



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 REPEAT CODE VIOLATION AND ADMINISTRATIVE HEARING

Case No.:	11-127	Date:	2-28-2011
To:	Clifford Cutler 827 Fleming Street Key West, FL 33040	Subject Address:	2907 Seidenberg Avenue Key West, FL 33040
	For working as a contractor without the proper license. For failure to have a Certificate of Competency for working as a contractor.	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. 18-146. - License required

Every person engaged in or who shall engage in the business or capacity of a contractor as defined in section 18-116 shall procure and maintain at all times while so engaged a city license.

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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NOTICE OF REPEAT CODE VIOLATION AND 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:

March 30, 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 _____, 2011 @ _____ am/pm.

Received by: _____ Served By: _____



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Bonnita Myers

Bonnita Myers
Code Compliance Officer
City of Key West

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