

CODE ENFORCEMENT

BOARD



Crossroads of Flagler County

BOARD MEMBERS

**JOY ALLEN
JULIE AGUIAR
DELORIES HALL
KENNETH GORDON
DAVID WILHITE**

CODE ENFORCEMENT BOARD AGENDA

Wednesday, October 11, 2023 at 6:00 PM

1769 E. Moody Blvd. (GSB), First Floor Conference Room, Bunnell, FL 32110

- 1. Call Meeting to Order and Pledge Allegiance to the Flag.**
- 2. Roll Call and determination of Quorum.**
- 3. Disclosure of Ex-Parte communications.**
- 4. Approval of Minutes:**
 - a. June 14, 2023 Code Enforcement Board Minutes**
- 5. Swearing in of witnesses.**

Old Business: None

New Business:

- 6. Case Number 23-013 City of Bunnell vs. Torres Arturo**
200 S Bacher St
This is a violation of the following City Codes:
Bunnell Land Development Code Sec. 34-115(a)(c)(10), - R-3B Multiple-family residential district.
Bunnell Land Development Code Sec. 26-108(a)(4)(5)(7)(9)(b)(1), - Dangerous buildings.
Bunnell Land Development Code Sec. 26-167(1)(2)(3)(4), - Responsibility for removal and remedial action.
Bunnell Land Development Code Sec. 70-1(a)(b)(1)(2)(3), - Removal of certain plants, weeds, trash, litter etc.; duty of owner; service of notice.
NTA:9/15/2023
- 7. Announcements**
- 8. Next Scheduled Meeting: December 13, 2023**
- 9. Adjournment of Code Enforcement Board**

This Agenda is subject to change. Please see posted copy on the City of Bunnell website
www.bunnellcity.us

NOTICE: IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY

COMMISSION OR ANY OF ITS BOARDS, WITH RESPECT TO ANY MATTER CONSIDERED AT ANY MEETING OF SUCH BOARDS OR COMMISSION, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. 286.0105, FLORIDA STATUTES. ANY PERSON REQUIRING A SPECIAL ACCOMMODATION AT THIS MEETING BECAUSE OF DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT CITY HALL AT 386.437.7500.



City of Bunnell, Florida

Agenda Item No. a.

ATTACHMENTS:

Description

Type

June 14, 2023 Code Enforcement Board Minutes

Minutes

Code Excepts: There were no Code Enforcement Board Meetings held in July 2023, August 2023 and September 2023.

CODE ENFORCEMENT

BOARD



Crossroads of Flagler County

BOARD MEMBERS

JOY ALLEN

JULIE AGUIAR

DELORIES HALL

KENNETH GORDON

CODE ENFORCEMENT BOARD MINUTES

Wednesday, June 14, 2023 at 6:00 PM

1769 E. Moody Blvd. (GSB), First Floor Conference Room
Bunnell, FL 32110

1. **Call Meeting to Order and Pledge Allegiance to the Flag.**
Chair Allen called the meeting to order at 6:00 PM and led the Pledge to the Flag.
 2. **Roll Call and determination of Quorum.**
Present: Joy Allen, Chair; Kenneth Gordon; Delories Hall
Excused: Julie Aguiar, Co-Chair
Non-Voting: Board Attorney Charlie Cino; Code Enforcement Officer Gary Harris; City Attorney Paul Waters; Community Development Director Bernadette Fisher; Community Development Coordinator Christine Hancock
 3. **Disclosure of Ex-Parte communications.**
None
 4. **Approval of Minutes:**
 - a. **April 12, 2023, Code Enforcement Board Minutes**
Motion: Approve the April 12, 2023, Code Enforcement Board Meeting minutes
Moved by: Kenneth Gordon
Seconded by: Delories Hall
Board Discussion: None
Public Discussion: None
Vote: Motion carried unanimously
 5. **Swearing in of witnesses.**
Board Attorney Cino swore in the following witnesses:
Bernadette Fisher Community Development Director;
Gary Harris Code Enforcement Officer; and
Noah Goerlich Stephenson, Wilcox & Associates, Inc.
- Old Business:**
6. **Case Number 22-014 City of Bunnell vs. Ella Chageyeva**
Code Enforcement Officer Harris explained the case and provided testimony. Respondent was not present; however, Noah Goerlich was present on behalf of the respondent. Code Enforcement Officer Harris testified this case began in June 2022 and provided additional testimony regarding the case; the property has previously been found non-compliant and appeared before the Code Enforcement Board in the past. It was recommended the property be found non-compliant, continued to the August 2023 meeting and a fine of \$100.00 per day be imposed starting July 13, 2023.

Mr. Goerlich, SWA and representing the respondent, testified the site plan was submitted in April 2023. Community Development Director Fisher explained the submittal was not complete so a review could not be completed, and comments could not be provided.

Chair Allen asked how often the Technical Review Committee (TRC) meets. Community Development Director Fisher explained the TRC process. While the committee meets every other Tuesday, projects are sent out for review and comments once complete plans are received. Members of the TRC then respond via email with all comments regarding the proposed plans.

Chair Allen asked for the status of the project. Community Development Director Fisher stated the project is under review. Chair Allen asked why these plans have not been reviewed if they were turned in back in April. Staff testified the plans are lacking information needed for the review which has not been turned into the City yet. Attorney Waters further explained the submittal is not complete which is preventing it being sent out to the full TRC for review and comment.

Board Member Hall asked if City Staff reviews the application and submittal documents when they are turned in. Staff explained the TRC process.

Chair Allen requested detailed timeline for this project.

Mr. Goerlich, on behalf of the respondent, stated the only thing missing from the April submittal was the fee which was paid in May 2023. Community Development Director Fisher explained the change in engineers has affected the review too.

Motion: Find the property continues to be non-compliant and continue the case to the August meeting.

Moved by: Delories Hall

Seconded by: Kenneth Gordon

Vote: Motion carried unanimously

7. Case Number 22-016 City of Bunnell vs. Abama Mama, LLC

Code Enforcement Officer Harris explained the case and provided testimony. Respondent was not present; however, Noah Goerlich was present on behalf of the respondent. It was recommended to continue the case to the August meeting and impose a fine of \$100.00 per day.

Mr. Goerlich, from SWA and representing the respondent, provided testimony about the site plan; he believes it will be submitted by next meeting. Chair Allen asked for clarification on how long before the submittal will be turned in. Mr. Goerlich stated the submittal should be turned into the City by the end of June or in early July.

Motion: Find the property continues to be non-compliant and continue the case to the August meeting. Staff is to provide a timeline on the development application review progress from June 14, 2023 to the time of the agenda publication at the next meeting.

Moved by: Kenneth Gordon

Seconded by: Delories Hall

Vote: Motion carried unanimously

8. Case Number 22-025 City of Bunnell vs. Mattie Hall Estate C/O Elijah - Isaiah X

Code Enforcement Officer Harris explained the case and provided testimony. The owner has reached out to a contractor about have the structure demolished. The property has already been found non-compliant at a previous Code Enforcement Board meeting. It

was recommended to find the property continue to be non-compliant and continue the case to the August meeting.

Attorney Waters asked Code Enforcement Officer Harris if a fine was being recommended. Code Enforcement Officer Harris stated the Code Enforcement Board could impose a fine if they wished to impose a fine. Attorney Waters advised the Code Enforcement Board could order a fine to begin date certain and the case would not be brought before the Code Enforcement Board again until compliance has been achieved.

Board Member Hall stated the last time this matter was heard before the Code Enforcement Board, the respondent was close to being able to apply for a permit to be able to bring the property into compliance. Code Enforcement Officer Harris advised the respondent had to go through probate and evict squatters before a permit could be sought.

Motion: Find the property continues to be non-compliant and continue the case to the August meeting.

Moved by: Kenneth Gordon

Seconded by: *There was no Second to the motion made*

Vote: Motion died for lack of a Second

Motion: Find the property continues to be non-complaint and if the property has not come into compliance by August 9, 2023, impose a fine of \$100.00 per day.

Moved by: Delories Hall

Seconded by: Kenneth Gordon

Vote: Motion carried unanimously

9. Case Number 23-001 City of Bunnell vs. Joseph Parsons

Code Enforcement Officer Harris explained the case and provided testimony.

Board Member Hall asked if the property is managed by a leasing company. She asked Attorney Waters how other cities handles these types of cases.

Staff recommended the property be found compliant.

Motion: Find the property is complaint and close the case.

Moved by: Kenneth Gordon

Seconded by: Delories Hall

Vote: Motion carried unanimously

New Business:

10. Case Number 22-008 City of Bunnell vs. Janice Talas

Code Enforcement Officer Harris explained the case and provided testimony. The respondent and property owner, Janice Talas, built a shed on the side of the property without obtaining a building permit. Since the preparation of the agenda, the shed was removed from the property; removing the shed from the property made the property compliant with City codes.

Motion: Find the property is complaint and close the case.

Moved by: Delories Hall

Seconded by: Kenneth Gordon

Vote: Motion carried unanimously

11. Announcements

Code Enforcement Board Members were reminded the Form 1 Financial Disclosure Report is due by July 1, 2023.

Board Members have been invited to attend the Annual Ethics and Sunshine Law Training, being hosted by the City, on September 6, 2023 at 10:00 AM.

12. Next Scheduled Meeting: August 9, 2023

13. Adjournment of Code Enforcement Board

Motion: Adjourn

Moved by: Kenneth Gordon

Seconded by: Delories Hall

Vote: Motion carried unanimously

Board Chair

Code Enforcement Officer

*****The City adopts summary minutes. Audio files in official City records are retained according to the Florida Department of State GS1-SL records retention schedule*****



City of Bunnell, Florida

Agenda Item No. 6.

Document Date: 9/19/2023

Code Enforcement Case Number:
Case Number 23-013

Department: Code Enforcement

Subject: Case Number 23-013 City of Bunnell vs. Torres Arturo

Address: 200 S Bacher St

Zoning: R-3B

Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Exhibit A - Property Appraiser's Info	Exhibit
Exhibit B - Picture Before Compliance	Exhibit
Exhibit C - Notice of Violation	Exhibit
Exhibit D - NOV/NTA Paperwork Staked & Stapled	Exhibit

Code Excepts: **Bunnell Land Development Code Sec. 34-115. - R-3B Multiple-family residential district.**

(a) Scope and general description. This section applies to the R-3B Multiple-family residential district. This is a residential district to provide for high density residential developments. The principal uses of land may range from single-family low density to multiple-family apartment uses. Certain uses which are more functionally compatible with intensive residential uses than with commercial uses are permitted. Recreational areas are permitted. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and useable open space for dwellings and related facilities and through consideration of the functional relationship to each use permitted in this district. No R-3B Multiple-family residential district may be created which contains more than 20 dwelling units per acre. This district is compatible with the multifamily land use category.

(c) Permitted special exception. Permitted special exceptions in the R-3B district shall be as follows:

(10) Other uses not listed above that may be compatible with and compliment the permitted uses of the district as approved by the planning, zoning, and appeals board.

Bunnell Land Development Code of Ordinance Sec. 26-108. - Dangerous buildings.

(a) Definition. All structures which have any or all the following conditions, such that the life, health, property or safety of the occupants or the general public

are endangered, are deemed dangerous buildings:

(4) The building, structure or portion thereof has been damaged by fire, flood, earthquake, wind, or other cause to the extent that the structural integrity of the structure is less than it was prior to the damage and is less than the minimum requirement established by the provisions of the building code, standard fire prevention code or other laws and ordinances of the city and State of Florida.

(5) Any exterior appendage or portion of the structure is not securely fastened, attached, or anchored such that it is capable of resisting wind, seismic or similar loads as required by the provisions of the building code, standard fire prevention code or other laws and ordinances of the city.

(7) The building, structure, or portion thereof, because of decay, deterioration, or dilapidation, is likely to collapse fully or partially.

(9) The building, structure or portion thereof is in such a condition as to constitute a public nuisance.

(b) Dangerous buildings declared nuisance; abatement required; time limits.

(1) All dangerous buildings are declared to be public nuisances, and shall be repaired, vacated, or demolished as provided in this article. The owner of any structure which constitutes a nuisance shall cause the abatement of the nuisance within 30 days pursuant to this article or in the manner allowed by the building official.

Bunnell Land Development Code Sec. 26-167. - Responsibility for removal and remedial action.

Any person responsible for the release of a hazardous material shall immediately institute and complete all action necessary to remove and remedy the effects of such release. The city is authorized to respond to the release of a hazardous material in accordance with applicable state and federal law and in the following circumstances:

(1) At the request of another governmental agency.

(2) When the person responsible for a release does not take immediate action to remove and remedy the effects of such release.

(3) When a release occurs on private property and the person responsible cannot be identified, located, or notified; and

(4) When the fire chief or his designee determines that such response is reasonably necessary under the circumstances to protect the public health, safety or welfare or the environment.

Sec. 70-1. - Removal of certain plants, weeds, trash, litter etc.; duty of owner; service of notice.

(a) It shall be the duty of every owner of land lying within the limits of the city to clear and destroy all weeds, palmetto, shrubbery, trash, and other litter, and to abate all nuisances that may be on such land. If any owner of land within the city shall fail to do so, the city shall give notice personally where possible, or by certified mail return receipt in accordance with F.S. Ch. 162 to such owner requiring him to comply with the requirements of this section, or such number of the requirements as may be necessary and appropriate in the particular case, within a reasonable time from the service of the notice, as specified in the notice. In the event the requirements of this section are not met within the period specified in the notice, the case will be referred to the code enforcement board for adjudication, or to the city manager or designee for

abatement, or both, all in accordance with the provisions of this chapter.
(b) Declaration of a nuisance. It is hereby declared and determined that the following shall each or in any combination be considered a nuisance when they exist upon any property within the city:
(1) Nuisance weeds, including shrubs and saw palmettos in excess of 18 inches in height which impair the economic welfare of a property, contribute to a fire hazard, or create a health hazard.
(2) Accumulations of recyclables, waste, yard trash, rubble or debris which impair the economic welfare of a property, contribute to a fire hazard, or create a health hazard.
(3) Accumulations of weeds, waste, yard trash, rubble or debris that may harbor rats or snakes or that may create pools of standing water which may serve as breeding grounds for insects and other disease carrying vectors.

Case Actions
Information:

Case Count: 23-013

NOV & NTA: 9/15/23

Code Board Hearing: 10/11/23

Code Violation:

Bunnell Land Development Code Sec. 34-115(a)(c)(10), - R-3B Multiple-family residential district.

Bunnell Land Development Code Sec. 26-108(a)(4)(5)(7)(9)(b)(1), - Dangerous Building.

Bunnell Land Development Code Sec. 26-167(1)(2)(3)(4), - Responsibility for removal and remedial action

Bunnell Land Development Code Sec.70-1(a)(b)(1)(2)(3), - Removal of certain plants, weeds, trash, litter etc.; duty of owner; service of notice.

Outcome:

Affidavit:

8-7-23: Old, Old hospital on 200 Bacher Street is in a dangerous situation and fence is not secured to keep people off from property. Staff is working with legal department to come up with correct violations to send Notice of Violation. Should send NOV later this week. Took pictures.

8-23-23: Building Official Red Tagged the property at 200 S. Bacher Street and staff went and took some pictures.

8-24-23: The property at 200 S. Bacher Street has a "For Sale" and I got the contact information and called realtor and he gave me the son's phone number sine he might be the only one able to speak English. Son's name is Adam Torres and I called and left a voice message.

9-15-23: Sent certified letter of NOV and staked NOV on Property at 200 S. Bacher Street.

Staff

Staff recommends the Code Enforcement Board find the subject property in

Recommendation: violation of the City's Code of Ordinances. As a result, order a \$100 per-day fine beginning at the start of business tomorrow, October 12, 2023, until the property becomes compliant with the applicable Code of Ordinances and Land Development Code.

Owner Information

Primary Owner

[Torres Arturo](#)

Trustee

7417 Lavergne Ave

Skokie, IL 60077

Change of Address Application

Change of Address Application

Parcel Summary

Parcel ID 10-12-30-0850-00570-0010
Prop ID 10444
Location Address 200 S BACHER ST
BUNNELL, FL 32110
Brief Tax Description* TOWN OF BUNNELL ALL BLOCK 57 AND 1/2 VACATED COURT STREET OR 177 PG 77 OR 554 PG 1776 OR 806/195 OR 2339/1167-TORRES TRUST
*(Note: *The Description above is not to be used on legal documents.)*
Property Use Code Private Owned Hospitals (007300)
Tax District CITY OF BUNNELL, BUNNELL CRA AREA WITH MOSQ CONTROL (District 14)
Millage Rate 21.8491
Homestead N
GIS sqft 73,522.542

[View Map](#)

Valuation

	2023 Working Values	2022 Certified Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
Building Value	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
Extra Features Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$80,696	\$80,696	\$80,696	\$80,696	\$84,451
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$81,696	\$81,696	\$81,696	\$81,696	\$85,451
Assessed Value	\$81,696	\$81,696	\$81,696	\$81,696	\$85,451
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$81,696	\$81,696	\$81,696	\$81,696	\$85,451



8.4.2023 10:00



STATEMENT OF VIOLATION
& NOTICE TO APPEAR

September 15, 2023,

CASE NUMBER 23-013

TO: Torres Arturo
Trustee
7417 Lavergne Ave.
Skokie, IL 60077

VIA: Hand Delivery by Gary Harris to on September 15, 2023.
Certified mail: Receipt No. 7020 1290 0000 2697 4331.
Posting on Property: 200 S. Bacher St. Bunnell, Fl. 32110 on September 15, 2023.
Posting at City Hall Public Notice Board on September 15, 2023.

Street Address: 200 Bacher Street
Bunnell, Fl. 32110

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF SECTION 26-108 AND SECTION 26-167, OF THE CITY OF BUNNELL CODE OF ORDINANCES OCCURRED ON October 11, 2023, ON PROPERTY OWNED BY YOU AND LOCATED AT 200 BACHER ST. BUNNELL, FLORIDA, (PARCEL ID NUMBER: 10-12-30-0850-00570-0010), TO WIT: DANGEROUS BUILDING AND BROKEN SECURITY FENCE.

Bunnell Land Development Code Sec. 34-115. - R-3B Multiple-family residential district.

- (a) Scope and general description. This section applies to the R-3B Multiple-family residential district. This is a residential district to provide for high density residential developments. The principal uses of land may range from single-family low density to multiple-family apartment uses. Certain uses which are more functionally compatible with intensive residential uses than with commercial uses are permitted. Recreational areas are permitted. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and useable open space for dwellings and related facilities and through consideration of the functional relationship to each use permitted in this district. No R-3B Multiple-family residential district may be created which contains more than 20 dwelling units per acre. This district is compatible with the multifamily land use category.*
- (c) Permitted special exception. Permitted special exceptions in the R-3B district shall be as follows:*

(10) Other uses not listed above that may be compatible with and compliment the permitted uses of the district as approved by the planning, zoning, and appeals board.

Bunnell Land Development Code of Ordinance Sec. 26-108. - Dangerous buildings.

(a) Definition. All structures which have any or all the following conditions, such that the life, health, property or safety of the occupants or the general public are endangered, are deemed dangerous buildings:

(4) The building, structure or portion thereof has been damaged by fire, flood, earthquake, wind, or other cause to the extent that the structural integrity of the structure is less than it was prior to the damage and is less than the minimum requirement established by the provisions of the building code, standard fire prevention code or other laws and ordinances of the city and State of Florida.

(5) Any exterior appendage or portion of the structure is not securely fastened, attached, or anchored such that it is capable of resisting wind, seismic or similar loads as required by the provisions of the building code, standard fire prevention code or other laws and ordinances of the city.

(7) The building, structure, or portion thereof, because of decay, deterioration, or dilapidation, is likely to collapse fully or partially.

(9) The building, structure or portion thereof is in such a condition as to constitute a public nuisance.

(b) Dangerous buildings declared nuisance; abatement required; time limits.

(1) All dangerous buildings are declared to be public nuisances, and shall be repaired, vacated, or demolished as provided in this article. The owner of any structure which constitutes a nuisance shall cause the abatement of the nuisance within 30 days pursuant to this article or in the manner allowed by the building official.

Sec. 26-167. - Responsibility for removal and remedial action.

Any person responsible for the release of a hazardous material shall immediately institute and complete all action necessary to remove and remedy the effects of such release. The city is authorized to respond to the release of a hazardous material in accordance with applicable state and federal law and in the following circumstances:

(1) At the request of another governmental agency.

(2) When the person responsible for a release does not take immediate action to remove and remedy the effects of such release.

(3) When a release occurs on private property and the person responsible cannot be identified, located, or notified; and

(4) When the fire chief or his designee determines that such response is reasonably necessary under the circumstances to protect the public health, safety or welfare or the environment.

Sec. 70-1. - Removal of certain plants, weeds, trash, litter etc.; duty of owner; service of notice.

- (a) *It shall be the duty of every owner of land lying within the limits of the city to clear and destroy all weeds, palmetto, shrubbery, trash, and other litter, and to abate all nuisances that may be on such land. If any owner of land within the city shall fail to do so, the city shall give notice personally where possible, or by certified mail return receipt in accordance with F.S. Ch. 162 to such owner requiring him to comply with the requirements of this section, or such number of the requirements as may be necessary and appropriate in the particular case, within a reasonable time from the service of the notice, as specified in the notice. In the event the requirements of this section are not met within the period specified in the notice, the case will be referred to the code enforcement board for adjudication, or to the city manager or designee for abatement, or both, all in accordance with the provisions of this chapter.*
- (b) *Declaration of a nuisance. It is hereby declared and determined that the following shall each or in any combination be considered a nuisance when they exist upon any property within the city:*
- (1) *Nuisance weeds, including shrubs and saw palmettos in excess of 18 inches in height which impair the economic welfare of a property, contribute to a fire hazard, or create a health hazard.*
 - (2) *Accumulations of recyclables, waste, yard trash, rubble or debris which impair the economic welfare of a property, contribute to a fire hazard, or create a health hazard.*
 - (3) *Accumulations of weeds, waste, yard trash, rubble or debris that may harbor rats or snakes or that may create pools of standing water which may serve as breeding grounds for insects and other disease carrying vectors.*

Recommended corrective action:

- Within 30 days of this notice, have a state certified and City registered contractor pull a demolition permit for the structure OR have a state certified, and City registered contractor submit a building permit application and complete plans to restore the entire building to a safe and structurally sound building.
- Within 2 weeks of the issuance of the demolition permit, begin the demolition of the structure.
- Any contractor working on this property must make arrangements for the removal of all construction or demolition debris from the property. If using a trucking company to haul the debris, that trucking company must have a City of Bunnell business tax receipt (BTR) to do business within the city limits.
- The fence needs to be repaired or replaced for safety reasons to keep anyone from going onto the property.
- Clean up all trash and debris then keep property mowed with all weeds removed.
- Building Official red tagged all four sides of fence so no one will enter or trespass.

THE VIOLATION IS BASED ON INVESTIGATION BY THE UNDERSIGNED CITY OF BUNNELL CODE ENFORCEMENT OFFICER, WHO IS AVAILABLE TO RESPOND TO ANY QUESTIONS YOU MAY HAVE. IT IS NOT POSSIBLE FOR THE PROPERTY TO FIND COMPLIANCE WITH CASE 23-013, BECAUSE THIS VIOLATION FOR DANGEROUS BUILDING HAS ALREADY OCCURRED.

YOU ARE HEREBY NOTIFIED THE VIOLATION SHALL BE REVIEWED BY THE CITY OF BUNNELL CODE ENFORCEMENT BOARD ON **OCTOBER 11, 2023, AT 6 PM OR SOON THEREAFTER AT THE BUNNELL CITY HALL, AT WHICH TIME CODE ENFORCEMENT MAY 1) DISMISS THE VIOLATION IF COMPLAINT HAS OCCURRED; 2) REQUEST CONTINUANCE OF THE CASE; OR 3) PRESENT TESTIMONY AND EVIDENCE OF THE VIOLATION TO THE CODE ENFORCEMENT BOARD.**

AT THE HEARING, THE CITY OF BUNNELL CODE ENFORCEMENT BOARD MAY FIND VIOLATION OCCURRED AS NOTICED AND IMPOSE A FINE UP TO \$250 FOR THE FIRST VIOLATION OF THE CODE SECTION AND UP TO \$500 FOR A REPEAT VIOLATION WITHIN 5 YEARS. IF THE CODE ENFORCEMENT BOARD DETERMINES THE VIOLATION PRESENTED A SERIOUS THREAT TO THE PUBLIC HEALTH, SAFETY AND WELFARE OR IF THE VIOLATION IS IRREPARABLE OR IRREVERSIBLE IN NATURE, IT MAY NOTIFY THE CITY OF BUNNELL FOR ABATEMENT OF THE VIOLATION OR IT MAY IMPOSE A FINE NOT TO EXCEED \$5,000 PER VIOLATION. IF A FINE IS NOT PAID, THE CITY MAY RECORD A COPY OF THE CODE ENFORCEMENT BOARD ORDER. THE UNPAID FINE SHALL CONSTITUTE A LIEN AGAINST THE LAND ON WHICH THE VIOLATION OCCURRED AND UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY THE VIOLATOR(S). IF THE LIEN IS NOT SATISFIED, THE CODE ENFORCEMENT BOARD MAY AUTHORIZE THE FORECLOSURE OF THE LIEN OR THE CITY MAY SEEK PAYMENT BY OTHER LAWFUL MEANS.

YOU ARE ADVISED TO CHECK THE CITY WEBSITE FOR UP-TO-DATE INFORMATION ON ANY CHANGES IN THE MANNER IN WHICH THE HEARING WILL BE HELD AND ITS LOCATION.

AS REQUIRED BY SECTION 286.0105 FLORIDA STATUTES, IF YOU DECIDES TO APPEAL ANY DECISION MADE BY THE BUNNELL CODE ENFORCEMENT BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, YOU WILL NEED A RECORD OF THE PROCEEDINGS, AND YOU NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH AN APPEAL IS TO BE BASED. IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THE PUBLIC HEARING, PLEASE CONTACT THE BUNNELL CITY CLERK AT 386-263-8808 PRIOR TO THE HEARING.

**Gary Harris
Code Enforcement Officer
City of Bunnell
PO Box 756
Bunnell, FL 32110
386-263-8807**



9.15.2023 08:33