

Thursday, September 17, 2021, 2:00 p.m.

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be “abbreviated” in style. Persons interested in listening to the meeting, after the fact, may access the audio from the item via the Town’s website at www.townofpalmbeach.com or may obtain an audio recording of the meeting by contacting the Code Enforcement Board Secretary at (561)227-7080. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. Call to Order: (2:00:00 / 14:00:00)

II. Roll Call: (2:00:01 / 14:00:01)

Bram Majtlis, Chairman
Steven Meltzer, Vice Chairman
Daniel McDonnell
Linda Wartow
Martin Klein
Scotch Peloso
Chris Larmoyeux
Pamela Saba, Alternate Member
Julie Herzig-Desnick, Alternate Member

BOARD SECRETARY MARCOTE INFORMED CHAIRMAN MAJTILIS THAT ALL MEMBERS ARE PRESENT FOR TODAYS HEARING.

III. Approval of the Minutes of the August 19, 2021: (2:00:08 / 14:00:08)

**MOTION BY MR. MELTZER TO APPROVE THE AUGUST 19, 2021 MINUTES.
SECONDED BY MR. KLEIN.
MOTION PASSED UNANIMOUSLY.**

IV. Administration of the Oath to Town Staff: (2:00:31 / 14:00:31)

The Town staff were sworn in by Secretary Marcote.

V. Code Statistics: (2:00:51 / 14:00:51)

- 1004 Year to date Code Enforcement cases.
- 81 Cases initiated since the last Code Board Hearing
- 26 cases officer generated
- 55 cases were received (not self-initiated)
- 17 cases set to appear at the September Code Board
- 9 cases achieved compliance before the hearing
- 6 new cases to be heard today
- 2 fine consideration cases to be heard today
- 0 fine reduction cases to be heard today
- 0 old business case to be heard today

VI. Public Hearing: (2:01:38 / 14:01:38)

A. Case # CE 21-942, 240 S. County Road, Sandra & Thomas Campaniello: (2:01:49 / 14:01:49)

Violation of Chapter 18, Section 18-18 of the Town of Palm Beach Code of Ordinances requires the exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to poses a threat to the public health, safety and welfare

Officer Moriarty presented the facts of the case and entered evidence into the record.

The James Abravaya present on behalf of the property owner and gave testimony in the case.

MOTION BY MR. KLEIN TO FIND THE OWNER IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE FEE OF \$150.00 TO BE PAID WITHIN 30 DAYS. BARRIDACES TO BE PLACED BY PUBLIC WORKS ANY COST FOR THE BARRICADES WILL BE AT THE EXPENSE OF THE PROPERTY OWNER AND A COMPLIANCE DATE OF OCTOBER 1, 2021.

MOTION SECONDED BY MS. WARTOW.

MOTION PASSED UNANIMOUSLY.

B. Case # CE 21-750, 910 S. Ocean Blvd., 910 S. Ocean LLC: (2:24:06 / 14:24:06)

Violation of Chapter 88, Section 88-18 of the Town of Palm Beach Code of Ordinances requires the exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety and welfare. Chapter 88, Section 88-16 of the Town of Palm Beach Code of Ordinances requires exterior property and premises shall be maintained in a clean, safe and sanitary condition.

Officer Moriarty presented the facts of the case and entered evidence into the record

The property owner was not present and there was a finding of proper notice.

MOTION BY MR. KLEIN TO FIND THE OWNER IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE FEE OF \$150.00 TO BE PAID WITHIN 30 DAYS AND TO COME INTO COMPLIANCE BY OCTOBER 18, 2021.

MOTION SECONDED BY MR. PELOSO.

MOTION PASSED UNANIMOUSLY.

C. Case # CE 21-734, 411 S. County Road, PB Worth Partners LLC: (2:28:01 / 14:28:01)

Violation of Chapter 88, Section 88-18 of the Town of Palm Beach Code of Ordinances requires the exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety and welfare.

Officer Moriarty presented the facts of the case and entered evidence into the record.

Chris Thomas was present on behalf of the property owner and Chase Bank and gave testimony in the case.

MOTION BY MR. LARMOYEUX TO FIND THE OWNER IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE FEE OF \$150.00 TO BE PAID WITHIN 30 DAYS AND TO COME INTO COMPLIANCE BY NOVEMBER 15, 2021.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSESS UNANIMOUSLY.

D. Case # CE 21-746, 401 S. County Road, US Postal Service: (2:37:35 / 14:37:35)

Violation of Chapter 38, Section 38-62 of the Town of Palm Beach Code of Ordinances requires alarm users to first obtain a permit. Furthermore, alarm user fees not paid within 30 days accrue an automatic ten percent penalty per month and are subject to Code Enforcement action including, but not limited to filing a lien on the property. Chapter 38, Section 38-35 allows for service charges and late penalties to be assessed to alarm system owners who exceed the maximum allowable false alarms in any given calendar year beginning October 1.

Officer Kloiber presented the facts of the case and entered evidence into the record.

The defendant was not present and there was a finding of proper notice.

MOTION BY MR. LARMOYEUX TO POSTPONE THE CASE UNTIL THE OCTOBER 21, 2021 HEARING.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSESS UNANIMOUSLY.

E. Case # 21-615, 301 Via Linda, 301 Via Linda LLC: (2:49:44 / 14:49:44)

Violation of Chapter 88, Section 88-18 of the Town of Palm Beach Code of Ordinances requires the exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety and welfare. Chapter 88, Section 88-16 of the Town of Palm Beach Code of Ordinances requires exterior property and premises shall be maintained in a clean, safe and sanitary condition.

Officer Kloiber presented the facts of the case and entered evidence into the record.

The property owner was not present and there was a finding of proper notice.

MOTION BY MR. LARMOYEUS TO FIND THE OWNER IN NON-COMPLIANCE ASSESS ADMINISTRATIVE FEE OF \$150.00 TO BE PAID WITHIN 30 DAYS AND GIVEN UNTIL OCTOBER 18, 2021 TO COME INTO COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSESS UNANIMOUSLY.

F. Case # 21-94, 201 Via Bellaria, Ryna Greenbaum: (2:53:46 / 14:53:46)

Violation of Chapter 18, Section 18-233 of the Town of Palm Beach Code of Ordinances adopts the Florida Building Code which requires building permits to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure or install, alter, repair, remove, convert or replace any electrical, mechanical or plumbing system.

Officer Kloiber presented the facts of the case and presented evidence into the record.

The property owner was not present and there was a finding of proper notice.

MOTION BY MR. KLEIN TO FIND THE OWNER IN NON-COMPLIANCE ASSESS ADMINISTRATIVE FEE OF \$150.00 TO BE PAID WITHIN 30 DAYS AND GIVEN UNTIL OCTOBER 18, 2021 TO COME INTO COMPLIANCE.

MOTION SECONDED BY MR. MELTZER.

MOTION PASSESS UNANIMOUSLY.

VII. Fine Consideration Hearing : (3:00:30 / 15:00:30)

A. Case # CE 21-511, 425 Chilean Ave., Loraine S. Charman: (3:00:38 / 15:00:38)

Violation of Chapter 66, Section 66-236(a) of the Town of Palm Beach Code of Ordinances vegetation removal permits, not sought in conjunction with building permits, shall be obtained by making application prior to removal, relocation or replacement of the building official or his designee, at least ten working days prior to the proposed date of removal.

Code Enforcement Officer Moriarty re-presented the facts of the case.

Mr. Francis Lynch was present on behalf of the property owner gave testimony in the case.

MOTION BY MR. KLEIN TO POSTPONE THE FINE CONSIDERATION HEARING UNTIL THE OCTOBER 21, 2021 HEARING AT WHICH TIME THE HOMEOWNER OR HIS/HER REPRESENTATIVE MUST RETURN WITH AN UPDATE ON THE CASE.

MOTION SECONDED BY MR. LARMOYEUX

MOTION PASSES UNANIMOUSLY.

B. Case # CE 21-425, 232 Colonial Lane, George & Zvenka Kleinfeld: (3:11:06 / 15:11:06)

Violation of Chapter 18, Section 18-233 of the Town of Palm Beach Code of Ordinances requires building permits to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure or install, alter, repair, remove, convert or replace any electrical, mechanical or plumbing system.

Officer Kloiber re-presented the facts of the case.

The property owner was not present and there was a finding of proper notice.

MOTION BY MR. MELTZER OF A \$100.00 DAILY RUNNING FINE TO COMMENCE ON SEPTEMBER 13, 2021 AND TO RUN UNTIL COMPLIANCE IS MET.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSED UNANIMOUSLY.

VIII. Board Comments: (3:14:26 / 15:14:26)

Chairman Mr. Majtlis thanked the board for all of its hard work.

IX. Adjournment: (3:15:01 / 15:15:01)

**MOTION TO ADJOURN BY MS. WARTOW
SECONDED BY MR. MELTZER.
MOTION PASSED UNANIMOUSLY.**

