

**CODE ENFORCEMENT BOARD MEETING
TUESDAY, SEPTEMBER 16, 2014
CITY HALL at 685 WEST MONTROSE STREET
At 7:00 PM**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

**APPROVAL OF THE MINUTES OF THE CODE ENFORCEMENT BOARD
FOR AUGUST 19, 2014**

OPENING STATEMENT

SWEARING IN WITNESSES

AGENDA

OTHER BUSINESS

**Case 12-845
Wallace**

Daisy Clark Estate
769 E. Montrose Street
Clermont, FL 34711

REQUEST:

Forgiveness of fine

NEW BUSINESS

**Case 14-996
Wallace**

Steven & Lorena Blankenship
730 Oak Drive
Clermont, FL 34711

VIOLATION:

Chapter 10, Section 10-26
Livestock Prohibited

Discussion of Non-Agenda Items

ADJOURN

Any person wishing to appeal any decision made by the Code Enforcement Board at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Planning and Zoning Department at 352-241-7302.

Please be advised that if you intend to show any document, picture, video or items to the Council or Board in support or opposition to any item on the agenda; a copy of the document, picture, video or item must be provided to the Recording Clerk for the City's records.

08/18/2014

Attention:

Evie Wallace
Code Enforcement Officer
City of Clermont
685 W. Montrose St
Clermont FL 34711

To: Code Enforcement Board

Please schedule me for the September 16th, 2014 Code Enforcement Board meeting regarding:

Case #12-845.

DAISY CLARK ESTATE
769 E. MONTROSE ST
CLERMONT, FL 34711

I would like to go before the Board to request forgiveness of the fines.

Sincerely,

A handwritten signature in cursive script that reads "Lucille DeRamus".

LUCILLE CLARK DERAMUS
549 E BROOME ST
CLERMONT, FL 34711

City of Clermont
P.O. BOX 120219, CLERMONT, FLORIDA 34712-0219

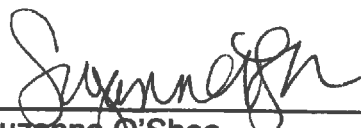
STATEMENT OF COMPLIANCE

June 14, 2013

In the matter of:
CASE NO. 12-845

DAISY CLARK ESTATE
549 E. BROOME ST
CLERMONT, FL 34711

1. On July 17, 2012, the Code Enforcement Board held a Public Hearing and issued Findings of Fact, Conclusion of Law, and Order in the above-styled matter.
2. That, pursuant to said Order, the Respondent was to have taken certain corrective action on or before January 15, 2013.
3. Permits for plumbing, a hot water heater, and truss repair were all finalized by the Building Department on May 21, 2013, which made the property complaint on this date.
4. Fines have accrued at \$250.00 per day from January 16, 2013 to May 21, 2013 (126 days), totaling \$31,500.00.



Suzanne O'Shea
Code Enforcement Officer
(352) 241-7309
soshea@clermontfl.org

City of Clermont

P.O. Box 120210, Clermont, FL 34712-0219

VIOLATION NOTICE

August 22nd, 2014

Violation # 2440

Blankenship, Steven & Lorena
957 Meadow Glade Dr.
Winter Garden, FL. 34787

Property/Violation Address: 730 Oak Dr., Clermont FL. 34711

Parcel Number: 30-22-26-110000001600

Type of Violation: Livestock Prohibited
In Violation Of: Chapter 10, Section 10-26 Livestock prohibited
Titled: "Domestic Animals & Wildlife"

You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances due to the following:

- Listed residence have chickens inside a chicken coop located in the backyard of listed property (Section 10-26)
- All livestock is prohibited in the city limits of Clermont.

Compliance of This Violation will be when the following conditions are met:

- The chickens and the chicken coop are removed.

You are directed to take action by August 27th, 2014. Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Board.

Please call **(352) 241-7304** or email me at ewallace@clermontfl.org when compliance is met.

By: _____



E. Wallace
Code Enforcement Officer

**Code Enforcement Board of the
City of Clermont**

NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

vs.

Case No. 14-996

Violation No. 2440

Blankenship, Steven and Lorena

Respondent

Pursuant to Section 2-206 of the Code of the City of Clermont, Florida, you are hereby called to take notice that a Public Hearing will be conducted in the above-styled cause, pending and undetermined by the Code Enforcement Board on:

September 16th 2014, at 6:00 PM

at

685 West Montrose Street, Clermont, Florida.

Council Chambers of City Hall

The Board will receive testimony and evidence at said Public Hearing and shall make such findings of fact as are supported by the testimony and evidence pertaining to the matters alleged in the Violation Notice. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified by the Code Enforcement Officer in his/her Statement of Violation, this case may be presented to the Board even if the violation has been corrected prior to the hearing.

Any letters, lists, pictures or items displayed, presented or handed out at a public meeting for any City Commission, Board, Council or City public meeting, must be left with the recording clerk at the meeting at that time. No cell phone or electronic displays are permitted unless a printed copy is supplied at that time to the recording clerk.

PLEASE GOVERN YOURSELF ACCORDINGLY.

I hereby certify that a true and correct copy of the above and foregoing Notice of Hearing has been furnished by Certified Mail/Personal Service to Respondent, Blankenship, Steven and Lorena at 957 Meadow Glade Dr., Clermont Fl. 34711. (Certified Mail/Return Receipt Requested#

9171 9690 0935 0046 6978 65

BY: _____


Evie Wallace, Code Enforcement Officer
this 30th day of August, 2014.

IF A PERSON DESIRES TO APPEAL ANY DECISION WITH RESPECT TO ANY MATTER CONSIDERED AT THESE PROCEEDINGS, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND THAT, FOR THIS PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Sec. 10-26. Livestock prohibited.

It shall be unlawful to keep any livestock upon any property within the city limits, except where a conditional use permit, authorizing livestock, is granted by the city council.

(Code 1998, § 10-26, Ord. No. 318-C, 1-8-2002)

Sec. 10-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning:

Animal means any living dumb creature.

Animal control officer means any person employed or appointed by a county or municipality who is authorized to investigate, on public or private property, civil infractions relating to animal control or cruelty and to issue citations as provided in this section.

Animal in distress means any animal found abandoned, neglected, cruelly treated, injured, starving or wounded.

Animal shelter means any premises or facility designated by any governmental entity as a facility for the purpose of impounding and caring for animals.

Animal under restraint means any animal secured by a leash, chain, rope, or lead and/or confined within a vehicle or caged or tethered in the open bed of a pick-up truck, or confined within the property limits of any parcel of land with the property owner's consent, or confined within a crate or pen.

Confiscate means removal of the animal from the care, custody or control of the owner of the animal in instances under this chapter or state law when the animal will only be returned to the owner following a hearing.

Control means the regulation of and the possession, ownership, care, and custody of animals.

Cruelty means any act of neglect, torture, or torment which causes unjust pain or suffering of an animal.

Dangerous animal means any animal that according to the records of the division:

- (1) Has aggressively bitten, attacked, or endangered, or has inflicted severe injury on a human being on public or private property.
- (2) Has more than once injured or killed a domestic animal while off the owner's property.
- (3) Has, when unprovoked, chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, provided that such actions are attested to in a sworn statement by one or more persons and confirmed by the division.

Division means the city and/or the city's animal control department.

Impound means the removal, usually temporary, of an animal from the care, custody or control of the owner until the animal control officer determines the owner's compliance with an ordinance or state law.

Livestock means all goats, sheep, equine, bovine, swine, and includes domestic fowl such as chickens, geese, ducks, turkeys, guineas, and like domestic fowl.

Neglect means any act of disregard; to ignore the physical needs of any animal such as the provision of nutritional food, clean water, and basic care.

Owner means any person, firm, corporation, or organization, possessing, harboring, keeping or having control or custody of any animal or; if the animal is owned by a person under the age of 18, that person's parent or guardian.

Proper enclosure of a dangerous animal means, while on the owner's property, a dangerous animal is securely confined indoors or in a securely enclosed locked pen or structure, suitable to prevent the entry of any person or any body part of such person, and designed to prevent the animal from escaping, or partially advancing through. Such pen shall have secure sides, a secure top, and a secure floor to prevent the animal from escaping over, under, or through the structure and shall also provide protection from the elements.

Severe injury inflicted on a person by an animal means any physical injury which results in broken bones, multiple bites or disfiguring lacerations requiring sutures or reconstructive surgery.

Unprovoked means that a victim who has been conducting himself peacefully and lawfully has been bitten or chased in a menacing fashion or attacked by an animal.

(Code 1998 § 10-3; Ord. No. 318-C, 1-8-2002)