MINUTES
CODE ENFORCEMENT MAGISTRATE HEARING DOCKET
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
JUNE 20, 2024
10:00 AM

If a person decides to appeal any decision made by the Magistrate, they will need a record of the proceeding, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER

The Special Magistrate, Keith Davis, called the Code Enforcement Meeting to order at 10:12 a.m.

ROLL CALL

Present: Special Magistrate Keith Davis, Code Enforcement Officer Supervisor Thomas Gehrman, Code Enforcement Officer Henry Stout, Code Enforcement Officer Nichole Tamayo, Code Enforcement Officer Joey Sanders, and Building Official Peter Ringle,

Absent: Nanciann Cuenot

Also present are Deputy Village Clerk Jane Worth and Records Clerk Andrea Medero.

SWORN IN

Special Magistrate Davis swore in the Code Enforcement officers and witnesses.

AGENDA CHANGES

Staff requested that Item #1 (CIT Case #2024-34 – 2826 Apalachee Road) be continued to the July 18, 2024 Special Magistrate Hearing. Item #3 (Case 2024-35 - 964 South Congress Avenue) requested to be continued and Item #4 (CIT Case 2024-2789 - 1780 South Congress Avenue) requested to be continued.

1. **CIT Case 2024-34 - 2826 Apalachee Road - Gloria Gama CE Officer Tom Gehrman**
   Violation of Village Code of Ordinances
   Section 10-31 (FBC 105.1): New fence, new doors, no required permits.
   Section 10-31 (FBC 110.1): No required inspections.
   Section 14-32: No required permits for rented units.
   Section 34-883: Fence placement hedge height not in compliance with ordinance.

Citation Fine:	**N/A**
Admin Cost:	**TBD**
Recommendation:	**$100.00 per day, per violation**
Compliance Date:	**July 17, 2024**

   MR. GEHRMAN REQUESTED THAT THIS CASE CONTINUED TO JULY 18, 2024.

2. **Case 2024-39 - 3959 Lake Worth Road - Bella Raza Inc. CE Officer Nanciann Cuenot**
   Violation of Village Code of Ordinances
   Section 34-898: Mobile food dispensing vehicles and mobile vendors. Citation Fine: N/A

Admin Cost:	**$ 191.91**
Recommendation:	**$ 50.00 per day**
Compliance Date:	**July 1, 2024**

   The Code Enforcement Officer, Mr. Gehrman, testified about the violations cited at 3959 Lake Worth Road. Code Enforcement Officer Mr. Stout, and Resident Johnnie Tieche spoke about the mobile food truck operating after the permitted 9:00 p.m. hours of operation (per Section 34-898 of the Village of Palm Springs Ordinance).

   The Owner of the Food Truck, Mr. Victor Ruiz, stated that people called him for food, and he ran out of time, so he stayed open after the allowed hours of operation.

   Special Magistrate Davis found that the defendant had violated Section 34-898, which must be corrected no later than July 1, 2024. He assessed Administrative costs of $191.91 be paid before July 1, 2024.

3. **Case 2024-35 - 964 South Congress Avenue - Palm Springs Villages LLC CE Officer Nanciann Cuenot**
   Violation of Village Code of Ordinances
   Section 70-94: Application required - Local business tax receipt. Citation Fine: N/A

Admin Cost:	**TBD**
Recommendation:	**Tax + 25% Penalty**
Compliance Date:	**July 17, 2024**

CODE ENFORCEMENT OFFICER GEHRMAN REQUESTED THAT THIS CASE B E CONTINUED.

4. **CIT Case 2024-2789 - 1780 South Congress Avenue - Congress Properties of Palm Springs Inc. CE Officer Nanciann Cuenot**

Violation of Village Code of Ordinances
Section 30-142: Maintenance of abutting parkways - Sidewalks.
Section 30-143: Removal of rubbish, trash & debris.
Section 10-8: Exterior property maintenance.

Citation Fine:	**$175.00 + $30.00 = $205.00**
Admin Cost:	**TBD**
Recommendation:	**$ 100.00 per day, per violation**
Compliance Date:	**July 18, 2024**

CODE ENFORCEMENT OFFICER GEHRMAN REQUESTED THAT THIS CASE BE CONTINUED.

5. **Case No. 2024-36 - 349 Cypress Lane - Andrew G. Richards CE Officer Nicole Tamayo**

Violation of Village Code of Ordinances
Section 30-143: Removal of rubbish, stagnant water and weeds required. Dirty pool water maintenance required.
Section 10-9: Exterior of structure. Paint maintenance required, trim needs to be repainted. Shutters need to be removed.
Section 66-112: General maintenance requirements. Sidewalk needs to be pressure washed.
Section 10-8: Exterior property areas. Driveway needs to be pressure washed. Accessory structures in disrepair, shed and pool enclosure require maintenance and repairs.

Citation Fine:	**N/A**
Admin Cost:	**$162.08**
Recommendation:	**$100.00 per day, per violation**
Compliance Date:	**July 18, 2024**

Code Enforcement Officer Ms. Tamayo testified to the violations cited at 349 Cypress Lane. There was no one representation from the owners. Special Magistrate Davis found the respondent violated Section 30-143, Section 10-9, Section 66-112,

Section 10-8, to be corrected by July 18, 2024. Administrative costs of $162.08 were assessed to be paid no later than July 18, 2024.

6. **Case No. 2024-37 - 3551 Hunt Road - Dennis McCormick CE Officer Joey Sanders**

Violation of Village Code of Ordinances
Section 10-31 (FBC 105.1 & 110.1): Rear sliding door installed without a permit and inspection.
Section 34-225: Fence Maintenance-Repair, replace or remove broken chain-link fence.
Section 10-8: Weeds-Remove all weeds along the fence line.
Section 30-141: Overgrowth-Trim all overgrown trees/vegetation.
Section 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line.
Section 10-9: Exterior Property Maintenance-Repair broken window, remove all holiday lights, remove all shutters covering the door, paint the rear of the property and repair all sections of rotted siding.

Citation Fine:	**N/A**
Admin Cost:	**$ 317.08**
Recommendation:	**$100.00 per day, per violation**
Compliance Date:	**July 1, 2024**

Code Enforcement Officer Mr. Sanders testified to the violations cited at 3551 Hunt Road. The property owner, Mr. Dennis McCormick, stated that he is trying to resolve all these violations on time.

Special Magistrate Davis found the respondent in violation of Section 10-31 (FBC 105.1 & 110.1), Section 34-225, Section 10-8, Section 30-141, Section 142, Section 10-9, to be corrected no later than August 30, 2024. Administrative costs of $317.08 were assessed and to be paid no later than August 30, 2024.

7. **Case No. 2024-38 - 3756 Davis Road - Ines M Somero EST CE Officer Joey Sanders**

Violation of Village Code of Ordinances
Section 30-143: Trash/Debris//Rubbish/Materials
Section 34-1381: Open Storage-Remove all misc. Items stored throughout the property.

Section 34-914: Vehicles/Parking-Remove all inoperative and/or unregistered vehicles and remove all vehicles parked on the grass.
Section 30-141: Overgrowth-Trim all overgrown trees/vegetation
Section 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line.

Section 10-9: Exterior Property Maintenance-Remove all shutters covering the windows, clean/repair or remove all overhang extensions, remove all black discoloration off the exterior walls/fascia, paint the exterior/fascia and clean/post new "3756" house ID numbers on the mailbox.

Citation Fine:	**N/A**
Admin Cost:	**$237.08**
Recommendation:	**$100.00 per day, per violation**
Compliance Date:	**July 1, 2024**

Code Enforcement Officer Mr. Sanders testified to the violations cited at 3756 Davis Road. The Tenant of the property, Mr. Michael Richards, stated that he is doing his best to complete everything on time. The Building Official Peter Ringle stated that hurricane shutters can be put up during a hurricane watch or warning and must be removed once the warning is over.

Special Magistrate Davis found the respondent in violation of Section 30-143, Section 34-1381, Section 34-914, Section 30-141, Section 142, Section 10-9, to be corrected no later than August 30, 2024. Administrative costs of $237.08 were assessed and to be paid no later than August 30, 2024.

MOTIONS FOR EXTENSION OF TIME FOR COMPLIANCE

8. **CIT Case 2024-27 - 500 Lori Drive - Condo Assn. of Lakeside Village Inc. CE Officer Tom Gehrman**

Violation of Village Code of Ordinances
Violations: 711 Lori Drive Unit 301 Building 23.
Section 10-9: Exterior structure not maintained with open balcony.
Section 10-31 (FBC 105.1): Permits missing or expired.
Section 10-31 (FBC 110.1): Required inspections not completed.
Section 10-31 (FBC 116.1): Unsafe structure (open balcony).

Initial Violation:	**April 7, 2024**
Order Finding Violation:	**April 18, 2024**
Compliance Deadline:	**May 15, 2024**
Compliance Date:	**Not in Compliance**
Fine Amount:	**$100.00 per day, per violation**
Citation Fine:	**N/A**
Admin Cost:	**$291.08 Paid**
Recommendation:	**Extension OK.**

Compliance Date: **September 19, 2024**

Code Enforcement Officer Mr. Gehrman testified to the violations cited at 711 Lori Drive, Unit 301, Building 23. The property manager at Lakeside Village, Mr. David Shore, was present. He did not give testimony.

Special Magistrate Davis granted the extension.

9. **CIT Case 2024-28 - 500 Lori Drive - Condo Assn. Of Lakeside Village Inc. CE Officer Tom Gehrman**

Violation of Village Code of Ordinances
Violations: 225 Bonnie Boulevard, Building. 24.
Section 10-9: Exterior structure not maintained (open balconies).
Section 10-31 (FBC 105.1): Required permits missing or expired.
Section 10-31 (FBC 110.1): Required inspections not completed.
Section 10-31 (FBC 116.1): Unsafe structure (open balconies).

Initial Violation:	**April 7, 2024**
Order Finding Violation:	**April 18, 2024**
Compliance Deadline:	**May 15, 2024**
Compliance Date:	**Not in Compliance**
Fine Amount:	**$100.00 per day, per violation**
Citation Fine:	**N/A**
Admin Cost:	**$311.08 Paid**
Recommendation:	**Extension Ok.**
Compliance Date:	**September 19, 2024**

Code Enforcement Officer Mr. Gehrman testified about the violations cited at 711 Lori Drive, Unit 301, Building 23. The property manager of Lakeside Village, Mr. David Shore, was present. He did not give testimony.

Special Magistrate Davis granted the extension.

ADJOURNMENT

Hearing no further business, Special Magistrate Davis adjourned the Special Magistrate Meeting at 11:01 AM.

Next Magistrate Hearing is
Thursday, July 18, 2024, at 10:00 AM

The undersigned is the Records Clerk of Palm Springs, Florida, and the

information provided herein is the Minutes of the Special Magistrate Meeting held on June 20, 2024**.**

Respectfully,

Andrea J. Medero

Records Clerk

Village of Palm Springs

Title VI/Nondiscrimination Policy

I. Policy Statement:

The Village of Palm Springs values diversity and interested parties, regardless of cultural identity, background, or income level. Moreover, the Village believes the best programs and services result from careful consideration welcomes input from all of the needs of all its communities and when those communities are involved in the decision-making process. The Village does not tolerate discrimination in any of its programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the Village will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, or family status.

II. Persons with Disabilities:

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. These laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented.

The Village will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Village will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The Village encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Also, the Village will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services, or activities. Because providing reasonable accommodation may require outside assistance, the Village asks that requests be made at least three (3) business days prior to the need for accommodation. Questions, concerns, comments, or requests for accommodation should be made to the Village ADA Officer:

Name: Ashley Saingilus
Address: 226 Cypress Lane, Palm Springs, FL 33461 Email: asaingilus@vpsfl.org
Phone: (561) 584-8200 Ext. 8419

III. Complaint Procedures:

The Village has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status in any Village program, service or activity may file a complaint with the Village Title VI/Nondiscrimination Coordinator:

Name: Janette Piedra, Human Resources Manager Address: 226 Cypress Lane, Palm Springs, FL 33461 Email: jpiedra@vpsfl.org
Phone: (561) 584-8200 Ext. 8421