



**CITY OF OKEECHOBEE CODE ENFORCEMENT**  
**CODE SPECIAL MAGISTRATE HEARING**  
**55 SOUTHEAST THIRD AVENUE, OKEECHOBEE, FLORIDA 34974**  
**OFFICIAL MINUTES**  
**MARCH 10, 2020**  
**6:30 P.M.**

- I. CALL TO ORDER**
  - A. Special Magistrate Roger Azcona called the Hearing to order at 6:30 P.M.
  - B. The Pledge of Allegiance was offered by Special Magistrate Azcona.
- II. ATTENDANCE**

Code Enforcement Secretary Melissa Close called the roll. Special Magistrate Roger Azcona, Esquire, City Attorney Carlyn H. Kowalsky, Police Lieutenant Justin Bernst, and Code Officer Fred Sterling were present.
- III. CHANGES TO AGENDA**
  - A. There were no requests for the addition, deferral or withdrawal of agenda items. The agenda stands as published.
  - B. Code Enforcement Secretary Close administered the Oath to Code Enforcement Officer Sterling.
- IV. APPROVAL OF MINUTES**
  - A. Special Magistrate Azcona approved the February 11, 2020, Hearing minutes.
- V. CASES COMPLIED OR CONTINUED**
  - A. Case Number 191202005 was found to be complying Due to Code Officer Sterling's Testimony of City Code of Ordinances Chapter 30, Section 30-43 Public Nuisance and Section 30-44 General Cleaning and Beautification on March 3, 2020. The property owner and legal description is listed as follows: Timothy and Tamara Higgins, 406 Southwest 2<sup>nd</sup> Street, Okeechobee, Florida [Legal: Lots 9 and 10 of Block 166, CITY OF OKEECHOBEE, Plat Book 5, Page 5, public records of Okeechobee County, Florida].
  - B. Case Number 191217007 was found to be complying Due to Code Officer Sterling's Testimony of City Code of Ordinances Chapter 30, Section 30-43 Public Nuisance Okeechobee on March 5, 2020. The property owner and legal description is listed as follows: Okeechobee-FLA Properties LLC, located in the 2000 Block of South Parrott Avenue, Okeechobee, Florida [Legal: the North one-half of the following described tract: beginning 400-feet South of the Northeast corner of Southeast one-fourth of the Northeast one-fourth of Section 28, Township 37 South, Range 35 East, running West 361-feet more or less to East line of Parrott Avenue; thence South along said East line of Parrott Avenue 200-feet; thence East 361-feet, more or less to East boundary line of Section 28; thence North along Section line 200-feet to Point of Beginning, being a part of Southeast one-fourth of Northeast one-fourth of Section 28, Township 37 South, Range 35 East; being to the same parcel transferred by Louisiana Raulerson and Peter Raulerson to S. J. Woddill, recorded on page 149 of Book 4, records of Okeechobee County, Florida; and the South one-half of the Northwest one-fourth of the Southwest one-fourth of the Northwest one-fourth of Section 27, Township 37 South, Range 35 East].
  - C. Case Number 190925012 was continued from the February 11, 2020, Hearing. Code Officer Sterling testified the grass on this property has not been mowed since September 2019 and is approximately two to three-inches high. He has spoken to the property owner on numerous occasions with the property owner stating he was going to have the property mowed. As of March 9, 2020, the property was still non-compliant. Officer Sterling is recommending the Case be found in violation and a fine imposed. Due to Officer Sterling's testimony, Special Magistrate Azcona found Case Number 190925012 to be in violation of City Code of Ordinances Chapter 30, Section 30-43 Public Nuisance and Section 30-44 General Cleaning and Beautification. Special Magistrate imposed a fine of \$25.00



per day to start 14-days after proper notification, including a \$50.00 Administrative fee. The property owner and legal description is listed as follows: Muhammad and Shahnaz, located in the 200 Block of Northeast 12<sup>th</sup> Street, Okeechobee, Florida [Legal: Lots 7, 8, 9, 10, 26, and 34 of Block 15, CITY OF OKEECHOBEE, Plat Book 5, Page 5, public records of Okeechobee County, Florida].

- D. Case Number 190925011 was continued from the February 11, 2020, Hearing. Code Officer Sterling testified the grass on the property has not been mowed since September 2019 and is approximately two to three-inches high. He has spoken to the property owner on numerous occasions with the property owner stating he was going to have the property mowed. As of March 9, 2020, the property was still non-compliant. Officer Sterling is recommending the Case be found in violation and a fine imposed. Due to Officer Sterling's testimony, Special Magistrate Azcona found Case Number 190925011 to be in violation of City Code of Ordinances Chapter 30, Section 30-43 Public Nuisance and Section 30-44 General Cleaning and Beautification. Special Magistrate Azcona imposed a fine of \$25.00 per day to start 14-days after proper notification, including a \$50.00 Administrative fee. The property owner and legal description is listed as follows: Muhammad and Shahnaz Nooruddin, located in the 200 Block of Northeast 12<sup>th</sup> Street, Okeechobee, Florida [Legal Lots 21 and 22, of Block 15, CITY OF OKEECHOBEE, Plat Book 5, Page 5, of the public records of Okeechobee County Florida].

VI. There were no repeat violations scheduled to be heard.

## VII. NEW CASES

- A. Case Number 200110013; Gregory and Sharon Williams 501 Northwest 16<sup>th</sup> Street, Okeechobee, Florida [Legal: Lot 26 and the East one-half of Lot 25 of Block 52, Conners Highlands, Plat Book Page 21, public records of OKEECHOBEE, FLORIDA]. (Chapter 30 Section 30-41 Inoperable/Abandoned Vehicles and Section 30-44 General Cleaning and Beautification) Code Officer Sterling testified that this property has two old boats with no registration/tag on either and they have been on this property for a few years now. He also stated that they have two truck with expired tags. One has the hood open and the other is up on jacks in the front driveway. Due to Officer Sterling's testimony Special Magistrate Azcona found Case 200110013 to be in violation of the City of Okeechobee Ordinances Chapter 30, Section 30-41 Inoperable/Abandoned Vehicles and Section 30-44 General Cleaning and Beautification. Special Magistrate Azcona Imposed a fine of \$25.00 per day to start 14 days after proper notification, including a \$50.00 Administrative fee.
- B. Case Number 191016009; Iglesia De Cristo En Okeechobee 506 Northeast 6<sup>th</sup> Street, Okeechobee, Florida [Legal: Lots 1 and 2 of Block 86, OKEECHOBEE, Plat Book 5, Page 5, public records of OKEECHOBEE COUNTY, FLORIDA]. Was found in compliance due to Officer Sterling's Testimony of City Code of Ordinances, Chapter 30 Section 30-41 Inoperable/Abandoned Vehicle, on March 4, 2020.
- C. Case Number 200224004; Salry RR in care of CSX Corporation 801 Hwy 441 North, Okeechobee, Florida [Legal: All the Railroad as now Lying and Located within the CITY OF OKEECHOBEE]. Was found in compliance Due to Code Officer Sterling/s testimony of City Code of Ordinances Chapter 30 Section 30-43 Public Nuisance and Section 30-44 General Cleaning and Beautification, on February 27, 2020.
- D. Case Number 191030022; William Grigsby JR Highway 70 East, Okeechobee, Florida [Legal: All of Lots 1 Through 12 Inclusive, Lying North of North Park Street (A/K/A State Road 70 F/K/A Fort Pierce Road) as now constructed, in Block 4, Price Addition to Okeechobee City, According to the Plat Thereof recorded in Plat Book 2, Page 17, Public Records of Okeechobee County, Florida. And the Alley in Block 4, Price Addition to Okeechobee City, according to the Plat Thereof recorded in Plat Book 2, Page 17, Public Records of Okeechobee County, Florida. And The Street Known as Northeast 2<sup>nd</sup> Street (F/K/A Center Street) as



it Runs East from North 12<sup>th</sup> Avenue to Northeast 13<sup>th</sup> Avenue, Particularly Located North of Block 4, Price addition to Okeechobee City, According to the Plat Thereof as recorded in Plat Book 2, Page 17, Public Records of Okeechobee County, Florida] (Chapter 30 section 30-43 Public Nuisance and Chapter 30 Section 30-44 General Cleaning and Beautification).

- E. Code Officer Sterling testified that the property has not been mowed since July 15, 2019. He stated that this is the first lot you see as you enter the City Limits coming west on HWY 70. He also stated that the property is about 30-40 Acres and that this property is also a repeat violator. He also stated that with the property owner being a repeat offender the fine can start immediately without notification according to 162 Sate Statues of Code Enforcement. Special Magistrate Azcona found Case 191030022 to be in violation of Chapter 30 Section 30-43 Public Nuisance and 30-44 General Cleaning and Beautification. Special Magistrate Azcona also found this property and Owner to be a repeat offender due to Officer Sterling's testimony. Magistrate Azcona imposed a fine to start 03/11/2020 at \$50.00 per day including a \$50.00 Administrative Fee.
- F. Case Number 191202007; Smalls Electrical Services Corporation 405 Southwest Park Street, Okeechobee, Florida [Legal: Lot 2 of Block 166, OKEECHOBEE, Plat Book 1, Page 10, public records of OKEECHOBEE COUNTY, FLORIDA] (Chapter 30 Section 30-43 Public Nuisance and Section 30-44 General Cleaning and Beautification) due to Officer Sterling's Testimony of the City of Okeechobee Code Ordinances, The said property above Came into Compliance on March 9, 2020.
- G. Case Number 200225006; H. T. Joiner 202 Southwest 9<sup>th</sup> Street, Okeechobee, Florida [Legal: Lots 9,10 and 11 of Block 3, South Okeechobee Plat Book 1, Page 12, public records of Okeechobee County, Florida] International Property Maintenance Code 304-1 Exterior of Structure must be Maintained and in Good Condition/Repairs and Must be Structurally Sound of the Florida International Property Maintenance Code. Code Officer Sterling stated that he has been in touch with the owner and he is in the process of selling the property. He also stated that the repairs will be done, but they need more time. Due to Officer Sterling's Testimony this Case was tabled until the next scheduled Special Magistrate Hearing.

VIII. There were no Old Cases or Fine Reduction Requests published on the agenda.

IX. **ADJOURN MEETING**

There being no further business to come before the Special Magistrate, the Hearing was adjourned at 6:50 P.M.

ATTEST:



Melissa Close, Secretary

  
Roger Azcona, Special Magistrate

**PLEASE TAKE NOTICE AND BE ADVISED** that if any person desires to appeal any decision made by the Special Magistrate with respect to any matter considered at this proceeding, such interested person will need a record of the proceeding, and for such purpose may need to ensure a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. City Clerk recordings are for the sole purpose of backup for official records of the Clerk. In accordance with the Americans with Disabilities Act (ADA), any person with a disability as defined by the ADA, that needs special accommodation to participate in this proceeding, contact the Code Enforcement Secretary no later than two business days prior to proceeding, 863-763-3372 ext. 9802.

**BE ADVISED** that should you intend to show any document, picture, video, or item to the Council in support or opposition to any item on the agenda; a copy of the document, picture, video, or item must be provided to the Board Secretary for the City's records.