



THE CITY OF KEY WEST
Code Compliance Division
P.O. BOX 1409
KEY WEST, FL 33041
(305) 809-3740

**NOTICE OF AMENDED CODE VIOLATION
ADMINISTRATIVE HEARING**

DATE: February 11, 2013
RE: CASE NUMBER 13-7

CERTIFIED MAIL RECEIPT#: 7012 2210 0000 6252 6121

To:
Mary Ann Matter
1221 North Olsen Avenue
Tucson, AZ 85719

Subject Address:
840 Olivia Street
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):

Count 1: Sec. 26-126 Clearing of property of debris and noxious material required

For the purposes of promoting the health, safety, and general welfare of the city residents, the city manager is authorized and empowered to require that vacant lands and/or improved property within the city be cleared of debris and any noxious material, including garbage, litter, rubbish, refuse, solid waste, trash or industrial waste or high grass or weeds which tend to:

- (1) Be a breeding place or haven for snakes, rodents, insects, and vermin;
- (2) Create a fire hazard or endanger the lives and property of the city residents;
- (3) Create a traffic hazard; or
- (4) Create a nuisance or other unsightly or unsanitary condition.

To wit: This property was issued a good neighbor courtesy notice on January 2, 2013 for Sec. 26-126 - "your property must be cleared of debris immediately...Sec. 108-677 autos without current license plates must not be parked on property or place auto in a completely enclosed building." There was a Notice of Code Violation which was received by you on January 23, 2013. The auto was removed on February 6, 2013 and in its place was a new debris pile. The debris pile consists of palm fronds; wood; various household items including a rug, a dresser and laundry baskets; and metal items. Waste Management can pick up these items for a fee however, they will need to be placed on the city right of way on the day of pick up due to the claw truck not being able to reach because of the overhead power lines. The metal will need to be separated from the "burnable items".

Corrective action: The debris pile must be removed from the property. You may call Waste management at (305) 296-8297 to make arrangements for this pick up or you can use any other service to remove these items from the side yard. I have enclosed our Code Compliance Flyer and a photo of the debris pile.

gfg

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:**

February 27, 2013

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.**

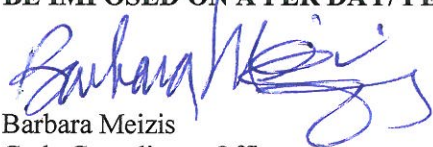
You have a right to have an attorney present at the hearing. If an attorney represents you, your attorney must file written notice with this office prior to the hearing date.

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.



Barbara Meizis
Code Compliance Officer
City of Key West

Hand served this _____ *day of* _____, 2013 @ _____ *am/pm.*

Received by: _____ *Served By:* _____



02/10/2013

*Vire página para español.

A Helpful Clean-Up Tip From the City of Key West Code Compliance



**Please tidy up your property and/or the area
between your property and the roadway.**



**Keep your lawn trimmed and discard all
unwanted items by calling Waste Management
at (305)296-8297.**

**Also, all vehicles, including boat trailers, should
have current tags; all watercraft should also be
currently registered and seaworthy. It's the law!**

**PLEASE CONTACT WASTE MANAGEMENT TO
ARRANGE A PICK UP. THANK YOU.
KEY WEST CODE COMPLIANCE**

**All your neighbors will thank you!
Comments? Call (305)809-3740.**