

**SPECIAL MASTER HEARING**  
**City Commission Meeting Room – City Hall**  
**Special Master Richard Conner, Presiding**  
**June 3, 2004**  
**9:00 A.M. – 12:10 P.M.**

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Staff Present:

Eve Bazer, Administrative Assistant  
Assistant City Attorney  
Jennifer Chenault, Secretary  
Leonard Ackley, Community Inspections Officer  
Lin Bradley, Community Code Supervisor  
Thomas Clements, Fire Inspector  
Robert Guilford, Community Inspections Officer  
Deborah Haskins, Community Inspections Officer  
Dan Mullarkey, Community Inspections Officer  
Cheryl Pingitore, Community Inspections Officer  
Ivette Spence-Brown, Fire Inspector  
Frank Stockinger, Community Inspections Officer  
Ursula Thime, Community Inspections Officer

Also Present:

\*David Shanks, CE03051560  
Victoria Revier, CE04050273  
Craig Rogers, CE04050273  
Cleverson Schmidt, CE04050273  
Ed Stacker, CE04040436  
Hope Calhoun, CE04031309  
Steve Simmons, CE04031309  
Sarah McDonald, CE03030841  
\*Paul Klein, CE03071495  
\*Christopher Wintter, CE03071495  
\*Raymond Faldetta, CE03071495  
Anthony Chioca, CE04030768  
Richard Polcini, CE04030768  
Rafiquel Hague, CE04041832  
Lisa Hodapp, CE04050273  
Perry Martin, CE03030841  
Henry Andrews, CE03030841  
Juan Rivera, CE04011168  
Mark Miller, CE03081943  
Phyllis Berens, CE03081943  
Larry Cole, CE03081943

Sharon Brose, CE03081943  
Michael Duffy, CE04031296  
Moses Blake, CE03021874  
Linda Oakes, CE03081943  
James Smith, CE04011181  
Melissa Mallo, CE04021652  
Eugueni Savitsky, CE03030841  
Alan Fahrer, CE03081943  
Michelle Fahrer, CE03081943  
George McKee, CE03091511  
Dorothy Cleveland, CE04041351  
Shaylisa Haynes, CE04041351

\*Massey hearings

NOTE: All individuals who presented information to the Special Master during these proceedings affirmed they would speak only the truth.

The meeting was called to order at 9:00 A.M. Mr. Conner introduced himself and explained his role in ensuring adherence with the City's codes. He also pointed out that the proceedings were being recorded.

**Reference CE04021652**

T. Jackson Properties Inc.  
3030 Northeast 21<sup>st</sup> Terrace

Request for Extension of Time

Ms. Melissa Mallo, property manager, requested an extension to complete the permit process.

Mr. Len Ackley, Community Inspections Officer, felt 60 days would be enough time.

Mr. Conner granted a 60-day extension.

**Reference CE04011168**

Juan Rivera  
708 Northwest 14<sup>th</sup> Terrace

Request for Extension of Time

Ms. Ursula Thime, Community Inspections Officer, testified that almost all the violations had been complied; the owner needed a 30-day extension on Sections 47-20.20 H and 24-28(a).

Mr. Conner granted a 30-day extension on Sections 47-20.20 H and 24-28(a).

**Reference CE04011181**

James Smith  
737 Northwest 14<sup>th</sup> Terrace

Request for Extension of Time

Mr. Robert Guilford, Community Inspections Officer, stated that the City did not object to a 90-day extension. He presented photographs of the property that were accepted into evidence as City exhibit 1.

Mr. James Smith, respondent, told Mr. Conner that almost all of the violations were complied. The dumpster enclosure issue was being handled by all of the owners together.

Mr. Conner granted a 90-day extension for Sections 47-19.4 D.1 and 47-20.20 H.

**Reference CE03091511**

George McKee  
1705 Davie Boulevard

Request for Extension of Time

Mr. George McKee, respondent, told Mr. Conner that he had hired a general contractor, who was waiting for a permit to be issued. He requested an extension to obtain the permit and complete repairs.

Mr. Dan Mullarkey, Community Inspections Officer, stated that he did not object to a 30-day extension. Mr. McKee informed Mr. Conner that he had missed his chemotherapy session to attend this hearing.

Mr. Conner granted a 60-day extension.

**Massey Hearings**

**Reference CE03051560**

David & Flora Belle Shanks  
520 Northwest 21<sup>st</sup> Avenue

Ms. Bazer announced that this case was originally heard on April 15, 2004 with compliance ordered by April 30, 2004. The property was still not complied and fines had accrued in the amount of \$ 825.00.

Mr. Burt Fletcher, Community Inspections Officer, testified that at the first hearing, they had been given 1 year to rehabilitate the house. The owners did not respond or attend the hearing.

Mr. David Shanks, owner, explained that he had been unable to attend the first scheduled (Massey) hearing due to a death in the family and had rescheduled to today. He was unsure whether he had received notice of the April Special Master hearing.

Mr. Ackley confirmed that service for the April Special Master hearing had been returned unclaimed. He informed Mr. Conner that unclaimed certified mail was considered notice. Mr. Conner thought it was considered notice after 2 attempts. Mr. Conner asked if the City was aware Mr. Shanks lived in Miami; Mr. Ackley said it did not know because originally Mr. Shanks lived in Georgia or Alabama or Tennessee as of the last tenancy. This was the last known address as far as the City was concerned.

Mr. Conner told Mr. Shanks that the City had his address as 520 Northwest 21<sup>st</sup> Avenue; he should have informed the City when he moved. The title was entered into evidence as City exhibit 1. Mr. Shanks said that the City did have his address for tax purposes.

Mr. Conner signed the order to impose the lien.

**Reference CE03071495**

2502 Building LLC  
2500 East Oakland Park Boulevard

Ms. Bazer announced that this case was heard on December 4, 2003 with compliance ordered by February 2, 2004. The property was still not complied and fines had accrued in the amount of \$12,100.00.

Mr. Christopher Wintter, attorney for the respondent, explained that he was not 2502 Building LLC's attorney at the December hearing. He stated that the wording of the order spoke about taking action: "obtain permit and make all necessary electrical repairs and fixtures to a safe working order....action must be taken by December 11, 2003 or the fine is \$100.00 per day." Mr. Wintter claimed that this first portion was in full compliance because there had been an inspection on December 10, 2003. The second violation concerning permits and repairs to the ceilings and walls had been ordered complied by February 2, 2004 or the fine was \$100.00 per day.

Mr. Wintter submitted copies of the following:

- Permit for electrical work that was issued on December 8, 2003;
- Permit application for electrical work dated December 3;
- Work order to repair the mold;
- Letter from Mr. Wintter's client to Inspector Haskins dated January 30, 2004 describing the progress of the permit
- Permit for the wall and ceiling repairs
- Payment from insurance carrier to cover mold remediation

These were admitted into evidence as respondent's exhibits 1 through 6 respectively.

Mr. Conner admitted a copy of the order into evidence as City exhibit 1.

After the permit for the second part of the order (concerning the ceilings walls) had been applied for on January 5, 2004, a mold problem was discovered in the building. Mr. Conner interrupted Mr. Wintter and told him that he was not here to re-litigate this case. Mr. Winter continued that his client had taken some action, but the discovery of the mold problem and prolonged and changed the repair process. He requested as 30-day extension from today's date to complete compliance.

The City Attorney read from the order itemizing steps the owner had been ordered to take. Mr. Conner stated that he (Mr. Conner) should only determine whether or not the owner had notice of the hearings. The City Attorney felt the primary issue was whether or not the property was in compliance by the ordered date.

Mr. Wintter informed Mr. Conner that his client was present at the December hearing. He thought Mr. Conner should determine whether the property was complied per the terms of the order. He reiterated that his client had taken action by the ordered date.

The City Attorney stated that the City was aware of the permit application and issue dates. Unfortunately, the letter dated January 30, 2004 was the last correspondence from the owner to the City. After the ordered compliance date passed, the owner never contacted the City for any reason. The owner's representatives had appeared here today at the request of the City. The City was willing to allow an extension of time from today's date, but did not want any of the fines reduced. Mr. Wintter felt the extension should be retroactive to the compliance date. Mr. Wintter continued to argue the meaning of the phrase "action must be taken"; he did not think "action" meant the action described in the order, just some kind of action. He felt his client had complied with this meaning of the phrase "action must be taken."

Mr. Conner began to state his finding: that the owner had adequate notice; that they could have done some other things they did not do, like contact the City, but was interrupted by Mr. Wintter, who wanted to call witnesses to argue Mr. Conner's factual finding. Mr. Conner stated that the issue was not whether they were complied, but whether there was sufficient notice. The City Attorney stated that the City was asking Mr. Conner to impose the fine because the property owner was not in compliance on the date specified in the December order and were still not in compliance today. The City would agree to an extension beginning today but would not entertain a request to abate the fines while the property was not complied.

Mr. Wintter stated: "if what this order is supposed to say is, 'there has to be a final inspection before February 2', if that's what it should say, that's what it should say; that there has to be, the work has to be completed, not that action must be taken. For the purposes of this hearing, since the Special Master and the City was not willing to entertain an abatement of the fine, my position is that that order is inherently misleading and that the order only requires action to have been taken."

Mr. Conner stated: "for the record then, as to the property at 2500 East Oakland Park Boulevard, as I indicated before, I am going to grant a 30-day extension and..." Mr. Winter interrupted him again to argue semantics. Mr. Conner stated that based upon the evidence he would not abate the fine.

### **End Massey Hearings**

### **Reference CE04030768**

Richard & Lily Polcini  
2507 Andros Lane

Sec. 8-91(d): Oversized vessels presenting  
navigation hazard

Ms. Bazer announced that certified mail has been accepted on May 15, 2004.

Mr. Robert Guilford, Community Inspections Officer, testified that the vessels docked at the property extended more than 30% into the width of the canal; this presented an encumbrance and a hazard to navigation. Mr. Guilford stated that there were witnesses present to testify. He presented a survey plat and 2 sets of photographs of the property that were accepted into evidence as City exhibits 1, 2, and 3 respectively.

The City Attorney stated that the owner was requesting a continuance as he was not represented by counsel today. She asked that the owner be permitted to request a continuance. Mr. Conner agreed.

Ms. Margaret Crockston, Director of the Marina Mile 84 Association, informed Mr. Conner that the respondent was along-time member of her group. She recited a brief curriculum vitae for Mr. Polcini and stated that he had lived at this address, and kept these vessels there, for over 20 years. She felt the problem arose because the zoning code changed after the City annexed these isles. She claimed that one neighbor had tried to "scam" the Polcinis into selling their property 2 years ago and they had since spent extensive time in court with this neighbor.

The City Attorney stated that the property owner had admitted to the violation, and Mr. Conner agreed. Because Jamie Hart in the Marine Department had suggested that it would take the owner 180 days to obtain or be denied a variance, the City was willing to allow 180 days to come into compliance, either by obtaining a variance or by removing the boat. She requested a fine of \$250.00 per day for non-compliance.

Mr. Anthony Chioca, neighbor, stated that the issue was the illegal, non-conforming use of a dedicated public right-of-way and the life-safety implications. He and his neighbors were denied use of this right-of-way. He stated that it had not been the same boats docked there for 20 years.

Mr. Conner found in favor of the City and ordered compliance within 180 days or a fine of \$250.00 per day would be imposed.

**Reference CE04031296**

Michael Duffy  
1521 Northwest 6<sup>th</sup> Avenue

Sec. 47-20.13 A: Driveway in disrepair;  
Sec. 47-21.8 A: Missing ground cover;  
Sec. 9-281(b): Overgrowth on property

Ms. Bazer announced that certified mail had been accepted on May 20, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that the driveway was not a smooth, dust free surface and had weeds growing through it and the lawn consisted of bare sand and weeds: Section 9-281(b) was now complied. She had spoken with the owner and agreed to recommend 45 days to comply Sections 47-20.1a A and 47-21.8 A or a fine of \$25.00 per day, per violation.

Mr. Michael Duffy, respondent, asked for additional time due to his health.

Mr. Conner found in favor of the City and ordered compliance with Sections 47-20.1 A and 47-21.8 A within 60 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE04031309**

M M P Inc.  
1017 East Las Olas Boulevard  
Tenant: Mancini's Restaurant

Sec. 47-24.3 A.B.C.: Unpermitted outdoor seating

Ms. Bazer announced that certified mail addressed to the registered agent had been accepted (no date on card); certified mail addressed to an officer of the company had been accepted on May 20, 2004, and certified mail addressed to owner had been accepted on May 17, 2004.

Mr. Robert Guilford, Community Inspections Officer, testified that a permit was required for the tables exceeding the 13 that were included on the site plan. He presented photographs of the property that were accepted into evidence as City exhibit 1 and recommended 2 days to comply or a fine of \$100.00 per day.

Ms. Hope Calhoun, attorney for the tenant, informed Mr. Conner that the owner had removed the extra tables and notified the owner and inspector. She asked that the matter to be continued to allow time for them to meet with the inspector to ensure continued compliance.

Mr. Lin Bradley, Community Code Supervisor, informed Mr. Conner that the Inspector must inspect the property. He thought Ms. Calhoun was requesting an extension because the owner intended to try to get permission to keep more tables on the property. Ms. Calhoun admitted they were trying to avoid a finding for reasons other than this hearing and wanted

to allow the Inspector a chance to inspect the property. She preferred a continuance to a finding that the property was not complied.

Mr. Conner found in favor of the City and ordered compliance within 2 days or a fine of \$100.00 per day would be imposed.

**Reference CE03030841**

Palms 2100 Master Plan Assn., Inc.      Sec. 17-11(a): Excessive noise  
2110 North Ocean Boulevard

Ms. Bazer announced that certified mail had been accepted on May 28, 2004.

Mr. Robert Guilford, Community Inspections Officer, testified that the fan in the parking garage exceeded the maximum allowable noise levels within a residential zone. Mr. Guilford stated that the case was complex. He had several exhibits, including test results from a noise technician and photographs.

Mr. Guilford admitted that the exhaust fans were needed to remove carbon monoxide from the parking garage. The problem was that when they engaged they created a sound “not unlike the spinning propellers on an F4F Corsair on the deck of the Enterprise.” He noted that this case had been going on for a couple of years. The noise technician had discovered that the decibel level exceeded the allowable maximum of 7.6 by 16 points. The City had met with the developer in July 2002 to discuss the problem and the time frame for compliance. The developer had assured everyone then that the problem would be solved. Since then, the problem had persisted.

Mr. Guilford submitted the following:

- Notice of violation and case history,
- Section 17-11(a) describing the code limit maximums,
- Inspection report/technical test results conducted by Frank Paglianite on May 30, 2002,
- Photographs of the property

These were admitted into evidence as City exhibits 1, 2, 3, and 4 respectively.

Ms. Sarah McDonald, attorney, stated that she had been contacted by the adjacent property owner 2 years ago. She pointed out that the problem was very loud and had persisted for more than 2 years. Her client was very frustrated and felt the fines were necessary to keep the Palms working on a solution.

Mr. Conner asked if a test had been run more recently than the 2002 test. Mr. Guilford stated that since Mr. Paglianite’s retirement, they had not performed another test. He confirmed that nothing had changed since 2002. Ms. McDonald confirmed that the Palms had admitted the problem in 2002.



Mr. Perry Martin, property manager for the Palms, stated that the developer had walked out on the meeting. He explained that he and the contractor were considering several options for decreasing the noise. Mr. Conner asked how much time he felt they needed to resolve the problem. Mr. Martin said he needed time to address the zoning problems. The City Attorney advised him to appeal to the proper board, but he needed to comply the property in the meantime.

Mr. Guilford recommended 90 days to make a remedy or a fine of \$250.00 per day.

Mr. Gene Savitsky, the engineer the Palms had hired to solve this problem, stated that they had applied for a permit and waited 2 months, now they may need to appeal a ruling by the Zoning Department before they began work. He felt 120 days would be a more realistic timeframe. Mr. Guilford agreed.

Mr. Conner found in favor of the City and ordered compliance within 120 days or a fine of \$250.00 per day would be imposed.

**Reference CE04041351**

The Estate of Joyce Dudley  
2560 Northwest 18<sup>th</sup> Court

Sec. 47-21.8: Missing ground cover;  
Sec. 9-281(b): Trash, overgrowth and unlicensed, inoperable vehicles on property

Ms. Bazer announced that certified mail had been accepted on May 15, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of dead or missing ground cover and there was trash, overgrowth and unlicensed, inoperable vehicles on the property. She presented photographs of the property that were accepted into evidence as City exhibit 1 and recommended 60 days to comply or a fine of \$25.00 per day per violation.

Ms. Dorothy Cleveland, the deceased owner's daughter, told Mr. Conner that ownership of the property was in contention among family members. Ms. Cleveland had been involved in a program to improve the property and that had fallen through.

Mr. Conner found in favor of the City and ordered compliance within 60 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE04041832**

B.G. & Nancy Bretz and Betty Reid  
1725 Northeast 4<sup>th</sup> Avenue  
Tenant: BP Amoco

Sec. 18-1: Derelict vehicle on property, this is a repeat violation of CE03071258;  
Sec. 47-21.8 A: Missing ground cover, this is a repeat violation of CE03071258;  
Sec. 47-22.9: Signs without permits,

this is a repeat violation of CE03071258;  
Sec. 47-34.1 A.1: Permitted uses.  
this is a repeat violation of CE03071258

Ms. Bazer announced that certified mail addressed to the owner had been accepted on May 18, 2004 and certified mail addressed to the lessee/tenant had been accepted on May 14, 2004 and.

Ms. Deborah Haskins, Community Inspections Officer, testified that there were many unlicensed, inoperable vehicles on the property and the property was littered with trash and rubbish; landscaping was not maintained; there were numerous non-permitted banner signs on the property and the property was being used for outside storage of many unlicensed, inoperable vehicles. All of these violations were repeats of CE03071258 and would be heard before the Special Master whether the property was brought into compliance by the hearing date or not. Ms. Haskins had spoken with the respondent today and explained what needed to be done. She informed Mr. Conner that the last compliance date for these cases had been September 12, 2003. Fines had run until the end of September 2003.

Ms. Haskins presented photographs of the property that were accepted into evidence as City exhibit 1 and recommended 7 days to comply all of the violations or a fine of \$ 250.00 per day, per violation retroactive to the date of service.

Mr. Rafiguel Hague, station franchisee, explained that he had not received the certified mail in the past. The letter went to the owner in Chicago until the owner notified Amoco, who notified Mr. Hague. He felt the property was now in compliance and presented photographs he had taken that were admitted into evidence as respondent's exhibit 1.

Mr. Conner found in favor of the City and ordered compliance within 7 days or a fine of \$250.00 per day, per violation would be imposed. The fines were to start retroactive to May 18, 2004.

**Reference CE03021874**

Moses Blake  
1716 Northwest 8<sup>th</sup> Place

Request for Abatement of Fine

Ms. Bazer announced that the property was now complied and fines had accrued in the amount of \$ 48,300.00.

Mr. Moses Blake, owner, stated that many of the violations were due to a former tenant. He had purchased the property in November 2002. Mr. Guilford clarified that there was an amnesty settlement available in the amount of \$12,075.00. He noted that tremendous progress had been made on the property. Mr. Guilford informed Mr. Conner that the original violations dated back to July 2003.

Ms. Milano, Community Inspections Director, confirmed that notice of the amnesty program was mailed out to all property owners. Mr. Blake stated that he did not receive the letter.

Mr. Conner abated the fines to \$12,075.00 due within 30 days.

**Reference CE04040723**

Eric and Clarissa Sharpe  
3220 Glendale Boulevard

Sec. 9-281(b): Unlicensed, inoperable vehicle on property; Sec. 18-27(a): Trash and overgrowth on property; Sec. 9-313(a): Required display of address

Ms. Bazer announced that certified mail had been accepted on May 25, 2004 and personal service had been made by Inspector Fletcher on April 29, 2004.

Mr. Burt Fletcher, Community Inspections Officer, testified that there was an unlicensed, green Chevy pick up truck on the property and there was trash and overgrowth on the property; Section 9-313(a) was now complied. He presented photographs of the property that were accepted into evidence as City exhibit 1 and recommended 7 days to comply or a fine of \$50.00 per day per violation, or the cars would be towed.

Mr. Conner found in favor of the City and ordered compliance with Sections 9-281(b) within 7 days or a fine of \$100.00 per day, and 18-27(a) within 7 days or a fine of \$50.00 per day, per violation would be imposed and the vehicle could be towed.

**Reference CE04050570**

Victoria Angelone Revocable Trust  
6710 Northwest 15<sup>th</sup> Way

Sec. 1 6-1.5: Improper wiring

Ms. Bazer announced that certified mail had been accepted on May 28, 2004

Ms. Ivette Spence-Brown, Fire Inspector, testified that an extension cord was being used for permanent wiring. She recommended 7 days to comply or a fine of \$200.00 per day.

Mr. Conner found in favor of the City and ordered compliance within 7 days or a fine of \$200.00 per day would be imposed

**Reference CE04041070**

Manhattan Associates Leasing Co.  
1921 Southwest 36<sup>th</sup> Terrace

Sec. 47-34.4 B.3.a: Commercial vehicle parked/stored on property;  
Sec. 9-281(b): Rubbish and trash on property

Ms. Bazer announced that certified mail addressed to the registered agent had been accepted on June 1, 2004.

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was a commercial vehicle parked on the property and there was trash and rubbish on the property. He recommended 14 days to comply or a fine of \$50.00 per day per violation.

Mr. Conner found in favor of the City and ordered compliance within 14 days or a fine of \$50.00 per day, per violation would be imposed

**Reference CE04040436**

Osborn Construction Engineers, Inc.      Sec. 9-304(b): Maintenance of parking area  
3000 East Oakland Park Boulevard

Ms. Bazer announced that certified mail addressed to an officer of the company and the registered agent had both been accepted on May 17, 2004.

Mr. Len Ackley, Community Inspections Officer, testified that the drain in the parking lot was not functioning. He presented a photograph of the property that was accepted into evidence as City exhibit 1 and recommended 30 days to comply or a fine of \$100.00 per day.

Mr. Conner found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day would be imposed.

**Reference CE04050352**

Joseph & Eleanor Mulrenan      Sec. 1 1-10.1: Inoperable EXIT light;  
3423 Davie Boulevard      Sec. 10 4-4.1: Fire extinguisher maintenance;  
Tenant: Neighborhood Unisex Salon      Sec. 10 1-6.10: Fire extinguisher not securely  
mounted; Sec. 1 6-1.2: Improper wiring

Ms. Bazer announced that certified mail addressed to the tenant had been accepted on May 18, 2004.

Mr. Thomas Clements, Fire Inspector, testified that the EXIT sign did not operate on AC/DC power and the electric outlets did not have cover plates: Sections 10 4-1.1 and 10 1-6.10 were now complied. Mr. Clements recommended 7 days to comply Sections 1 1-10.1 and 1 6-1.2 or a fine of \$200.00 per day per violation.

Mr. Conner found in favor of the City and ordered compliance with Section 1 1-10.1 and 1 6-1.2 within 7 days or a fine of \$200.00 per day per violation would be imposed.

**Reference CE04050365**

Lauderdale Isles Yacht and  
Tennis Club  
2637 Whale Harbor Lane

Sec. 1 1-10.1: Inoperable EXIT light

Ms. Bazer announced that certified mail has been accepted on May 29, 2004.

Mr. Thomas Clements, Fire Inspector, testified that the EXIT sign did not operate on AC/DC power. Mr. Clements recommended 14 days to comply or a fine of \$50.00 per day.

Mr. Conner found in favor of the City and ordered compliance within 7 days or a fine of \$50.00 per day would be imposed.

**Reference CE04041349**

Virgil & Rosa Mae Bolden  
1816 Northwest 24<sup>th</sup> Terrace

Sec. 9-281(b): Rubbish, trash, and inoperable, unlicensed vehicle on property; Sec. 47-21.8: Missing ground cover; Sec. 24-27(b): Garbage carts left in right-of-way

Ms. Bazer announced that certified mail has been accepted on May 24, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of dead or missing ground cover; Sections 9-281(b) and 24-27(b) were now complied. She presented a photograph of the property that was accepted into evidence as City exhibit 1 and recommended 30 days to comply or a fine of \$100.00 per day. She also asked Mr. Conner to record the order.

Mr. Conner found in favor of the City and ordered compliance with Section 47-21.8 within 30 days or a fine of \$50.00 per day would be imposed. He also recorded the order.

**Reference CE04021110**

Emilia Jean Baptiste  
1112 Northwest 6<sup>th</sup> Avenue

Sec. 9-281(b): Rubbish, trash, and inoperable, unlicensed vehicle on property; Sec. 47-34.1 A.1: Permitted uses

Ms. Bazer announced that certified mail had been accepted on May 15, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was rubbish and an unlicensed, inoperable red Chevy on the property and there was outside storage of furniture on the property. She presented photographs of the property that were accepted into evidence as City exhibit 1 and recommended 14 days to comply Section 47-34.1 A.1 or a fine of \$50.00 per day and 7 days to comply Section 9-281(b) or a fine of \$100.00 per day or the vehicle would be towed.

Mr. Conner found in favor of the City and ordered compliance with:

- Section 47-34.1 A.1 within 14 days or a fine of \$50.00 per day, and with
- Section 9-281(b) within 7 days or a fine of \$100.00 per day or the vehicle would be towed.

**Reference CE04031718**

Celien & Jeanette Bien-Aime  
1032 Northwest 1<sup>st</sup> Avenue

Sec. 9-281(b): Rubbish, trash and overgrowth on property; Sec. 9-308 (b): Roof in disrepair; Sec. 47-21.8 A: Missing ground cover; Sec. 9-279(f): Plumbing drains onto ground; Sec. 9-280(g): Electrical components in disrepair; Sec. 9-278(g): Missing/torn screens; Sec. 9-307(a): Broken windows; Sec. 9-280(h)(1): Fence in disrepair; Sec. 9-306: Peeling paint/stained surfaces; Sec. 47-20.20 H: Parking area in disrepair

Ms. Bazer announced that certified mail had been accepted on May 15, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was rubbish and overgrowth on the property; there were tires stored on the roof; the lawn consisted of bare sand and weeds; plumbing pipes drained directly onto ground; outdoor light fixtures were broken; screens were torn or missing; window glass was broken or missing; the chain link fence was in disrepair; the paint was dirty and stained and the gutters were in disrepair and the parking area lacked the required striping and wheel stops were not anchored. She presented photographs of the property that were accepted into evidence as City exhibit 1 and recommended 30 days to comply or a fine of \$ 150.00 per day per violation.

Mr. Conner found in favor of the City and ordered compliance with within 30 days or a fine of \$150.00 per day, per violation would be imposed.

**Cases Complied**

Ms. Bazer announced that the below listed cases were in compliance. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE04050581	CE04050478	CE04030452	CE04041001
CE04031469	CE04020193	CE04050362	CE04041564
CE04041565	CE04050358	CE04050571	CE03121430
CE04032562	CE04032549	CE04040028	CE04031045

**Cases Pending Service**

Ms. Bazer announced that the below listed cases had been withdrawn pending service to the respondents. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE04041016	CE04050370	CE04030922	CE04032330
CE04041123	CE04031467	CE03230640	CE04020194
CE04041129	CE03121274	CE03052012	CE04011001
CE04030393	CE04030396	CE04040029	CE04041847
CE04011770	CE04031042	CE04031303	

**Cases Rescheduled**

Ms. Bazer announced that the below listed cases had been rescheduled. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE04051059	CE04010900	CE04031717	CE04040434
CE04041771	CE04050167	CE04041143	CE04012045
CE04031041			

**Cases Withdrawn**

Ms. Bazer announced that the below listed cases had been withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE03081943	CE04050273	CE03111230	CE03121917
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**Approved for Claim of Lien**

Ms. Bazer presented Mr. Conner with the following cases to sign the order to impose the fine, which Mr. Conner signed based on the affidavits of the inspectors.

CE04031156	CE03100946
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**Massey Cases Rescheduled**

Ms. Bazer noted that the following Massey cases were being rescheduled.

CE99080700	CE99010830
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There being no further business, the hearing was adjourned at 12:10 P.M.

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Special Master

ATTEST:

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Clerk, Special Master