



THE CITY OF KEY WEST
Code Compliance Division

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

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

DATE: March 7, 2012
RE: CASE NUMBER 12-291

CERTIFIED MAIL RECEIPT#: 7007 3020 0000 5346 2104

To:
1018 Truman LLC
Edward G Clark R/A
521 Simonton Street
Key West, FL 33040

Subject Address:
Key West Liquid 8 Pawn LLC
1018 Truman Avenue
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: Repeat violation of outdoor display of merchandise. On February 17, 2012 a complaint was received that Liquid 8 Pawn had bicycles on the sidewalk for sale. Photos were taken. On February 28, 2012, photos were taken of the bicycles inside the shop showing one of the same bicycles that was locked to a post on February 17, 2012.

Count 2: Repeat violation of outdoor display of merchandise. On March 5, 2012 a photo was taken at ~ 9:59 am showing no bicycles attached to the poles. At ~ 10:09 a photo and video was taken showing the employee taking the bicycles outside and attaching them to the posts.

Count 3: Repeat violation of outdoor display of merchandise. On March 7, 2012 a photo was taken at ~ 8:00 am showing the bicycles inside the shop. Another photo was taken ~ 9:50 am showing the bicycles attached to the poles outside.



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NOTICE OF REPEAT CODE VIOLATION AND ADMINISTRATIVE HEARING

DATE: March 7, 2012

RE: CASE NUMBER 12-291

CERTIFIED MAIL RECEIPT#: 7007 3020 0000 5346 2111

To:
Key West Liquid 8 Pawn LLC
Jan G Robbins R/A
1018 Truman Avenue
Key West, FL 33040

Subject Address:
Key West Liquid 8 Pawn LLC
1018 Truman Avenue
Key West, FL 33040

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

DATE: March 7, 2012
RE: CASE NUMBER 12-291

CERTIFIED MAIL RECEIPT#: 7007 3020 0000 5346 2128

To:
Key West Liquid 8 Pawn LLC
Richard Igo, Applicant
1018 Truman Avenue
Key West, FL 33040

Subject Address:
Key West Liquid 8 Pawn LLC
1018 Truman Avenue
Key West, FL 33040

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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):

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Count 3: Repeat violation of outdoor display of merchandise. On March 7, 2012 a photo was taken at ~ 8:00 am showing the bicycles inside the shop. Another photo was taken ~ 9:50 am showing the bicycles attached to the poles outside.

Sec. 106-51. - Prohibited.

The outdoor display of merchandise in the historic zoning districts of the city is prohibited unless an exception is granted by the planning board, as provided in section 106-52. Merchandise shall mean any good or product or sample or likeness of any good or product offered for sale by a business. Outdoor display shall mean the placement of merchandise on the exterior of a business structure, including a wall, roof, overhang, entranceway or window, or within a required setback area. For a cart, booth or arcade, outdoor display shall mean the placement of merchandise, either freestanding or by draping it, on the exterior or beyond the vertical plane of the cart, booth or arcade. In no event shall outdoor display be permitted in the public right-of-way. The prohibitions of this section shall not apply to automotive, bicycle and moped rentals and sales and to plant sales and shall not apply to art festivals or other special events duly permitted by the city commission.

To wit: Exterior displays are prohibited in the Historic District

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 28, 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

finances 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.



Bonnita Myers
Code Compliance Officer
City of Key West
(305) 809-3740

Hand Served this _____ *day of* _____, 2012

Received by: _____

Served By: _____