

**TOWN OF HAVERHILL
MINUTES
SPECIAL MAGISTRATE
HEARING
MARCH 1, 2023**

Present: Special Magistrate William P. Doney, Code Enforcement Officer Joseph Petrick, Town Attorney John Foster, Town Administrator Tracey Stevens, and Deputy Town Clerk Jean Wible.

I. CALL TO ORDER:

The meeting was called to order at 9:00 A.M. by Special Magistrate William P. Doney.

II. APPROVAL OF MINUTES:

The February 1, 2023 minutes will be approved at the next Special Magistrate Hearing on April 11, 2023.

III. SWEARING IN OF WITNESSES:

Special Magistrate, William P. Doney, administered Oath to Code Enforcement Officer Joseph Petrick and Respondent Germaine Reid.

CODE ENFORCEMENT HEARINGS:

CASE NO. 22-00039:

GERMAINE REID

830 MIMOSA COURT

HAVERHILL, FL 33415

PCN: 22-42-43-35-24-003-0010

LEGAL DESCRIPTION: WOODLAND TERRACE NO 2 LT 1 BLK 3

NATURE OF VIOLATION: Chapter 58 Article IX Division 6 Section 58-417 installation, maintenance, irrigation, and replacement; Chapter 38 Section 38-9 Parking of vehicles and boats in residential areas.

Code Enforcement Officer (CEO) Joseph Petrick testified the Respondent, Germaine Reid was issued a Courtesy Notice on December 7, 2022, via posting the property for parking of an unregistered/inoperable vehicle in the driveway and a hat racked tree. The notice gave 30 days to comply or contact CEO Petrick. After no response from the Respondent, CEO Petrick reinspected the property on January 18, 2023, and found the property still in violation. At that time, a Notice of Violation and Notice of Hearing was issued and sent certified mail and the property was posted.

The Notice of Violation required compliance within 14 days by removing or properly registering the vehicle and apply for a tree removal permit. Discussion ensued.

CEO Petrick testified that as of today's hearing, the Respondent complied with regards to Section 38-9 as the vehicle was removed within the time frame required.

CEO Petrick testified that the Respondent was still in violation of Section 58-417 for the hat racked tree and provided pictures of violation to Special Magistrate Doney.

CEO Petrick stated that the Town was requesting a tree removal permit be obtained, or a letter submitted within 30 days by a certified Arborist stating the tree would grow back in a healthy manner or a \$50.00 per day fine be assessed.

CEO Petrick testified the cost to bring this case to the Special Magistrate was \$118.45.

Respondent, Germaine Reid testified that the tree was growing over his roof, so he had his uncle cut it, but his uncle misunderstood how he wanted it cut and cut too much off. The Respondent testified that new leaves were growing on the trunk and requested more time to find an arborist to confirm that the tree would grow back healthy and if not, he would obtain a tree removal permit from the Town and remove it. Discussion ensued.

Special Magistrate Doney asked the Respondent how much time he needed to find an arborist or remove the tree. The Respondent replied, 6 weeks.

Special Magistrate Doney asked the Town's thoughts on allowing the six (6) weeks to comply. CEO Petrick agreed.

Special Magistrate Doney stated he found case #2200039 in violation of Section 58-417 of the Town code was ongoing and the Respondent was given until April 17, 2023 to comply, and thereafter, a fine not to exceed \$50.00 per day may be imposed. A Fine Assessment Hearing will be held on May 3, 2023, 9:00 a.m. if necessary. Costs in the amount of \$118.45 were imposed.

CASE NO. 22-00042:

E&J MANAGEMENT CO LLC

JOSEPH MACARI

1001 N. MILITARY TRAIL

HAVERHILL, FL 33417

PCN: 22-42-43-25-01-000-0200

LEGAL DESCRIPTION: BELVEDERE ESTATES LTS 20 THRU 22 (LESS SLY 3.50 FT & TRGLR PAR BELVEDERE ROAD & ELY 21.50 FT SR 809 R/WS)

NATURE OF VIOLATION: Chapter 58 Article IX Division 14 Section 58-584(4). Maintenance and appearance standards for real property.

Respondent, E&J Management Co LLC, Joseph Macari did not appear at the hearing. Code Enforcement Officer Joseph Petrick testified this was a 7-Eleven (commercial property) that was cited for unmaintained vegetation at the rear corner of the property that included invasive prohibited plant species, specifically Australian pines. The vegetation was causing the residentially challenged (homeless) to congregate and make sleep camps. There was also excessive trash and debris on the property. CEO Petrick testified that he had been working with store manager Ali and the Area Facilities Manager Darren Robinson since September 2022 to address several code violations on the property. On January 20, 2023, CEO Petrick reinspected the property and found the vegetation had been removed, however, the trash and debris, including shopping carts remained on the property. As of today, the property is still in violation of Town Code Section 58-584. Discussion ensued.

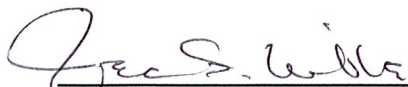
CEO Petrick stated the Town was asking to be reimbursed by the Respondent in the amount of \$133.45 for costs to bring this case before the Special Magistrate, 10 days to comply by removing the excessive trash and debris from the property or a \$50.00 per day fine be assessed.

Special Magistrate Doney stated he found case #2200042 in violation of Section 58-584 of the Town code was ongoing and the Respondent was given until March 13, 2023, to comply, and thereafter, a fine not to exceed \$50.00 per day may be imposed. A Fine Assessment Hearing will be held on April 11, 2023, at 9:00 a.m. if necessary. Costs in the amount of \$133.45 were imposed.


ADJOURNMENT

The hearing was adjourned at 9:21 A.M.

Minutes prepared by Deputy Town Clerk Wible and adopted by Special Magistrate Doney on April 11, 2023.



Jean F. Wible, Deputy Town Clerk



Special Magistrate, William P. Doney

