



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

NOTICE OF ADMINISTRATIVE HEARING

DATE: March 13, 2012
RE: CASE NUMBER 12-416

CERTIFIED MAIL RECEIPT#: 7007 3020 0000 5345 5076

To:
Raul Cisneros
PO Box 501439
Marathon, FL 33050

Subject Address:
Angelina Guesthouse
701 Thomas Street B
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: On 7 Mar 12 at approximately 9:15 a.m. I observed a Keys Shuttle van bearing State of Florida tag # 564KHR, picking up passengers at the Angelina Guesthouse located at 701 Thomas Street B. Keys Shuttle does not have the required City license(s) to conduct this activity.

Sec. 78-5. - Business license or franchise required for all vehicles for hire.

(a) Before any person shall conduct or maintain a business of renting, leasing or providing any vehicle for hire within the territorial boundaries of the city as set forth in section 2.01 of the Charter, entitled "Boundaries," such person shall, as applicable make application with, and receive from, (i) the city manager for a license, or, (ii) the city commission for a franchise, to operate such business. The pickup of a passenger for compensation within the territorial boundaries of the city shall constitute conducting or maintaining such a business. The application shall conform to all applicable requirements of this chapter and shall state the exact location of the intended place of business and any intermediate or way stations. No such business shall be conducted or maintained unless such license or franchise is duly issued, upon fees paid, in conformance with this chapter, as applicable, and unless the applicant has caused to be executed and shall maintain in full force and effect a liability insurance policy for each vehicle in amounts as prescribed in this chapter, the terms of which shall provide protection for all persons or property suffering injury, damage or loss because of the negligent operation of such vehicle by any person.

To wit: Cease and desist the picking up of passengers within the territorial boundaries of the City of Key West.

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:**

April 25, 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.**

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.



Jim Young
Code Compliance Officer
City of Key West