

TOWN OF HAVERHILL
MINUTES
SPECIAL MAGISTRATE
HEARING
JUNE 5, 2024

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

I. CALL TO ORDER:

The meeting was called to order at 9:02 A.M. by Special Magistrate William P. Doney.

II. APPROVAL OF MINUTES:

Special Magistrate Doney approved the minutes of May 1, 2024.

III. SWEARING IN OF WITNESSES:

Special Magistrate Doney administered Oath to Code Enforcement Officer Joseph Petrick, Town Administrator Tracey Stevens, Respondent France Jastrome and her daughter, Janine Jean-Jacques.

CODE ENFORCEMENT REPEAT VIOLATION, FINE ASSESSMENT AND STATUS HEARINGS:

CASE NO. 24-00048

ALLMON PROPERTY MANAGEMENT LLC

920 N. HAVERHILL ROAD

HAVERHILL, FL 33415

PCN; 22-42-43-36-00-000-31

LEGAL DESCRIPTION: 36-43-42, N 100 FT OF S 200 FT OF W ½ OF NW ¼ OF NW ¼ OF NW ¼ (LESS W 54.50 FT HAVERHILL RD R/W)

NATURE OF VIOLATION: Chapter 58 Article IX Section 58-584 Maintenance and appearance standards for all real property.

Code Enforcement Officer (CEO) Joseph Petrick testified this is a second repeat violation case in reference to an apartment complex that once again has excessive trash and debris on the property in violation of Town Code Section 58-584. He stated that he first observed the second repeat violation on April 1, 2024, while checking the property for compliance prior to the April 3, 2024, Special Magistrate hearing. The property went before Special Magistrate on April 3, 2024, for the same violation and was found in violation and assessed \$100.00 per day from March 6, 2024, through March 21, 2024. The fine was paid by the Respondent.

On April 23, 2024, CEO Petrick issued a Notice of Hearing to the property owner via certified mail to the address listed on the Property Appraiser website and Sun Biz records, the property was posted, and the notice posted on the Code Enforcement board at Town Hall with no response from the Respondent.

CEO Petrick testified that as of today, the property remained out of compliance. He stated the Town was asking for a fine of \$250.00 per day beginning April 1, 2024, until the property came into compliance. The cost to bring this case before the Special Magistrate was \$40.72.

ORDER

A Fine in the amount of Sixteen Thousand Five Hundred Dollars (\$16,500.00) is hereby assessed for this repeat violation at the rate of Two Hundred Fifty Dollars (\$250.00) per day for the violations which existed on the property from April 1, 2024, to June 5, 2024, and will continue to accrue at the rate of \$250.00 per day until compliance is achieved. In addition, costs in the amount of \$20.72 are assessed in this matter.

A certified copy of this Order may be recorded in the Public Records of Palm Beach County, Florida, and, once recorded, shall constitute a lien against the property upon which the violation exists and upon any other real or personal property owned by Respondents pursuant to Chapter 162, Florida Statutes.

Should Respondents violate the same Section of the Code again, Respondents may be subject to a fine of up to \$500.00 per day. Additionally, the Code Inspector is not required to give a reasonable time to correct the repeat violation and the case may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the Special Magistrate hearing.

CODE ENFORCEMENT VIOLATION HEARINGS:

CASE NO. 24-00026

FRANCE JASTROME

1001 NEW PARKVIEW PLACE

HAVERHILL, FL 33417

PCN; 22-42-43-36-00-000-31

LEGAL DESCRIPTION: PARKVIEW PLACE LT 1

NATURE OF VIOLATION: Chapter 14 Section 14-2 Permit and inspection fees for building, electricity and plumbing; Chapter 14 Section 14-7 Unsafe buildings and structures.

Code Enforcement Officer (CEO) Joseph Petrick testified this case was in reference to a Single-Family residence that started plumbing work and installed a screen enclosure without obtaining a permit from the Town in violation of Town Code Section 14-2 and 14-7. CEO Petrick stated that he first observed plumbing being installed on March 4, 2024, and spoke with the person doing the work and the Respondent and explained a building permit was required. Also on March 4, 2024, Town Building Inspector, Carlos Gomez, issued a stop worker order requiring a building permit be submitted within two weeks. On March 5, 2024, the Respondent came to Town Hall and met with CEO Petrick and Deputy Town Clerk Wible to discuss the permit process where at that time, the Respondent revealed that she had also installed a screen enclosure of her rear patio. At that time, it was explained to the Respondent that a building permit was needed for the enclosure as well. As of March 21, 2024, no permit had been obtained. CEO Petrick issued a Notice of Violation and Notice of Hearing which he mailed via certified to the address listed on the Property Appraiser website, the property was posted, and notices were posted on the Code Enforcement board at Town Hall. The Notice of Violation gave thirty (30) days to comply by obtaining a permit for the plumbing and enclosed rear patio. He stated that the Respondent and her daughter had been in contact with the Town Building Department, but no permit application had been submitted as of today's hearing.

CEO Petrick stated the Town was requesting compliance within thirty (30) days or a \$100.00 per day fine be assessed until compliance is achieved. The cost for the Town to bring this case before the Special Magistrate was \$18.01.

The Respondents daughter, Janine Jean-Jacques testified that she is helping her mother resolve the issues and unfortunately, it is a long process. She asked the Town for additional time to submit the permits.

CEO Petrick stated the Town would allow Ninety (90) days to submit all permit applications required to the Town.

ORDER

It is the Order of the Code Enforcement Special Magistrate that the Respondent shall comply with Code Sections 14-2 and 14-7 of the Town's Code of Ordinances by September 5, 2024. In the event the Respondent does not comply with the Town's Code of Ordinances within the time period specified above, a fine in the amount of One Hundred (\$100.00) Dollars per day may be imposed for each day the violation continue to exist. In addition, costs in the amount of \$18.01 are assessed.

NOTICE OF HEARING

A Fine Assessment Hearing, if necessary, shall be held before the Special Magistrate on October 2, 2024, at 9:00 a.m. at Town Hall, 4585 Charlotte Street. Haverhill, Florida to determine whether Respondents have complied with the terms and conditions of this Order and to consider the assessment of a fine.

CASE NO. 24-00018

COMPLIED

RODNEY & JUDITH HUSEY

5330 BELVEDERE ROAD

HAVERHILL, FL 33415

PCN: 22-42-43-35-05-010-0000

LEGAL DESCRIPTION: HAVERHILL RIDING ESTATES TR 10

NATURE OF VIOLATION: Chapter 14 Section 14-2 Permit and inspection fees for building, electricity and plumbing; Chapter 14 Section 14-7 Unsafe buildings and structures. Chapter 58 Article IX Section 58-584 Maintenance and appearance standards for all real property.

CEO Petrick determined that Respondents complied prior to Special Magistrate Hearing, so there was no reason to move forward with the case at this time.

CASE NO. 24-00030

CLARIBEL A MARTINEZ

5465 STRATFORD ROAD

HAVERHILL, FL 33415

PCN: 22-42-43-35-15-000-0300

LEGAL DESCRIPTION: TOWNER PARK REPL LT 30

NATURE OF VIOLATION: Chapter 58 Article IX Section 58-584 Maintenance and appearance standards for all real property Chapter 38 Section 38-9 Parking of vehicles and boats in residential districts.

Code Enforcement Officer (CEO) Joseph Petrick testified this case was in reference to a Single-Family residence in violation of Town Code Section 58-584 for a roof soffit that needed to be cleaned, tree stumps on the property, excessive outdoor storage, trash and debris, and Town Code Section 38-9 for vehicles, trailers and vessels parked on the grass in front of the house and parked in the easement. He stated that some of the vehicles are inoperable and unregistered, and types of vehicles and vessels differ from time to time. He first observed the violations on March 4, 2024. On March 7, 2024, he issued a courtesy notice.

On April 10, 2024, CEO Petrick issued a Notice of Violation and Notice of Hearing via certified mail to the address listed on the Property Appraiser website, the property was posted, and the notices were posted on the Code Enforcement board at Town Hall. The Notice of Violation gave thirty (30) days to comply. On May 7, 2024, CEO Petrick spoke with the Respondent to discuss the violations and ways to bring the property into compliance. Since May 7, 2024, the roof soffit had been cleaned, some of the trash, debris and excessive outdoor storage had been removed, although not all. Some of the vehicles and trailers remain on the property still parked on the grass and in the easement. As of this morning, the tree stumps were removed.

CEO Petrick stated the Town was requesting compliance within fifteen (15) days or a \$100.00 per day fine be assessed until compliance is achieved. The cost for the Town to bring this case before the Special Magistrate was \$46.03.

ORDER

It is the Order of the Code Enforcement Special Magistrate that Respondent shall comply with Code Sections 38-9 and 58-584 of the Town's Code of Ordinances by June 20, 2024. In the event Respondent does not comply with the Town's Code of Ordinances within the time period specified above, a fine in the amount of One Hundred (\$100.00) Dollars per

day may be imposed for each day the violation(s) continues to exist. In addition, costs in the amount of \$46.03 are assessed.

NOTICE OF HEARING

A Fine Assessment Hearing, if necessary, shall be held before the Special Magistrate on August 14, 2024, at 9:00 a.m. at Town Hall, 4585 Charlotte Street, Haverhill, Florida to determine whether Respondents have complied with the terms and conditions of this Order and to consider the assessment of a fine.

CASE NO. 24-00032

COMPLIED

JANICE W. GRANT

810 PALM TREE LANE

HAVERHILL, FL 33415

PCN: 22-42-43-36-27-000-0160

LEGAL DESCRIPTION: EMERLAD COVE LT 16

NATURE OF VIOLATION: Chapter 16 Article II Section 16-6 License and Business Tax Receipt required for rental dwellings.

CEO Petrick determined that Respondents complied prior to Special Magistrate Hearing, so there was no reason to move forward with the case at this time.

CASE NO. 23-00027

DF COASTAL WOOD CONTRACTORS CORP.

5071 PALO VERDE PLACE

HAVERHILL, FL 33415

PCN: 22-42-43-35-24-002-0080

LEGAL DESCRIPTION: WOODLAND TERRACE NO 2 LT 8 BLK 2

NATURE OF VIOLATION: Chapter 16 Article II Section 16-6 License and Business Tax Receipt required for rental dwellings.

Code Enforcement Officer (CEO) Joseph Petrick testified this case was in reference to a Single-Family residence that is renting the property without obtaining a rental license from the Town in violation of Town Code Section 16-6. He stated that a courtesy letter was mailed to the Respondent on March 5, 2024, and required fourteen (14) days to comply by obtaining a Business Tax Receipt and Rental License. As of March 22, 2024, no Business Tax Receipt or Rental License had been obtained. At this time, a Notice of Violation and Notice of Hearing was issued and sent via certified mail to the address listed on the Property

Appraiser website and Sun Biz records, the notices were posted on the Code Enforcement board at Town Hall. He stated that while posting the property, he spoke with a tenant named Judith with whom he hand delivered the notices to and asked that she have the property owner contact him. The Notice of Violation required thirty (30) days to comply.

On April 25, 2024, after the compliance time passed, CEO Petrick stated that he spoke with the Respondent and discussed the Business Tax Receipt and Rental License process. At this time, a rental license inspection was scheduled for April 30, 2024.

On April 30, 2024, CEO Petrick met with the Respondent and tenants at the property and found several violations pertaining to structural, electric, mechanical and plumbing all completed without obtaining a permit from the Town, a business being run out of the house, excessive outdoor storage, trash and debris on the property, a washer and dryer located in the backyard area not enclosed. He stated the house was divided to allow for tenants to stay on one side and the Respondents daughter to reside on the other side in the garage area. Additionally, there was no access to the shed located in the backyard. He stated for these reasons, the rental inspection failed, and a rental license could not be obtained.

Special Magistrate Doney asked about the Town's Business Tax Receipt and Rental License process. Town Administrator Stevens explained the Town's Business Tax Receipt is a temporary certificate to allow the rental of the property to occur while processing the Rental License application. Special Magistrate Doney asked if the Respondent had obtained their Business Tax Receipt and CEO Petrick replied yes.

CEO Petrick stated the Town was requesting compliance within Ninety (90) days or a \$100.00 per day fine be assessed until compliance is achieved. The cost for the Town to bring this case before the Special Magistrate was \$25.59.

ORDER

It is the Order of the Code Enforcement Special Magistrate that Respondent shall comply with Code Section 16-6 of the Town's Code of Ordinances by September 5, 2024. In the event Respondent does not comply with the Town's Code of Ordinances within the time period specified above, a fine in the amount of One Hundred (\$100.00) Dollars per day may be imposed for each day the violation(s) continues to exist. In addition, costs in the amount of \$25.59 are assessed.

NOTICE OF HEARING

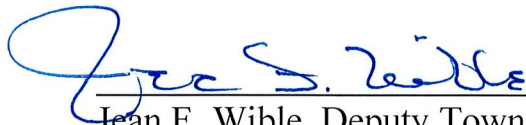
A Fine Assessment Hearing, if necessary, shall be held before the Special Magistrate on October 2, 2024, at 9:00 a.m. at Town Hall. 4585 Charlotte Street, Haverhill, Florida to

determine whether Respondents have complied with the terms and conditions of this Order and to consider the assessment of a fine.


ADJOURNMENT

The hearing was adjourned at 9:41 A.M.

Minutes prepared by Deputy Town Clerk Wible and adopted by Special Magistrate Doney on July 17, 2024.



Jean F. Wible, Deputy Town Clerk



Special Magistrate, William P. Doney