

TOWN OF HAVERHILL
MINUTES
SPECIAL MAGISTRATE
HEARING
JULY 17, 2024

Present: Special Magistrate William P. Doney, Code Enforcement Officer Joseph Petrick, Town Administrator Tracey Stevens, Deputy Town Clerk Jean Wible, Dalu Vasu Hiranandani, Viviana Giraldo and Ana Ruiz (interpreter for Respondents in Case No. 24-00016).

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:

Special Magistrate Doney approved the minutes of June 5, 2024.

III. SWEARING IN OF WITNESSES:

Special Magistrate Doney administered Oath to Code Enforcement Officer Joseph Petrick, Town Administrator Tracey Stevens, Vasu Hiranandani, Viviana Giraldo and Ana Ruiz.

CODE ENFORCEMENT REPEAT VIOLATION, FINE ASSESSMENT AND STATUS HEARINGS:

CASE NO. 24-00035

COMPLIED

SAGRISTA JOSE & SAGRISTA NILDA M

4535 GROVE STREET

HAVERHILL, FL 33415

PCN: 22-42-43-36-02-000-0091

LEGAL DESCRIPTION: CLEVELAND GROVE ACRES S 200 FT OF LOT 9

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. 24-00040

VILLAS ON GROVE STREET LLC DIAZ TOMAS **COMPLIED**

4643 GROVE STREET

HAVERHILL, FL 33415

PCN: 22-42-43-36-02-000-0133

LEGAL DESCRIPTION: CLEVELAND GROVE ACRES S 145 FT OF N 335.66 FT OF LOT 13

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. 24-00016

HIRANANDANI DALU VASU

4631 BELVEDERE ROAD

HAVERHILL, FL 33415

PCN: 22-42-43-25-01-000-0161

LEGAL DESCRIPTION: BELVEDERE ESTATES LT 16 (LESS E 5 FT) & WESTWOOD ADD NO 1 PB4P73 LTS 34 & 35 (LESS S 10 FT BELVEDERE RD RW)

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 was issued a Notice of Violation of Town Code Section 16-6, not having a rental license. He stated that on February 1, 2024, he observed plumbing work being done in the back of the house without a permit. He also observed an RV that was opened up and appeared to have someone residing in it. At that time, he issued a Courtesy Notice requiring thirty (30) days to comply by obtaining a permit for the plumbing work and cease having the RV occupied.

Code Officer Petrick testified that he had spoken with the Respondents wife, Viviana Giraldo (present today) who resides at the property, and discussed the violations including that it was prohibited (by Town Code) to allow anyone to reside in the RV, obtaining both a Rental Property License and Business Tax Receipt from the Town.

Code Enforcement Officer Petrick stated that on February 16, 2024, Town Administrator Tracey Stevens mailed a letter (and rental application) to the Respondent requiring a Rental License and Business Tax Receipt for the rental(s) be obtained.

On February 28, 2024, CEO Petrick spoke with the property owner, Mr. Hiranandani (present today) and his wife, Viviana at Town Hall and discussed the Rental License requirements. During this conversation, the Respondent and his wife stated they have one (1) roommate and occasionally, have other people stay at the home. The Respondent stated he would consider not having a roommate and would submit an Affidavit of Non-Rental once they cease renting to the roommate. At this time, a thirty (30) day extension was agreed upon to either obtain a Rental Property License or have an Affidavit of Non-Rental on file at Town Hall.

On March 1, 2024, CEO Petrick testified the RV was properly registered, closed up and no longer occupied.

On March 28, 2024, the thirty (30) day extension expired. CEO Petrick stated that after it expired, Viviana came to Town Hall to complete an Affidavit of Non-Rental but was unable to sign the affidavit as she is not the registered property owner. She explained that the Respondent was often out of Town on business and would not be back for a while to sign it.

On May 7, 2024, CEO Petrick issued a Notice of Violation and Notice of Hearing to the property owner via certified mail to the address listed on the Property Appraiser website, the property was posted, and both notices were posted on the Code Enforcement board at Town Hall. The Notice of Violation gave the Respondent ten (10) days to comply.

CEO Petrick stated that on May 16, 2024, a Business Tax Receipt and Property Rental License was applied for, and an inspection of the rental property was scheduled for May 30, 2024. On the inspection day, he met Viviana and her interpreter, Ana Ruiz (present today) at the property where he observed extensive interior and exterior building, mechanical, plumbing and electrical work done without obtaining permits from the Town. Due to the extensive work done and occupancy violations, the rental inspection failed. He stated that there were five (5) family members and two (2) non-related people living in the home. He discussed the violations with Viviana and Ana and what needed to be done to come into compliance. Discussion ensued.

CEO Petrick stated the Town was requesting ninety (90) days to comply or a \$100.00 a day fine be assessed. The cost to bring this case before the Special Magistrate was \$36.80.

The Respondents interpreter, Ana Ruiz stated the Respondent tried to submit her permit application package to the Town on Friday, July 12, 2024, but it was not accepted as it was incomplete. CEO Petrick stated for the record, that applying for the permit does not allow for compliance, obtaining the approved permit application from the Town Building Official does. Discussion ensued.

ORDER

It is the Order of the Code Enforcement Special Magistrate that Respondent shall proceed toward compliance with Code Section 16-6 of the Town's Code of Ordinances by obtaining permits for all unpermitted work by October 17, 2024. In the event Respondent does not obtain the required permits 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 \$36.80 are assessed.

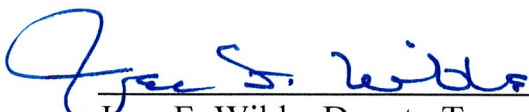
NOTICE OF HEARING

A Fine Assessment Hearing, if necessary, shall be held before the Special Magistrate on November 13, 2024, at 9:00 a.m. at Town Hall, 4585 Charlotte Street, Haverhill, Florida to determine whether Respondent has complied with the terms and conditions of this Order and to consider the assessment of a fine.


ADJOURNMENT

The hearing was adjourned at 9:15 A.M.

Minutes prepared by Deputy Town Clerk Wible and adopted by Special Magistrate Doney on August 14, 2024.



Jean F. Wible, Deputy Town Clerk



Special Magistrate, William P. Doney

