



THE CITY OF KEY WEST

Code Compliance Division

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

NOTICE OF CODE VIOLATION

DATE: September 11, 2013
RE: CASE NUMBER 13-00001091

CERTIFIED MAIL RECEIPT#: 7012 2210 0000 6244 8041

To:
Kevin Chaney & Grace L
1107 Key Plaza PMB 152
Key West, Florida 33040

Subject Address:
1203 17th Terrace
Key West, Florida 33040

According to the records of The City of Key West, you are the current property owner/ representative or the business owner at the above-referenced property. You are hereby noticed that your property is in violation of the City of Key West Code of Ordinances for the following reason(s):

Count 1-2

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: Responding to this anonymous complaint I conducted a site visit. A pile of dried out yard debris was found placed on city's right of way. When I approached the home I met with Denny, who said he is renting from Erickson Holt, the lease holder. I gave Denny a courtesy notice requesting clearance of debris within 3 days. I proceeded to request Keys Energy Services information and received on 9.10.2013. Mr. Eric Haw Holt is listed as the account holder and there is also a lease that commenced on 7.01.2013 and continued month to month after 8.1.2013 as stated. Rental lease is signed by property owner Mr. Kevin Chaney and Mr. Eric Holt on 6.26.2013.

A handwritten signature in blue ink, located in the bottom right corner of the page.

No property owner should rent / lease his/her property without first obtaining a business tax receipt from the City of Key West. The transient rental of this property located in SF zoning district is prohibited.

Corrective Action: Please visit our Licensing Department at 3140 Flagler Street and submit enclosed application for non-transient rental.

Count 2-2

Sec. 62-2. Obstructions

(a)

It shall be unlawful for any person willfully to obstruct the free, convenient and ordinary use of any public right-of-way, street, roadway, alley, sidewalk, swale or public square by impeding, hindering, stifling, retarding or restraining the passage of either pedestrian or vehicular traffic or by endangering the safe movement of pedestrians or vehicles travelling thereon.

(b)

This section shall not apply to the right of assembly or to any other purpose for which a government has issued a permit; provided, however, that a permit to use a public area for a commercial purpose does not authorize obstruction.

(c)

Violations shall be punishable as provided in [section 1-15](#)

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Corrective Action: Please remove yard waste from city's right of way.

Florida Statutes Chapter 162 and Key West Code of Ordinances Article VI authorize code enforcement proceedings. You have ten (10) days after receipt of this notice to take corrective action on the above-described violation(s). **PLEASE CONTACT THE UNDERSIGNED CODE COMPLIANCE OFFICER** so that we can assist you in achieving compliance and scheduling a re-inspection. **If corrective action is not taken within the specified 10 days, this matter will be referred to The Special Magistrate for an administrative non-criminal hearing concerning the alleged violation(s).**

The violation listed herein does not necessarily constitute all the violations that may exist with regard to this matter/property. Lack of enforcement proceedings at this time does not constitute a waiver of the right to any future notices of violations.

IF THE VIOLATION IS CORRECTED AND THEN RECURS OR IF THE VIOLATION IS NOT CORRECTED BY THE TIME SPECIFIED BY THE CODE OFFICER, THE CASE MIGHT BE PRESENTED TO THE SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE HEARING DATE.

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. FINES THAT ARE NOT PAID MAY BECOME LIENS UPON YOUR PROPERTY AND BE RECORDED IN THE PUBLIC RECORDS OF MONROE COUNTY.

A handwritten signature in black ink, appearing to read 'Leonardo Hernandez', with a stylized flourish at the end.

Leonardo Hernandez
Code Compliance Officer
City of Key West
(305) 809-3730 Desk
(305)797-8701 Cell