



THE CITY OF KEY WEST
Code Compliance Division

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

**NOTICE OF CODE VIOLATION AND
ADMINISTRATIVE HEARING**

DATE: January 3, 2011
RE: CASE NUMBER 10-00001420

CERTIFIED MAIL RECEIPT#: 7010 1870 0002 7728 0901

To:
Edwin O Swift III R/A For
Historic Tours Of America, INC
201 Front St Ste 224
Key West FL 33040

Subject Address:
Clinton Square
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 RESTRICTIONS IN HISTORIC Sec. 18-415
Date Est: November 16, 2010 Location: CLINTON SQUARE Qty: 001
Stop all further OPCing in Unauthorized areas

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:**

January 26, 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.**

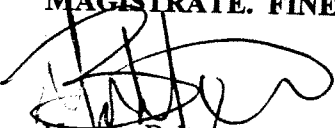
You have a right to have an attorney present at the hearing. If an attorney represents you, your attorney must file written notice with this office prior to the hearing date.

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.

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 MAGISTRATE. FINES MAY BE IMPOSED ON A PER DAY/ PER VIOLATION BASIS.


Yesenia Beltranena
Code Compliance Officer
City of Key West
(305) 809-3740

Hand Served this _____ *day of* _____, 2010

Received by: _____

Served By: _____

VIOLATION DETAIL

PAGE 1

CASE NUMBER 10-00001420
PROPERTY ADDRESS VARIOUS LOCATIONS

VIOLATION: RESTRICTIONS IN HISTORIC QUANTITY: 1
DESCRIPTION: Sec. 18-415 DATE: 11/16/10
LOCATION: CLINTON SQUARE

NARRATIVE :

Stop all further OPCing in Unauthorized areas

ORDINANCE DESCRIPTION :

- (1) No off-premises canvasser may operate on the public right-of-way at the following prohibited streets or areas:
- a. Duval Street.
 - b. Front Street.
 - c. Wall Street.
 - d. Exchange Street.
 - e. Fitzpatrick Street.
 - f. Tift Alley.
 - g. The area known as Clinton Square, including that portion of Whitehead Street between Front Street and a point one hundred feet south of Greene Street, and including the portion of Greene Street from Whitehead Street to Front Street.
 - h. The area known as the Key West Bight, including all city-owned leasehold properties, parking lots, streets, the Harbor Walk and docks.

CORRECTIVE ACTION REQUIRED :

Cease activity



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Code Compliance Division

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**NOTICE OF CODE VIOLATION AND
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DATE: January 3, 2011
RE: CASE NUMBER 10-00001420

CERTIFIED MAIL RECEIPT#: 7010 1870 0002 7728 0918

To:	Subject Address:
John Wilson Yarborough EE For	Clinton Square
Historic Tours Of America, INC	Key West, FL 33040
3001 Arthur Sawyer Rd	
Key West FL 33040	

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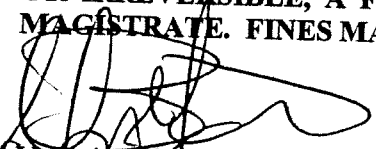
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Yesenia Beltranena
Code Compliance Officer
City of Key West
(305) 809-3740

Hand Served this 11th day of January, 2010

Received by: John Yarborough

Served By: Yesenia Beltranena

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