

The City of Wauchula Code Enforcement met for its regularly scheduled hearing on Wednesday, June 6, 2018 at 3:30 p.m.

Special Magistrate Dawson called the hearing to order and administered the oath to those testifying at 3:30.

Also present at the hearing were Code Enforcement Officer Raina Bergens, and City Clerk Holly Smith.

APPROVAL OF PREVIOUS HEARING MINUTES

Special Magistrate Dawson approved and signed the minutes from the May 1, 2018 hearing.

NEW CASES:

18-054-L	405 Georgia Street	Inoter & Justillien Lienn Youte
18-055-L	614 N 8 th Avenue	Francisco & Maria C Cisneros-Romero
18-097-CV	348 MLK Jr/404 Wisconsin Ave	Jose & Elsa Gonzalez

NEW CASES:

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CE Officer Bergens testified for the record this case is compliant and closed; no discussion was held.

18-055-L	Francisco & Maria C Cisneros-Romero	614 N 8th Avenue
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The respondent was not present in this case. CE Officer Bergens explained the address to Special Magistrate Dawson. Bergens testified and presented photographic evidence which Dawson accepted. Bergens stated numerous complaints had been received on this residence for parking of a semi-truck. She continued by saying the respondent has been written up previously for the same violation and she has explained to the respondent why a commercial vehicle could not be parked there. Bergens stated the respondent continues to park the commercial vehicle at the residence. Bergens explained a Police Officer had also been watching the residence and has reports of the semi-truck being at the residence. She stated incidents usually occur in the evenings and during the weekends. Bergens stated the respondent gets hostile with anyone who complains on them. Bergens informed Dawson that she had spoken with City Attorney Thomas Cloud and his recommendation was in the file. Dawson replied this is a common issue he runs into. Bergens stated at one point she had even went to the property owner and suggested them to park the semi-truck across the street because it is County property. Dawson noted there were pictures from May 17th and 22nd, 2018. Bergens stated the semi was not there today. Bergens recommended the highest fine as possible to get the respondents attention. Dawson asked Bergens if she wanted the respondent found guilty. Bergens responded yes, she wanted them to be found guilty and start fining them every time the semi is found there. Dawson asked Bergens if she wanted the fine to be irreversible. Bergens replied yes. Special Magistrate Dawson found the violation did exist and gave respondent an irreversible fine of \$250 and said you can treat any future as repeat offenses and do not have to give them the opportunity to cure the violation. Dawson stated we will treat them as a repeat offender moving forward. Bergens asked Dawson for clarification on the findings. Dawson stated his finding is that a recurring violation existed and an irreversible fine of \$250 and going forward you can treat this as a repeat offense if it reoccurs. Dawson continued by saying if it is a repeat offense then you do not have to give them the opportunity to cure the violation and the repeat offense comes back in front of me when you notice the violation; you can notice them for hearing without having to give that prior notice of saying correct this by this date. Dawson stated you can just send them a notice saying we are having a hearing on this date. Bergens explained that Special Magistrate Heather Christman allowed her to fine a person after they were found guilty after each additional offense. Dawson replied he did not feel comfortable doing that and he felt due process would not take place. Dawson continued by saying if the problem continues give the individual notice and bring it back before me. He stated this protects the City and due process is done.

PUBLIC COMMENTS:

There was no one in the audience to speak.

No future hearing date were scheduled at that time.

With no further business to discuss, Special Magistrate Dawson adjourned the hearing at 3:42 p.m.

Special Master Jeffrey S. Dawson

City Clerk Holly Smith