

Thursday, June 15, 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: (2:00:15)

II. Roll Call: (2:00:16)

Bram Majtlis, Chairman
Scotch Peloso, Vice Chairman
Linda Wartow
Martin Klein
Pamela Saba
Harris S. Fried, Alternate Member
Pamela Davies, Alternate Member

III. Approval of the Minutes of the May 18, 2023, Minutes: (2:00:47)

MOTION BY MR. MCGOWAN TO APPROVE MAY 18, 2023, MINUTES.

MOTION SECONDED BY MR. KLEIN

MOTION PASSED UNANIMOUSLY.

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

V. Code Statistics: (2:01:25)

- 985 Year to date Code Enforcement cases.
- 136 cases initiated since the last Code Board Hearing.
- 63 cases officer generated.
- 73 cases were received (not self-initiated).
- 26 cases are set to appear at the June Code Board.
- 20 cases achieved compliance before the hearing.
- 6 new cases to be heard today.
- 0 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: (2:02:17)

Board Secretary Marcote gave the Code Enforcement Board an updated financial report on outstanding fines.

VII. Public Hearing: (2:03:08)

A. Case # CE 23-146, 200 Via Linda, Christopher & Kimberly Robinson: (2:03:14)

Violation of Chapter 126, Section 126-31 of the Town of Palm Beach Code of Ordinances prohibits vegetative growth located within the vicinity of any above ground utility line that has reached a height or is in a condition that might render it dangerous to the public utility line.

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

Kurt Carlson was present on behalf of the property owner and gave testimony.

MOTION BY LARMOYEUX 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 OCTOBER 19, 2023, CODE BOARD HEARING FOR FINE CONSIDERATION.

MOTION SECONDED BY MS. WARTOW.

MOTION PASSED UNANIMOUSLY.

B. Case # CE 22-2267, 110 Atlantic Ave., Twin Hearts Palm Beach Realty Trust: (2:18:49)

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 Rodriguez presented the facts and entered evidence into the record.

Mr. McPherson was present on behalf of the property owner and gave testimony.

MOTION BY LARMOYEUX 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. KLEIN

MOTION PASSED UNANIMOUSLY.

C. Case # CE 23-575, 220 Onondaga Ave., Erin & Peter Sayer: (2:32:07)

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. KLEIN 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 JULY 17, 2023, OR THIS CASE WILL RETURN FOR A FINE CONSIDERATION HEARING ON JULY 20, 2023.

MOTION SECONDED BY MS. SABA.

MOTION PASSED UNANIMOUSLY.

D. Case # CE 23-783, 300 Arabian Road, Larry & Patricia Wilson: (2:36:31)

Chapter 42, Section 42-197(12)(b) of the Town of Palm Beach Code of Ordinances state the use of gasoline powered leaf blowers is prohibited on any property within the town, which is less than one acre in size. Effective May 1, 2022, gasoline powered leaf blowers shall be prohibited on any size property within the town.

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

The property owner was not present but sent an email that was read into the record on their behalf.

**MOTION BY MR. KLIEN OF FINDING OF NON-COMPLIANCE ASSESS
ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND TO PAY A FINE OF \$250.00
WITHIN 30 DAYS OF THIS ORDER.**

MOTION SECONDED BY MR. MCGOWAN.

MOTION PASSED UNANIMOUSLY.

E. Case # CE 23-765, 216 Bahama Lane, Steven Chang:(2:46:15)

Violation of Chapter 106, Section 106-40 of the Town of Palm Beach Code of Ordinances states except as otherwise provided by this Code, it shall be unlawful to throw or deposit offal or other offensive matter in any street, or to place sod, building materials, discarded furniture, rugs, household appliances or items of a similar nature in any street, or to discharge or permit to be discharged from any premises, so much water or other liquids as may put any part of the streets in bad repair, or to obstruct the gutter or sewers with dirt, trash, wood, lumber, brick or other material.

Officer Moriarty amended the violation to Chapter 88-17 swimming pools shall be maintained in a clean and sanitary condition and in good repair. 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. KLIEN OF FINDING OF NON-COMPLIANCE ASSESS
ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND TO PAY A FINE OF \$250.00
WITHIN 30 DAYS OF THIS ORDER.**

MOTION SECONDED BY MS. SABA.

MOTION PASSED UNANIMOUSLY.

F. Case # CE 23-763, 2160 Ibis Isle Unit 3, Charlot Taylor:(2:49:59)

Violation of Chapter 10, Section 10-9 of the Town of Palm Beach Code of Ordinances states no person shall keep, possess, feed or maintain any live animal within the town other than domesticated household pets or domesticated animals.

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

The property owner was not present, but a statement was read into the record on her behalf.

**MOTION BY MR. KLIEN OF FINDING OF NON-COMPLIANCE ASSESS
ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND TO PAY A FINE OF \$250.00
WITHIN 30 DAYS OF THIS ORDER.**

MOTION SECONDED BY MS. WARTOW.

MOTION PASSED UNANIMOUSLY.

VIII. Board Comments: (2:56:44)

The Chairman informed the Board that he had presented the annual code enforcement report to the Town Council and that they were very pleased with the work that the board has accomplished.

Mr. Klein congratulated Mr. Larmoyeux on his happy occasion.

IX. Adjournment: (2:57:33)

MOTION TO ADJOURN BY MS. SABA.

MOTION SECONDED BY MS. WARTOW.

MOTION PASSED UNANIMOUSLY.