



CITY OF OKEECHOBEE CODE ENFORCEMENT DECEMBER 13, 2022, SPECIAL MAGISTRATE HEARING OFFICIAL MINUTES

I. CALL TO ORDER

Special Magistrate Azcona called the Code Enforcement Special Magistrate Hearing to order on Tuesday, December 13, 2022, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast 3rd 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, 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Special Magistrate Azcona asked whether there were any agenda items to be added, deferred, or withdrawn; there were none.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 October 11, 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. 220128007; Perry Sylvester Arnold, Jr., 620 Northeast 4th Avenue [Legal Description: Lots 5 and 6 of Block 80, CITY OF OKEECHOBEE, Plat Book 1, Page 10 or Plat Book 5, Page 5, 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. 220913009; Jeanel Jerome, Northwest 7th Street [Legal Description Lots 19 and 20 of Block 16, NORTHWEST ADDITION TO OKEECHOBEE, Plat Book 1, Page 25, 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. 220913011; Ernesto Ramirez, Northwest 7th Street [Legal Description: Lots 1,2,3,4 and 5 of Block 16, NORTHWEST ADDITION TO OKEECHOBEE, Plat Book 1, Page 25, 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. 221020010; Zaben Omar Nafal (La Placita Supermarket), 1002 Northwest Park Street [Legal Description: Lots 15,16,17,18,19 and 20 of Block 28; NORTHWEST ADDITION TO OKEECHOBEE, Plat Book 1, Page 25, 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 50, Sections 50-91 Levied, 50-94 Duty of seller as to collection of tax.

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

VI. COMPLIED CASES CONTINUED

D. CONTINUED: 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 30-40 Junk, 30-43 Public nuisances, 30-44 General cleaning and beautification, the property was found to be in compliance on October 24, 2022, no Lien/Order was recorded and no fine accrued.

E. Case No. 220812010; Robbie Lee Melear and Tammy Lynn Jordan (Orion of America LLC), 1004 Northwest 6th Street [Legal Description: East half of Lot 15 and all of Lot 16 of Block 17, NORTHWEST ADDITION TO OKEECHOBEE, Plat Book 1, Page 25, 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, International Property Maintenance Code (IPMC) Chapter 3, Section 304.1.1 Unsafe conditions, and that there is an existing lien in the amount of \$1,650.00, plus a \$50.00 administrative fee.

F. Case No. 221027007; Rafael and Glorybee Corona, Southeast 10th 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 54, Section 54-51 Parking in residential neighborhood.

VII. ADJOURN MEETING

There being no further business to come before the Special Magistrate, the Hearing was adjourned at 6:39 P.M.

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.