



TOWN OF JUPITER

CODE COMPLIANCE DIVISION SPECIAL MAGISTRATE AMENDED NOTICE OF HEARING

September 27, 2023

MELINDA A WATERS
1422 SUMMER AVE
JUPITER, FL 33469

CASE NO.: 23-000055

LOCATION: 1422 SUMMER AVE, Jupiter, Florida
PCN: 30434031090040150

You are hereby notified that on **10/11/23 at 10:00 AM** there will be a hearing conducted by the Town of Jupiter Special Magistrate in the Council Chambers of the Town of Jupiter Municipal Complex, 196 Military Trail, concerning the alleged violation of the Town Code:

Violation Information

THE CATS BEING HARBORED AND ATTRACTED TO THE PROPERTY, IN ADDITION TO THE CONDITION THIS PROPERTY IS BEING MAINTAINED IS CREATING A FOUL ODOR THAT IS AFFECTING THE NEIGHBORING PROPERTIES. ELIMINATE THE SOURCES OF THE ODOR AND TREAT THE SMELL.

Violation Description

ZONING OFFENSIVE ODORS

27-3246 ODORS

No emission of odorous gases or other odorous material in such quantity as to be offensive at the lot lines or beyond shall be permitted.

Violation Information

THIS HOME HAS HOLES IN THE ROOF AND SOFFIT IN NEED OF MAINTENANCE AND REPAIR. REPAIR ALL DAMAGES TO THE ROOF AND SOFFIT TO ENSURE THAT THE STRUCTURE IS WATER TIGHT, WEATHERPROOF, INSECT, AND RODENT PROOF. PERMITS MAY BE REQUIRED FOR THE REPAIRS. CONTACT THE BUILDING DEPARTMENT AT 561-741-2286 FOR PERMIT REQUIREMENTS.

Violation Description

NUISANCES EXTERIOR MAINTENANCE

13-41(c)(2)(a-b) EXTERIOR MAINTENANCE

(c) Exterior of buildings and structures.

(2) The exterior of a building or structure shall be maintained in a good state of repair, and shall be structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. A nuisance is hereby declared to exist if the exterior of a building or structure has deteriorated to the point where either:

a. Twenty percent or more of the total exterior building surface area, including, but not limited to, exterior walls, fascia boards, window and door frames, exterior doors and garage doors, eaves, soffits, siding, stucco, awnings, garages, porches, and carports, has blistered, peeling or missing paint and/or is rotted and/or has mold or mildew. For purposes of this section, the surface area of openings such as windows, breezeways, sliding glass, glass, or French doors shall not be included in the calculation of the total exterior building area.

b. Windows, glass panes, doors, screens, screened enclosures, rails and stiles are missing, broken, or are deteriorated and in need of repair.

You are hereby ordered to appear before the Special Magistrate on the above-referenced date to respond to the alleged violation and to present any oral or written testimony regarding the alleged violation. Failure to appear will result in the Special Magistrate proceeding in your absence. You will have the opportunity to present witnesses, as well as question the witnesses against you, prior to the Special Magistrate making a determination. You have the right to obtain an attorney, at your expense, to represent you before the Special Magistrate. **CASE FILES WILL BE AVAILABLE FOR REVIEW BY RESPONDENTS ONE-HALF HOUR PRIOR TO THE START OF THE HEARING.**

If the alleged violation still exists as of the compliance date specified in the notice of violation, this case may proceed to the hearing whether or not compliance is achieved prior to the hearing date, with a request to the Special Magistrate for a finding of violation and assessment of **ADMINISTRATIVE COSTS**. If the alleged violation still exists at the time of the hearing and you are found in violation, the Special Magistrate may enter an order against you and may assess both **ADMINISTRATIVE COSTS** and a fine of up to **\$1,000.00 PER DAY PER VIOLATION** for every day the violation continues beyond the date set by the Special Magistrate in the order for compliance. If the violation is considered by the Special Magistrate to be irreparable or irreversible in nature, a fine may be imposed not to exceed **\$15,000.00 PER VIOLATION**. If you are found in violation and subsequently violate the same code section(s) again at a later date, a repeat violator fine of up to **\$5,000.00 PER VIOLATION PER DAY** could be assessed for every day of violation, plus administrative costs.

Should any interested party seek to appeal any decision made by the Special Magistrate with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and for such purpose he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

There is a procedure whereby an alleged violator may stipulate to the existence of a violation and waive appearance at the above hearing. If you so wish to, you may enter into stipulation with the Town whereby you are admitting to the violation described herein.

Sincerely,

Henry Cardoso
Code Compliance Officer
Town of Jupiter

CERTIFIED MAIL

AFFIDAVIT OF POSTING

Notice of Hearing — Amended

Case No.: 23-000055
Date Posted: September 27, 2023
Property Owner: MELINDA A WATERS
Property Address: 1422 SUMMER AVE

Places of Posting: Town Hall
1422 SUMMER AVE

(See Attached Copy of Posted Notice)

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared, **HENRY CARDOSO**, 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

Henry Cardoso

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

Sworn to and subscribed before me this 27th day of September, 2023.

Dean Milligan Fowler
Notary Public



