

**CODE ENFORCEMENT BOARD
MEETING
MARCH 27, 2019**

MEMBERS PRESENT: John Chalifoux, Chairman
Henry Bauman, William Brennan, John Burrage,
Nora Giardina, Timothy Heggan, Edward Weiner

OTHERS PRESENT: William Gorman, Police Officer
City Attorney David Levin
Allen McDaniel, Code Compliance Officer
David McCarty, Code Compliance Supervisor

CALL TO ORDER/ANNOUNCEMENTS

- A. Roll Call
- B. Next Scheduled Meeting
 - 1. April 24, 2019
 - Mr. Weiner advised he would not be available.

APPROVAL OF MINUTES

- A. February 27, 2019
 - Mr. Burrage MOVED, Mr. Bauman SECONDED approval of the February 27, 2019 minutes. MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

- A. 19-71512 – POLICE OFFICER – WILLIAM GORMAN #711
 - Respondent: Joe Germain
 - Address of Violation: 101 Harborside Avenue
 - Violation of Chapter 23, Section 23-15 (a) (2) d. Stopping, Standing or Parking in Specified Area.
 - City Attorney Levin determined the location of the violation did not meet the requirements of City Code and called for the case to be dismissed.
 - Mr. Weiner MOVED, Mr. Bauman SECONDED to dismiss Case #19-71512. MOTION CARRIED UNANIMOUSLY.

B. 19-71159 – CODE COMPLIANCE OFFICER – NICK FALKNER

Respondent: Peace River Beer Company, LLC

Registered Agent: % Surasak Wichitsakulrat

Address of Violation: 1732 Steadley Avenue

Violations of Chapter 26, Section 8.11 (e); and Violation of Chapter 26, Section 8.11 (f) Property Maintenance - Grass.

- City Attorney Levin reported the City had received a request for accommodation for a disability; however, the requested accommodation could not be provided this date. He requested the case be continued.
- Mr. Weiner MOVED, Mr. BAUMAN SECONDED to continue Case #19-71159 to April 24, 2019. MOTION CARRIED UNANIMOUSLY.

C. 19-71210 – CODE COMPLIANCE OFFICER – ALLEN MCDANIEL

Respondent: Robert J. Nicholas, Jr. Trustee

Address of Violation: 3021 Roma Court

Violation of Chapter 26, Section 8.11 (e) 1Property Maintenance - Debris; and Violation of Chapter 26, Section 8.15 (b) (2) (f) Fence in Disrepair; and Violation of Chapter 9, Section 9-2 (a); and Violation of Chapter 26, Section 8.14 (b) Outdoor Storage.

- Mr. Allen McDaniel, Code Compliance Officer, displayed several photographs of the subject property, located within City limits, noting inspection on February 15, 2019, found the garbage hide structure in a state of disrepair and landscape debris. He reviewed the City's efforts to bring the property into compliance, noting inspection carried out on February 19, 2019, found the initial violations continued to exist in addition to a new violation of outdoor storage. He reported inspections on February 25, 2019, and March 26, 2019, revealed the violations remained. He then submitted an invoice for case costs incurred in the amount of \$34.07.
- Mr. Burrage MOVED, Mr. Bauman SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.
- Mr. Burrage MOVED, Mr. Bauman SECONDED to find the respondent guilty, to issue a Cease & Desist Order for any future violations, to order the property be brought into compliance within 10 days and to require payment of case costs incurred in the amount of \$34.07 within 10 days, subject to a fine up to \$250 per day plus applicable interest. MOTION CARRIED UNANIMOUSLY.

STAFF COMMENTS

- Mr. David McCarty, Code Compliance Supervisor, reviewed the lien status report, as delineated in the agenda material, noting 520 Ida Avenue might return for the Board's April 24, 2019 meeting due to noncompliance.

- Mr. Weiner inquired as to the status of Case #18-70173.
- Mr. McCarty replied the property had sold and the new owners were in the process of making the necessary repairs.

ADJOURNMENT

- Meeting Adjourned: 9:16 a.m.

John Chalifoux, Chairman

Sara Welch, Recording Secretary