CODE ENFORCEMENT BOARD MEETING
Wednesday, January 9, 2019 – 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 – December 12, 2018
   B) Agenda Additions, Deletions and Adoption

4. UNLICENSED CONTRACTORS/CITATIONS

5. EVIDENTIARY HEARINGS

   A) Citation Appeals

   1. CASE #18-CE-9303 / 1739M
      VIOLATOR: Jeff A. and Darlene A. Wiltzius
      VIOLATION: False alarm
      VIOLATION ADDRESS: 675 Cypress Road, Vero Beach, Florida 32963
      (Failure to pay $50 civil penalty)

   B) Non-Compliance / Compliance Reports

   1. Request for Board Order

      a) CASE #18-CE-9216 / 1702M
         VIOLATOR: El Dorado Financial d/b/a Omni Financial
         VIOLATION: False alarm
         VIOLATION ADDRESS: 2300 5th Avenue, Vero Beach, Florida 32960
         (Failure to pay $250 civil penalty)

      b) CASE #18-CE-9253 / 1716M
         VIOLATOR: El Dorado Financial d/b/a Omni Financial
         VIOLATION: False alarm
         VIOLATION ADDRESS: 2300 5th Avenue, Vero Beach, Florida 32960
         (Failure to pay $250 civil penalty)
c) CASE #18-CE-9228 / 1552T
VIOLATOR: Church of God – Prince of Peace
VIOLATION: False alarm
VIOLATION ADDRESS: 1521 US1, Vero Beach, Florida 32960
(Failure to pay $50 civil penalty)

d) CASE #18-CE-9208 / 1697M
VIOLATOR: Dodgertown / Nancy Golnick
VIOLATION: False alarm
VIOLATION ADDRESS: 3901 26th Street, Vero Beach, Florida 32960
(Failure to take mandatory alarm user awareness class)

e) CASE #18-CE-9286 / 1733M
VIOLATOR: Wells Fargo Bank NA
VIOLATION: False alarm
VIOLATION ADDRESS: 600 21st Street, Vero Beach, Florida 32960
(Failure to pay $50 civil penalty)

f) CASE #18-CE-9288 / 1735M
VIOLATOR: El Dorado Financial, Inc. d/b/a Omni Financial
VIOLATION: False alarm
VIOLATION ADDRESS: 2300 5th Avenue, Vero Beach, Florida 32960
(Failure to pay $250 civil penalty)

g) CASE #18-CE-9289 / 1736M
VIOLATOR: El Dorado Financial, Inc. d/b/a Omni Financial
VIOLATION: False alarm
VIOLATION ADDRESS: 2300 5th Avenue, Vero Beach, Florida 32960
(Failure to pay $250 civil penalty)

h) CASE #18-CE-9250 / 1707M
VIOLATOR: James C. Stottemire, Tenant, City of Vero Beach Mobile Home Park
VIOLATION: Construction without a permit
VIOLATION ADDRESS: 17 Bonanza Lane, Vero Beach, Florida 32960
(Failure to comply – Paid $50 civil penalty)

6. OLD BUSINESS
7. ADMINISTRATIVE MATTERS
8. CLERK’S MATTERS
   A) Code Enforcement Board 2018 Annual Report
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.
PRESENT: Vice Chairman, Erik Price; Members: Frank Pizzichillo, Jeff McGann, Chris Bryant and Linda Hillman  Also Present: Assistant City Attorney, Kira Honse; Code Enforcement Officer, Melody Sanderson; Indian River County Contracting Licensing Investigator, David Checchi and Deputy City Clerk, Sherri Philo

Excused Absences: Kirk Noonan and Stephen McDonald

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

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

The Deputy City Clerk swore in staff and all witnesses present for today’s hearings en masse.

3. PRELIMINARY MATTERS

A) Adoption of Minutes – November 14, 2018

Mr. Pizzichillo made a motion to adopt the minutes of the November 14, 2018 Code Enforcement Board meeting. Mrs. Hillman seconded the motion and it passed unanimously.

B) Agenda Additions, Deletions and Adoption

Ms. Melody Sanderson, Code Enforcement Officer, pulled Case #18-CE-8729 – Patricia J. Poli / Robert H. Beaucher from today’s agenda. She reported that the property is in compliance. She then pulled Case #18-CE-8972 – Scot A. Wilke from today’s agenda. She reported that a postponement has been requested and the case will be heard at a later date if the property is not brought into compliance. She then pulled Case #18-CE-8982 – Moe’s Southwest Grill / Vero Beach Eats, LLC / Indian River Plaza, LLC / Mark Rechter, from today’s agenda. She reported that this case is in compliance. She then pulled Case #18-CE-9101 - The Fresh Market, Inc., from today’s agenda. She reported that the mandatory class has been taken and the civil penalty has been paid. She then pulled Case #18-CE-9102 – Ulta Salon Cosmetics and Fragrances, Inc., Case #18-CE-9109 – American National Red Cross, Case #18-CE-9114 – El Dorado Financial, Inc. – d/b/a Omni Financial, Case #18-CE-9148 – Ajmo Dental Holdings, LLC, and Case #18-CE-9173 – Strickland Automotive and Air Conditioning, LLC / Lonnie Strickland from today’s agenda. She reported that these properties were brought into compliance after they received the Notice of Hearing.

Mr. Price made a motion to adopt the agenda (as amended). Mr. Pizzichillo seconded the motion and it passed unanimously.
4. UNLICENSED CONTRACTORS/CITATIONS

*Please note that all evidence provided for today’s hearings are on file in the City Clerk’s office.

A) CASE #18-CE-9154 / 0394
VIOLATION: Licensed contractor or owner builder hiring unlicensed contractor; uninsured contractor violation
VIOLATION ADDRESS: 615 Catalina Street, Vero Beach, Florida 32960
($1,000 Fine; $500 for each offence)

Mr. David Checchi, Indian River County Contracting Licensing Investigator, introduced Indian River County’s new Contracting Licensing Investigator, Mr. Michael Collins, to the Board members.

Mr. Checchi reported that the scope of work included a 52 square shingle to metal re-roof at a cost of $37,800. He said that JC Marshall Construction, Inc. was issued a $500 citation on October 22, 2018, for hiring an unlicensed roofing contractor and another $500 citation for having two (2) workers on the job that were not covered under Workman’s Compensation. Both workers told him that they were paid in cash. He reported that JC Marshall Construction, Inc. is Workman’s Compensation exempt, meaning that he does not have any employees. Service of the citation was received on October 29, 2018. As of December 11, 2018, the citation had not been paid. He requested that the Board issues a final order.

Mr. Pizzichillo made a motion that the Board fines the violator $1,000 (that the Board issues a Board Order to pay $500 for the violation of hiring an unlicensed contractor and $500 for the violation of having workers without Workman’s Compensation for a total of $1,000 in penalties). Mr. McGann seconded the motion and it passed unanimously.

5. EVIDENTIARY HEARINGS

A) Non-Compliance / Compliance Reports

1. Request for Board Order

   a) CASE #18-CE-8529 / 1380M
   VIOLATOR: Melvin and Ruth Tanchel (TRS)
   VIOLATION: Failure to obtain permits
   VIOLATION ADDRESS: 4800 Highway A1A, Vero Beach, Florida 32963
   (Property found in compliance on October 16, 2018. Days in non-compliance June 1, 2018 (day following date given to correct) = 137 days x $50 per day = accrued civil penalty of $6,850. Initial $50 civil penalty has been paid)

Ms. Sanderson reported that this case is before the Board today to find the property in compliance based on the date that the permit was obtained. This case previously came before the Board and the Board allowed two (2) extensions; one (1) 30-day extension with the
discretion of the Code Officer to allow an additional 30-day extension, which both extensions were granted. She reported that the property did not come into compliance within the time frame granted. The permit was applied for on October 16, 2018, which is the date that she is requesting the continuing civil penalties cease accruing, and the permit was issued on October 24, 2018. She reported that Attorney O’Neill is present on behalf of the violator.

Mr. Eugene O’Neill, Attorney representing Dr. Tanchel, explained that the two (2) names listed as the property owners were Dr. Tanchel’s parents, who are both deceased. He reported that the property is still owned in the name of the trust, which Dr. Tanchel is the trustee and beneficiary. He reported that Dr. Tanchel previously practiced here as an Ophthalmologist at the old Doctor’s Clinic in the early 1990’s and lived in Sea Quay and her parents purchased this unit. Dr. Tanchel left the Doctor’s Clinic and moved to Virginia to be closer to her parents. He stated that Dr. Tanchel came here from Virginia for the purpose of today’s hearing. What he would like to accomplish today is to give the Board an understanding of why this went off track and the efforts Dr. Tanchel made to solve this issue. He said that he would be doing a brief question and answer session with Dr. Tanchel.

Dr. Nancy Tanchel said that she has been sworn in.

Mr. O’Neill asked is what he said about the ownership of the unit correct or is there anything she would like to add. Dr. Tanchel said that she lived there for a while when she was working at the Doctor’s Clinic. She said that she has continued to maintain her residency in Florida and when she retires she will be moving back to live here full time and will be living in this same condominium unit that she is trying to fix up from hurricane damage.

Mr. O’Neill asked has anyone lived on the premises since the 2004 hurricanes. Dr. Tanchel answered no. She said it hasn’t been habitable since then.

Mr. O’Neill asked was it her father who handled the insurance claim in terms of getting rid of all that was damaged after the hurricanes. Dr. Tanchel answered yes.

Mr. O’Neill questioned how it was left. Dr. Tanchel said it was basically stripped out. There were no appliances, the carpet had to be removed, and the cabinetry was messed up. She said it was fixed up to the point that it could be finished. It did have some mold on the drywall, but that was taken out and replaced. She said unfortunately her mother passed away in 2005, and they never got around to doing the rest of the work. She said her father passed away in 2009, and it took time to do all the paperwork, which it all fell on to her at that point. She said this took a few years and that is where they are now.

Mr. O’Neill asked what she did next. Dr. Tanchel said it took a few years to do all the stuff that needed to be done when the property was turned over to her. In 2012, she came down to work on fixing it up so it could be used again. She said that she didn’t know any contractors here and didn’t really know anything about contract work so she asked management at the front desk for suggestions and they suggested a maintenance man, Mr. Robert Cross, who lived in the building and did this type of work all the time. She said that Mr. Cross showed her the units that he had fixed up, which looked nice. She said that since she knew the condominium building and that he had been there for several years as a maintenance man she thought she had a trusted source that would be able to do the work.
Mr. O’Neill asked at that time if she gave any thought about permitting or licensed contracting. Dr. Tanchel said that didn’t even cross her mind. She didn’t know anything about it and Mr. Cross sent her a summary of what needed to be done and the bottom of the summary stated that it doesn’t need any permits or floor plans. She said this is far from her field of expertise so she assumed what he was telling her was correct.

Mr. O’Neill handed Dr. Tanchel a document dated November 4, 2014 and asked if she could identify the letter as the document she was just describing. Dr. Tanchel said yes. She said it went over what all needed to be done as a list and at the end it stated no permits or anything else was needed so she assumed he knew what he was talking about.

Mr. O’Neill asked Dr. Tanchel to read the last sentence of the document into the record. Dr. Tanchel read into the record, “Please look over to see if I missed anything from our walk through and any other items you can think of. I do not think permits and drawings are needed for this project. It’s just a cost increase to do so. Please contact me and we can go over everything.”

Mr. O’Neill asked Dr. Tanchel to tell the Board what occurred after receiving this information in 2014. Dr. Tanchel said she waited a few years to get anything done because she was really close to her parents and it was really hard for her to come back down because it reminded her that they had intended to come down here. But, she finally decided that she needed to get it fixed up so she got back in touch with Mr. Cross, who was still working for the building, and asked him to proceed with the work and he agreed and asked her to start sending him money.

Mr. O’Neill questioned how much money she sent him. Dr. Tanchel answered $33,000. She said then he called one day early in 2017, stating there was a problem. He said there was an inspection and permits were needed, and asked her to send him another $28,000. Shortly thereafter she received a notice from the City that there was a violation and she got in touch with Mr. David Checchi of the Building Department and found out that Mr. Cross was not licensed, permits were needed, and that she needed to find a real contractor to get this done the correct way, which was fine with her, but with her being out of town it wasn’t easy to just drop everything and come down, so a couple months later she came down and interviewed three (3) contractors.

Mr. O’Neill asked was that in April. Dr. Tanchel answered yes. She stated that she only heard back from one (1) of the three (3) contractors and she was not convinced they were the right people. She said that she wanted to have a few estimates so a few months later she came back down and interviewed eight (8) more contractors and finally found the right person, but it took until August or later to get the last estimate.

Mr. O’Neill said there is an estimate dated August 4, 2018 from Mr. Dales of Coast to Coast. He asked was that the proposal he had given her. Dr. Tanchel answered yes.

Mr. O’Neill said for $72,000. Dr. Tanchel said that is correct.

Mr. O’Neill asked at that time had she made a decision to go with him or was she still investigating other contractors. Dr. Tanchel said that she was still waiting to get something from everyone so she could make an intelligent decision. She didn’t want to just pick the guy who seemed like a good guy. She said it took a month or a little longer to get the final
estimate, which she didn’t agree with, so she went back to Mr. Dales (Coast to Coast) who said that he would do the work. She said by then it was late September.

Mr. O’Neill asked during the initial communications with Mr. Checchi, did he make any suggestions about pursuing a complaint against Mr. Cross. Dr. Tanchel answered yes. She said that she still intends to, but is a little afraid to do it when he is the maintenance man of the building.

Mr. O’Neill asked why. Dr. Tanchel said because he has the key and can get in the unit any time he wants and until she is able to secure it she is afraid of what he might do because he could be angry if she goes after him.

Mr. O’Neill asked was it Mr. Checchi who gave her the list of some licensed contractors that she followed up with. Dr. Tanchel answered yes. She said that he (Mr. Checchi) gave her a list and she also went on Home Advisor. She said that she didn’t want to take any chances and Mr. Dales had the license and provided a list of everything so she felt he would be good to work with and that is who she chose.

Mr. O’Neill thought she had a deadline to comply with getting a permit that was extended to October. Dr. Tanchel said that is correct.

Mr. O’Neill asked what was going on during that time frame. Dr. Tanchel said she had a major dental procedure done.

Mr. O’Neill referred to a photograph and asked when the photograph was taken. Dr. Tanchel thought she had the procedure done on the 21st of September. She said that her face was swollen, she was black and blue, and had lots of bleeding so she couldn’t do a whole lot. She said it was the end of September and everything was due on the 8th of October.

Mr. O’Neill asked what her understanding was of what Mr. Dales was doing in terms of obtaining the permit. Dr. Tanchel said he tried to get it done at the deadline and apparently he went to the office and was told that he needed a floor plan. She said that she has a key to her unit in a key box by the door, but in order to get to her unit you have to have an elevator key. But, management leaves at noon and by the time Mr. Dales said he was going to the unit to do the floor plan there was no one at the desk to let him up to the unit. She said he couldn’t file the paperwork for the permit without the floor plan so it didn’t get done before the due date.

Mr. O’Neill said there is a letter where she told him not to miss the deadline. Dr. Tanchel that is correct.

Mr. O’Neill said that she missed the deadline by about nine (9) days. Dr. Tanchel said that is correct.

Mr. O’Neill asked what is she asking of the Board. Dr. Tanchel said if they would just understand that she made every effort and to pardon the slight amount of lateness. She said if she had been feeling healthier she might have come down to get it done, but she couldn’t at that time. She asked that they understand the circumstances and even if they fine her, that they fine her from the compliance date to the date she complied. She said $6,800 is a lot of money and she was ripped off by Mr. Cross for $33,000. She said it has been a difficult
experience and asked for the Board’s indulgence and to understand the situation. She said that she did everything in her power to get it done by the last compliance date.

Mr. Pizzichillo asked who administers the Trust. Dr. Tanchel said she does.

Mr. Pizzichillo asked what is the total amount she paid for the alterations. Dr. Tanchel said she paid Mr. Cross, who didn’t finish the work, $33,000 and so far has paid Mr. Dales $10,000 of the $72,000 contract.

Mr. Pizzichillo asked how long was she laid up with her dental problem. Dr. Tanchel said she couldn’t do much of anything for about a week.

Mr. Pizzichillo asked if she was in the hospital. Dr. Tanchel answered no, but her face was swollen, she was in pain, and was bleeding. She said it was about two (2) weeks before she could work again and it was several weeks after that before she looked normal.

Ms. Sanderson said a Stop Work Order was issued by the Building Department on January 25th and a Notice of Violation was issued on February 12th. She asked if that is correct. Dr. Tanchel answered yes.

Ms. Sanderson said during the timeframe that she was working with the Building Department they extended two (2) extensions of time. She asked if that is correct. Dr. Tanchel answered yes.

Ms. Sanderson said the Building Department asked for Code Enforcement action to bring it to a hearing for a resolution, a citation was issued by the Code Enforcement Department in June, and the case came before the Code Enforcement Board in August of this year. She asked if that is correct. Dr. Tanchel answered yes.

Ms. Sanderson said in that timeframe she was also given two (2) more extensions of time. She asked if that is correct. Dr. Tanchel answered yes. She added that because she is out of town even with those extensions and with the health problems she has had it was difficult, but she tried. She said in the emails to Mr. Dales she was begging him to please get it done by the due date, but she couldn’t control what happened.

Mr. Pizzichillo said he would like to see what she does with Mr. Cross as to if she is going to go after him or not. He said it would show good faith.

Ms. Kira Honse, Assistant City Attorney, said that is not relevant to this matter. At this point the only thing they are to determine is what the final penalties should be.

Mr. Bryant asked what is the amount of penalty they are requesting. He asked Mr. O’Neill if they have a number in mind.

Mr. O’Neill said he and his client did not discuss that, but his client did suggest the timeframe from the missed deadline of nine (9) days rather than from June to October.

Mr. Price said that would be $450 (9 days x $50).

Mr. Bryant asked is that what they are hoping for. Mr. O’Neill said that would be fine.
Mr. Pizzichillo asked what is the total amount of days she was in violation.

Ms. Honse said the total number of days goes back to the date of the citation (initial compliance date), which calculates to 137 days. What the property owner is asking is to not have the fine go back to the beginning, but to go from the date given for compliance to when it actually came into compliance.

Mr. Bryant said she was warned four (4) times and was given extensions so she had plenty of warning. He said it ended up being October before coming into compliance, which is 10 months.

Mr. O’Neill said when Dr. Tanchel became aware of these legal issues from afar, she hired an Attorney in Virginia who communicated with Mr. Checchi and resolved the issue with the County. It was the City’s issue that lingered and she had to hire local counsel. He said it has been a heck of an expensive learning experience for his client and they would ask for mercy from the Board.

Mr. Pizzichillo asked Mr. Checchi when did he receive communication from the attorney in Virginia. Mr. Checchi answered June 18, 2018. He said there was a lot of communication between himself, Dr. Tanchel, and the attorney in Virginia. He said their office is backed up so there was some delay on their (the Building Department) part too. He knows Dr. Tanchel did have a problem finding a contractor because they all know it is hard to get a contractor to do over someone else’s work.

Mr. Price asked what was going on with the property between January and June. Dr. Tanchel said that she was looking for a contractor.

Mrs. Hillman asked when was the permit pulled. Ms. Sanderson said the permit was applied for on October 16th and was issued on October 24th.

Mrs. Hillman asked Dr. Tanchel when she had oral surgery. Dr. Tanchel said she didn’t know the exact date, but thought it was September 21st.

Mr. Price asked Dr. Tanchel what she thought was going to happen if she didn’t meet the deadline. Dr. Tanchel said she knew there would be some sort of fine, but she didn’t realize the fines would be retroactive. She thought it would be a few extra days.

Ms. Sanderson noted that the Board’s order states that the penalties would go back to the original compliance date.

Ms. Sanderson referred to the due diligence Dr. Tanchel did with the contractors she interviewed. She asked what due diligence did she do before hiring Mr. Cross. Dr. Tanchel said that she went with the recommendation of the front desk because she knew he had been there for a number of years so she though he was a trusted resource.

Mr. O’Neill asked Dr. Tanchel if Mr. Cross showed her other units and represented that he had done the work. Dr. Tanchel answered yes. She thought he showed her work that he had done in three (3) units.
Mr. O’Neill said Dr. Tanchel is an intelligent woman with Graduate Degrees and she thought she did everything appropriately. He asked is that correct. Dr. Tanchel answered yes.

Mr. Price didn’t think failure to obtain permits is the question. The question is the time to comply and the non-compliance within the allotted time.

Mr. Pizzichillo said he believes there should be some kind of a penalty and is open to a suggestion and a compromise based on what he has heard.

Mrs. Hillman said she is trying to determine the amount of time in delay between Dr. Tanchel’s oral surgery and the fact that Mr. Checchi stated there were times when the Building Department was delayed and Dr. Tanchel finding a licensed contractor. She said out of the 137 days, she is thinking to allow 60 days between the distance of the surgery and the time the Building Department was able to get all their ducks in a row. If they subtract 60 days from the 137 days, that amounts to 77 days at a total of $3,850 plus costs. She felt that might be the appropriate way to go.

Mr. Price said if the City’s Code Enforcement Officer had found out there was an issue in January this would have been brought before the Board sooner.

Ms. Sanderson explained that when the Building Department issues a Notice of Violation they work with the person to do the permitting. She said Mr. Checchi gave Dr. Tanchel two (2) extensions and then turned it over to her because the extensions were out and no permits had been issued.

Mr. Pizzichillo felt the County and the City did their due diligence and Dr. Tanchel had received fair warning. He believes there should be some kind of penalty; it is a matter of what. He did not think the maximum should be enforced, but somewhere half way to compromise because there were some extenuating circumstances.

Mr. O’Neill said respectfully, he thinks the goal of the Code Enforcement is to make sure they have compliance and they have that. As far as punitive nature and deterrence, he did not think that was the Board’s purpose so he would respectfully ask for more leniency than what is being proposed.

Mr. Price said if their goal is compliance then they wouldn’t even be discussing this.

Mr. O’Neill said they have compliance. It is the question of how much they want to punish Dr. Tanchel.

Mr. Pizzichillo asked Mr. O’Neill what is his suggestion.

Mr. Price said the suggestion is nine (9) days. He said that he is in favor of reducing the penalties as well. The question too is what does the penalty accomplish.

Mr. Bryant suggested 60 days at $50 per day for the amount of $3,000. He felt that was more than fair.

Mr. Price asked Mr. Bryant if he is making a motion. Mr. Bryant answered yes.
Ms. Honse explained that the motion would be that the Board finds them in compliance, that they were in violation for a total of 60 days at $50 per day plus additional costs.

Mr. Bryant said that is his motion (that the Board finds in compliance, reducing days in non-compliance from 130 days to 60 days at $50 per day plus additional costs). Mr. Pizzichillo seconded the motion and it passed unanimously.

b) CASE #18-CE-9137 / 1666M

VIOLATOR: Patio Restaurant of Vero Beach, Inc. / Mr. Joseph Brown

VIOLATION: False alarm (x 4)

VIOLATION ADDRESS: 1103 21st Street, Vero Beach, Florida 32960

(Failure to pay $150 civil penalty) (Failure to take mandatory alarm user awareness class)

Ms. Sanderson reported that service of the citation was provided by certified return receipt. The civil penalty has not been paid and because this is their fourth false alarm a mandatory alarm user class is required. She requested that the Board issues a Board order to pay the initial penalty ($150) and to complete the mandatory alarm user class.

Mr. William Brown thanked the Board for taking the time to listen and go through the circumstances.

Ms. Honse made the Board aware that Mr. Brown did not appeal the citation so he is deemed to be in violation.

Mr. Brown said on or about September 5, 2018 they had an alarm go off at the restaurant. He said that he met the Police Officer at the restaurant. He tried to reset the alarm numerous times and it kept going off so he just shut it off. He said that was the original false alarm and the security company came out and replaced one (1) of the motion sensors. He reported that the evening of September 9th or the morning of September 10th he had a television stolen from outside in the patio area of the restaurant, which had been there for nine (9) months. He said the citations he has received for false alarms he was not sure if they were false alarms because something was triggering them. He said if they walk the entire perimeter of the restaurant around the outside of the iron gate fence the motion detectors do not go off. They go off when someone is on his property. For that reason, he doesn’t think this is justified.

Mr. Pizzichillo asked Mr. Brown if he was saying they were not false alarms, but real alarms.

Ms. Sanderson felt the Board needed to understand the definition of a false alarm. She read from Code Section 34-33, “False alarm means the activation of an alarm signal causing a police response when, upon inspection by the Police Department, there is no evidence of unauthorized entry, robbery, or other such crime attempted or committed in or on the premises, building, or structure which would have activated a properly functioning alarm system. Notwithstanding the foregoing, a false alarm does not include an alarm which is reasonably determined, after investigation by the Police Department, to be caused by circumstances which are beyond the control of the alarm user.” She reported on the response time by the officers when they received a call, which were; there was an alarm call on September 21st, they were dispatched at 7:18 a.m. and they were on the scene at 7:18 a.m.,
on September 21st they were dispatched at 8:08 a.m. and were on scene at 8:08 a.m., on September 24th they were dispatched at 4:14 a.m. and were on scene at 4:15 a.m., on September 26th they were dispatched at 11:40 p.m. and were on scene at 11:41 p.m., and on October 17th they were dispatched at 9:00 a.m. and were on scene at 9:00 a.m. She reported that there were no reports of anyone found at the scene.

Mr. Brown said it is not a silent alarm so he would imagine if someone was on the property and set off the alarm that they would leave in a timely manner.

Mrs. Hillman felt the police responded in a timely manner so she didn’t think anyone could jump over a fence that quickly and get away from the police.

Mr. Brown said he is trying to protect his property. He said now all of a sudden the alarms have stopped so common sense should tell them something was going on.

Mr. Price asked Mr. Brown if he had security cameras. Mr. Brown said he didn’t at the time, but he does now.

Ms. Honse noted that Mr. Brown is deemed in violation because he did not appeal the citation. She said there is a Lieutenant of the Police Department present who can explain what Police Officers do upon arrival for a false alarm.

While Lieutenant Cook was approaching the Board, Mr. Brown submitted photographs of the property into the record.

At this time, the Deputy City Clerk swore in Lieutenant Dan Cook.

Lieutenant Dan Cook reported that false alarms are when Police Officers arrive at the site and find there are no signs of forced entry, there is no inclement weather, and there is no indication of a break-in. He said with the response time of arriving at this location within a minute, he doesn’t foresee anyone being there at any point in time.

Mr. Brown referred to one (1) of the pictures stating that it shows a hole in the fence. He said that he had the alarm company put a sign in front of the hole that states the area is alarmed by security.

Mr. Bryant said birds can fly through the hole.

Mr. Brown said they are motion sensors that tell him the zone. He said when it tells him the south alarm and then the central alarm it would appear that someone was moving through the area. He didn’t think an animal could set them off because the sensors don’t go that low to the ground.

Mr. Bryant felt that Mr. Brown took a chance by installing the televisions where people could jump over the fence and steal them.

Mrs. Hillman asked when were the cameras installed. Mr. Brown said about a month ago.

Ms. Sanderson said she understands what Mr. Brown is saying and has met with him to try to figure out why he was having these false alarms. She reported that two (2) of the false alarm
citations were withdrawn. She reported that Mr. Brown did a trespass affidavit so if there was transient activity the Police Department would have the ability to move them on.

Mr. Pizzichillo asked was it a windy night when the alarm went off. He said that he had a sensor set off his alarm with a strong wind.

Mr. Brown said it is very strange that all of sudden they have gone through the process where the alarms were going off and now they are no longer going off. He reported that a few weeks ago they had a very windy storm where there were branches on the road in the morning and the alarm didn’t go off that night.

Mr. Bryant questioned if the fine has been paid. Mr. Brown answered no.

Mr. Bryant said that Mr. Brown has given up his right for a hearing and needs to pay it.

Mr. Brown said he is asking the Board if the fine can be waived because he had a television stolen and he is just trying to protect his property.

Mrs. Hillman said that she has motion sensor lights on her roof and when a cat goes by the sensors go off.

Lieutenant Cook said that he has responded to many calls where animals have set off motion sensors.

Mr. Brown asked how can they explain that now all of a sudden they haven’t been triggered. He said whatever animals may or may not be out there are still out there.

Mrs. Hillman said the alarm company could have discovered that the sensors might not have been tweaked the correct way and corrected it. She said the fact that he stated the cameras were installed a month ago and in the last couple of weeks it has no longer happened, maybe if someone was going over the fence they now realize there are cameras so they are not going to enter the area.

Mr. Brown didn’t think anyone would notice the cameras.

Mrs. Hillman felt the civil penalties should stand.

Ms. Honse said staff also asks that the Board order the business to appoint someone to take the mandatory alarm user class within 10-days of the Board order and if not, a $50 per day continuing civil penalty shall commence.

Mr. Brown agreed to take the class. He said one (1) of the reasons he paid the initial $50 civil penalty was because of a mechanical issue. He said that Ms. Sanderson had told him if he paid the $50 civil penalty that she would waive taking the class.

Ms. Sanderson reported that two (2) citations were waived based on Mr. Brown doing the trespass affidavit.

Mr. Brown said he has demonstrated good faith.
Mr. Bryant said the Police have been called there six (6) times. Ms. Sanderson said that is correct.

Mrs. Hillman made a motion that the Board keeps the civil penalty as it is and to have them take the mandatory alarm class within the 10-days allotment time or a $50 fine per day (that the Board upholds the $150 civil penalty and that the violator is to take the mandatory alarm user class within 10-days of the Board order or a $50 continuing civil penalty shall commence).

Mr. Brown asked can he use the $50 payment towards the $150 penalty.

Mr. Bryant answered no. He said the Police have been there six (6) times and were driving fast to get to the site in order to catch a burglar. He felt that $150 penalty was more than fair.

Mrs. Hillman said the Officers were there each time the alarm went off. She added that it is not just the quickness they arrive, but they are also taking their life in their hands by speeding to respond to an alarm.

Mr. Bryant seconded the motion and it passed unanimously.

c) CASE #18-CE-8729 / 1492M
VIOLATOR: Patricia J. Poli / Robert H. Beaucher
VIOLATION: Fence installed does not meet approved Code Compliance Certification and without an approved building permit
VIOLATION ADDRESS: 765 Cypress Road, Vero Beach, Florida 32963
(Paid $50 civil penalty)

This item was pulled from today’s agenda.

d) CASE #18-CE-8972 / 1599M
VIOLATOR: Scot A. Wilke
VIOLATION: Front porch installed prior to obtaining a building permit
VIOLATION ADDRESS: 924 18th Place, Vero Beach, Florida 32960
(Paid $500 civil penalty)

This item was pulled from today’s agenda.

e) CASE #18-CE-8976 / 1643M
VIOLATOR: Scott P. McCracken
VIOLATION: Windows broken / missing on the north side of the home and the back structure on the property
VIOLATION ADDRESS: 2312 Vero Beach Avenue, Vero Beach, Florida 32960
(Failure to pay $50 civil penalty)

*Please note that this item was heard after item g) Case #18-CE-9069 – John Kennedy.

12 12/12/18 CEB
At 3:23 p.m., Mr. McGann left the meeting and was not present when this case was heard.

Ms. Sanderson reported that service of the citation was provided by posting of the property on November 8, 2018. The property was found in compliance on November 27, 2018 and the $50 civil penalty has not been paid. She requested that the Board issues a Board order finding there was a violation, the property is now in compliance, to pay the initial $50 civil penalty and $112.62 in cost of enforcement.

**Mr. Bryant made a motion to go with the Code Enforcement Officer’s recommendation (that the Board issues a Board order finding there was a violation, the violation has been corrected, and to pay the initial $50 civil penalty along with the cost of enforcement in the amount of $112.62). Mr. Pizzichillo seconded the motion and it passed unanimously with Mr. McGann being absent for the vote.**

Mr. McGann returned to the meeting at 3:25 p.m.

**CASE #18-CE-8982 / 1521T**  
**VIOLATOR:** Moe’s Southwest Grill / Vero Beach Eats, LLC / Indian River Plaza, LLC / Mark Rechter  
**VIOLATION:** False alarm  
**VIOLATION ADDRESS:** 1601 US1, Suite 101, Vero Beach, Florida 32960  
**(Failure to pay $50 civil penalty)**

This item was pulled from today’s agenda.

**CASE #18-CE-9069 / 1642M**  
**VIOLATOR:** Joseph Kennedy  
**VIOLATION:** One (1) specimen Oak Tree and two (2) protected Oak Trees removed without a Tree Removal Permit  
**VIOLATION ADDRESS:** 2475 20th Avenue, Vero Beach, Florida 32960  
**(Paid $1,000 civil penalty – Failure to Mitigate)**

* Please note that this item was heard prior to item e) Case #18-CE-8976 – Scott McCracken.

Ms. Sanderson reported that the violator has obtained the after the fact permit, paid the civil penalty, but has not mitigated the trees that were removed. She asked that mitigation be enforced.

Mr. Jim Taylor, Attorney representing the violator, Mr. Joseph Kennedy was at today’s meeting. He reported that Mr. Kennedy is a resident of the State of New York and was unable to attend today’s hearing, which is the reason why Mr. Kennedy engaged his service. He reported that Mr. Kennedy acquired the property on August 31, 2018, and engaged a company to clear the site the first week of October, 2018. It was that company that inadvertently removed the protected trees. The first citation was issued on October 17, 2018 with a pay by date of October 3, 2018, which confused Mr. Kennedy. He reported that Mr. Kennedy paid the $1,000 civil penalty on October 25, 2018, made the application for the tree removal and relocation permit on October 26, 2018, and the permit was issued on October...
30, 2018. The permit specifically provides that it is valid for 60-days so Mr. Kennedy thought he had 60-days to complete the process, which was to replace the trees with twice the diameter of trees. He said the trees that were removed were 30 inches in diameter and Mr. Kennedy is required to replace them with 60” diameter trees. On November 30, 2018, Mr. Kennedy received the Notice of Hearing for today’s hearing for the violation of failure to mitigate. He reported that Mr. Kennedy received four (4) estimates from landscape companies and the estimate that Mr. Kennedy is contemplating was submitted on December 11, 2018. He said that Mr. Kennedy thought that he had 60-days from receiving the permit and when he received the notice he didn’t do what he was supposed to do within an undefined time period. He explained that it is undefined in that Mr. Kennedy was not advised that if he didn’t get it done by November 30, 2018, that he would be coming before the Code Enforcement Board. He said Mr. Kennedy is requesting that he be given the 60-day period from the date the permit was issued to complete the job. He would also like to request that because of the pricing associated with replacing the trees that the diameter be reduced from 60 inches back to the 30 inches, which is the diameter of the trees that were removed.

Mr. Price said the Board does not have the authority to do that.

Ms. Honse said that is correct. She said the Board can extend the time period to comply, but not what is required for tree replacement.

Mr. Bryant asked can they do 30 inches of mitigation (tree replacement) and 30 inches of fines to be paid into the General Fund.

Ms. Sanderson reported that the violator can pay the mitigation cost or can replace the trees with the diameter required.

Mr. Bryant asked what is the cost of mitigation.

Ms. Sanderson said the mitigation cost is $3,180 based on the 60” diameter.

Mr. Taylor said that Mr. Kennedy must have misunderstood because he thought the mitigation cost was $6,000.

Ms. Sanderson said there was a Scribner’s error on the initial citation so the citation was amended and reissued. She said they would not be before the Board today if Mr. Kennedy had contacted her to request more time to correct. She said this case came forward because there was no contact with Mr. Kennedy.

Mr. Price asked Mr. Taylor how much more time are they requesting to comply.

Mr. Taylor answered the 60-days. He thought there was a communication issue because in none of the paperwork, other than the permit, is there a timetable in which Mr. Kennedy is to provide any kind of evidence of compliance, so if Mr. Kennedy was charged with an obligation to communicate with the Code Officer, that is not in any documentation nor was adequately conveyed to him.

Mr. Price asked would an additional 30-days be enough time to comply.

Ms. Sanderson said the mitigation cost is $3,180 based on the 60” diameter.

Mr. Taylor said that Mr. Kennedy must have misunderstood because he thought the mitigation cost was $6,000.

Ms. Sanderson said there was a Scribner’s error on the initial citation so the citation was amended and reissued. She said they would not be before the Board today if Mr. Kennedy had contacted her to request more time to correct. She said this case came forward because there was no contact with Mr. Kennedy.

Mr. Price asked Mr. Taylor how much more time are they requesting to comply.

Mr. Taylor answered the 60-days. He thought there was a communication issue because in none of the paperwork, other than the permit, is there a timetable in which Mr. Kennedy is to provide any kind of evidence of compliance, so if Mr. Kennedy was charged with an obligation to communicate with the Code Officer, that is not in any documentation nor was adequately conveyed to him.

Mr. Price asked would an additional 30-days be enough time to comply.
Mr. Pizzichillo suggested that Ms. Sanderson work it out with Mr. Kennedy. He felt the Board should leave it up to the Code Officer.

Ms. Honse said this is a typical non-compliance case. The Board needs to find them in violation, that they need to correct the violation by a certain number of days, and if not in compliance that a continuing civil penalty of $50 per day would commence back to the date that they were given to comply on the citation, which is October 31, 2018.

Mr. Taylor said Mr. Kennedy would either accept the estimate given to him for replacing the trees or will pay the mitigation fee by the end of December.

Mr. Price suggested a compliance date of January 8, 2019.

Mr. Bryant suggested a compliance date of February 15, 2019.

Mr. Price said the day before their February Code Enforcement Board meeting is February 12, 2019.

Mr. Bryant agreed with a compliance date of February 12, 2019.

Mr. Price made a motion that the Board allows until February 12, 2019, to mitigate and if not in compliance they will be charged a fine of $50 per day from October 31, 2018, until they comply and that they are in violation (that the Board finds them in violation and to allow until February 12, 2019, to come into compliance and if not in compliance a continuing civil penalty of $50 per day shall commence from the compliance date of October 31, 2018). Mrs. Hillman seconded the motion and it passed unanimously.

h) CASE #18-CE-9101 / 1644M  
VIOLATOR: The Fresh Market, Inc.  
VIOLATION: False alarm (x 4)  
VIOLATION ADDRESS: 526 21st Street, Vero Beach, Florida 32960  
(Paid $150 civil penalty) (Failure to take mandatory alarm user awareness class)

This item was pulled from today’s agenda.

i) CASE #18-CE-9102 / 1645M  
VIOLATOR: Ulta Salon Cosmetics and Fragrances, Inc.  
VIOLATION: False alarm  
VIOLATION ADDRESS: 423 21st Street, Vero Beach, Florida 32960  
(Failure to pay $50 civil penalty)

This item was pulled from today’s agenda.

j) CASE #18-CE-9105 / 1647M  
VIOLATOR: Community Church of Vero Beach  
VIOLATION: False alarm (x 4)
Ms. Sanderson reported that service of the citation was provided by certified mail. She reported that the civil penalty has been paid and they have taken the mandatory alarm user awareness class. She said this case is before the Board today asking for the enforcement cost of $34.18.

Mr. Pizzichillo put that in the form of a motion (that the Board issues a Board order to pay the enforcement cost of $34.18). Mr. Bryant seconded the motion and it passed unanimously.

k) CASE #18-CE-9109 / 1650M
VIOLATOR: American National Red Cross
VIOLATION: False alarm
VIOLATION ADDRESS: 2506 17th Avenue, Vero Beach, Florida 32960
(Failure to pay $50 civil penalty)

This item was pulled from today’s agenda.

l) CASE #18-CE-9114 / 1002M
VIOLATOR: El Dorado Financial, Inc. / dba Omni Financial
VIOLATION: False alarm (x 4)
VIOLATION ADDRESS: 2300 5th Avenue, Vero Beach, Florida 32960
(Paid $150 civil penalty) (Failure to take mandatory alarm user awareness class)

This item was pulled from today’s agenda.

m) CASE #18-CE-9115 / 1654M
VIOLATOR: PNC Bank NA – Location #10000395
VIOLATION: False alarm
VIOLATION ADDRESS: 655 21st Street, Vero Beach, Florida 32960
(Failure to pay $100 civil penalty)

Ms. Sanderson reported that service of the citation was provided by certified mail. The civil penalty has not been paid. She requested that the Board issues a Board order finding violation, to pay the initial penalty of $100 and the cost of enforcement in the amount of $23.22.

Mr. Pizzichillo put that in the form of a motion (that the Board issues a Board order finding violation, to pay the initial civil penalty in the amount of $100 along with the cost of enforcement in the amount of $23.22). Mr. McGann seconded the motion and it passed unanimously.
n) CASE #18-CE-9148 / 1670M
VIOLATOR: Ajmo Dental Holdings, LLC
VIOLATION: False alarm
VIOLATION ADDRESS: 3036 20th Street, Vero Beach, Florida 32960
(Failure to pay $50 civil penalty)

This item was pulled from today’s agenda.

o) CASE #18-CE-9175 / 1685M
VIOLATOR: Ajmo Dental Holdings, LLC
VIOLATION: False alarm
VIOLATION ADDRESS: 3036 20th Street, Vero Beach, Florida 32960
(Failure to pay $50 civil penalty)

Ms. Sanderson reported that service of the citation was provided by certified return receipt. The civil penalty has not been paid. She requested a Board order for the initial penalty of $50 and the cost of enforcement of $23.22.

Mr. Pizzichillo put that in the form of a motion (that the Board issues a Board order to pay the $50 civil penalty along with the enforcement cost of $23.22). Mrs. Hillman seconded the motion and it passed unanimously.

p) CASE #18-CE-9176 / 1686M
VIOLATOR: Ajmo Dental Holdings, LLC
VIOLATION: False alarm (x 4)
VIOLATION ADDRESS: 3036 20th Street, Vero Beach, Florida 32960
(Failure to pay $50 civil penalty) (Failure to take mandatory alarm user awareness class)

Ms. Sanderson reported that service of the citation was provided by certified return receipt. The civil penalty has not been paid. She requested a Board order for the initial penalty of $50 and the cost of enforcement of $28.85.

Mr. Pizzichillo put that in the form of a motion.

Mr. Price noted they have not taken the mandatory alarm user class.

Ms. Sanderson said it is number three (3).

Mrs. Hillman seconded the motion.

Ms. Sherri Philo, Deputy City Clerk, noted that they did fail to take the mandatory alarm user class.

Ms. Sanderson said that is correct. She requested that the Board issues a Board order for the $50 penalty, $28.85 in cost of enforcement, and that the mandatory alarm user class is to be completed by December 24, 2018 or a daily penalty based on that will be imposed.
Mr. Pizzichillo amended his motion and re-motioned with the adjustment (that the Board issues a Board order to pay the $50 civil penalty along with the cost of enforcement in the amount of $28.85 and that the mandatory alarm user class be completed by December 24, 2018 or a continuing penalty of $50 per day shall commence). Mr. Bryant seconded the motion and it passed unanimously.

q) CASE #18-CE-9159 / 1674M  
VIOLATOR: United Against Poverty, Inc. / Austin Hunt, Agent  
VIOLATION: False alarm (x 4)  
VIOLATION ADDRESS: 1400 27th Street, Vero Beach, Florida 32960  
(Failure to pay $100 civil penalty) (Failure to take mandatory alarm user awareness class)

Ms. Sanderson pulled this item from today’s agenda. She reported that she spoke with the representative of United Against Poverty, Inc., prior to today’s meeting starting and he left to get a check to pay the civil penalty.

r) CASE #18-CE-9173 / 1683M  
VIOLATOR: Strickland Automotive and Air Conditioning, LLC / Lonnie Strickland  
VIOLATION: False alarm  
VIOLATION ADDRESS: 1102 21st Street, Vero Beach, Florida 32960  
(Repeat - $100 civil penalty)

This item was pulled from today’s agenda.

s) CASE #18-CE-9030 / 1621M  
VIOLATOR: MM&A Food Group, LLC, d/b/a Vero Prime / Michael McPhee  
VIOLATION: False alarm  
VIOLATION ADDRESS: 901 21st Street, Vero Beach, Florida 32960  
(Request for Correction of Board Order)

Ms. Sanderson reported that this case is back before the Board because when the case was previously heard there was an error on her request for a Board order. She asked that the Board issues a Board order to pay the initial penalty of $50.

Mr. Bryant made a motion that upon the recommendation of the Code Enforcement Officer, he concurs (that the Board issues a Board order to pay the initial civil penalty of $50). Mr. Pizzichillo seconded the motion and it passed unanimously.

t) CASE #18-CE-9050 / 1632M  
VIOLATOR: MM&A Food Group, LLC, d/b/a Vero Prime / Michael McPhee  
VIOLATION: False alarm
VIOLATION ADDRESS: 901 21st Street, Vero Beach, Florida 32960
(Request for Correction of Board Order)

Ms. Sanderson reported that this case has the same circumstances as the previous case (that there was an error on her request for a Board order). She asked that the Board issues a Board order to pay the initial penalty of $50 and to take the mandatory alarm user class within 10-days or a continuing penalty will be enforced.

Mr. Pizzichillo made that in the form of a motion. Mrs. Hillman seconded the motion. Ms. Honse clarified that the motion includes a $50 per day continuing penalty if they fail to take the alarm class. Mr. Pizzichillo said that is correct (that the Board issues a Board order to pay the initial civil penalty of $50 and to take the mandatory alarm user class within 10 days or a continuing civil penalty of $50 per day shall commence). The motion passed unanimously.

6. OLD BUSINESS

None

7. ADMINISTRATIVE MATTERS

A) CASE #18-CE-8627 / 1425M
VIOLATOR: Becki Lynn Raymond
VIOLATION: Porch enclosed without Code compliance Certification and an Indian River County Building Permit
VIOLATION ADDRESS: 1745 34th Avenue, Vero Beach, Florida 32960
(Request by Violator for additional time to comply – Board previously issued a Board order allowing additional time to comply with December 10, 2018 as the final date or continuing penalties would commence)

Ms. Sanderson reported that this case previously came before the Board and the violator had stated that she would restore the room back into a porch. She then decided to do an after the fact permitting and leave the porch as a room and is running out of time based on the time given by the Board to come into compliance. Ms. Sanderson said this is back before the Board to request an additional 90-days to complete the permitting process.

Ms. Honse asked is that 90 days from today.

Ms. Sanderson answered yes.

Ms. Honse recommended that the Board do an order such that she has an additional 90-days to come into compliance, however if she has not complied by that date then the $50 a day penalty reverts back to the date of correction required by the citation.

Mr. Pizzichillo put that in the form of a motion (that the Board issues a Board order to allow an additional 90 days to comply or a continuing civil penalty of $50 per day shall commence starting on the original compliance date of July 12, 2018). Mr. Bryant seconded the motion and it passed unanimously.

19 12/12/18 CEB
8. **CLERK’S MATTERS**

None

9. **ATTORNEY’S MATTERS**

None

10. **CHAIRMAN’S MATTERS**

None

11. **MEMBER’S MATTERS**

Mrs. Hillman questioned the Code Enforcement payments that were supplied to the Board (on file in the City Clerk’s office).

Ms. Sherri Philo, Deputy City Clerk, explained that the information placed on the dais includes every payment made into the Code Enforcement account. It is not only what the Board ordered for payment, but every Code citation that has been paid in the past three (3) years (information on file in the City Clerk’s office).

Mrs. Hillman said that she would like information on how many times the Board reduced a fine or let a fine go.

After a brief discussion, the Board agreed to have Mrs. Hillman work with the City Clerk’s office to gather the information from previous minutes of the Board.

12. **ADJOURNMENT**

Today’s meeting adjourned at 3:46 p.m.

/sp
BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

CITY OF VERO BEACH
vs.

JEFF A. AND DARLENE A. WILTZIUS
Violator

TO: Jeff A. and Darlene A. Wiltzius
675 Cypress 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: January 9th, 2019 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: December 27, 2018

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 27th day of December 2018.

_____________________________________

BOARD CLERK
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 December 13, 2018 at 11:26 am

Name: Wiltzius, Jeff A and Darlene A
675 Cypress Rd
of: Vero Beach, FL 32963

at (violation address): 675 Cypress Road in the City of Vero Beach, Florida committed the following civil offense: False alarm.

Violation of code provision(s): 34-49 (a), 34-50 (b).

Facts constituting violation: False alarm at the residence responded to by the Vero Beach Police Department. Optional alarm user awareness class may be taken by owner. Successful completion of the class by 12/28/18 reduces the civil penalty to $25.00 and the false alarm will not be counted against the alarm user. The link to the class is https://www.vbpd.org/falsealarm.html

CIVIL PENALTY: $50.00 PAY BY DATE: 12/28/2018 REPEAT VIOLATION

CORRECTION REQUIRED BY: n/a. This is an uncorrectable violation. 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 Date Issued: 12/14/2018
Department: VBPD Code Enforcement Telephone: 772-978-4561

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 - 18-001752 Certified Mail Receipt: 70182290000037028315

☑️ ORIGINAL
December 27, 2018  
From: Jeff A. Wiltzius  
675 Cypress Rd.  
Vero Beach, FL 32963  

To: City Clerk’s Office, City Hall  
1053 20th Place,  
Vero Beach, FL 32960  

RE: 1739M/18-CE  

Dear Sir or Madam,  

This is a request for a hearing on the above citation #.  

Sincerely,  

Jeff A. Wiltzius  
Cell #: 321-277-9727  
professorwiltzius@gmail.com  

I will be sending my son Max Wiltzius on my behalf. He was the one who was at my home at the time.  

Jeff A. Wiltzius
BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

CITY OF VERO BEACH
vs.
EL DORADO FINANCIAL; D/B/A OMNI FINANCIAL
Violator

TO: El Dorado Financial; d/b/a Omni Financial
2300 5th Avenue
Vero Beach, Florida 32960

CASE No’s.: 18-CE-9216
Citation No.: 1702M

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: January 9th, 2019 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).
- [X] 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: December 27, 2018

By: [Signature]

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 27th day of December 2018.

[Signature]

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

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 27, 2018 at 8:40 pm

Name: El Dorado Financial dba Omni Financial
2300 5th Avenue
Vero Beach, FL 329960

at (violation address): 2300 5th Avenue in the City of Vero Beach, Florida committed the following civil offense: False alarm.

Violation of code provision(s): 34-49 (a), 34-50 (b).

Facts constituting violation: False alarm responded to by the Vero Beach Police Department.

CIVIL PENALTY: $250.00 PAY BY DATE: 12/12/2018

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 Date Issued: 11/28/2018
Department: VBPD Code Enforcement 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 - 18-001643

Certified Mail Receipt: 70163010000017849973

ORIGINAL
BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

CITY OF VERO BEACH

vs.

EL DORADO FINANCIAL; D/B/A OMNI FINANCIAL
Violator

TO: El Dorado Financial; d/b/a Omni Financial
2300 5th 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: ___________________ 9th ____, 2019 at ___: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: December 27, 2018

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 27th day of December 2018.

Board Clerk
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 December 02, 2018 at 7:05 pm

Name: El Dorado Financial Inc dba Omni Financial
2300 5th Avenue
of: Vero Beach, FL 32960

at (violation address): 2300 5th Avenue in the City of Vero Beach, Florida committed the following civil offense: False alarm.

Violation of code provision(s): 34-49 (a), 34-50 (b).

Facts constituting violation: False alarm responded to by the Vero Beach Police Department.

CIVIL PENALTY: $250.00 PAY BY DATE: 12/18/2018 REPEAT VIOLATION

CORRECTION REQUIRED BY: n/a. This is an uncorrectable violation. 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 Date Issued: 12/04/2018
Department: VBPD Code Enforcement 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.

_________________________________________ Date:_________________________
Signature of Individual

CLERK COPY - 18-001689 Certified Mail Receipt: 70182290000037028209
CITY OF VERO BEACH

vs.

CHURCH OF GOD – PRINCE OF PEACE

Violator

TO: Church of God – Prince of Peace

1521 US Highway 1

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: January _____________, 2019 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: December 27, 2018

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 27th day of December 2018.

By: ____________________________

Board Clerk
CODE ENFORCEMENT DIVISION
1055 20th Street
Vero Beach, FL 32960
STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
1055 20th Street
Vero Beach, FL 32960
No. 1552T / 18-CE-9228

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 25, 2018 at 1322

Name: Church of God -Prince of Peace
1521 US Hwy 1
of: Vero Beach, FL 32960

at (violation address): 1521 US Hwy 1 in the City of Vero Beach, Florida committed the following civil offense: False Alarm.

Violation of code provision(s): 34-49 (a), 34-50(b).

Facts constituting violation: False alarm responded to by the Vero Beach Police Department. Optional alarm user awareness class may be taken by owner. Successful completion of the alarm class by 12/10/2018 reduces the civil penalty by $25.00 and the false alarm will not be counted against the alarm user. Alarm user awareness class link is http://www.vbpd.org/falsealarm.html.

CIVIL PENALTY: $50.00 PAY BY DATE: 12/13/2018 REPEAT VIOLATION

CORRECTION REQUIRED BY: 12/10/2018. 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 contest 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: Ramsey
Department: VBPD Code Enforcement
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 - 18-001666

Certified Mail Receipt: 70180360000183802696

ORIGINAL
CITY OFvero BEACH

vs.

DODGERTOWN; NANCY GOLNICK

Violator

TO: Dodgertown; Attn: Nancy Golnick

3901 26th 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: January 9th, 2019 at 2:00 P.M.

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

PURPOSE OF HEARING:

X Failure to comply by taking the Mandatory Alarm User Awareness Class

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: December 27, 2018

By [Signature]
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 27th day of December 2018.

[Signature]
Board Clerk
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 25, 2018 at 11:06 am

Name: Dodgertown
Attn: Nancy Golnick
3901 26th Street
Vero Beach, FL 32960

at (violation address): 3901 26th Street in the City of Vero Beach, Florida committed the following civil offense: False alarm.

Violation of code provision(s): 34-49 (9), 34-50 (12) (g)

Facts constituting violation: False alarm responded to by the Vero Beach Police Department. This is the 4th false alarm responded to by the VBPD this year so mandatory alarm user awareness class must be completed by 12/10/18. Class can be completed at https://www.vbpd.org/falsealarm.html

CIVIL PENALTY: $100.00 PAY BY DATE: 12/10/2018

CORRECTION REQUIRED BY: 12/10/2018. 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 Date Issued: 11/26/2018
Department: VBPD Code Enforcement 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 - 18-001629
Certified Mail Receipt: 70163010000017849935
CITY OF VERO BEACH

vs.

WELLS FARGO BANK, NA

Violator

TO: Wells Fargo Bank, NA

1500 Broadway #T3203-025

Lubbock, TX 79401

AND

600 21st 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: January 6th, 2019 at 2:00 P.M.

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

PURPOSE OF HEARING:

- Failure to Pay Civil Penalty and/or 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: December 27, 2018

By: [Signature]
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 27th day of December 2018.

[Signature]
Board Clerk
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 December 08, 2018 at 11:45 am

Name: WELLS FARGO BANK NA
1500 Broadway #T3203-025
of: Lubbock, TX 79401

at (violation address): 600 21st Street in the City of Vero Beach, Florida committed the following civil offense: False alarm.

Violation of code provision(s): 34-49 (a), 34-50 (b).

Facts constituting violation: False alarm responded to by the Vero Beach Police Department. Optional alarm user awareness class may be taken by owner. Successful completion of the class by 7/6/18 reduces the civil penalty to $25.00 and the false alarm will not be counted against the alarm user.

CIVIL PENALTY: $50.00 PAY BY DATE: 12/24/2018 REPEAT VIOLATION CORRECTION REQUIRED BY: 12/24/2018. 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 Date Issued: 12/10/2018
Department: VBPD Code Enforcement 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 - 18-001727

Certified Mail Receipt: 70182290000037028247

ORIGINAL
BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OFvero BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

CITY OF VERO BEACH
vs.

CASE No's.: 18-CE-9288
Citation No.: 1735M

EL DORADO FINANCIAL; D/B/A OMNI FINANCIAL
Violator

TO: El Dorado Financial; d/b/a Omni Financial
2300 5th 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: January 9th, 2019 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.

Page 1 of 2
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: December 27, 2018

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 ________ day of December, 2018.

______________________________
Board Clerk
VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
1055 20th Street
Vero Beach, FL 32960
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 December 09, 2018 at 2:52 pm

Name: El Dorado Financial, Inc dba Omni Financial
2300 5th Avenue
of: Vero Beach, FL 32960

at (violation address): 2300 5th Avenue in the City of Vero Beach, Florida committed the following civil offense: False alarm.

Violation of code provision(s): 34-49 (a), 34-50 (b).

Facts constituting violation: False alarm responded to by the Vero Beach Police Department.

CIVIL PENALTY: $250.00 PAY BY DATE: 12/24/2018 REPEAT VIOLATION

CORRECTION REQUIRED BY: n/a. This is an uncorrectable violation. 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 Date Issued: 12/10/2018
Department: VBPD Code Enforcement 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: ______________________

PROPERTY POSTING COPY - 18-001729

Certified Mail Receipt: 70182290000037028261

ORIGINAL
BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

CITY OF VERO BEACH

vs.

EL DORADO FINANCIAL; D/B/A OMNI FINANCIAL
Violator

TO: El Dorado Financial; d/b/a Omni Financial
2300 5th 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: January ________________ 9th ____, 2019 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: December 27, 2018

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 27th day of December 2018.

Board Clerk
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 December 10, 2018 at 6:37 am

Name: El Dorado Financial, dba Inc dba Omni Financial
2300 5th Avenue
of: Vero Beach, FL 32960

at (violation address): 2300 5th Avenue in the City of Vero Beach, Florida committed the following civil offense: False
alarm.

Violation of code provision(s): 34-49 (a), 34-50 (b).

Facts constituting violation: False alarm responded to by the Vero Beach Police Department.

CIVIL PENALTY: $250.00  PAY BY DATE: 12/24/2018  REPEAT VIOLATION

CORRECTION REQUIRED BY: n/a. This is an uncorrectable violation. 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  Date Issued: 12/10/2018
Department: VBPD Code Enforcement  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 - 18-001730  Certified Mail Receipt: 70182290000037028278
BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

CITY OF VERO BEACH
vs.

JAMES C. STOTTMIRE, TENANT
CITY OF VERO BEACH CITRUS MOBILE HOME PARK
Violator

TO: James C. Stottlemire, Tenant

City of Vero Beach Citrus Mobile Home Park
17 Bonanza Lane
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: January 9th, 2019 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: December 27, 2018

By: [Signature]

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 27th day of December 2018.

[Signature]

Board Clerk
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 29, 2018 at 6:53 am**

Name: **James C Stottlemire**, tenant of COVB Citrus Mobile Home Park  
17 Bonanza Lane  
of: **Vero Beach, FL 32960**

at (violation address): **17 Bonanza Lane** in the City of Vero Beach, Florida committed the following civil offense:  
**Construction without a permit.**

Violation of code provision(s): 22-181, 22-108

Facts constituting violation: **Wood deck and two sets of stairs installed without permit from Indian River County Building Department. Permit must be obtained from the Indian River county Building Department.**

**CIVIL PENALTY:** **$50.00**  
PAY BY DATE: **12/13/2018**  
REPEAT VIOLATION **CORRECTION REQUIRED BY:** **12/13/2018.** 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: **11/29/2018**  
Telephone: **772-978-4561**

**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 - 18-001658  
Certified Mail Receipt: PROPERTY POSTED
The Code Enforcement Board is created pursuant to the authority of Florida Statute Chapter 166, Florida Statute Chapter 162, and Florida Constitution, Article 8, and 2(b), and shall carry out the duties, functions, and procedures set forth for it in the Code Enforcement Ordinance of the City and as otherwise provided by law. It is their job to hear cases brought before them by the Code Enforcement Officers, Police Officers, the Building Department, as well as any appeals, and to determine if in fact there was a violation and if the civil penalties and costs of enforcement are to be upheld. It is their duty to promote, protect, and improve the health, safety, and general welfare of the citizens of the City of Vero Beach and to encourage compliance with the Code, ordinances, rules, and regulations of the City of Vero Beach and the State, County, and uniform laws, statutes, codes, ordinances, rules, and regulations that may be enforced by the City.

The Code Enforcement Board meets the second Wednesday of every month at 2:00 p.m. in the City Hall, Council Chambers. Currently, there are two (2) alternate positions open. Board members shall be residents of the City who possess outstanding reputations for civic pride, interest, integrity, responsibility, and business or professional ability and demonstrate experience, interest, and knowledge in code enforcement matters.

The Code Enforcement Board held 10 meetings in 2018 and heard 66 cases. Below is a list of the cited violations. Please note that some violations listed in different categories could be one (1) case with multiple violations and some cases heard were found not in violation.

**VIOLATIONS**

<table>
<thead>
<tr>
<th>Violation</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-operable/untagged vehicle on property or right-of-way</td>
<td>5</td>
</tr>
<tr>
<td>Garbage, trash and other un-stored items</td>
<td>4</td>
</tr>
<tr>
<td>Discarded furniture</td>
<td>1</td>
</tr>
<tr>
<td>Scrap metal/other debris in right-of-way</td>
<td>1</td>
</tr>
<tr>
<td>Broken or missing windows</td>
<td>1</td>
</tr>
<tr>
<td>Vacant and unsecured house</td>
<td>1</td>
</tr>
<tr>
<td>Weeds, grass and undergrowth in excess of 12”</td>
<td>2</td>
</tr>
<tr>
<td>Specimen/protected tree removal without a permit</td>
<td>1</td>
</tr>
</tbody>
</table>
• Dead or damaged trees 3
• Failure to obtain Code Compliance Certification 5
• Hiring unlicensed contractor/unlicensed contracting 2
• Uninsured contractor 2
• Failure to obtain permits 11
• False Alarm 20
• Mandatory Alarm User Awareness Class 4
• Request Board to find compliance and cease continuing penalties 8
• Request additional time to come into compliance 1
• Operating a guest house or transient quarters in a residential zone 1
• Occupying a camper at a commercial property 1
• Turtle lighting 1
• Unsheltered storage of trailer with expired tags/registration 1
• Sign 1

Appeals:

• Uninsured contractor 1
• Failure to apply for permit 1
• Unlicensed non-operable motor vehicles 1
• Failure to obtain Code Compliance Certification 1
• Construction without approval from City Planning Department or permitting from Indian River County Building Department 1
• Garage enclosed without permits, approval, or certificate of occupancy from the Indian River County Building Department; fence on property without Code Compliance or permits 1
• Operating a concrete production and casting business in a residential zone 1