

TOWN OF JUPITER, FLORIDA  
CODE COMPLIANCE MAGISTRATE  
196 Military Trail, Jupiter, FL 33458  
Ph: 561-741-2477

Case Nos. 03-2004, 05-1819 & 21-0002

TOWN OF JUPITER, FLORIDA  
Petitioner,

v.  
Ellen V. Carson

3 Clark Ln.  
Jupiter, FL 33477

Respondent.

PCN: 30-43-41-06-00-002-0250  
SUBDIVISION:  
ORB: 02588 PAGE: 0782  
LEGAL: 6-41-43, S 80 FT OF N 99.74 FTOF W 190.88 FT OF  
E 290.88 FT OF S 1/2 OF GOV LT 2

### FINE ABATEMENT ORDER

THIS MATTER having come before the Code Compliance Magistrate on May 11, 2022, who having heard the testimony and other evidence of the parties, and having been fully apprised of the circumstances, and based upon a preponderance of the evidence, does find as follows:

1. The above Respondent is the owner or occupant of the property described above, and STREET ADDRESS of 3 Clark Ln, Jupiter, FL 33477.
2. On October 29, 2003, the Magistrate entered an order finding the Respondent in violation of Section 23-87 of the Town of Jupiter's Code of Ordinances. The Respondent was given until November 8, 2003, to comply with the code, failing which a fine of \$150.00 per day was assessed against Respondent. Administrative costs in the amount of \$44.58 were also levied against the Respondent. The violation did not comply until May 5, 2004.
3. The fine accrued for a total of 178 days to \$26,700.00. The assessed costs of \$44.58 were paid to the Town of Jupiter on April 19, 2022. The total amount due and payable to the Town of Jupiter prior to fine abatement is \$26,744.58.
4. On August 31, 2005, the Magistrate entered an order finding the Respondent in repeat violation of Section 23-87 of the Town of Jupiter's Code of Ordinances. A fine of \$300.00 per day was assessed against Respondent. Administrative costs in the amount of \$105.53 were also levied against the Respondent. The violation did not comply until February 27, 2006.
5. The fine accrued for a total of 242 days to \$72,600.00. The assessed costs of \$105.53 were paid to the Town of Jupiter on April 19, 2022. The total amount due and payable to the Town of Jupiter prior to fine abatement is \$72,705.53.
6. On February 10, 2021, the Magistrate entered an order finding the Respondent in violation of Section 13-41(a) of the Town of Jupiter's Code of Ordinances and granting the Town of Jupiter authority to abate the violation. The Respondent was given until February 25, 2021, to comply with the code, failing which a fine of \$200.00 per day was assessed against Respondent. Administrative costs in the amount of \$336.82 were also levied against the Respondent. The violation did not comply until August 17, 2021.
7. The fine accrued for a total of 172 days to \$34,400.00. Violation abatement costs in the amount of \$2,280.00 were incurred by the Town of Jupiter. Partial payment of violation abatement costs in the amount of \$1,280.00 were paid to the Town of Jupiter on April 19, 2022. The assessed costs of \$336.82 were paid to the Town of Jupiter on April 19, 2022. The total amount due and payable to the Town of Jupiter prior to fine abatement is \$35,736.82.

IT IS HEREBY ORDERED THAT:

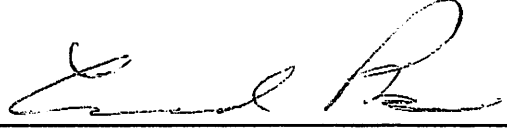
Based upon the testimony of the parties, and viewing the facts presented in the light most favorable to the Respondent:

- \_\_\_\_\_ Said fine is completely abated, with Respondent absolved of liability; OR
- X   Respondent is ordered to pay a fine and/or costs of **\$5,000.00 on or before July 11, 2022**; and in the event that said amount is not paid, the fine and/or costs shall revert to the accrued amount prior to abatement; OR
- \_\_\_\_\_ Said fine is not abated, and Respondent is not absolved of liability.

DONE AND ORDERED this 11<sup>th</sup> day of May, 2022.

*Remainder of page intentionally blank – signature on next page*

DONE AND ORDERED this 11<sup>th</sup> day of May, 2022.

  
\_\_\_\_\_  
Leonard G. Rubin, Magistrate

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL ORDER OF THE SPECIAL MAGISTRATE AS MAINTAINED IN THE OFFICIAL RECORDS OF THE TOWN OF JUPITER.  
WITNESS MY HAND, THIS 12<sup>th</sup> DAY OF May, 2022.

  
\_\_\_\_\_  
Laura E. Cahill, Town Clerk



**AFFIDAVIT OF POSTING**

**Magistrate Order**

Case No.: 05-00001819  
Date Posted: May 16, 2022  
Property Owner: CARSON ELLEN V  
Property Address: 3 CLARK LN

Places of Posting: Town Hall  
3 CLARK LN

(See Attached Copy of Posted Notice)

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared, **PAUL RUDDOCK**, a duly-designated Code Compliance Officer of the Town of Jupiter, who, after being duly sworn by me under oath, deposes and says:

1. Prior to posting this notice, the undersigned has reviewed the file of this matter and has determined that a bona fide attempt was made to hand-deliver or mail notice to the alleged violator.
2. This Affidavit of Posting shall serve to meet the notice requirements of Section 162.12, Florida Statutes.
3. This property was posted for at least ten (10) days in two (2) locations, the first being upon the property where the code violation is alleged to exist, the address of which is listed herein above, and the second being at the Jupiter Town Hall, 210 Military Trail, Jupiter, Florida 33458, in accordance with Section 162.12(2)(b), F.S. The undersigned affiant submits this affidavit as proof of compliance with the requirements of Section 162.12(2)(b), F.S.

FURTHER AFFIANT SAYETH NOT

 #1194

Personally appeared before me the undersigned authority, and acknowledged that (he)/(she) did execute the foregoing affidavit.

Sworn to and subscribed before me this 16<sup>th</sup> day of May, 2022.

  
Notary Public



