



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 CODE VIOLATION AND ADMINISTRATIVE HEARING

Case No.: Date:

To: Subject Address:

For working as a contractor without a license. For failure to have a certificate of competency to work as a contractor.

Certified Mail Receipt #:

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. 18-157. - Employment of unlicensed persons prohibited.

- (a) No licensed person shall employ any person required to be certified pursuant to this article to work unless the person has in his possession a certificate of competency as provided for in section 18-150
- (b) No person shall do work of any character which requires a license outside, inside or attached to buildings or premises, whether for permanent or temporary work, in the city unless he is employed by and works under the direct supervision of a licensed person who is duly certified as provided for in this Code.

Sec. 18-150. - Certificate of competency required.

- (a) It shall be unlawful for any person to engage in the business or act in the capacity of a contractor, subcontractor, specialty contractor, electrician or maintenance personnel or perform any trade, as defined in section 18-116, anywhere within the city limits without a current valid certificate of competency issued by the building official having jurisdiction over the several trades concerned. Specialty contractors shall be subject to the requirements of sections 18-152 and 18-154 regarding applications and examinations.
- (b) Any person not possessing a current certificate of competency and holding himself out as plaintiff or defendant in any court of this state or advertising in a newspaper or otherwise to be a contractor shall be subject to the provisions and penalties of this article, and a certified copy of such court records or a copy of the newspaper or other advertising making such an assertion shall be prima facie evidence in court or in any other proceeding authorized by this article that the person purported to have the capacity to act as a contractor.



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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:**

August 3, 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.

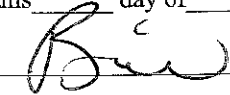
Be advised that, if you decide to appeal any decision of the Special Magistrate in this code enforcement hearing, you shall be responsible to ensure that a verbatim record of the proceedings of this code enforcement hearing is made, such that any evidence and testimony upon which an appeal may be based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


Gary Addleman
Code Compliance Officer
City of Key West

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

Received by:  Served By: _____