



TOWN OF JUPITER

CODE COMPLIANCE DIVISION
SPECIAL MAGISTRATE
POSTPONEMENT NOTICE OF HEARING

June 12, 2018

GORDON YORK
112 RAINTREE TRL
JUPITER, FL 33458

CASE NO.: 17-006687

LOCATION: 112 RAINTREE TRL, Jupiter, Florida
PCN: 30424110220000710

You are hereby formally notified that the hearing of your case before the Town of Jupiter Code Compliance Special Magistrate, originally scheduled for **06/13/18**, has been postponed to the Special Magistrate hearing scheduled for **07/11/18 at 10:00 AM**. At that time, the hearing will be held in the Council Chambers of the Town of Jupiter Municipal Complex, 210 Military Trail. The hearing is concerning a violation of the Town Code Section(s):

Secondary Location(s):

Violation Text

THERE IS AN ACCUMULATION OF JUNK, TRASH, AND DEBRIS LOCATED ON THIS PROPERTY IN VIOLATION OF TOWN CODE. PLEASE REMOVE AND PROPERLY DISPOSE OF ALL ACCUMULATED ITEMS TO COMPLY.

Violation Description

13-2 ILLEGAL ACCUMULATION/STORAGE

The unauthorized or illegal accumulation or storage of abandoned property, construction debris, inert waste material, refuse, hazardous wastes or similar waste products upon any public or private property within the Town is hereby declared to be a public nuisance

Violation Corrective Action

Remove and properly dispose of abandoned property, junk vehicles, waste products or debris on the property.

Violation Text

THERE IS AN UNCONTROLLED AND OBNOXIOUS VEGETATIVE GROWTH ATTACHED TO THE EXTERIOR STRUCTURE ON THIS PROPERTY IN VIOLATION OF TOWN CODE. PLEASE REMOVE ALL VEGETATION FROM ALL EXTERIOR WALLS IN ORDER TO COMPLY.

Violation Description

13-27(a) DESIGNATED NUISANCES

All places in which brush, weeds, palmetto, dead or dying trees, stumps, roots, obnoxious growths or things of any kind, filth, garbage, trash, debris, decayed or decaying buildings, obstructions, ruins of any kind, buildings, docks, walls or other structures in a falling or dangerous condition, collect and stand, becoming dangerous to public health and safety, are declared to be nuisances, and the maintenance of any such nuisance by any person shall be unlawful. A building, wall, fence or other structure may be declared a nuisance where it is either not being used for its ordinary and intended use; is not habitable; the materials which comprise the structure or any fixture related thereto do not comply with the Town's

codes; or such that the structure is not functioning as it was originally intended at the time of construction.

Violation Corrective Action

Remove all nuisances, such as dead or dying trees, stumps, roots and obnoxious growth or things of any kind which pose a hazard to the health, safety or welfare of the public. All buildings, docks, walls, fences or other structures not functioning as originally intended at time of construction must be either repaired or replaced.

Violation Text

THE SCREEN ENCLOSURE AT THIS PROPERTY IS DAMAGED AND IN NEED OF REPAIRS .
PLEASE MAKE ALL THE NECESSARY REPAIRS TO COMPLY WITH TOWN CODE .

Violation Description

13-27(c)(2)(a-b) EXTERIOR MAINTENANCE

(c) Exterior of buildings and structures.

(2) The exterior of a building or structure shall be maintained in a good state of repair, structurally sound and sanitary so as not to pose a threat to the public health, safety and welfare. A nuisance is hereby declared to exist if the exterior of a building or structure has deteriorated to the point where:

a) Twenty percent or more of the total exterior building surface area, including but not limited to, exterior walls, fascia boards, window and door frames, exterior doors and garage doors, eaves, soffits, siding, stucco, awnings, garages, porches, and carports, has blistered, peeling or missing paint and/or is rotted and/or has mold or mildew. For purposes of this section, the surface area of openings such as windows, breezeways, sliding glass, glass, or French doors shall not be included in the calculation of the total exterior building area; or

b) Windows, (glass panes), doors, screens, screened enclosures, rails and stiles are missing, broken, or are deteriorated and in need of repair.

Violation Corrective Action

Repair and maintain the exterior of the building or structure as required by code.

You are hereby ordered to appear before the Special Magistrate on the above-referenced date to respond to the alleged violation and to present any oral or written testimony regarding the alleged violation. Failure to appear will result in the Special Magistrate proceeding in your absence. You will have the opportunity to present witnesses, as well as question the witnesses against you, prior to the Special Magistrate making a determination. You have the right to obtain an attorney, at your expense, to represent you before the Special Magistrate. **CASE FILES WILL BE AVAILABLE FOR REVIEW BY RESPONDENTS ONE -HALF HOUR PRIOR TO THE START OF THE HEARING.**

If the alleged violation still exists as of the compliance date specified in the notice of violation, this case may proceed to the hearing whether or not compliance is achieved prior to the hearing date, with a request to the Special Magistrate for a finding of violation and assessment of **ADMINISTRATIVE COSTS**. If the alleged violation still exists at the time of the hearing and you are found in violation, the Special Magistrate may enter an order against you and may assess both **ADMINISTRATIVE COSTS** and a fine of up to **\$1,000.00 PER DAY PER VIOLATION** for every day the violation continues beyond the date set by the Special Magistrate in the order for compliance. If the violation is considered by the Special Magistrate to be irreparable or irreversible in nature, a fine may be imposed not to exceed **\$15,000.00 PER VIOLATION**. If you are found in violation and subsequently violate the same code section(s) again at a later date, a repeat violator fine of up to **\$5,000.00 PER VIOLATION PER DAY** could be assessed for every day of violation, plus administrative costs.

Should any interested party seek to appeal any decision made by the Special Magistrate with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and for such purpose he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

There is a procedure whereby an alleged violator may stipulate to the existence of a violation and waive appearance at the above hearing. If you so wish to, you may enter into stipulation with the Town whereby you are admitting to the violation described herein.

Sincerely,

Corey Piazza
Code Compliance Officer
Town of Jupiter

CERTIFIED MAIL

AFFIDAVIT OF POSTING

Notice of Hearing

Case No.: **17-006687**
Date Posted: **June 12, 2018**
Business Name:
Property Owner: **GORDON YORK**
Property Address: **112 RAINTREE TRL**
Places of Posting: **Town Hall**
112 RAINTREE TRL

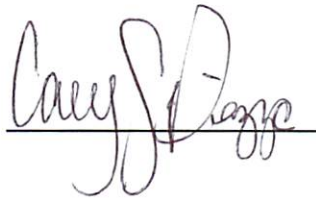
(See Attached Copy of Posted Notice)

STATE OF FLORIDA
COUNTY OF PALM BEACH

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

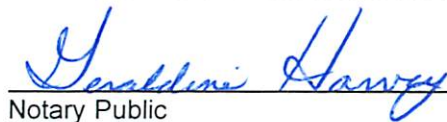
1. Prior to posting this notice, the undersigned has reviewed the file of this matter and has determined that a bona fide attempt was made to hand-deliver or mail notice to the alleged violator.
2. This Affidavit of Posting shall serve to meet the notice requirements of Section 162.12, Florida Statutes.
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

 # 1189

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

Sworn to and subscribed before me this 12th day of June, 2018.


Notary Public

