

Thursday, September 14, 2023, 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: (2:00:08)

II. Roll Call: (2:00:12)

Scotch Peloso, Vice Chairman
Martin Klein
Pamela Saba
Chris Larmoyeux
John McGowan Jr.
Pamela Davies, Alternate Member

The board secretary informed the Vice Chair that Ms. Davies would be a voting member for this hearing.

III. Approval of the Minutes of the August 17, 20, 2023, Minutes: (2:00:57)

MOTION BY MR. KLEIN TO APPROVE AUGUST 17, 2023, MINUTES.

MOTION SECONDED BY MR. MCGOWAN

MOTION PASSED UNANIMOUSLY.

IV. Administration of the Oath to Town Staff: (2:01:48)

V. Code Statistics: (2:02:45)

- 1657 Year to date Code Enforcement cases.
- 157 cases initiated since the last Code Board Hearing.
- 104 cases officer generated.
- 53 cases were received (not self-initiated).
- 22 cases are set to appear at the September Code Board.
- 15 cases achieved compliance before the hearing.
- 3 new cases to be heard today.
- 4 fine consideration cases to be heard today.
- 0 fine reduction case to be heard today.
- 0 old business cases to be heard today.

VI. Financial Report:

The Financial report was not presented this month.

VII. Public Hearing: (2:002:45)

A. Case # CE 23-848, 235 Sunrise Ave., Palm Beach Hotel Condo Association: (2:02:52)

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 Rodriguez presented the facts of the case and entered evidence into the record.

Sierra Bubb was present on behalf of the property owner and gave testimony in the case.

Fire Inspector J. Duane was present and gave testimony in the case.

MOTION BY MR LARMOYEUX TO HEAR THIS CASE AT THE END OF THE CODE BOARD HEARING SO THAT THE FIRE INSPECTOR COULD BE PRESENT.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSED UNANIMOUSLY.

MOTION BY MR. LARMOUYEAUX OF FINDING OF NON-COMPLIANCE, ASSESS ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 TO BE PAID WITHIN 30 DAYS OF THIS HEARING AND ORDERED TO COME INTO COMPLIANCE BY DECEMBER 18, 2023, AND TO MAKE ANY NECESSARY IMPROVEMENTS THE FIRE MARSHALL/INSPECTOR DEEMS NECESSARY PRIOR TO THE COMPLIANCE DATE. IF COMPLIANCE IS NOT MET THIS CASE WILL RETURN ON DECEMBER 21, 2023, CODE ENFORCEMENT BOARD FOR FINE CONSIDERATION.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSED UNANIMOUSLY.

B. Case # CE 23-884, 230 Atlantic Ave., Linda Saligman Trust: (2:11:11)

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 or plumbing system.

Officer Felix presented the facts and entered evidence into the record.

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

MOTION BY MR. KLIEN OF FINDING NON-COMPLIANCE, ASSESS ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 WITHIN 30 DAYS OF THIS ORDER AND TO COME INTO COMPLIANCE BY OCTOBER 16, 2023, OR RETURN TO THE OCTOBER 19, 2023, CODE BOARD HEARING FOR FINE CONSIDERATION.

MOTION SECONDED BY MR. MCGOWAN.

MOTION PASSED UNANIMOUSLY.

C. Case # CE 23-1106, 201 Banyan Road, 201 Banyan Trust/Lester Lipschultz Trust: (2:15:17)

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 or plumbing system.

Officer Mejia presented the facts and entered evidence into the record.

The property owner was not present but a statement from M. Angles was read into the record.

MOTION BY MR. KLIEN OF FINDING OF NON-COMPLIANCE, ASSESS ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 TO BE PAID WITHIN 30 DAYS OF THIS ORDER AND TO COME INTO COMPLIANCE BY DECEMBER 18, 2023 OR THIS CASE WILL RETURN FOR A FINE CONSIDERATION HEARING AT THE DECEMBER 21, 2023 HEARING.

MOTION SECONDED BY MR. MCGOWAN.

MOTION PASSED UNANIMOUSLY.

VIII. Fine Consideration Hearing: (2:20:33)

A. Case # CE 23-841, 420 Royal Palm Way, JHB Seaside Properties LLC: (2:20:43)

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 or plumbing system.

Officer Felix reminded the board of the facts of this case.

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

MOTION BY MR. LARMOYEAUX TO ASSESS A DAILY RUNNING FINE OF \$250.00 A DAY COMMENCING ON SEPTEMBER 12, 2023, AND TO CONTINUE UNTIL COMPLIANCE IS MET.

MOTION SECONDED BY MR. KLEIN

MOTION PASSES UNANIMOUSLY.

B. Case # CE 23-924, 191 Bradley Place, Meat Market: (2:38:37)

Violation of Chapter 42, Section 42-126 of the Town of Palm Beach Code of Ordinances states it shall be unlawful for any person to have, keep, maintain, cause or permit within the town any collection of standing water or flowing water in which mosquitoes breed or are likely to breed, unless such collection of water is treated so as effectually to prevent such breeding.

Officer Moriarty reminded the board of the facts of the case.

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

MOTION BY MR. KLEIN TO ASSESS A DAILY RUNNING FINE OF \$250.00 A DAY COMMENCING ON SEPTEMBER 12, 2023, AND TO CONTINUE UNTIL COMPLIANCE IS MET.

MOTION SECONDED BY MS. SABA.

MOTION PASSED UNANIMOUSLY.

C. Case # CE 23-898, 209 List Road, DLW Investments LLC: (2:14:38)

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 or plumbing system.

The board secretary informed the board that this case came into compliance prior to the hearing and would not be heard for fine consideration.

D. Case # CE 23-982, 1150 N Ocean Way, 1150 N Ocean Way LLC:

Violation of Chapter 88, Section 88-16(d) of the Town of Palm Beach Code of Ordinances states premises and exterior property shall be maintained free from weeds or plant growth in excess of 8 inches. Chapter 126, Section 126-32 of the Town of Palm Beach Code of Ordinances requires coconut trees in the town shall be required annually by August of each year, so that on August 1 each year all coconut trees in the town shall be free of coconuts, coconut blooms and dead or dying fronds. Chapter 106, Section 106-159(b) of the Town of Palm Beach Code of Ordinances requires a clearance of 18 feet, measured vertically from the edges of the pavement and extending the full width of all streets and roadways is to be maintained at all times for the unobstructed passage of vehicles.

Officer Felix reminded the board of the facts of the case.

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

MOTION BY MR. MCGOWAN TO ASSESS A DAILY RUNNING FINE OF \$250.00 A DAY COMMENCING ON AUGUST 30, 2023, AND TO CONTINUE UNTIL COMPLIANCE IS MET.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSED UNANIMOUSLY.

IX. **Board Comments: (2:38:24)**

Mr. Klein thanked the Vice Chair Mr. Peloso for a successful hearing.

X. **Adjournment: (2:38:42)**

MOTION TO ADJOURN BY MS. SABA.

MOTION SECONDED BY MR. MCGOWAN.

MOTION PASSED UNANIMOUSLY.