

**Code Enforcement Hearing**  
**Minutes**  
**June 06, 2018**

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**Present:** D. John Morgeson Jr., Special Magistrate  
Debra Knutcher, City Attorney  
Officer Carrie Long  
Officer Brian Pilarski  
Melani Beringer, Deputy City Clerk

**1. Call to Order/Rules of Procedure**

Special Magistrate D. John Morgeson Jr. called the Code Enforcement Hearing to order at 2:05 p.m. He stated that formal rules of evidence do not apply and fundamental fairness will be afforded to all. After hearing all of the relevant evidence a verbal order will be issued which will be reduced to writing and mailed to all participants. The order of the presentation will begin with the City presenting their evidence of the alleged violation(s) and then the Respondent shall present his case. All witnesses offering testimony or presenting evidence will be required to swear or affirm that the testimony they provide is the truth.

**2. Administration of Oath to Defendants/Witnesses**

Special Magistrate Morgeson asked that anyone who wished to testify to stand and be sworn in by the Clerk. The Clerk administered the oath.

**3. Additions, Deletions, Modifications**

**4. Cases**

**A. Case # 5-17-7418**

**Noncompliance / Foreclosure**

Owner Information: **Mary Pruett**

Loc. Address: 580 Lakeview Avenue

RE: Noncompliance/ Foreclosure

Code Enforcement Officer Long presented her case: Ms. Long stated that this case came before the Special Magistrate on December 06, 2017 after due notice to the Respondent. The property is an occupied residential property and has been found in violation of Orange City Code of Ordinance 5-2 (307.4) Outside storage of obsolete items is prohibited. The Magistrate found that the Respondent failed to comply with the findings of fact, conclusions of law and order by failing to correct the violation. It was ordered that an administrative fine was imposed for 63 days of non-compliance beginning October 7, 2017, through and including December 06, 2017 for a total amount currently owed of \$15,750.00 against the Respondent and which will continue to increase daily until verification of compliance has been established.

Jeff Pruett and Nancy Pruett, 580 Lake view Ave., came forward and reported that a neighbor has agreed to help with the cost of cleaning up the said property. They noted that bankruptcy was recently filed for the property.

Recommendation: Staff recommends the Magistrate grant the City Lien authorization for Foreclosure. The total amount owed as of today June 06, 2018 equals \$61,250.00.

The Magistrate closed the public hearing. Mr. Morgeson ordered that the City is authorized to proceed with the foreclosure or enforcement of the lien as it deems appropriate.

**B. Case # 2-18-8029**

**New Case**

Owner Information: **Mildred Tillman**

Loc. Address: 410 S Orange Avenue

RE: 9-8(exterior property Maintenance,  
9-8 (grass/ weeds over 12 inch max), 9-  
16(accumulation of vegetation)

Code Enforcement Officer Long presented her case: Ms. Long stated the property is in violation of Orange City Code of Ordinances 9-8 Sections 302.1 and 302.4 (Property maintenance and grass/weeds over the allotted 12 inch maximum), 9-16 (A) (3) (Accumulation of vegetation).

Recommendation: Staff recommends the Magistrate find the property owners in violation of the Orange City Code of Ordinances, as cited and order a compliance date of July 8, 2018, or \$150.00 a day fine until the property is complaint. Compliance can be met by removal of all household waste, cutting the grass/weeds and remove all fallen trees and debris.

The Magistrate closed the public hearing. Mr. Morgeson found that the respondent is in violation of the Orange City Code, as cited. Mr. Morgeson ordered that the Respondent shall correct the violation by taking the remedial action as set forth in the Notice of Violation. If Respondent fails to timely correct the violation by July 18, 2018, a fine of \$150.00 will accrue for each day the violation exists after July 18, 2018. Respondent is further ordered to contact Code enforcement to verify compliance.

**C. Case # 5-18-8123**

**New Case / Repeat Offender**

Owner Information; **Secured Trustee**

**Services LLC** Loc. Address: 2161 N  
Volusia Avenue RE: 9-8 (grass/ weeds  
above the 12 inch max)

Code Enforcement Officer Pilarski presented his case: Mr. Pilarski stated the property is in violation of Orange City Code of Ordinances 9-8 (Grass, weeds, vegetation in excess of 12”).

Recommendation: Staff recommends the Magistrate find the property owners in violation of the Orange City Code of Ordinances, as cited and order a compliance date of June 30<sup>th</sup>, 2018 or a fine of \$250.00 a day until compliance is met. Compliance can be met by trimming or cut down the overgrown vegetation.

The Magistrate closed the public hearing. Mr. Morgeson found that the respondent is in violation of the Orange City Code, as cited. Mr. Morgeson ordered that the Respondent shall correct the violation by taking the remedial action as set forth in the notice of violation. If Respondent fails to correct the violation by June 30, 2018, a fine of \$250.00 will accrue for each day the violation exists after June 30, 2018. Respondent is further ordered to contact Code Enforcement to verify compliance.

**D. Case # 5-18-8095**

**New Case**

Owner Information: **Robert Horne**

Loc Address: 158 S Carpenter Avenue

RE: 9-8 (grass/ weeds above the 12 inch max ) 9-8 ( exterior property and premises maintenances) 5-2(accessory structures maintenance)

Code Enforcement Officer Pilarski presented his case: Mr. Pilarski stated the property has been found in violation of Orange City Code of Ordinances 9-8 (Exterior property and premises maintenance), 9-8 (Grass, weeds, vegetation in excess of 12”), 5-2(fences, buildings, and carports in good sound structural repair).

Recommendation: Staff recommends the Magistrate find the property owners in violation of the Orange City Code of Ordinances, as cited and order compliance by August 6, 2018 or a fine of \$250.00 a day till compliance is met. Compliance can be achieved by making needed repairs or removing the fence, removing garbage, obsolete items and debris, and trim and cut down overgrown vegetation.

The Magistrate closed the public hearing. Mr. Morgeson found that the respondent is in violation of the Orange City Code, as cited. Mr. Morgeson ordered that the Respondent shall correct the violations by taking the remedial action as set forth in the Notice of Violation. If Respondent fails to timely correct the violations by August 6, 2018, a fine of \$250.00 will accrue for each day that any such of the violations cited herein exist after August 6, 2018. Respondent is further ordered to contact Code Enforcement to verify compliance.

**5. Adjournment**

There being no further cases to discuss, the hearing was adjourned at 2:48 p.m.