfied. The City did not request enforcement costs, therefore none are assessed.

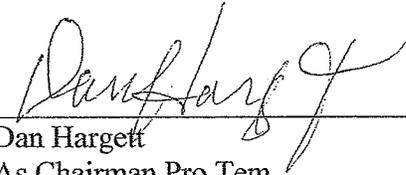
DONE AND ORDERED at Vero Beach, Indian River County, Florida this 11th day
of October 2012.

ATTEST:

CODE ENFORCEMENT BOARD

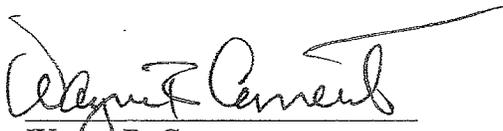


Sherri Philo
As Board Clerk



Dan Hargett
As Chairman Pro Tem

Approved as to form and legal sufficiency:

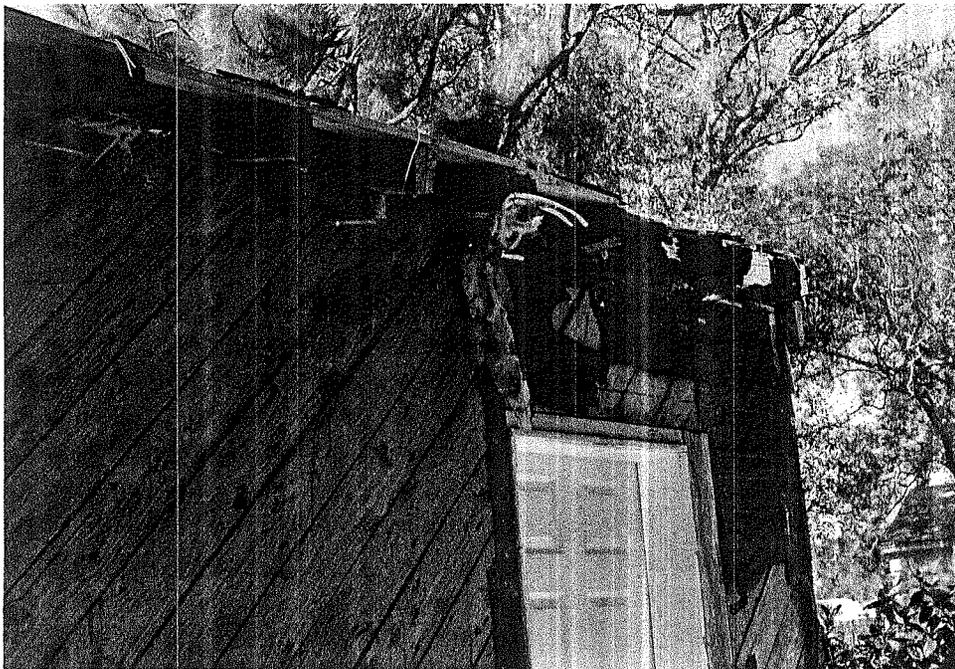
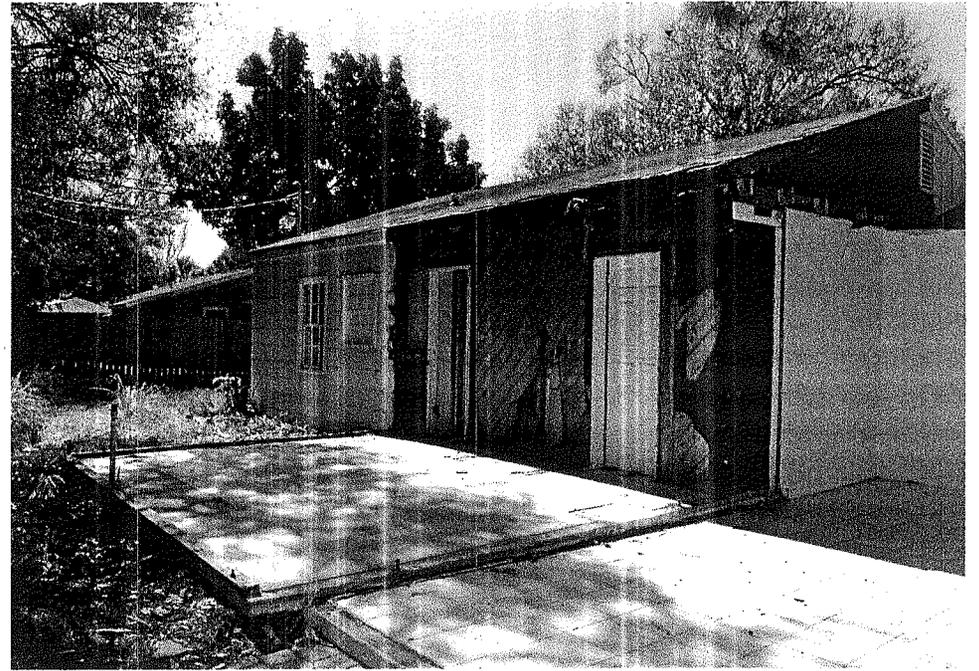
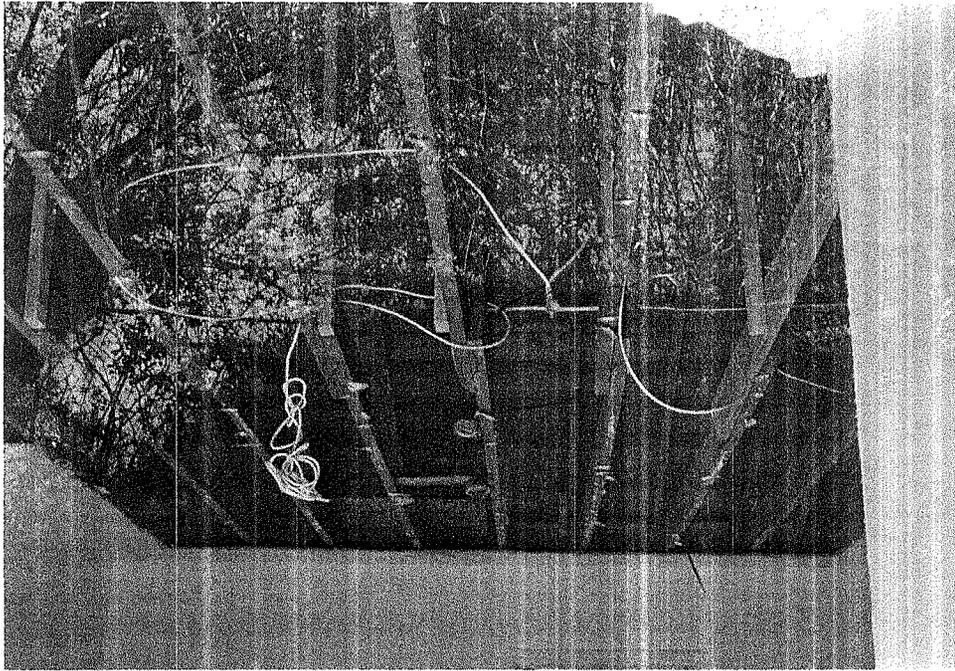


Wayne R. Coment
As Board Attorney

IMPORTANT INFORMATION

Payment of penalties. Civil penalties may be paid in person at the Indian River County Building Division located at 1801 27th Street, Building "A", Vero Beach, Florida 32960, Monday through Friday between 8:30 a.m. and 5:00 p.m. or by mailing a check or money order to said address, payable to "Indian River County". Do not mail cash!

Notice of Right to Appeal Board Decision: You have the right to appeal the Board's order in the Circuit Court in Indian River County, Florida. A written notice of appeal, together with a copy of the order appealed, must be filed with the Clerk of the Code Enforcement Board **and** a copy with the Clerk of the Circuit Court within thirty (30) days after the date of this order or the right to appeal the Board's decision is waived. An appeal is limited to appellate review of the record of the proceedings created before the Code Enforcement Board. See F.S. 26.012(1); Florida Rules of Appellate Procedure, 9.030(c)(1)(C); 9.110(c).





BEFORE THE CODE ENFORCEMENT BOARD 5-B)11
 OF THE CITY OF VERO BEACH, FLORIDA
 1053 20TH PLACE
 VERO BEACH, FLORIDA 32960
 Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No's.: 16-CE-6405

546 INDIAN LILAC, LLC; MICHAEL SCHLITT CONSTRUCTION;
JEFF'S TRACTOR SERVICE, INC./JEFF FALCETTA
 Violator

Citation No.: 822M

TO: 546 Indian Lilac, LLC; Michael Schlitt Construction;
Jeff's Tractor Service, Inc. / Jeff Falcetta

NOTICE OF HEARING

P.O. Box 650325
Vero Beach, Florida 32965

AND 1708 Old Dixie Highway, #101
Vero Beach, Florida 32960

AND

2055 U.S.1
Vero Beach, Florida 32960

AND 546 Indian Lilac Road
Vero Beach, Florida 32963

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: March 9th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- Appeal of code enforcement citation.
- Failure to Correct Violation(s).
- Failure to Pay Civil Penalty and/or Costs.
- Other (describe): _____

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: February 26, 2016

By: 
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 26th day of February 20 16.


Board Clerk



**VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**

**1055 20th Street
Vero Beach, FL 32960**

CODE ENFORCEMENT CITATION

No. 815M / 16-CE-6405

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **February 08, 2016** at **n/a**

Name: **546 Indian Lilac LLC**
2055 US Highway 1
of: **Vero Beach, FL 32960**

at (violation address): **546 Indian Lilac Road** in the City of Vero Beach, Florida committed the following civil offense: **Palm trees removed without a permit.**

Violation of code provision(s): 72.41, 72.43, 72.44

Facts constituting violation: 6 Sabal Palm Trees removed without a permit. After-the-Fact permit required from the Planing Department at City Hall. Mitigation required.

CIVIL PENALTY: \$1,500.00

PAY BY DATE: 02/26/2016

REPEAT VIOLATION

CORRECTION REQUIRED BY: 02/26/2016. This is a correctable violation and must be corrected by the date specified. Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Sanderson
Department: VBPD/Code Enforcement

Date Issued: 02/10/2016
Telephone: 7729784561

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.** **WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

Signature of Individual

Date: _____

CLERK COPY - 16-000171

Certified Mail Receipt: 70151730000072948868





**VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**

**1055 20th Street
Vero Beach, FL 32960**

CODE ENFORCEMENT CITATION

No. 815M / 16-CE-6405

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **February 08, 2016** at **n/a**

Name: **Michael Schlitt Construction**
1708 Old Dixie Highway, #101
of: **Vero Beach, FL 32960**

at (violation address): **546 Indian Lilac Road** in the City of Vero Beach, Florida committed the following civil offense: **Palm trees removed without a permit.**

Violation of code provision(s): 72.41, 72.43, 72.44

Facts constituting violation: 6 Sabal Palm Trees removed without a permit. After-the-Fact permit required from the Planing Department at City Hall. Mitigation required.

CIVIL PENALTY: \$1,500.00

PAY BY DATE: 02/26/2016

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ORIGINAL



**VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**

**1055 20th Street
Vero Beach, FL 32960**

CODE ENFORCEMENT CITATION

No. 815M / 16-CE-6405

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH, City of Vero Beach

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **February 08, 2016** at **n/a**

Receipt No: 23379000001
Feb 23, 2016 10:07

Acct No:
Amount on Accts: \$1,500.00

Name: **Jeff's Tractor Service, Inc / Jeff Falcetta**
PO Box 650325
of: **Vero Beach, FL 32965**

CITY OF VERO BEACH
UTILITIES

FEB 26 2016

PAID
CASHIER NO 1

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