



CITY OF OKEECHOBEE CODE ENFORCEMENT  
OCTOBER 11, 2022, SPECIAL MAGISTRATE HEARING  
OFFICIAL MINUTES

I. CALL TO ORDER

Special Magistrate Azcona called the Code Enforcement Special Magistrate Hearing to order on Tuesday, October 11, 2022, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast 3<sup>rd</sup> Avenue, Room 200, Okeechobee, Florida. The Pledge of Allegiance was led by Special Magistrate Azcona.

II. ATTENDANCE

Code Enforcement Officer Christina Curl called the roll. Special Magistrate Roger Azcona, Esquire, City Attorney Greg Hyden, Police Lieutenant Bettye Taylor, Code Enforcement Officer Anthony Smith were present.

III. CHANGES TO AGENDA

Special Magistrate Azcona asked whether there were any agenda items to be added, deferred, or withdrawn; there were none.

IV. APPROVAL OF MINUTES AND ADMINISTRATION OF OATH

A. Special Magistrate Azcona approved the September 13, 2022, Hearing Minutes.

B. This being a Quasi-Judicial proceeding, Special Magistrate Azcona collectively administered an Oath to: Code Officers Smith, Curl, Mrs. Pamela Arnold, Mr. Vernon Arnold, Mrs. Selena Taylor, and Mr. Perry S. Arnold, Jr.; all affirmed. Code Officer Smith stated for the record all events regarding the Cases to be discussed occurred within the corporate limits of the City of Okeechobee. The Officer's notes, testimony, photographs, and support documents were all entered as part of the official record.

V. FINE REDUCTION REQUESTS CONTINUED

A. Case No. 211202009; Home Discounters LLC (Melissa Dee Harden), 1008 Southwest 2<sup>nd</sup> Street [Legal Description: Lot 17 and East half of Lot 16 of Block 4, SOUTHWEST ADDITION TO OKEECHOBEE, Plat Book 2, Page 7, Okeechobee County public records].

Code Officer Smith testified that the property was found in violation of Code of Ordinances Chapter 30, Sections 30-40 Junk, 30-43 Public nuisances, 30-44 General cleaning and beautification on February 8, 2022, where a fine in the amount of \$50.00 per day starting 21-days after the date of the Hearing, plus a one-time \$50.00 administrative fee was imposed. The imposed fine began accrual on March 9, 2022. The property was brought into compliance on August 17, 2022. Home Discounters LLC submitted a request for fine reduction on August 18, 2022. Home Discounters LLC requested that the fine be reduced by 90 percent as the property was brought into compliance immediately upon them taking possession. The City recommends a fine reduction of 75-percent, plus a \$50.00 administrative fee.

Based on the evidence provided, **Special Magistrate Azcona ruled to reduce the fine by 75-percent, plus a \$50.00 administrative fee.**

B. Case No. 220128007; Perry Sylvester Arnold, Jr., 620 Northeast 4<sup>th</sup> Avenue [Legal Description: Lots 5 and 6 of Block 80, CITY OF OKEECHOBEE, Okeechobee County public records].

Code Officer Smith testified that the property was found in violation of Code of Ordinances Chapter 30, Sections 30-41 Disabled vehicles, 30-43 Public nuisances, 30-44 General cleaning and beautification and Chapter 82, Section 82-124 Permits on March 8, 2022, where a fine in the amount of \$50.00 per day starting 21-days after the date of the Hearing, plus a one-time \$50.00 administrative fee was imposed. The imposed fine began accrual on April 5, 2022. The property was brought into compliance on July 26, 2022. Mrs. Selena Taylor submitted a request for a fine reduction on August 23, 2022. Mrs. Arnold requested that the fine be dismissed due to special circumstances. On October 11, 2022, Mrs. Arnold submitted an Adjudication as to Incapacity into evidence. The City recommends a fine reduction of 75 percent, plus a \$50.00 administrative fee.

Based on the evidence provided, **Special Magistrate Azcona reserved ruling until on or before the next Hearing to review all evidence.**



**VI. COMPLIED CASES**

- A.** Case No. 220826012; Capital C Inc., 304 Southwest 3<sup>rd</sup> Avenue [Legal Description Lots 1 and 2 of Block 182, CITY OF OKEECHOBEE, Plat Book 1 and 5, Page 10 and 5, Okeechobee County public records]. No action on this matter was requested but is noted for the record to have been in violation of Code of Ordinances, Chapter 30, Sections 30-43 Public nuisances, 30-44 General cleaning and beautification.
- B.** Case No. 220601005; Grand Lake Investments, Inc., Northwest 5<sup>th</sup> Street [Legal Description: Lots 20,21 and West half of Lot 22 of Block 99, CITY OF OKEECHOBEE, Plat Book 5, Page 5, Okeechobee County public records]. No action on this matter was requested but is noted for the record to have been in violation of Code of Ordinances Chapter 30, Sections 30-43 Public nuisances, 30-44 General cleaning and beautification.
- C.** Case No. 220908009; Williamson Cattle Company, 1612 South Parrott Avenue [Legal Description: Lots 4,5,6,10,11 and 12 of Block 29; less the North 9.00-feet of said Lot 10, together with that portion of the vacated alley in the South half of said Block 29, FIRST ADDITION TO SOUTH OKEECHOBEE, Plat Book 1, Page 17, Okeechobee County public records]. No action on this matter was requested but is noted for the record to have been in violation of Code of Ordinances Chapter 30, Section 30-44 General cleaning and beautification.
- D.** Case No. 220908007; Rafael and Glorybee Corona, Southeast 10<sup>th</sup> Avenue [Legal Description: Lot 11 of Block E, WRIGHT'S THIRD ADDITION TO OKEECHOBEE, Plat Book 1, Page 9, Okeechobee County public records]. No action on this matter was requested but is noted for the record to have been in violation of Code of Ordinances Chapter 30, Sections 30-41 Disabled vehicles, 30-43 Public nuisances, and Chapter 54, Section 54-51 Parking in residential neighborhood.

**VII. NEW CASES**

- A.** Case No. 220908008; Ida Harrell (Dec), 1706 Southwest 2<sup>nd</sup> Avenue [Legal Description: Lots 3 and 4 of Block 33, FIRST ADDITION TO SOUTH OKEECHOBEE, Plat Book 1, Page 17, Okeechobee County public records].

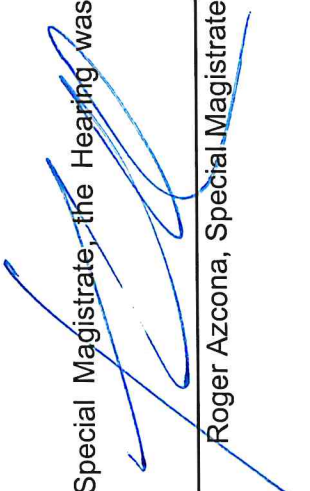
Code Officer Smith testified that the property is in violation of Code of Ordinances Chapter 30, Sections 30-40 Junk, 30-43 Public nuisances, 30-44 General cleaning and beautification for having a washing machine and a grill in the middle of the yard, debris, and overgrown vegetation all over the property. The respondent is not a repeat violator. A Courtesy Card was mailed via United States Postal Service (USPS) regular mail on August 23, 2022. The property was inspected and found to be non-compliant on September 8, 2022. A Statement of Violation/Notice of Hearing (SOV/NOH) was mailed via USPS certified returned receipt on September 8, 2022. The City has not received the SOV/NOH nor receipt of the signature card as of the date of this Hearing. The property was inspected and found to be non-compliant on September 22, 2022 and October 5, 2022. To comply with City Ordinances the property owner needs to remove all the overgrown vegetation and debris from the property. The City recommends a fine of \$50.00 per day, to begin 21-days after the Special Magistrate Hearing on October 11, 2022, unless the property owner brings the property into compliance on or before that date, plus a \$50.00 administrative fee.

Based on the evidence provided, **Special Magistrate Azcona found Case No. 220908008 to be in violation of Code of Ordinances Chapter 30, Sections 30-40 Junk, 30-43 Public nuisances, 30-44 General cleaning and beautification and imposed a fine of \$50.00 per day plus a one-time administrative fee of \$50.00 should the property fail to come into compliance within 21-days after the date of this Hearing.**

- B.** Case No. 220826013; Anthony D. Stark, 915 Northwest 6<sup>th</sup> Street [Legal Description: Lot 8 and the East half of Lot 9 of Block 99, CITY OF OKEECHOBEE, Plat Book 1 and 5, Page 10 and Page 5, Okeechobee County public records]. No action on this matter was requested but is noted for the record to have been in violation of Code of Ordinances Chapter 30, Sections 30-43 Public nuisances, 30-44 General cleaning and beautification.

**VIII. ADJOURN MEETING**

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

  
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Roger Azcona, Special Magistrate

ATTEST: Christina Curl  
Christina Curl

Please take notice and be advised that when a person decides to appeal any decision made by the Special Magistrate with respect to any matter considered at this Hearing, he/she may need to ensure that 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 media are for the sole purpose of backup for official records of the Clerk.

