



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

**AMENDED NOTICE OF CODE VIOLATION
AND ADMINISTRATIVE HEARING**

DATE: August 2, 2012
RE: CASE NUMBER 12-857

CERTIFIED MAIL RECEIPT#: 7003 3110 0003 4757 9873

To:
David Bradford
2756 N Roosevelt Blvd
Key West FL 33040

Subject Address:
Big Dave's Pets
2756 N Roosevelt Blvd
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: All commercial businesses must have a commercial solid waste account.

Sec. 58.68 Commercial waste account

All persons involved in a commercial use of property must register for and hold a commercial solid waste account with the city or its franchisee. All commercial units regardless of size or type must subscribe to at least minimum service. A city-issued business tax receipt shall constitute a prima facie indication of commercial use, notwithstanding any other use of the property where the commercial use is located.

To wit: Your commercial account is delinquent and pick-up has been suspended.

Count 2: A business tax receipt is required for the new location of Big Dave's Pets.

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.

To wit: Your business tax receipt needs to be transferred to the new location.

For your info: Sec. 66-103 Transfer of business license

(b) Upon written request and presentation of the original license, any license may be transferred from one location to another location in the city upon payment of a transfer fee of ten percent of the annual license tax, but not less than \$3.00 nor more than \$25.00.

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:**

September 26, 2012

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.**


Leonardo Hernandez
Code Compliance Officer
City of Key West
(305) 809-3740

Served By: _____