



**THE CITY OF KEY WEST**

**Code Compliance Division**

P.O. Box 1409, Key West, FL 33041

TEL:(305) 809-3740, FAX (305) 809-3739

***NOTICE OF ADMINISTRATIVE HEARING***

Case No.: 11-554 Date: 6-3-2011

To: Karen L Boscamp  
1800 Rogers Avenue  
Glenview IL 60025 Subject Address: 2705 Flagler Avenue  
Key West, FL 33040

A business tax receipt is required to rent your property. Yard debris needs to be containerized and the container needs to be stored on your property after pick up.

Certified Mail Receipt #: POSTED

**TAKE NOTICE** that the City of Key West Code Compliance Division has requested the City of Key West Special Magistrate to conduct an administrative hearing regarding code violation(s) reported to you by **NOTICE OF CODE VIOLATION** concerning the above noted subject address. You were noticed that your property is in violation of the City of Key West Code of Ordinances for the following reason(s):

**Sec. 66-87. - Business tax receipt required for all holding themselves out to be engaged in business.**

No person shall engage in, manage, carry on or practice, wholly or in part, within the city limits, any business, profession or occupation without first procuring a city business tax receipt. For the purposes of this article, any person holding himself out to the public by sign, printed matter, telephone directory classified section, city directory or otherwise as being engaged in business or as offering services or property to the public for a consideration, regardless of whether such person actually transacts any business or practices a profession, shall be considered as engaging in business and shall be liable for a business tax receipt fee thereon.

**Sec. 62-2. - Obstructions.**

- (a) It shall be unlawful for any person willfully to obstruct the free, convenient and ordinary use of any public right-of-way, street, roadway, alley, sidewalk, swale or public square by impeding, hindering, stifling, retarding or restraining the passage of either pedestrian or vehicular traffic or by endangering the safe movement of pedestrians or vehicles travelling thereon.
- (b) This section shall not apply to the right of assembly or to any other purpose for which a government has issued a permit; provided, however, that a permit to use a public area for a commercial purpose does not authorize obstruction.
- (c) Violations shall be punishable as provided in section 1-15

**Sec. 58-34. - Unlawful disposal.**

- (a) No person shall dispose of any garbage, rubbish, offal or industrial waste, except through the franchise collector. City inhabitants may transport to the city dump tree limbs, cuttings, leaves, grass and weeds from their individual premises, provided that such persons using city facilities shall be required to pay the fee established by the city commission.
- (b) No person shall place, sweep, or deposit anywhere within the city any refuse in such a manner that the refuse may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway or other public place or into occupied premises or unoccupied property within the city, except this shall not prohibit the placement of clean fill upon any private land.
- (c) No person shall throw, place or deposit or cause to be thrown, placed or deposited any rubbish, refuse, solid waste, offal, trash, junk, vehicle, garbage or filth of any kind into or on any of the public streets, roads, highways, bridges, alleys, lanes, thoroughfares, waters, canals, or vacant lots or upon the premises of any other person within the city limits.
- (d) No person shall place, sweep or deposit any special waste anywhere within the city or into any receptacle being used for acceptable solid waste disposal. Special waste requires special handling and the disposal of such material must be arranged with a specialty contractor at the owner's expense. The city's franchise hauler is not required to handle special waste.
- (e) No person or business shall dispose of their commercially or residentially generated rubbish, refuse or any manner of waste, in city owned waste receptacles provided primarily for pedestrian use and litter control.
- (f) No person or business shall store or dispose of refuse, rubbish, recyclable materials, or any manner of waste within a vehicle parked on the public right-of-way or in a public place, unless such person or business is permitted under subsection (a) in this section to dispose of or haul such waste and unless such vehicle is being actively loaded for immediate hauling.



**THE CITY OF KEY WEST**

**Code Compliance Division**

P.O. Box 1409, Key West, FL 33041

TEL:(305) 809-3740, FAX (305) 809-3739

***NOTICE OF ADMINISTRATIVE HEARING***

In accordance with Florida Statutes § 162 and Code of Ordinances, City of Key West, § 2-631 through § 2-647, The City of Key West has scheduled a hearing to be held at **Old City Hall, 510 Greene Street, Key West, Florida at 1:30 P.M. on:**

**June 29, 2011**

The Chambers will be open at 1:00 PM. These proceedings may be televised.

The purpose of this hearing is to determine if a violation(s) exists, the appropriate action to be taken, if any is required, and if any fines or penalties are to be imposed. **YOU ARE REQUESTED TO APPEAR AT THIS HEARING** to present evidence and/or testimony to show cause, if any, why you should not comply with City Ordinances. **YOUR FAILURE TO APPEAR MAY RESULT IN A FINE OR PENALTY BEING IMPOSED AGAINST YOU AND A LIEN BEING IMPOSED UPON YOUR PROPERTY.**

You have a right to have an attorney present at the hearing. If an attorney represents you, your attorney must file written notice with this office prior to the hearing date.

If you intend to request a continuance from the Hearing Date set out above you must submit a written request for a continuance addressed to the Special Magistrate and mailed or delivered to the Special Magistrate's Legal Analyst at 3139 Riviera Drive, Key West, FL 33040. All requests must be received at least five (5) working days prior to the Hearing Date set out above. If the request is not received five (5) working days prior to the Hearing Date you or your attorney must appear on the Hearing Date to petition the Special Magistrate for a continuance. If any continuance is granted this will not stay discovery and all records previously requested must be supplied to the City or formally objected to.

**Be advised that, if you decide to appeal any decision of the Special Magistrate in this code enforcement hearing, you shall be responsible to ensure that a verbatim record of the proceedings of this code enforcement hearing is made, such that any evidence and testimony upon which an appeal may be based can be submitted to the appellate court.**

If you are found to be in violation of City of Key West Ordinances, administrative costs in the amount of **\$250.00** may be levied for administrative recovery for prosecution and investigation in addition to levied fines associated with the violation(s). **Failure to pay these costs will result in a lien against the property in violation.**

**PER FLORIDA STATUTES SECTION 162.09, YOUR FAILURE TO CORRECT THE VIOLATION (S) MAY RESULT IN THE IMPOSITION OF A FINE OF UP TO \$250.00/DAY, AND \$500.00/DAY FOR A REPEAT VIOLATION. IF THE VIOLATION (S) IS IRREPARABLE OR IRREVERSIBLE, A FINE OF UP TO \$5000.00 MAY BE IMPOSED BY THE SPECIAL MASTER. FINES MAY BE IMPOSED ON A PER DAY/ PER VIOLATION BASIS.**

Bonnita Myers  
Code Compliance Officer  
City of Key West

Hand Served this \_\_\_\_\_ day of \_\_\_\_\_, 2010 @ \_\_\_\_\_ am/pm.

Received by: \_\_\_\_\_ Served By: \_\_\_\_\_



**THE CITY OF KEY WEST**  
**Code Compliance Division**

P.O. BOX 1409  
KEY WEST, FL 33041  
(305) 809-3740

**NOTICE OF ADMINISTRATIVE HEARING**

DATE: June 3, 2011  
RE: CASE NUMBER 11-00000554

CERTIFIED MAIL RECEIPT#: POSTED PROPERTY & REGULAR MAIL

To:  
Karen L. Boscamp  
1800 Rogers Ave  
Glenview Il 60025

Subject Address:  
2705 Flagler Ave  
Key West, Fl 33040

**TAKE NOTICE** that the City of Key West Code Compliance Division has requested the City of Key West Special Magistrate to conduct an administrative hearing regarding code violation(s) reported to you by **NOTICE OF CODE VIOLATION** concerning the above noted subject address. You were noticed that your property is in violation of the City of Key West Code of Ordinances for the following reason(s):

Violation Detail

00010 BUSINESS TAX RECEIPT REQU Sec. 66-87

Date Est: April 20, 2011 Location: Qty: 001

A business tax receipt is required to rent property.

Violation Detail

00020 OBSTRUCTION OF STREETS Sec. 62-2

Date Est: June 03, 2011 Location: ROW Qty: 001

Yard debris needs containerized and also garbage container needs to stored on your property after pick up.

Violation Detail

00030 UNLAWFUL DISPOSAL Sec. 58-34

Date Est: June 03, 2011 Location: ROW Qty: 001

Garbage containers need to be removed from the city right-of-way after pick up.

In accordance with Florida Statutes § 162 and Code of Ordinances, City of Key West, § 2-631 through § 2-647, The City of Key West has scheduled a hearing to be held at **Old City Hall, 510 Greene Street, Key West, Florida at 1:30 P.M. on:**

**June 29, 2011**

The Chambers will be open at 1:00 PM. These proceedings may be televised.

The purpose of this hearing is to determine if a violation(s) exists, the appropriate action to be taken, if any is required, and if any fines or penalties are to be imposed. **YOU ARE REQUESTED TO APPEAR AT THIS HEARING** to present evidence and/or testimony to show cause, if any, why you should not comply with City Ordinances. **YOUR FAILURE TO APPEAR MAY RESULT IN A FINE OR PENALTY BEING IMPOSED AGAINST YOU AND A LIEN BEING IMPOSED UPON YOUR PROPERTY.**

You have a right to have an attorney present at the hearing. If an attorney represents you, your attorney must file written notice with this office prior to the hearing date.

If you intend to request a continuance from the Hearing Date set out above you must submit a written request for a continuance addressed to the Special Magistrate and mailed to PO Box 1409, Key West, FL 33041 or delivered to the Special Magistrate's Legal Analyst at 3139 Riviera Drive, Key West, FL 33040. All requests must be received at least five (5) working days prior to the Hearing Date set out above. If the request is not received five (5) working days prior to the Hearing Date you or your attorney must appear on the Hearing Date to petition the Special Magistrate for a continuance. If any continuance is granted this will not stay discovery and all records previously requested must be supplied to the City or formally objected to.

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If you are found to be in violation of City of Key West Ordinances, administrative costs in the amount of **\$250.00** may be levied for administrative recovery for prosecution and investigation in addition to levied fines associated with the violation(s). **Failure to pay these costs will result in a lien against the property in violation.**

**PER FLORIDA STATUTES SECTION 162.09, YOUR FAILURE TO CORRECT THE VIOLATION (S) MAY RESULT IN THE IMPOSITION OF A FINE OF UP TO \$250.00/DAY, AND \$500.00/DAY FOR A REPEAT VIOLATION. IF THE VIOLATION (S) IS IRREPARABLE OR IRREVERSIBLE, A FINE OF UP TO \$5000.00 MAY BE IMPOSED BY THE SPECIAL MAGISTRATE. FINES MAY BE IMPOSED ON A PER DAY/ PER VIOLATION BASIS.**



Bonnita Myers  
Code Compliance Officer  
City of Key West



**THE CITY OF KEY WEST**  
**Code Compliance Division**

P.O. BOX 1409  
KEY WEST, FL 33041  
**(305) 809-3740**

**NOTICE OF CODE VIOLATION**

DATE: April 20, 2011  
RE: CASE NUMBER 11-00000554

CERTIFIED MAIL RECEIPT#: 7007 3020 0000 5346 6034

To:  
Karen L. Boscamp  
1800 Rogers Ave  
Glenview Il 60025

Subject Address:  
2705 Flagler Ave  
Key West, Florida 33040

According to the records of The City of Key West, you are the current property owner/ representative or the business owner at the above-referenced property. You are hereby noticed that your property is in violation of the City of Key West Code of Ordinances for the following reason(s):

**Violation Detail**

00010 BUSINESS TAX RECEIPT REQU Sec. 66-87

Date Est: April 20, 2011 Location: Qty: 001

A business tax receipt is required to rent property.

Florida Statutes Chapter 162 and Key West Code of Ordinances Article VI authorize code enforcement proceedings. You have ten **(10) days** after receipt of this notice to take corrective action on the above-described violation(s). **PLEASE CONTACT THE UNDERSIGNED CODE COMPLIANCE OFFICER** so that we can assist you in achieving compliance and scheduling a re-inspection. **If corrective action is not taken within the specified 10 days, this matter will be referred to The Special Master for an administrative non-criminal hearing concerning the alleged violation(s).**

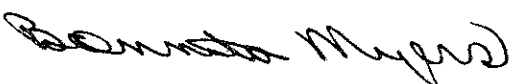
The violation listed herein does not necessarily constitute all the violations that may exist with regard to this matter/property. Lack of enforcement proceedings at this time does not constitute a waiver of the right to any future notices of violations.

**IF THE VIOLATION IS CORRECTED AND THEN RECURS OR IF THE VIOLATION IS NOT CORRECTED BY THE TIME SPECIFIED BY THE CODE OFFICER, THE CASE MIGHT BE PRESENTED TO THE SPECIAL MASTER EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE HEARING DATE.**

**PER FLORIDA STATUTES SECTION 162.09, YOUR FAILURE TO CORRECT THE VIOLATION (S) MAY RESULT IN THE IMPOSITION OF A FINE OF UP TO \$250.00/DAY,**

AND \$500.00/DAY FOR A REPEAT VIOLATION. IF THE VIOLATION (S) IS IRREPARABLE OR IRREVERSIBLE, A FINE OF UP TO \$5000.00 MAY BE IMPOSED BY THE SPECIAL MASTER. FINES MAY BE IMPOSED ON A PER DAY/ PER VIOLATION BASIS.

FINES THAT ARE NOT PAID MAY BECOME LIENS UPON YOUR PROPERTY AND BE RECORDED IN THE PUBLIC RECORDS OF MONROE COUNTY.



Bonnita Myers  
Code Compliance Officer  
City of Key West  
(305) 809-3740

Hand Served this    day of    \_\_\_\_\_, 2010

RECEIVED BY: \_\_\_\_\_

SERVED BY: \_\_\_\_\_