

**BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
OCALA, MARION COUNTY, FLORIDA**

THE CITY OF OCALA

CASE NO: 2020_5119

Petitioner,

VS.

**LAU CAROL
2511 NE 20TH AVE
OCALA FL 34470-3853**

Respondents _____ /

FINAL ADMINISTRATIVE ORDER

THIS CAUSE, came for public hearing before the Code Enforcement Special Magistrate on September 30, 2020, after due notice to the Respondent(s), and the Code Enforcement Special Magistrate having heard testimony under oath, received evidence, considered stipulations, and heard argument, thereupon issues its Final Administrative Order, Findings of Fact, Conclusion of Law, and Notice of Hearing on Compliance, and Imposition of Fines as follows:

I. FINDINGS OF FACT:

A. The Respondent(s), **LAU CAROL**, owner(s) in charge of the property described as: **24547-000-00 | 2511 NE 20TH AVE, OCALA FL 34470-3853, OCALA, FLORIDA** recorded in the Public Records of Marion County, Florida.

B. That on and between July 16, 2020 and September 30, 2020 the property, as described above, was in violation of the City of Ocala Code of Ordinances, Section 34-91. - Definitions, Section 34-95. - Weeds; accumulations of trash or other unsightly or unsanitary matter, Section 34-121. - Definitions, Section 34-122. - Abandoned or derelict vehicles, Section 82-151. - Standard Housing Code adopted.

II. CONCLUSION OF LAW:

A. The Respondent(s), **LAU CAROL**, by reason of the foregoing is in violation of the Code of Ordinances of the City of Ocala, Section 34-91. - Definitions, Section 34-95. - Weeds; accumulations of trash or other unsightly or unsanitary matter, Section 34-121. - Definitions, Section 34-122. - Abandoned or derelict vehicles, Section 82-151. - Standard Housing Code adopted, in that the Respondent(s) has failed to remedy the violation(s) and is subject to the provisions of the Code of Ordinances of the City of Ocala, Florida, Sections 2-426 and 2-443.

III. ORDER:

A. Find the Respondent(s) guilty of violating city code section(s): 34-91, 34-95, 34-121, 34-122, 82-151 and Order to;

1.) (a) Cut and clean the property grounds fully and properly removing any weeds, undergrowth, junk, and debris by 4:00pm on Thursday, October 22nd, 2020. If the Respondent(s) fail to comply by 7:00am on Friday, October 23rd, 2020, the City shall enter upon the property and take whatever steps are necessary to bring the violation(s) into compliance to include: cutting and cleaning the property grounds, fully and properly removing any weeds, undergrowth, junk and debris. Additionally, there shall be a fine of \$50.00 per day thereafter that shall run addition to any other fines until this violation has been abated.

(b) Upon abatement of any violations of section 34-95 by the City, a \$100.00 service fee shall be applied pursuant to section 34-92(c)(2) of the City of Ocala Code of Ordinances.

2.) (a) Remove all abandoned, untagged, or inoperable vehicles by 4:00pm on Thursday, October 22nd, 2020; or

(b) Have the vehicles properly registered and operational by 4:00pm on Thursday, October 22nd, 2020;

If the Respondent(s) fail to comply with this section by 7:00am on Friday, October 23rd, 2020, there shall be a fine of \$50.00 per day thereafter that shall run addition to any other fines until this violation has been abated. Additionally, the city shall enter upon the property and take whatever steps are necessary to bring the violation(s) into compliance, to include: removal of all abandoned or derelict vehicles.

3.) (a) Apply for and obtain any required permits needed to meet the Current Florida Building Code, the 2014 National Electric Code, and the 1994 Edition of the International Standard Housing Code by 4:00pm on Thursday, October 22nd, 2020. Once the permits are obtained, all repairs to the structure shall be completed by a licensed contractor within 180 days after the issuance of the initial permits. If the Respondent(s) fail to comply by 7:00am on Friday, October 23rd, 2020, or if the permits issued expire without a final inspection finding that the work complies with the city codes, subsection (d) shall apply; or

(b) Apply for and obtain a permit to demolish and/or remove the structure(s), improvements and structure contents by 4:00pm on Thursday, October 22nd, 2020. Once the permit is obtained, all demolition, removal and clean-up of the debris shall be completed within 60 days after the issuance of the initial permit. If the Respondent(s) fail to comply by 7:00am on Friday, October 23rd, 2020 or if the Respondent(s) obtain a demolition permit and do not complete all demolition, removal and clean-up of the debris by 7:00am of the 61st day after the issuance of the permit, subsection (d) shall apply.

(c) Any work required to meet the current Florida Building Code, the 2014 National Electric Code, or the 1994 Edition of the International Standard Housing Code that does not require permits to complete, the Respondent(s) shall complete said work by 4:00pm on Thursday, October 22nd, 2020. If the Respondent(s) fail to comply by 7:00am on Friday, October 23rd, 2020, subsection (d) shall apply.

(d) Failure to comply with any subsection of this item in the times allowed for compliance the City shall enter upon the property and take whatever steps are necessary to bring the violations into compliance, to include: demolition and removal of all improvements including the structure and structure contents. Additionally, there shall be a fine of \$100.00 per day thereafter that shall run addition to any other fines until this violation has been abated.

4.) Pay the cost of prosecution of \$156.95 by October 22nd, 2020.

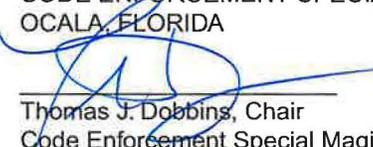
All costs and fines will be assessed as a Lien against the property. After three (3) months from the filing of any such lien which remains unpaid, refer to the City Attorney's office for consideration of foreclosure.

B. This Order may be recorded in the Public Records of Marion County, Florida, and shall constitute a lien against the above described property, and upon any other real, or personal property, owned by the Respondent(s), pursuant to Sections 162.08 and 162.09, Florida State Statutes, and Section 2-426 and 2-443, Code of Ordinances City of Ocala, Florida.

C. The holder of this Order, and the lien arising hereunder, is the City of Ocala, a Florida Municipal Corporation, with the address of: 110 S.E. Watula Avenue, Ocala, Florida 34471.

DONE AND ORDERED; this 14th day of October 2020

CODE ENFORCEMENT SPECIAL MAGISTRATE
OCALA, FLORIDA


Thomas J. Dobbins, Chair
Code Enforcement Special Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY; that a true and correct copy of the foregoing document has been furnished to Respondent(s) by mail to: LAU CAROL, 2511 NE 20TH AVE, OCALA FL 34470-3853, this 15 day of October 2020.


Giovanni Santiago, Secretary
Code Enforcement Special Magistrate

IMPORTANT NOTICE:

NOTICE OF HEARING ON COMPLIANCE, AND IMPOSITION OF FINES: NON-COMPLIANCE HEARING - IF YOU, AS THE RESPONDENT, 1.) DO NOT BRING THE PROPERTY INTO COMPLIANCE, 2.) CALL FOR A RE-INSPECTION, AND 3.) RECEIVE AN AFFIDAVIT OF COMPLIANCE; NOTICE IS HEREBY GIVEN THAT A HEARING BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE IS TO BE HELD ON OCTOBER 28, 2020, AT 9:00AM, AT THE: CITY COUNCIL CHAMBER, CITY HALL, 110 S.E. WATULA AVENUE, OCALA, FLORIDA 34471, TO DETERMINE IF THE VIOLATION AS SET FORTH IN THIS ORDER CONTINUED BEYOND THE COMPLIANCE DATE, AND IF SO TO CONSIDER IMPOSITION OF A FINE OR OTHER PENALTIES. YOUR FAILURE TO APPEAR COULD RESULT IN A WAIVER OF YOUR OPPORTUNITY TO BE HEARD IN THIS MATTER AND MAY RESULT IN AN ACTION BY THE CODE ENFORCEMENT SPECIAL MAGISTRATE WHICH COULD BE ADVERSE TO YOUR INTEREST. ADDITIONALLY, PLEASE BE ADVISED THAT PURSUANT TO CHAPTER 162 OF THE FLORIDA STATUTES, YOU MAY HAVE OTHER ADDITIONAL RIGHTS IN REFERENCE TO ANY FINDINGS BY THE CODE ENFORCEMENT SPECIAL MAGISTRATE.

IN THE EVENT OF NON-COMPLIANCE, AN ORDER IMPOSING A FINE SHALL BE RECORDED IN THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA, AND THEREAFTER SHALL CONSTITUTE A LIEN AGAINST THE LAND UPON WHICH THE VIOLATION(S) EXISTS, OR UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY YOU. BE ADVISED THAT YOU HAVE A RIGHT TO APPEAL THIS ORDER WITHIN A PERIOD OF THIRTY (30) DAYS FROM THE DATE OF THE ORDER, IN ACCORDANCE WITH SECTION 2-445, CODE OF ORDINANCES OF THE CITY OF OCALA, TO THE CIRCUIT COURT OF MARION COUNTY.

IF A REPEAT VIOLATION IS FOUND, THE CODE INSPECTOR SHALL NOTIFY THE VIOLATOR BUT IS NOT REQUIRED TO GIVE THE VIOLATOR A REASONABLE TIME TO CORRECT THE VIOLATION. THE CASE MAY BE PRESENTED TO THE CODE ENFORCEMENT SPECIAL MAGISTRATE, EVEN IF THE REPEAT VIOLATION HAS BEEN CORRECTED PRIOR TO THE CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING, AND UPON FINDING THAT A REPEAT VIOLATION HAS BEEN COMMITTED, MAY ORDER THE VIOLATOR TO PAY A FINE NOT TO EXCEED \$500.00 PER DAY FROM THE INTIAL INSPECTION WHEN THE VIOLATION WAS OBSERVED.

FOR QUESTIONS ABOUT THIS FINAL ADMINISTRATIVE ORDER, PLEASE CONTACT THE CITY OF OCALA, CODE ENFORCEMENT DIVISION: (352) 629-8309.