

**CITY OF PENSACOLA
CODE ENFORCEMENT AUTHORITY MINUTES
OCTOBER 18, 2022 PUBLIC, QUASI-JUDICIAL HEARINGS**

Present: Special Magistrate Judge

Louis F Ray, Jr

Present: Staff Members

Joanna Walker, Administrative Officer
Ricky Lewis, Code Enforcement Supervisor
Jason Hendricks, Code Enforcement Officer
Ryan Spikes, Code Enforcement Officer
Kevin Smith, Code Enforcement Officer
Ron Boutin, Code Enforcement Officer
Tom Lucia, Code Enforcement Supervisor

Respondent(s)/Representative(s)/Citizens

Susan Dobinson

- I. CALL TO ORDER 3:00 pm**
- II. PLEDGE OF ALLEGIANCE**
- III. ADMINISTRATION OF OATHS – Swearing in of City Staff and Respondent(s)**
- IV. APPROVED 10/4/22 MINUTES**
- V. REQUESTS TO FIND CODE VIOLATIONS**

- 1. Case # 23-011 5804 Penny Ave – Gary Futreal – Ryan Spikes
MO/Abatement

Officer Ryan Spikes testified that the cited code violation(s) first observed on 9/22/22 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 Abatement Order for the City to enter upon the property and correct the violations and to file a lien for its costs against the respondent(s) and the property without further hearing or notice to the respondent(s).

- 2. Case # 23-012 725 Gentian Dr – 3 Age Holding LLC – Kevin Smith (repeat)
MO/Nuisance
IPMC/Swimming pools

Officer Kevin Smith testified that the cited code violation(s) first observed on 8/18/22 still exist(s). Respondent(s) did not appear. The SMJ found the property and the respondent(s) in “repeat” violation of the specified sections of the City Code, entered an Repeat Code Violation Order for the respondent(s) to immediately correct the repeat violation(s) and further assessed a fine of \$25.00 per day starting on 10/18/22 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.

- 3. Case # 22-148 3230 E Avery St – James W III & Mary Alice Carruth – Jason Hendricks
MO/Nuisance
IPMC/Motor vehicles

Officer Jason Hendricks testified that the cited code violation(s) first observed on 5/31/22 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 11/15/22 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 # 23-013 2219 North 17th Ave – Carol Myers – Jason Hendricks
MO/Excessive growth of weeds prohibited; Maintenance of right-of-way by owner of abutting property

Officer Jason Hendricks testified that the cited code violation(s) first observed on 8/18/22 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 11/15/22 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 # 23-015 2000 W Cervantes St – Hung Hoang – Ron Boutin
MO/Nuisance
IPMC/Accumulation of rubbish or garbage

Officer Ron Boutin testified that the cited code violation(s) first observed on 8/11/22 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 11/15/22 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.

6. Case # 23-016 1000 E Desoto St – Susan Dobinson – Ron Boutin
MO/Nuisance; Excessive growth of weeds prohibited
IPMC/Motor vehicles; Protective treatment; Accumulation of rubbish or garbage

Officer Ron Boutin testified that the cited code violation(s) first observed on 8/15/22 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 11/15/22 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.

7. Case # 23-008 505 E Gonzalez St – Vernice Atkins-Bradley – Tom Lucia
MO/Use of solid waste collection services required

Officer Tom Lucia testified that the cited code violation(s) first observed on 8/10/22 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 11/15/22 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.

8. Case # 23-009 5 Boland Pl – Carla Dedolph – Tom Lucia
MO/Use of solid waste collection services required

Officer Tom Lucia testified that the cited code violation(s) first observed on 8/2/22 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 11/15/22 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 # 23-006 3840 Dunwoody Dr – Brett Baker & Paul Wood – Ryan Spikes
MO/Nuisance

Officer Ryan Spikes testified that the Respondent(s) did not bring the property into complete compliance by 10/18/22 as previously ordered by the SMJ and that one or more of the code violation(s) still exist(s). Respondent(s) did not appear. The SMJ assessed a fine of \$25.00 per day starting on 10/18/22 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 # 23-001 27 Escalona Ave – Helen D Lee – Jason Hendricks
MO/Nuisance

Officer Jason Hendricks testified that the Respondent(s) did not bring the property into complete compliance by 10/18/22 as previously ordered by the SMJ and that one or more of the code violation(s) still exist(s). Respondent(s) did not appear. The SMJ assessed a fine of \$25.00 per day starting on 10/18/22 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.

3. Case # 23-004 301 N Pace Blvd – FSN Brothers LLC – Ron Boutin
MO/Excessive growth of weeds prohibited; Maintenance of right-of-way by
owner of abutting property

Officer Ron Boutin testified that the Respondent(s) did not bring the property into complete compliance by 10/18/22 as previously ordered by the SMJ and that one or more of the code violation(s) still exist(s). Respondent(s) did not appear. The SMJ assessed a fine of \$25.00 per day starting on 10/18/22 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.

4. Case # 23-005 816 W Gregory St – Janie Nelson, et al – Ron Boutin
MO/Excessive growth of weeds prohibited; Maintenance of right-of-way by
owner of abutting property
IPMC/Accessory structures

Officer Ron Boutin testified that the Respondent(s) did not bring the property into complete compliance by 10/18/22 as previously ordered by the SMJ and that one or more of the code violation(s) still exist(s). Respondent(s) did not appear. The SMJ assessed a fine of \$25.00 per day starting on 10/18/22 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.

VII. REQUESTS TO INCREASE FINES/LIENS

VIII. UNFINISHED BUSINESS


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

1. Case # 21-121 1321 E Scott St – Allie M Campbell – Ricky Lewis \$9,625.00

Supervisor Ricky Lewis testified to the history of the case and that staff recommends to reduce the balance to \$2,406.25. The SMJ granted staff's recommendation and reduced the fines contingent upon the payment in full of the four (4) outstanding lot cleaning liens totaling \$956.00.

X. ANY NEW BUSINESS? no

XI. ADJOURNMENT 3:30 pm



Louis F. Ray, Jr., Special Magistrate Judge



Joanna Walker, Administrative Officer

Approved on: 11/1/22