

**CITY OF PENSACOLA
CODE ENFORCEMENT AUTHORITY MINUTES
SEPTEMBER 21, 2021 PUBLIC, QUASI-JUDICIAL HEARINGS**

Present: Special Magistrate Judge

Louis F. Ray, Jr

Present: Staff Members

Steve Richards, Code Enforcement Administrator
Joanna Walker, Administrative Officer
Ricky Lewis, Code Enforcement Supervisor
Jason Hendricks, Code Enforcement Officer
Jonathan Bilby, CBO/Inspection Services Administrator

Respondent(s)/Representative(s)/Citizens

Chris Oswald
Attorney William Brightwell

- I. CALL TO ORDER 3:00 pm**
- II. PLEDGE OF ALLEGIANCE**
- III. ADMINISTRATION OF OATHS – Swearing in of City Staff and Respondents**
- IV. REQUEST TO APPROVE 9/7/21 MINUTES**
- V. REQUESTS TO FIND CODE VIOLATIONS**

- 1. Case # 21-138 4057 North 12th Ave – Robert & Margaret Coker – Jason Hendricks
MO/Excessive growth of weeds prohibited; Maintenance of right-of-way by
owner of abutting property
IPMC/General; Roofs and drainage; Motor vehicles

Officer Jason Hendricks testified that the cited code violation(s) first observed on 4/28/21 still exist(s) and that a permit has been issued. Respondent(s) did not appear. Per staff's request the SMJ tabled the case until 12/21/21.

- 2. Case # 21-141 601 South N St – Eric Gleaton – Jason Hendricks
IPMC/Vacant structures and land; General; Roofs and drainage; Window,
skylight and door frames

Officer Jason Hendricks testified that the cited code violation(s) first observed on 5/19/21 still exist(s). Respondent(s) did not appear. Per staff's request the SMJ tabled the case until 11/16/21.

- 3. Case # 21-142 207 S Devilliers St – Mark McDaniel – Jason Hendricks
IPMC/Exterior walls; Stairways, decks, porches and balconies

Officer Jason Hendricks testified that the cited code violation(s) first observed on 2/2/21 still exist(s). Respondent(s) did not appear. The SMJ found the property and the respondent(s) in violation of the specified sections of the City Code and entered a standard Code Violation Order giving the respondent(s) until 11/16/21 to correct the violation(s) and providing in part for the subsequent assessment of a fine and filing of a lien against the respondent(s) and the property without further hearing or notice to the respondent(s) if the property is not timely brought into compliance.

4. Case # 21-143 922 E Desoto St – Mark McDaniel & Jordan Parker – Jason Hendricks
MO/Nuisance

Officer Jason Hendricks testified that the cited code violation(s) first observed on 6/1/21 still exist(s). Respondent(s) did not appear. The SMJ found the property and the respondent(s) in violation of the specified sections of the City Code and entered a standard Code Violation Order giving the respondent(s) until 11/16/21 to correct the violation(s) and providing in part for the subsequent assessment of a fine and filing of a lien against the respondent(s) and the property without further hearing or notice to the respondent(s) if the property is not timely brought into compliance.

5. Case # 21-144 922 E Desoto St – Mark McDaniel & Jordan Parker – Jason Hendricks
MO/Maintenance of right-of-way by owner of abutting property; Excessive growth of weeds prohibited
IPMC/Protective treatment; Roofs and drainage; Accumulation of rubbish or garbage

Officer Jason Hendricks testified that the cited code violation(s) first observed on 4/21/21 still exist(s). Respondent(s) did not appear. The SMJ found the property and the respondent(s) in violation of the specified sections of the City Code and entered a standard Code Violation Order giving the respondent(s) until 11/16/21 to correct the violation(s) and providing in part for the subsequent assessment of a fine and filing of a lien against the respondent(s) and the property without further hearing or notice to the respondent(s) if the property is not timely brought into compliance.

VI. REQUESTS TO ASSESS FINES

1. Case # 21-133 2219 North 17th Ave – Carol Myers – Jason Hendricks
MO/Excessive growth of weeds prohibited; Maintenance of right-of-way by owner of abutting property; Required visibility triangle

Officer Jason Hendricks testified that the Respondent(s) did not bring the property into complete compliance by 9/21/21 as previously ordered by the SMJ and that one or more of the code violation(s) still exist(s). Attorney William Brightwell, council for the Mortgage holder, appeared and spoke on their behalf. Respondent(s) did not appear. The SMJ assessed a fine of \$25.00 per day to start on 10/5/21 and continuing each and every day thereafter the violation continues to exist, that on or after 90 days, without further hearing or notice to the respondent(s), a lien for any and all unpaid fines and costs be filed in the public records of the County against the respondent(s) and the property.

2. Case # 21-134 810 E LaRue St – Daniel Agnew & Susan Agnew – Jason Hendricks
IPMC/Accessory structures

Officer Jason Hendricks testified that the Respondent(s) did not bring the property into complete compliance by 9/21/21 as previously ordered by the SMJ and that a permit has been issued. Respondent(s) did not appear. The SMJ tabled the case until 12/21/21 and requested paperwork from the respondent(s) regarding their plan of action for the temporary repairs.

VII. REQUESTS TO INCREASE FINES/LIENS

VIII. UNFINISHED BUSINESS

1. Case # 21-117 1006 E Desoto St -Peter E Cowley – Ricky Lewis \$150.00

Officer Ricky Lewis testified that the property has a new owner and that staff recommends to rescind the balance that accrued against the prior owner(s). No lien had been recorded. The SMJ granted staff's recommendation and rescinded the fines to zero (0).

IX. REQUESTS TO REDUCE/RESCIND/CANCEL FINES/LIENS

1. Case # 11-021 717 North L St – Chris Oswald – Jonathan Bilby \$13,627.00

CBO/Inspection Services Administrator Jonathan Bilby testified to the history of the case. Respondent appeared and testified. Mr. Bilby said that the City would reluctantly agree to reduce the fine to \$2,000.00 whereupon the SMJ reduced the balance of this fine to \$2,000.00 and on the condition that Mr. Oswald pay same within 30 days, along with the outstanding \$8,928.56 in "hard costs" for Liens for Improvements (demolition and lot cleanings), failing which timely payments, all fines and liens would remain at their higher amounts.

X. ANY NEW BUSINESS?

XI. ADJOURNMENT 3:40 PM



Louis F. Ray, Jr., Special Magistrate Judge



Joanna Walker, Administrative Officer

Approved on: 10/5/21