

**CITY OF PENSACOLA
CODE ENFORCEMENT AUTHORITY MINUTES
JANUARY 7, 2020 PUBLIC, QUASI-JUDICIAL HEARINGS**

Present: Special Magistrate Judge

Louis F. Ray, Jr.

Present: Staff Members

Steve Richards, Code Enforcement Administrator
Joanna Walker, Administrative Officer
Keith DeWise, Code Enforcement Supervisor
Jason Hendricks, Code Enforcement Officer
Ricky Lewis, Code Enforcement Officer
Trevor Mayo, Code Enforcement Officer
Tom Lucia, Code Enforcement Officer
Ryan Spikes, Code Enforcement Officer

Respondent(s)/Representative(s)/Citizens

Rebecca Cross
Gerardo Garcia
Janet Hildenbrand
Keith Gaudet

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ADMINISTRATION OF OATHS – Swearing in of City Staff and Respondents

IV. REQUEST TO APPROVE 12/17/19 MINUTES

V. REQUESTS TO FIND CODE VIOLATIONS

1. Case # 20-046 1205 Langley Ave – Sheila L Booker – Ryan Spikes
MO/Nuisance
IPMC/Motor vehicles

Officer Ryan Spikes testified that the cited code violation(s) first observed on 9/23/19 still exist(s). Respondent(s) did not appear. The SMJ found the property and the respondent(s) in violation of the specified sections of the City Code and entered a standard Code Violation Order giving the respondent(s) until 1/21/20 to correct the violation(s) and providing in part for the subsequent assessment of a fine and filing of a lien against the respondent(s) and the property without further hearing or notice to the respondent(s) if the property is not timely brought into compliance.

2. Case # 20-057 1920 Seville Dr – Susan V Walden – Ryan Spikes
IPMC/Roofs and drainage; Stairways, decks, porches and balconies; Exterior walls

Officer Ryan Spikes testified that a permit has been issued. The SMJ tabled the case for the life of the permit.

3. Case # 20-053 810 N Hayne St – Keith V Gaudet – Trevor Mayo
MO/Nuisance
IPMC/Roofs and drainage

Officer Trevor Mayo testified that the cited code violation(s) first observed on 9/3/19 still exist(s). Respondent(s) appeared and testified. The SMJ found the property and the respondent(s) in violation of

the specified sections of the City Code and entered a standard Code Violation Order giving the respondent(s) until 2/4/20 to correct the violation(s) and providing in part for the subsequent assessment of a fine and filing of a lien against the respondent(s) and the property without further hearing or notice to the respondent(s) if the property is not timely brought into compliance.

4. Case # 20-058 300 E Brainerd St – Sarah Jessie – Trevor Mayo
MO/Excessive growth of weeds prohibited; Nuisance

The case was brought into compliance prior to hearing.

5. Case # 20-059 524 N Hayne St – Keith V Gaudet – Trevor Mayo
MO/Nuisance
IPMC/Vacant structures and land; Window, skylight and door frames;
Accumulation of rubbish or garbage

Officer Trevor Mayo testified that the cited code violation(s) first observed on 9/19/19 still exist(s). Respondent(s) appeared and testified. The SMJ found the property and the respondent(s) in violation of the specified sections of the City Code and entered a standard Code Violation Order giving the respondent(s) until 2/4/20 to correct the violation(s) and providing in part for the subsequent assessment of a fine and filing of a lien against the respondent(s) and the property without further hearing or notice to the respondent(s) if the property is not timely brought into compliance.

6. Case # 20-047 3111 North 6th Ave – Margie M Walker – Jason Hendricks
MO/Maintenance of right-of-way by owner of abutting property; Excessive
growth of weeds prohibited
IPMC/Accumulation of rubbish or garbage

Officer Jason Hendricks testified that the cited code violation(s) first observed on 9/12/19 still exist(s). Respondent(s) did not appear. The SMJ found the property and the respondent(s) in violation of the specified sections of the City Code and entered a standard Code Violation Order giving the respondent(s) until 1/21/20 to correct the violation(s) and providing in part for the subsequent assessment of a fine and filing of a lien against the respondent(s) and the property without further hearing or notice to the respondent(s) if the property is not timely brought into compliance.

7. Case # 20-048 803 Pickens Ave – Gail Mae Maharty – Jason Hendricks
MO/Nuisance
IPMC/Motor vehicles; Accumulation of rubbish or garbage

The case was brought into compliance prior to hearing.

8. Case # 20-049 2610 N Davis Hwy – DSV SPV1 LLC – Jason Hendricks
MO/Maintenance of right-of-way by owner of abutting property; Excessive
growth of weeds prohibited; Nuisance
IPMC/Accumulation of rubbish or garbage

Officer Jason Hendricks testified that the cited code violation(s) first observed on 10/6/19 still exist(s). Respondent(s) did not appear. The SMJ found the property and the respondent(s) in violation of the specified sections of the City Code and entered a standard Code Violation Order giving the respondent(s) until 1/21/20 to correct the violation(s) and providing in part for the subsequent assessment of a fine and filing of a lien against the respondent(s) and the property without further hearing or notice to the respondent(s) if the property is not timely brought into compliance.

9. Case # 20-054 2614 North 7th Ave – Earnest Caldwell & Charlie Caldwell – Jason Hendricks
IPMC/General; Protective treatment

Officer Jason Hendricks testified that the cited code violation(s) first observed on 9/4/19 still exist(s). Respondent(s) did not appear. The SMJ found the property and the respondent(s) in violation of the specified sections of the City Code and entered a standard Code Violation Order giving the respondent(s) until 1/21/20 to correct the violation(s) and providing in part for the subsequent assessment of a fine and filing of a lien against the respondent(s) and the property without further hearing or notice to the respondent(s) if the property is not timely brought into compliance.

10. Case # 20-055 1214 North 6th Ave – Donald Reed – Jason Hendricks
MO/Nuisance

Officer Jason Hendricks testified that the cited code violation(s) first observed on 10/1/19 still exist(s). Respondent(s) did not appear. The SMJ found the property and the respondent(s) in violation of the specified sections of the City Code and entered a standard Code Violation Order giving the respondent(s) until 1/21/20 to correct the violation(s) and providing in part for the subsequent assessment of a fine and filing of a lien against the respondent(s) and the property without further hearing or notice to the respondent(s) if the property is not timely brought into compliance.

11. Case # 20-056 3204 E Blount St – Lamont Gerald Lipe – Jason Hendricks
MO/Nuisance

Officer Jason Hendricks testified that the cited code violation(s) first observed on 10/22/19 still exist(s). Respondent(s) did not appear. The SMJ found the property and the respondent(s) in violation of the specified sections of the City Code and entered a standard Code Violation Order giving the respondent(s) until 1/21/20 to correct the violation(s) and providing in part for the subsequent assessment of a fine and filing of a lien against the respondent(s) and the property without further hearing or notice to the respondent(s) if the property is not timely brought into compliance.

12. Case # 20-050 3317 Marcus Dr – Michael B Smith & Roxanne Smith – Tom Lucia
MO/Use of solid waste collection services required

Officer Tom Lucia testified that the cited code violation(s) first observed on 10/30/19 still exist(s). Respondent(s) did not appear. The SMJ found the property and the respondent(s) in “repeat” violation of the specified sections of the City Code, entered an Repeat Code Violation Order for the respondent(s) to immediately correct the repeat violation(s) and further assessed a fine of \$3.00 per day starting on 10/30/19 and continuing each and every day thereafter the violation continues to exist, that on or after 90 days, without further hearing or notice to the respondent(s), a lien for any and all unpaid fines and costs be filed in the public records of the County against the respondent(s) and the property.

13. Case # 20-051 1318 Dr Martin Luther King Jr Dr – Rebecca Victoria Watts, et al – Tom Lucia
MO/Use of solid waste collection services required

Officer Tom Lucia testified that the cited code violation(s) first observed on 10/30/19 still exist(s). Respondent(s) did not appear. The SMJ found the property and the respondent(s) in “repeat” violation of the specified sections of the City Code, entered an Repeat Code Violation Order for the respondent(s) to immediately correct the repeat violation(s) and further assessed a fine of \$3.00 per day starting on 10/30/19 and continuing each and every day thereafter the violation continues to exist, that on or after 90 days, without further hearing or notice to the respondent(s), a lien for any and all unpaid fines and costs be filed in the public records of the County against the respondent(s) and the property.

VI. REQUESTS TO ASSESS FINES

1. Case # 20-045 715 Knowles Ave – Victor L Mabire – Jason Hendricks
MO/Nuisance
IPMC/Motor vehicles; Accumulation of rubbish or garbage

Officer Jason Hendricks testified that the Respondent(s) did not bring the property into complete compliance by 1/7/20 as previously ordered by the SMJ and that one or more of the code violation(s) still exist(s). Respondent(s) did not appear. The SMJ assessed a fine of \$50.00 per day starting on 1/7/20 and continuing each and every day thereafter the violation continues to exist, that on or after 90 days, without further hearing or notice to the respondent(s), a lien for any and all unpaid fines and costs be filed in the public records of the County against the respondent(s) and the property.

2. Case # 20-043 1806 W Brainerd St – 5T Wealth Partners LP – Ricky Lewis
IPMC/Vacant structures and land; Window, skylight and door frames

Officer Ricky Lewis testified that the Respondent(s) did not bring the property into complete compliance by 1/7/20 as previously ordered by the SMJ and that one or more of the code violation(s) still exist(s). Respondent(s) did not appear. The SMJ assessed a fine of \$3.00 per day starting on 1/21/20 and continuing each and every day thereafter the violation continues to exist, that on or after 90 days, without further hearing or notice to the respondent(s), a lien for any and all unpaid fines and costs be filed in the public records of the County against the respondent(s) and the property.

VII. REQUESTS TO IMPOSE LIENS

VIII. UNFINISHED BUSINESS

IX. REQUESTS TO REDUCE/RESCIND/CANCEL FINES/LIENS

1. Case # 09-106 3004 Creighton Rd – Rebecca Cross – Keith DeWise (\$13,252.00)

Supervisor Keith DeWise testified to the history of the case and that staff has no objection to a fine reduction. Respondent appeared and testified. The SMJ reduced the fines to \$1,000.00 to be paid in six (6) months.

2. Case # 15-397 3004 Creighton Rd – Rebecca Cross – Keith DeWise (\$18,742.00)

Supervisor Keith DeWise testified to the history of the case and that staff has no objection to a fine reduction. Respondent appeared and testified. The SMJ reduced the fines to \$1,000.00 to be paid in six (6) months.

X. ANY NEW BUSINESS?

Administrator Steve Richards brought up that some code changes are in the works in regards to "Heritage" trees.

Xi. ADJOURNMENT 3:56 pm


Louis F. Ray, Jr., Special Magistrate Judge


Joanna Walker, Administrative Officer

Approved on: 1/21/20