

CODE ENFORCEMENT BOARD

City Commission Meeting Room

100 North Andrews Avenue

July 25, 2006

10:00 A.M. – 12:40 P.M.

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<u>Board Members</u>	<u>Attendance</u>	1/2006 to 12/2006	
		<u>Present</u>	<u>Absent</u>
Howard Elfman (alternate)	A		
Pat Hale, Chair	P	6	1
Sarah Horn	P	6	1
Sam Mitchell	P	7	0
John Phillips	P	7	0
Rixon Rafter, Vice Chair	P	7	0
Myrnabelle Roche	P	5	2
Jan Sheppard (alternate)	A		
Doug White (alternate)	A		
Bruce Jolly, Board Attorney	P		

Staff Present

Assistant City Attorney  
Eve Bazer, Administrative Assistant II  
Debra Maxey, Secretary, Code Enforcement Board  
Lynda Crase, License Inspector  
Farida Mohammed, Clerk, Code Enforcement Board  
Robert Pignataro, Building Inspector  
Robert Kisarewich, Fire Inspector  
Mohammed Malik, Building Inspector  
Ken Reardon, Building Inspector  
Thomas Clements, Fire Inspector  
Wayne Strawn, Building Inspector  
Jorge Mederos, Fire Inspections Officer  
Ivett Spence-Brown, Fire Inspector  
Lindwell Bradley, Community Inspections Supervisor  
Jamie Opperlee, Recording Secretary

Also Present:

CE03120005: John Bria

CE00062070: Maria Pikuta, owner; Stanley Pawlowski, interpreter; Joe Titone, owner's attorney

CE04122271: Elvyn Rodriguez, owner  
CE06050518: William Rose, owner of Jester's Bar and Grill  
CE06050547: Donald Gawne, general manager  
CE03080416: Hector Flores, owner  
CE05090056: Robert O'Rork, director of engineering; Don Friedman, manager  
CE04061917: Thomas Landmeier, owner  
CE06050522: Richard Muldoon, owner  
CE03091916: Nectaria Chakas, attorney; Louis Sorrentino, director  
CE05090715: Maria Gonzalez, secretary  
CE04032185: Gordon Ward, owner's son; Kenneth Trent, attorney  
CE05091942: Mark Benjamin, manager  
CE05121985: Eric Carbonell, architect's son  
CE06050511: Steven Bagley, tenant  
CE06050499: Hans Van-Grondelle, tenant

Chair Hale called the meeting to order at 10:07 a.m., introduced the Board and explained the procedure for the hearing.

All individuals wishing to speak on any of the cases on today's agenda were sworn in.

**Reference CE04061917**

Thomas A. Landmeier  
1128 Northeast 16<sup>th</sup> Street

Massey Hearing/Request for Extension

Ms. Mohammed announced that the case was first heard on 10/26/04 with compliance ordered by 4/24/05: 4 sections at \$50 per day. On 5/24/05 the date was extended to 8/23/05; on 2/28/06 the date was extended to 5/23/06. The property was not complied and the City was requesting imposition of \$55,800 and continuation of the fines.

Mr. Thomas Landmeier, owner, stated it appeared that his contractor had not properly applied for all necessary permits and was currently out of town. Mr. Landmeier intended to meet with the contractor next week and requested another 30 days to determine why this contractor was late in applying for permits or to hire a new contractor.

Mr. Mohammed Malik, Building Inspector, advised the Board to deny the extension request. He explained that the plans were ready for pickup in July 2005; they were not retrieved until January 2006. Since then, there had been no permit activity. Inspector Malik confirmed that Mr. Landmeier lived in the house and that the property was maintained; neighbors had not complained. Mr. Landmeier said he had tried to keep on top of the issues but had trusted the licensed contractor. He informed the Board of work that had been completed at the property.

Mr. Mitchell asked when Mr. Landmeier became aware that the contractor was delinquent; Mr. Landmeier explained that he realized it on Friday when he checked on the permits' progress at the Building Department. He said he had been checking on the permits' status online; some were described as "open", and the Building Department described these as "applied for." Mr. Landmeier felt there was a disconnect between the information on the website and the Building Department; he therefore had not known the real status of the permit applications.

Mr. Landmeier said the name of his contractor was Peter Volteach, and he had last spoken with him at the beginning of the month. Mr. Phillips suggested they allow Mr. Landmeier time to present more proof of his correspondence with Mr. Volteach and to bring a contractor or attorney to the hearing.

**Motion** made by Mr. Phillips, seconded by Ms. Roche, to grant a 60-day extension to September 26, 2006. Board approved unanimously.

**Reference CE06050561**

BIC Corp.  
981 West Commercial Boulevard

NFPA 1 14.13.1.1: Insufficient emergency lighting;  
Sec. 1 4.4.3.1.2: Slide bolts attached to rear exit door

Ms. Mohammed announced that certified mail addressed to the owner's Post Office Box was accepted on June 28, 2006.

Ms. Ivett Spence-Brown, Fire Inspector, stated the violations existed as cited and she had a stipulated agreement with the owner to comply within 30 days or a fine of \$50 per day.

**Motion** made by Mr. Rafter, seconded by Mr. Phillips, to accept the stipulated agreement and order compliance within 30 days, by August 22, 2006, or a fine of \$50 per day would be imposed. Board unanimously approved.

**Reference CE00062070**

Maria Pikuta  
104 Southeast 11<sup>th</sup> Avenue

Massey Hearing/Request for Abatement

Ms. Mohammed announced that this case was originally heard on 2/27/01, with compliance ordered by 4/24/01: 2 sections at \$50 per day per violation. The property was complied and the City was requesting imposition of \$119,800 in fines.

The Assistant City Attorney said the owner had submitted a packet of information and was attempting to revisit the violations. She reminded the Board that they had already determined that the violations occurred, and that the owner admitted as much in her documentation.

Mr. Phillips noticed that Inspector Pignataro had issued a new inspection report for these violations in 2002. Mr. Robert Pignataro, Building Inspector, explained that this case was begun by another inspector, and there had been code and computer changes requiring a new case. The Assistant City Attorney confirmed that the case was complied on April 5, 2004 by the issuing of the after-the-fact permits.

Mr. Joseph Titone, attorney, explained that Ms. Pikuta had supplied the Board with the packet pursuant to last month's finding, allowing them 30 days for Ms. Pikuta and her attorney to get their materials together. Ms. Pikuta still contended that there was no violation, and that her attempts to contact an inspector were unsuccessful. Mr. Phillips felt that while it was obvious from the photos that there had been a violation, there was also evidence that Ms. Pikuta had tried to comply.

Mr. Stanley Pawlowski acted as interpreter and informed the Board that Ms. Pikuta stated the violations were false. Ms. Pikuta believed that the citation's calling the room a "storage room" was incorrect; she had not installed the shower in the storage room but in the laundry room. Because of this semantic difference, she felt the first citation was invalid. She felt the second citation was invalid because she claimed "she did whatever she was told to do with the permit in a timely fashion."

Mr. Titone admitted that this was a "contest of wills" but noted that Ms. Pikuta had tried to get answers but had been unsuccessful. He asked the Board to reduce the fine or abate it entirely. Mr. Titone said a Staff member had informed him that the administrative costs for this case were less than \$3,000.

**Motion** made by Mr. Mitchell, seconded by Ms. Horn, to find Ms. Pikuta did not comply with the order, and to reduce the fine to \$39,534. Motion failed 1 - 6.

Mr. Phillips felt that a fine of \$39,534 was "grossly punitive." He agreed that Ms. Pikuta was obstinate, but noted she had also applied for a permit. He also felt that additional confusion might have been caused by Inspector Pignataro's second inspection report in 2002.

**Motion** made by Mr. Rafter, seconded by Ms. Roche, to find Ms. Pikuta did not comply with the order and to reduce the fine to \$2,500. Motion failed 3 - 4.

Inspector Pignataro informed the Board that inspectors had made several trips to Ms. Pikuta's residence. He noted that the permit had never passed final inspection, but according to the citation, obtaining the permit was all that was required to comply, so technically Ms. Pikuta had complied.

The Assistant City Attorney explained that there had been a lien settlement discussion with staff, and the settlement was presented to the City Commission. The City had discovered later that they did not have proper service for the Massey hearing, so imposition of the fine was invalid. The

Commission wanted to settle for the full amount, but could not impose it because of the lack of proper service. The City had therefore decided to bring the case to the Board today for another Massey hearing. The Assistant City Attorney said the City would re-cite Ms. Pikuta if the property could not pass inspection.

**Motion** made by Mr. Phillips for a 90-day continuance. Motion failed for lack of a second.

**Motion** made by Mr. Young, seconded by Mr. Rafter, to reduce the fine to \$5,000. Board approved 5 – 2 with Mr. Mitchell and Mr. Phillips opposed.

**Reference CE05090056**

Felcor/CSS Holding LP  
1100 Southeast 17<sup>th</sup> Street

Massey Hearing/Request for Extension

Ms. Mohammed announced that this case was first heard on 2/28/06 with compliance ordered by 5/23/06: 1 section at \$250 per day. The property was not complied.

Mr. Jorge Mederos, Fire Inspections Officer, stated that during a test and balance of their smoke evacuation system, the hotel had discovered it must replace the entire fire alarm system. Inspector Mederos recommended a continuance.

Mr. Robert O'Rork, director of engineering, stated that the hotel had sustained damage in Hurricane Wilma. He requested 90 days; Inspector Mederos recommended 180 days.

**Motion** made by Mr. Rafter, seconded by Mr. Phillips, to grant a 180-day extension to January 23, 2007. Board unanimously approved.

**Reference CE05090061**

Harbourage Place Condo Association  
3055 Harbor Drive

Request for Extension

Ms. Mohammed announced that this case was first heard on 2/28/06 with compliance ordered by 5/23/06: 1 section at \$250 per day. The property was not complied, and the owner's attorney had requested a continuance via letter.

Mr. Jorge Mederos, Fire Inspections Officer, said the property manager had requested a continuance to prepare a response and he had no objection. Inspector Mederos confirmed that the fine stood at \$15,500.

Mr. Mark Benjamin, property manager, explained that they had changed fire alarm companies. He presented a letter from the new company, stating they would need an additional 60 days. Inspector Mederos suggested 90 days.

**Motion** made by Mr. Rafter, seconded by Mr. Phillips, to grant a 90-day extension to October 24, 2006. Board unanimously approved.

**Reference CE06050518**

Firth Properties Ltd.

NFPA. 101 13.2.2.2.3: No panic hardware on exit door

861 Northeast 62nd Street

Business: Jester's Bar and Grill

Ms. Mohammed announced that certified mail addressed to the owner was accepted; certified mail addressed to the registered agent was accepted on June 27, 2006 and certified mail addressed to a general partner was accepted on July 7, 2006.

Ms. Ivett Spence-Brown, Fire Inspector, stated there were no panic bars installed on the exit doors. She recommended ordering compliance within 30 days or a fine of \$250 per day.

Mr. William Rose, owner of Jester's Bar and Grill, stated the correct address was 801, not 861 Northeast 62 Street. He provided a brief history of the business and said he had made an agreement with a past City Manager to incorporate into the City with the understanding that "everything ... was to remain as it had been." He understood this to mean that this City code did not apply to his business. Mr. Rose explained that the Broward County Fire Department had inspected several times for permits, and had set the business's occupancy at just under 99 persons. He admitted there was a handmade sign on the premises indicating the occupancy was 113. Mr. Rose said there were four exit doors, two of which had panic bars. The other two doors were always open. Mr. Rose said that complying would cost him in excess of \$4,000 and thus represented an "extreme hardship."

Mr. Rose said he had several former firefighters and fire officials from other jurisdictions inspect the property and they agreed there was no problem, or if there was, he should obtain a variance. Mr. Rose wanted "someone please to find out our correct occupancy" because this would have some bearing on the requirements. Chair Hale told Mr. Rose that Inspector Spence-Brown had determined he must have the panic bars, regardless of all the other opinions he had sought, but said he could request a continuance to apply for a variance if he wished.

Inspector Spence-Brown confirmed that if the occupancy was 100 or more, the bars were required; Mr. Rose's business's occupancy was 113. She had advised him to go through the process for occupancy reduction, but had since been informed by a lieutenant that this would not be possible due to the size of the building and the equipment in the building.

**Motion** made by Mr. Young, seconded by Mr. Phillips, to find the violation existed and order compliance within 30 days, by August 22, 2006, or a fine of \$250 per day would be imposed. Motion passed 6 – 1 with Mr. Phillips opposed.

**Reference CE06050522**

D&J Invest LLC  
1300 Northwest 65<sup>th</sup> Place

NFPA 101 7.1.3.2.1(1): Exit door not fire rated;  
NFPA 101 7.1.3.2.1(4): No self-closing device on exit door;  
NFPA 101 7.5.2.1: No legal exit on second floor;  
NFPA 101 8.3.3.1: Window glass not fire rated;  
NFPA 7.2.1.4.5: Exit door does not open freely

Ms. Mohammed announced that certified mail had been accepted by the owner and the registered agent. She informed the Board that Inspector Spence-Brown had a stipulated agreement with the owner to comply.

Ms. Ivett Spence-Brown, Fire Inspector, confirmed that the violations existed as cited and confirmed she had an agreement with the owner to comply within 180 days or a fine of \$200 per day, per violation. Mr. Richard Muldoon, owner, agreed to comply in the ordered time.

**Motion** made by Mr. Rafter, seconded by Mr. Young, to accept the stipulated agreement, finding the violations existed as cited and ordering compliance within 180 days, by January 23, 2007 or a fine of \$200 per day, per violation would be imposed. Board unanimously approved.

**Reference CE05091942**

Alberto & Esther Merino  
1355 Southwest 26<sup>th</sup> Avenue

Request for Continuance

Ms. Mohammed announced that this case was first heard on 3/28/06 with compliance ordered by 6/27/06: 1 section at \$50 per day. The respondent's attorney had requested a continuance of 30 days. Case is not complied.

Mr. Ken Reardon, Building Inspector, did not object to the continuance.

**Motion** made by Mr. Phillips, seconded by Mr. Young, to grant a 30-day continuance to August 22, 2006. Board unanimously approved.

**Reference CE03120005**

John & Georgiann Bria  
219 Southwest 21<sup>st</sup> Terrace

Request for Extension

Ms. Mohammed announced that this case was originally heard on 3/23/04 with compliance ordered by 7/21/04: 2 sections at \$100 per day, per violation. On 7/27/04, the date was extended to 11/24/04; on 1/25/05 the date was extended to 3/26/05; on 3/22/05, the date was extended to 5/24/05; on 5/24/05, the date was extended to 8/23/05; on 9/27/05 the date was extended to 11/22/05; an extension was granted from 11/23/05 to 1/24/06 due to Hurricane Wilma; on 2/28/06 the date was extended to 4/25/06; on 4/25/06 the date was extended to 7/25/06. The property was not complied.

Mr. John Bria, owner, explained that the work should have been completed a year ago, but the City had lost his plans. His contractor was meeting with representatives from the Building Department in the next few days to determine where they stood.

Mr. Ken Reardon, Building Inspector, confirmed that the Building Department had lost the plans and this was a very complicated case. He suggested a 90-day extension.

**Motion** made by Mr. Phillips, seconded by Mr. Rafter, to grant a 90-day extension to October 24, 2006. Board unanimously approved.

**Reference CE06050499**

McNab Partners LLC  
6825 Northwest 9<sup>th</sup> Avenue

NFPA 101 7.2.1.6.1(2): Egress door does not unlock  
per NFPA 101

Ms. Mohammed announced that certified mail addressed to the owner was accepted on June 22, 2006 and certified mail addressed to the registered agent was accepted on June 27, 2006.

Ms. Ivett Spence-Brown, Fire Inspector, confirmed that the violations existed as cited and that she had a stipulated agreement with the owner to comply within 30 days or a fine of \$50 per day.

**Motion** made by Mr. Phillips, seconded by Mr. Rafter, to approve the stipulated agreement and order compliance within 30 days or a fine of \$50 per day would be imposed. Board approved unanimously.

**Reference CE06050511**

Isaac Fryd Trust  
4950 West Prospect Road

NFPA 1 14.13.1.1: Insufficient emergency lighting;  
FBC 104.1: Work without permits;  
NFPA 101 40.3.4.1: No fire alarm;  
NFPA 101 40.3.2.1: No fire sprinkler system;

Ms. Mohammed announced that certified mail addressed to the owner was accepted on June 27, 2006.

Ms. Ivett Spence-Brown, Fire Inspector, confirmed that the violations existed as cited and recommended ordering compliance within 180 days or a fine of \$50 per day, per violation.

Mr. Steve Bagley, tenant, said he was authorized on behalf of the owner to agree to comply by the ordered date.

**Motion** made by Mr. Rafter, seconded by Mr. Phillips, to order compliance within 180 days, by January 23, 2007, or a fine of \$50 per day, per violation would be imposed. Board unanimously approved.

**Reference CE04032185**

Ward Harris Properties Inc.  
2901 East Las Olas Boulevard

Request for Extension

Ms. Mohammed announced that this case was first heard on 1/25/05 with compliance ordered by 4/25/05: 6 sections at \$100 per day, per violation. On 5/24/05 the date was extended to 7/26/05; on 7/26/05 the date was extended to 9/27/05; the date was extended from 9/27/05 to 1/24/06 due to Hurricane Wilma; on 1/24/06 the date was extended to 4/25/06; on 5/23/06 the date was extended to 7/25/06. The property was not complied and has been out of compliance 55 days.

Mr. Kenneth Trent, the owner's attorney, confirmed that all violations were corrected except for the signage and his client had already hired a sign contractor. He said Inspector Pignataro had already agreed to a 30-day extension.

Mr. Robert Pignataro, Building Inspector, stated that all the non-signage violations were complied and he had no objection to the extension for the signage violations.

**Motion** made by Mr. Phillips, seconded by Mr. Rafter, to grant a 30-day extension to August 22, 2006. Board unanimously approved.

**Reference: CE05090715**

Sunlight Investments Inc.  
2615 Davie Boulevard

Request for Abatement

Ms. Mohammed announced that this case was first heard on 1/24/06 with compliance ordered by 3/28/06: 3 sections at \$100 per day, per violation. The case was complied and the City was requesting \$8,100 in fines.

Ms. Maria Gonzalez, company secretary, requested abatement of the fine. She explained that it had taken three months to have the permit processed.

Ms. Mohammed confirmed that the permit was issued on May 17.

Mr. Thomas Clements, Fire Inspector, recommended abatement of the fine.

**Motion** made by Mr. Phillips, seconded by Mr. Mitchell, to abate the fines. Board unanimously approved.

**Reference CE04122271**

Elvyn C. Rodriguez & Virginia C. Bostic      Massey Hearing/Request for Extension

428 Southwest 24<sup>th</sup> Avenue

Ms. Mohammed announced that this case was first heard on 7/26/05 with compliance ordered by 10/25/05: 2 sections at \$25 per day, per violation. On 2/28/06 the date was extended to 5/23/06. The property was not complied and the City was requesting \$9,350 in fines be imposed and continuation of the fines.

Mr. Elvyn Rodriguez, owner, said he at first tried to obtain the permit himself, and when he could not, he had replaced the fence himself without one. He now had appointments with two contractors to get estimates for the work. Mr. Rodriguez requested additional time to get a new contractor and have the work done.

Mr. Ken Reardon, Building Inspector, stated that Mr. Rodriguez had installed the fence backwards and had not set it properly. Mr. Phillips noted that Mr. Rodriguez could remove the fence to comply. Inspector Reardon said he had "no opinion" regarding an extension, but agreed it was difficult to find a contractor right now. He also wanted to be sure Mr. Rodriguez understood that the panels, posts and concrete must all be removed to comply.

**Motion** made by Mr. Phillips, seconded by Ms. Roche, to grant a 30-day extension to August 22, 2006 to obtain a permit or remove the fence. Board unanimously approved.

**Reference CE03091916**

Navarro Enterprises Ltd.

Request for Extension

1337 Southwest 21<sup>st</sup> Terrace

Ms. Mohammed announced that this case was originally heard on 10/28/03 with compliance ordered by 4/28/04: 2 sections at \$50 per day, per violation. On 4/27/04 the date was extended to 10/24/04; on 10/26/04 the date was extended to 4/26/05; on 4/26/05 the date was extended to 5/24/05; on 5/24/05 the date was extended to 11/22/05; the date was extended from 11/23/05 to 1/24/06 due to Hurricane Wilma; on 1/24/06 the date was extended to 7/25/06. The property was not complied.

Ms. Nectaria Chakas, attorney, requested another 180 days to obtain development approvals from Planning and Zoning; they would require two variances as well. Ms. Chakas confirmed that the plans had changed since they wanted a parking reduction; now they were trying to reconfigure the building so they would not require the reduction. Ms. Chakas explained that the building was previously characterized as office only; this resulted in the high parking requirements. Ms. Chakas confirmed that they had been cited for the previous owner's construction of a mezzanine without a permit. They were also cited for the change of use from auto repair to mixed manufacturing and assembly and light mechanical repair. She explained that a change of use required DRC approval, and compliance with current code.

Mr. Thomas Clements, Fire Inspector, said he had spoken with Ms. Chakas and a representative from Navarro, and they requested 180 days to obtain variances. Inspector Clements said this must be the final 180-day extension, due to the life safety issues. Ms. Roche was concerned that despite the violations and life safety issues, business had continued for over two years.

Ms. Chakas confirmed that the third floor had been removed, complying that violation. She said Inspector Clements would agree that they had not been dragging their heels for over two years. Inspector Clements said he had not been inside the building since the mezzanine was removed, but could attest that the third story had been removed. Inspector Clements said the Fire Marshall had authorized the 180-day extension.

**Motion** made by Mr. Phillips, seconded by Ms. Horn, to grant a 180-day extension to January 23, 2007. Motion passed 4 – 3 with Mr. Mitchell, Ms. Roche and Mr. Young opposed.

**Reference CE05121985**

Lucy's Meat Market Corp.  
1708 Northwest 6<sup>th</sup> Street

Request for Extension

Ms. Mohammed announced that this case was first heard on 2/28/06 with compliance ordered by 7/25/06: 17 sections at \$50 per day, per violation. The property was not complied.

Eric Carbonell, the architect's employee, explained that the work had been divided into two phases to simplify and expedite the process. He stated that the plans for Phase 1 were ready, but the Building Department had requested an updated survey. The survey was being created now.

Mr. Wayne Strawn, Building Inspector, said the property had been subdivided at some point; this explained why some air conditioning equipment was located on the adjacent property. Inspector Strawn said he had no objection to a 180-day extension. Inspector Strawn said the architect had remarked that the owner would be shocked by how much the compliance effort would cost. The final costs were still unknown, since plans were not final yet.

The Board wanted to require someone to return in 30 days to be sure that the minor violations were complied. At that hearing, they could grant an additional 5 months to complete compliance. Mr. Mitchell wanted to be sure the order was recorded.

**Motion** made by Mr. Young, seconded by Mr. Rafter, to grant a 30-day extension to August 22, 2006 and to record the order. Board unanimously approved.

**Reference CE03080416**

Floval Oil Corp.

Massey Hearing/Request for Abatement

1075 West Sunrise Boulevard

Ms. Mohammed announced that this case was originally heard on 10/28/03 with compliance ordered by 2/25/04: 6 sections at \$100 per day, per violation. On 2/24/04 the date was extended to 8/24/04; on 9/28/04 the date was extended to 1/25/05; on 2/28/05 the date was extended to 8/23/05; on 8/23/05 the date was extended to 2/28/06; on 3/28/06 the date was extended to 5/23/06. On 6/28/06 the case was continued to this hearing. The property was complied and the City was requesting \$76,800 in fines be imposed.

Mr. Hector Flores, owner, explained that he had abandoned the gas station idea and complied by demolishing the property. He now intended to put a shopping center on the property. He requested abatement of the fines.

Mr. Wayne Strawn, Building Inspector, confirmed that the property was complied, and a permit was issued. Mr. Flores explained that he had been unable to attend some of the hearings due to back problems and the need to appear at a deposition. Mr. Young felt it had taken Mr. Flores too long to correct the violations and therefore he opposed total abatement of the fines. He felt they should impose at least \$5,000 in fines.

**Motion** made by Mr. Phillips, seconded by Ms. Horn, to abate the fines. Motion failed 1 – 6.

**Motion** made by Mr. Young, seconded by Ms. Horn, to impose fines of \$5,000. Board unanimously approved.

The Board broke for lunch from 12:04 – 12:28

**Reference CE06050420**

La Scala Properties LLC

NFPA 1 10.1.1: No fire line water supply;

95 Isle of Venice

NFPA 1 10.13.1.1: Building address not posted

Ms. Mohammed announced certified mail addressed to the owner had been accepted and certified mail addressed to the registered agent was accepted on July 7, 2006.

Mr. Robert Kisarewich, Fire Inspector, testified that the fire hose lay tangled on the ground and was not ready for use; Section 1 10.13.1.1 was complied. He had spoken with the owner, who stated the hose rack was deteriorated and he must purchase a new one. He was in the process of doing this now and requested 30 days.

**Motion** made by Mr. Rafter, seconded by Mr. Phillips, to find that Section 1.10.1.1 was in violation, and order compliance within 30 days, by August 22, 2006, or a fine of \$100 per day would be imposed. Board unanimously approved.

**Reference CE06050546**

Loretta & Rupert Williams  
3412 West Broward Boulevard

NFPA 1 1.7.5.1: Unable to inspect property

Ms. Mohammed announced that certified mail addressed to the owner had been accepted.

Mr. Thomas Clements, Fire Inspector, said he had visited the property three times this year and left his card and phone number, but had never been contacted by the owner. He recommended ordering compliance within 30 days or a fine of \$100 per day.

**Motion** made by Mr. Phillips, seconded by Mr. Rafter, to order compliance within 30 days, by August 22, 2006, or a fine of \$100 per day would be imposed. Board unanimously approved.

**Reference CE06050581**

Stanley Baumwald Trust  
831/841 Northwest 57th Place

NFPA 1 1.7.5.1: Unable to inspect property

Ms. Mohammed announced that certified mail addressed to the owner was accepted on July 3, 2006.

Ms. Ivett Spence-Brown, Fire Inspector, testified she had tried to perform the annual inspection on November 30, 2005, December 22, 2005 and July 19, 2006 but had been unsuccessful. She recommended ordering compliance within 30 days or a fine of \$250 per day.

**Motion** made by Mr. Phillips, seconded by Mr. Mitchell, to order compliance within 30 days, by August 22, 2006, or a fine of \$250 per day would be imposed. Board unanimously approved.

**Reference CE06041325**

Mark McWilliams  
751 Northwest 57<sup>th</sup> Street

Request to Vacate Order Dated 5/23/06

Ms. Mohammed announced that the City was requesting vacation of the order dated 5/23/06; the Fire Marshall had withdrawn the violation.

**Motion** made by Mr. Rafter, seconded by Mr. Phillips, to vacate the order dated 5/23/06. Board unanimously approved.

**Reference CE06040912**

Liberty Property Limited Partnership                      Request to Vacate Order Dated 5/23/06  
5430 Northwest 33<sup>rd</sup> Avenue #102

Ms. Mohammed announced that the City was requesting vacation of the order dated 5/23/06 to impose the fine as the wrong property had been cited.

**Motion** made by Mr. Rafter, seconded by Mr. Phillips, to vacate the order dated 5/23/06. Board unanimously approved.

**Reference CE05090142**

ISCO Properties LLC    Request for Continuance  
1291 Northwest 65<sup>th</sup> Place #A

Ms. Mohammed announced that the owner's attorney had requested a continuance to their next meeting.

**Motion** made by Mr. Phillips, seconded by Mr. Mitchell, to continue the case to August 22, 2006. Board unanimously approved.

**Approval of Meeting Minutes**

**Motion** made by Mr. Mitchell, seconded by Mr. Rafter, to approve the minutes of the June 2006 meeting. Board unanimously approved.

**Cases Complied**

Ms. Mohammed announced that the below listed cases were complied. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE06051059	CE06050544	CE06050550	CE06050560
CE06050565	CE06050566	CE06050567	CE04120455
CE05060221	CE05090058	CE05090062	CE06040682
CE06050547			

**Cases Pending Service**

Ms. Mohammed announced that the below listed case had been withdrawn pending service to the respondents. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE06050414

**Cases Withdrawn**

Ms. Mohammed announced that the below listed case was withdrawn by the City. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE06050548

There being no further business to come before the Board, the meeting adjourned at 12:40 P.M.

  
CHAIRPERSON, CODE ENFORCEMENT BOARD

ATTEST:

  
CLERK, CODE ENFORCEMENT BOARD

NOTE: The agenda associated with this meeting is incorporated into this record by reference.