

WEDNESDAY
MARCH 2, 2016
8:00 A.M.



COOPER CITY HALL
9090 SOUTHWEST 50 PLACE
COOPER CITY, FLORIDA

POST Hearing Minutes
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

1. EXPLANATION OF PROCEDURES BY SPECIAL MAGISTRATE BY BRADLEY S. HARTMAN, ESQ.
2. SWEARING IN
3. NOTICE OF VIOLATION HEARINGS
CASE #
5. REDUCTION OF FINE HEARINGS

04713 Marina Sweat., 10235 SW 49 Place., Cooper City, FL 33328

Notice of Violation: 8/13/2014 By: BSO Code Officer Mark Reale

Violation: Sec 8-38 Excessive undergrowth/dead trees-allowed grass to grow in excess of six inches in height allowed for the existence of excessive accumulation of untended weeds which is a prohibited public nuisance.
\$250.00 fine + \$45.50 recording/release fees= \$295.50

Disposition: **October 15, 2014 Hearing:** NOH/NOV was posted to the property & City Hall on 08/29/2014. Steve Feinman-Attorney was present. Code Officer Mark Reale was present. FOV- Must pay \$80 admin fee and \$250 fine on or before 11/14/2014. Must comply with the violation on or before October 29, 2014 if not then City will assume maintainance. **City assumed maintainance 12/04/2014.**

Disposition: **December 17, 2014 Hearing:** Certification of Fine

Disposition: **March 2, 2016 Hearing:** The reduction was denied. Fines to remain \$250.00 + \$45.50 recording/release of lien fees.

04714 Marina Sweat., 10235 SW 49 Place., Cooper City, FL 33328

Notice of Violation: 8/13/2014 By: BSO Code Officer Mark Reale

Violation: Sec 6-40(b) Maintenance Standards-Exterior Premises Condition- failed to keep exterior premises free from nuisances, unsafe or unsightly conditions by allowing green stagnant pool water to form.
\$250.00 per day (96 days) + \$45.50 recording/release fees= \$24,045.50

Disposition: **October 15, 2014 Hearing:** NOH/NOV was posted to the property & City Hall on 08/29/2014. Steve Feinman-Attorney was present. Code Officer Reale was present. FOV- Must pay \$80 admin fee on or before 11/14/2014. Must pay \$250/day fine from 08/27/2014 until compliance. Must comply with the violation on or before October 29, 2014 if not then the City will assume maintainance.
City assumed maintainance 12/01/2014.

Disposition: **December 17, 2014 Hearing:** Certification of Fine

Disposition: **March 2, 2016 Hearing:** Lori Tuxbury was present. Fine reduced from \$24,045.50 to \$500.00 to be paid on or before April 1, 2016.

Evidence

In general, evidence which is relevant will be admitted if, in the opinion of the Special Magistrate, it is the type of evidence upon which reasonable and responsible persons would normally rely in the conduct of everyday business and other affairs. Relevant evidence is evidence which tends to prove or disprove a matter in issue.

Respondents shall be strictly limited to presenting evidence and testimony to those matters specifically set forth within their written statement, as noticed in the Notice of Hearing Before Special Magistrate.

Any person requiring auxiliary aids and services to participate in this proceeding should contact the Office of the Clerk to the Special Magistrate at (954) 434-4300, ext. 250, at least forty-eight (48) hours prior to the hearing.

If you obtain an attorney, you or your attorney should notify the Special Magistrate Clerk in writing of the representation at least five (5) working days prior to your hearing.

One or more members of the City Commission and/or advisory boards of the City may be in attendance at the Special Magistrate proceedings.