

TOWN OF JUPITER, FLORIDA  
CODE COMPLIANCE MAGISTRATE  
210 Military Trail, Jupiter, FL 33458  
Ph: 561-741-2477

Case No: 17-006609

TOWN OF JUPITER, FLORIDA  
Petitioner,

v.

Herma Harris L.  
17591 Carver Avenue  
Jupiter, FL 33458-7926

PCN: 30-42-41-03-06-000-0170  
SUBDIVISION: CINQUEZ PARK 2ND ADD IN  
ORB: 02251 PAGE: 1627  
LEGAL: CINQUEZ PARK 2ND ADD LTS 17 & 18

Respondent(s).

#### ORDER FINDING VIOLATION

THIS MATTER having come before the Code Compliance Magistrate on December 13, 2017, and who, having heard the testimony of the parties, and having considered the evidence presented by the parties; and having been fully apprised of the circumstances, does find as follows:

#### FINDINGS OF FACT

1. The above Respondent is the owner or occupant of THE PROPERTY AS DESCRIBED ABOVE, and STREET ADDRESS of 17591 Carver Avenue, Jupiter, Florida.
2. On March 23, 2017, an inspection of the property was performed by the Town, and at that time, and continuing through today the Respondent did maintain conditions on the property as cited in the Notice of Violation issued in this case.
3. The Town of Jupiter incurred costs in the amount of \$250.46 in prosecuting this case.

#### CONCLUSIONS OF LAW

1. By reason of the foregoing, the Respondent is in violation of the Codes as cited in the Notice of Violation, and is therefore subject to the provisions of Chapter 8 of the Town of Jupiter Code, under the authority of Chapter 162 of Florida Statutes, as both may be amended from time to time.
2. The Findings of Fact support, by a preponderance of the evidence, that Respondent violated Section(s) 13-27(4)(a) Fence maintenance of the Town of Jupiter's Code of Ordinances or the Florida Building Code, as cited.
3. The Town of Jupiter is entitled to recover all or any portion of the costs incurred in successfully prosecuting this action.

#### COMPLIANCE

1. IT IS HEREBY ORDERED that Respondent shall comply with the above Section(s) of the Florida Building Code and/or of the Town of Jupiter's Code of Ordinances, as follows:
  - a. On or before December 28, 2017, Respondent shall come into compliance with the above-cited section of the Town Code. Upon compliance the Respondent shall request an inspection by contacting the Town's Code Compliance Office at 210 Military Trail, or by calling (561) 746-5134. A request for inspection must be made at least one (1) day prior to the requested inspection.

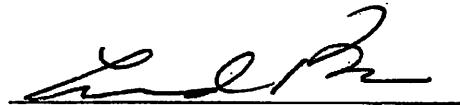
b. If Respondent fails to comply with the requirements of this subsection, there is hereby levied a fine in the amount of **\$200.00 per day** thereafter, for each and every day of non-compliance; and also levied are administrative costs in enforcing this action, pursuant to Chapter 162, Florida Statutes. No further hearing shall be required for the entry of such fine and costs. **In addition, all fines and costs become liens on the property of the Respondent.**

2. Should the Respondent come into compliance in accordance with this Order Finding Violation, and subsequently violate the same code section(s), such reoccurrence shall subject the Respondent to a repeat violator fine of **up to \$5,000.00 per day** for every day of violation, plus administrative costs.

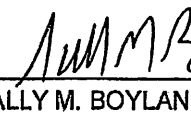
3. **Respondent is assessed the administrative costs of this action in the amount of \$250.46**, as provided by law, and shall pay the same to the Code Compliance Secretary at 210 Military Trail, Jupiter, Florida, on or before **December 28, 2017**.

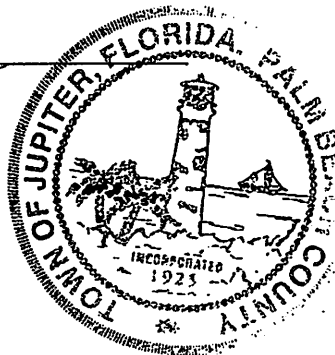
4. The Respondent may submit a written request for a hearing to challenge the fine imposed by this Order within 15 days from the date of this Order. If a hearing challenging the amount of the fine assessed is requested, testimony as to the existence of the violation is not permitted; rather the hearing is limited to the amount of the fine and costs assessed by this Order, and why a lien to recover the fines and costs should not have been authorized by this Order. The Respondent shall bear the burden of demonstrating why the fines and costs assessed herein should not constitute a Final Order Assessing Fine and authorizing the imposition of a Lien against the property. If the Respondent fails to timely make such a request, and the violation remains, the Order shall constitute a FINAL ORDER ASSESSING A FINE. The Town may record a certified copy of the Order in the Public Records of Palm Beach County, Florida, which shall constitute a lien against the Respondent's real and/or personal property and any other real or personal property owned by the Respondent; and at any time more than THREE MONTHS after its recordation the Town is hereby authorized to foreclose on the Lien of the Town against the real and/or personal property owned by the Respondent.

DONE AND ORDERED this 13th day of December, 2017.

  
LEONARD G. RUBIN  
Magistrate

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL ORDER OF THE SPECIAL MAGISTRATE AS MAINTAINED IN THE OFFICIAL RECORDS OF THE TOWN OF JUPITER.  
WITNESS MY HAND, THIS 20 DAY OF Decemb, 2017.

  
SALLY M. BOYLAN  
Town Clerk



# INVOICE (00048053)

**BILLING CONTACT**  
 HERMA L HARRIS  
 17591 Carver Ave  
 Jupiter, FL 33458



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
00048053	12/18/2017	01/17/2018	Due	Administrative costs assessed the the town magistrate at the 12/13/17 code hearing.

REFERENCE NUMBER	FEE NAME	TOTAL
17-006609	Code-Administrative Cost	\$250.46
17591 Carver Ave Jupiter, FL 33458		<b>SUB TOTAL</b>
		<b>\$250.46</b>

TOTAL \$250.46

AFFIDAVIT OF POSTING

Magistrate Order

Case No.: 17-006609
Date Posted: December 28, 2017
Property Owner: HERMA L HARRIS
Property Address: 17591 CARVER AVE
Places of Posting: Town Hall
17591 CARVER AVE

(See Attached Copy of Posted Notice)

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared, PAUL RUDDOCK, a duly-designated Code Compliance Officer of the Town of Jupiter, who, after being duly sworn by me under oath, deposes and says:

- 1. Prior to posting this notice, the undersigned has reviewed the file of this matter and has determined that a bona fide attempt was made to hand-deliver or mail notice to the alleged violator.
2. This Affidavit of Posting shall serve to meet the notice requirements of Section 162.12, Florida Statutes.
3. This property was posted for at least ten (10) days in two (2) locations, the first being upon the property where the code violation is alleged to exist, the address of which is listed herein above, and the second being at the Jupiter Town Hall, 210 Military Trail, Jupiter, Florida 33458, in accordance with Section 162.12(2)(b), F.S. The undersigned affiant submits this affidavit as proof of compliance with the requirements of Section 162.12(2)(b), F.S.

FURTHER AFFIANT SAYETH NOT

Handwritten signature of Paul Ruddock with #1194 next to it.

Personally appeared before me the undersigned authority, and acknowledged that (he)/(she) did execute the foregoing affidavit.

Sworn to and subscribed before me this 2nd day of January, 2018.

Handwritten signature of Geraldine Harvey, Notary Public.

