



TOWN OF PALM BEACH

POLICE DEPARTMENT

A NATIONAL AND STATE ACCREDITED LAW ENFORCEMENT AGENCY



TOWN OF PALM BEACH

CODE ENFORCEMENT BOARD MINUTES

2:00 P.M. THURSDAY, JULY 19, 2007

AT THE TOWN COUNCIL CHAMBERS, 360 S. COUNTY ROAD

I. **Call to Order:** The meeting was called to order at 2:00 p.m. by Chairman Timothy Hoffman.

II. **Roll Call:**

Present:	Timothy Hoffman, Chairman Larry Ochstein, Member Martin I. Klein, Member Harris S. Fried, Member Madelyn Greenberg, Alternate Member Cynthia Van Buren, Alternate Member Christopher S. Rapp, Acting Town Attorney
Absent:	Richard A. Raffo, Vice-Chairman Joel P. Koeppe, Member Catherine M. Duemler, Member
Staff:	Captain Kirk Blouin, Support Services Robert S. Walton, Lead Code Enforcement Officer Sgt. Fred Hess, Code Enforcement/Parking Nancy McElhinney, Recording Secretary Debbie Morakis, Recording Secretary

Let the record reflect Ms. Greenberg and Ms. Van Buren will be voting members in the absences of Mr. Raffo, Mr. Koeppe and Ms. Duemler.

III. **Approval of the Minutes of June 21, 2007:**

**MOTION BY MR. KLEIN FOR APPROVAL OF THE JUNE 21, 2007 MINUTES.
MOTION SECONDED BY MS. GREENBERG.
MOTION PASSED UNANIMOUSLY.**

IV. **Administration of the Oath to all persons who wish to testify:**

Let the record show that all persons wishing to testify were sworn in at this time by Recording Secretary Nancy McElhinney.

Mr. Walton Lead Code Enforcement Officer asks with the Board's permission to make adjustments to the agenda to hear case A, B and C on page 1 and then hear Old Business, due to the numerous water violations.

Chairman Hoffman gave permission for the revisions to the agenda by Mr. Walton.

V. Comments regarding water violations by Sergeant Hess:

Sgt. Hess stated that today's agenda contains 70 water restriction violations. The restrictions do continue, however, the rate of violations has decreased. As of yesterday July 18th the Police Department has issued 465 citations for water restriction violations. Due to the large number of cases, Sgt. Hess asked with the Board's permission to address the public.

Sgt. Hess addressed the public and stated if they feel they were incorrectly cited because their property is (5) acres or larger, have new landscaping or you have documentation due to FP&L power failure to discuss with Code Enforcement Officer Bryant Weymer located in the back conference room. In regards to the water restriction violation cases to be heard by the Board today, if the Board's finding is non-compliance a \$150 Administrative Fee per violation will be recommended in addition to the fine. If you wish to plead guilty and pay your fine you may do so today.

VI. Public Hearings:

A Case # 07-2176, 369 S. Lake Drive, Park Place Inc.

Violation of Chapter 46, Section 46-68, annual fire and life safety inspections are required and an inspection fee levied on all uses and occupancies.

Lead Code Enforcement Officer Walton reported that they have come into compliance. Mr. Walton requested this case be dismissed.

**MOTION BY MR. KLEIN TO DISMISS CASE #07-2176 FOR COMPLIANCE.
MOTION SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

B Case # 07-2177 801 S County Road, Richard & Leslie Schlesinger

Violation of Chapter 134, Section 134-1473, which requires the ocean vista be maintained by trimming of vegetation to specified heights.

Lead Code Enforcement Officer Walton reported that he has received a letter from Attorney Ron Kolins requesting for a one-month postponement.

**MOTION BY MR. KLEIN TO POSTPONE CASE #07-2177 UNTIL THE AUGUST 16, 2007 CODE ENFORCEMENT BOARD HEARING.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

C Case # 07-2178, 252 Oleander Ave, Florida on Location Incorporated

Violation of Chapter 134, Section 134-944, commercial and or quasi-commercial use is prohibited in the R-C Zoning district.

Lead Code Enforcement Officer Walton reported that Florida on Location Inc. has their primary address as this apartment listed at the State of Florida website. The owner was notified and Attorney Ziska notified the tenant by letter that they must cease doing business at this location and get a properly zoned location to continue doing business.

Attorney Maura Ziska testified that the owner has no knowledge of a business being operated at that address and is asking for (60) days to have this cleared up and have Florida On Location Inc. change their address in the system.

Mr. Walton recommends to find them in non compliance, assess costs in the amount of \$150.00 and give them (60) days to relocate the business.

After further testimony and discussion, the following motion was made.

MOTION BY MS. GREENBERG THAT THE DEFENDANT BE FOUND IN NON COMPLIANCE, ORDERED TO PAY ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND IS GRANTED (60) DAYS TO COME INTO COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

Sgt. Hess reported that the Town has been under emergency water use restrictions since Friday, May 18th. The Town has been under Phase III restrictions, which limit landscape irrigation to one day per week based on house numbers. Odd number addresses may water on Saturday and even number addresses may water on Sunday between 4:00 a.m. – 8:00 a.m. There are exceptions for properties (5) acres or larger and for new landscaping for the first (30) days. After issuing (157) warnings between March 23rd and May 10th we began issuing citations even for the first offense due to the severity of the problem and the widespread publicity which the drought has received. As of yesterday the Police Department has issued (465) citations. A great many of the citations have resulted in a guilty plea and payment of the fine. More recent violations have been scheduled for the August 16, 2007 hearing date. The remaining cases (67) in all must be addressed by the Board. Due to the number of cases remaining we propose to present the cases in groups. Sgt. Hess distributed to the Board a spreadsheet with the water violation cases.

The first group consists of the violators that have pled guilty and paid the fine. The following cases are: #07-2179, #07-2180, #07-2181, #07-2182, #07-2183, #07-2189, #07-2190, #07-2191, #07-2192, #07-2193, #07-2195, #07-2197, #07-2202, #07-2203, #07-2204, #07-2205, #07-2207, #07-2208, #07-2209, #07-2210, #07-2211, #07-2213, #07-2216, #07-2219, #07-2223, #07-2231, #07-2232, #07-2235, #07-2236, #07-2237, #07-2107, #07-2132, #07-2168.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

The following cases the defendants have asked to be rescheduled to the August 16th hearing date. The cases are: #07-2196 and #07-2222.

MOTION BY MR. KLEIN TO RESCHEDULE CASE #07-2196 and CASE #07-2222 UNTIL THE AUGUST 16, 2007 CODE ENFORCEMENT BOARD HEARING.
SECONDED BY MR. FRIED.

MOTION CARRIED UNANIMOUSLY

The following cases were cited in error due to power failure or new plantings and we are asking for dismissal. The cases are: #07-2200 and #07-2234.

**MOTION BY MS. GREENBERG TO DISMISS CASE #07-2200 AND #07-2234.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

In every case to follow the property owner or representative has received legal notice of the hearing this afternoon either by personal service, certified mail or posting as required by law. In each of the remaining cases no one has responded by either paying the fine or by attending the hearing today. Each violation was personally observed by a Police Officer or Code Enforcement Officer. We are not charging based on circumstantial evidence as some other municipalities. The Police Officers, Code Enforcement Officers, Records Transcriptionists and Telecommunicators have spent hundreds of hours in dealing with the enforcement of the emergency water curtailment orders. Therefore in all of the following cases we are recommending that the Board find in non compliance and assess Administrative Costs in the amount of \$150.00 and payment of the fine(s).

The cases are: #07-2184, #07-2185, #07-2186, #07-2187, #07-2188, #07-2194, #07-2198, #07-2199, #07-2201, #07-2206, #07-2212, #07-2214, #07-2215, #07-2217, #07-2218, #07-2220, #07-2221, #07-2224, #07-2225, #07-2226, #07-2227, #07-2228, #07-2229, #07-2230, #07-2233, #07-2238, #07-2239, #07-2240, #07-2145.

**MOTION BY MS. GREENBERG THAT THESE DEFENDANTS ARE FOUND IN
NON COMPLIANCE, ORDERED TO PAY THE FINE(S) AND ADMINISTRATIVE
FEE IN THE AMOUNT OF \$150.00.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

The following case #07-2141 the respondent asked for an extension until the next Code Enforcement Hearing on August 16, 2007.

After further discussion:

**MOTION BY MS. GREENBERG TO FIND THE DEFENDANT, CASE #07-2141, IN
NON COMPLIANCE, PAYMENT OF THE FINE(S) AND AN ADMISTRATIVE FEE
IN THE AMOUNT OF \$150.00.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

Mr. Bryant Weymer addressed the Board regarding cases from the June Agenda that need to be corrected.

Regarding case #07-2121 and case #07-2124 were paid and on the Agenda, but were not announced as paid.

**MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE
GUILTY PLEA FOR CASE #07-2121 AND CASE #07-2124.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

Regarding case #07-2171 and case #07-2139 were read as paid and were suppose to be read as dismissed.

**MOTION BY MR. KLEIN TO DISMISS CASE #07-2171 AND #07-2139.
SECONDED BY MS. GREENBERG.
MOTION CARRIED UNANIMOUSLY.**

Regarding case #07-2122, #07-2148 and #07-2169 these were paid but read as unpaid.

**MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE
GUILTY PLEA FOR CASE #07-2122, #07-2148 AND CASE #07-2169.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

- D Case # 07-2179, 80 Middle Road, Joseph Dryer
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE
GUILTY PLEA.
SECONDED BY MS. GREENBERG.
MOTION CARRIED UNANIMOUSLY.**

- F Case # 07-2180, 212 Australian Ave, Lisa Wahlestedt
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE
GUILTY PLEA.
SECONDED BY MS. GREENBERG.
MOTION CARRIED UNANIMOUSLY.**

- G Case # 07-2181, 17 Golfview Road Bruce Bent
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE
GUILTY PLEA.
SECONDED BY MS. GREENBERG.
MOTION CARRIED UNANIMOUSLY.**

- H Case # 07-2182, 256 Fairview Road, Suzette Wexner
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

- I Case # 07-2183, 359 Seaspray Scott Murray
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

- J Case # 07-2184, 270 El Dorado Road Richard Miller
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND

ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

- K Case # 07-2185, 250 Clarke Ave., John Atkinson
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND

ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

- L Case # 07-2186, 2000 South Ocean Blvd., Sloans Curve Condominium
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and

shrubbery may be watered.

**MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$300.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

- M Case # 07-2187, 1960 South Ocean Blvd., 1960 South Shore Blvd LTD
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.
SECONDED BY MS. GREENBERG.
MOTION CARRIED UNANIMOUSLY.**

- N Case # 07-2188, 1230 South Ocean Blvd., SMM Realty LLC
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

- O Case # 07-2189, 201 Everglade Ave., Suzanne Stoll
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.
SECONDED BY MS. GREENBERG.
MOTION CARRIED UNANIMOUSLY.**

- P Case # 07-2190, 1558 North Ocean Way, James Cunningham
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

**SECONDED BY MS. GREENBERG.
MOTION CARRIED UNANIMOUSLY.**

- Q Case # 07-2191, 125 Seminole Ave., Taja Realty Trust
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

**SECONDED BY MS. GREENBERG.
MOTION CARRIED UNANIMOUSLY.**

- R Case # 07-2192, 1030 North Lake Way, David Fischer
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

**SECONDED BY MS. GREENBERG.
MOTION CARRIED UNANIMOUSLY.**

- S Case # 07-2193, 1263 North Lake Way, Loti Woods
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

**SECONDED BY MS. GREENBERG.
MOTION CARRIED UNANIMOUSLY.**

- T Case # 07-2194, 1285 North Ocean Blvd., Sheridan Snyder
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

**SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

- U Case # 07-2195, 1260 North Ocean Blvd., Carl Hirsh
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water

for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

V Case # 07-2196, 755 North Lake Way, Karen Robinson

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO RESCHEDULE CASE #07-2196 UNTIL THE AUGUST 16, 2007 CODE ENFORCEMENT BOARD HEARING.

SECONDED BY MR. FRIED.

MOTION CARRIED UNANIMOUSLY.

W Case # 07-2197, 1640 South Ocean Blvd., Philip Steinberg

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

X Case # 07-2198, 2300 South Ocean Blvd., Gail Trinko

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND

ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

Y Case # 07-2199, 1950 South Ocean Blvd., Earl Mack

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$200.00 AND

ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

**SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

- Z Case # 07-2200, 810 South Ocean Blvd., Robert Rewey
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MS. GREENBERG TO DISMISS CASE #07-2200.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

- AA Case # 07-2201, 125 Brazilian Ave., Joe Bagby
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON
COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND
ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

- BB Case # 07-2202, 1520 North Ocean Blvd., Alison Reed
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE
GUILTY PLEA.
SECONDED BY MS. GREENBERG.
MOTION CARRIED UNANIMOUSLY.**

- CC Case # 07-2203, 300 Arabian Road, Lido LLC
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE
GUILTY PLEA.
SECONDED BY MS. GREENBERG.
MOTION CARRIED UNANIMOUSLY.**

- DD Case # 07-2204, 209 Mockingbird, Kathryn's Corp.,
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and

shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

EE Case # 07-2205, 222 Mockingbird Trail, Edward DeGuardiola

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

FF Case # 07-2206, 247 Jungle Road, Alfred Slifka

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

GG Case # 07-2207, 641 North County Road, Ocean Palms Estate Corp.

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

HH Case # 07-2208, 220 Coral Lane, Steven Siegfried

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

JJ Case # 07-2209, 10 Via Viscaya, Via Viscaya LLC

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

KK Case # 07-2210, 228 Seabreeze Ave., Mercedes Cassidy

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

LL Case # 07-2211, 242 Seabreeze Ave, Ann H Coulter

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

MM Case # 07-2212, 160 Sunset Ave., Elizabeth Ehrenkranz

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$200.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

NN Case # 07-2213, 157 Peruvian Ave., Alban Co.

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

OO Case # 07-2214, 340 Garden Road, Giacomo Frunari

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

PP Case # 07-2215, 238 N Woods Road, Nancy Walker

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

QQ Case # 07-2216, 273 Bahama Lane, James Beasley

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

RR Case # 07-2217, 1098 North Lake Way, Franklyn DeMarco

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$200.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

SS Case # 07-2218, 421 Peruvian Ave., Anson Beard

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

TT Case # 07-2219, 149 Via Palma, Gerard Lind

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

UU Case # 07-2220, 360 Cocoanut Row, 360 Cocoanut Row LLC

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINES IN THE AMOUNT OF \$300.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

VV Case # 07-2221, 141 Gulfstream Road, Mark Davis

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$200.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

WW Case # 07-2222, 1045 South Ocean Blvd., Daniel Borislow

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the

Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO RESCHEDULE CASE #07-2222 UNTIL THE AUGUST 16, 2007 CODE ENFORCEMENT BOARD HEARING.

SECONDED BY MR. FRIED.

MOTION CARRIED UNANIMOUSLY.

XX Case # 07-2223, 640 South Ocean Blvd., Wang Cheng Ching

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

YY Case # 07-2224, 630 Island Drive, Lore Dodge

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINES IN THE AMOUNT OF \$200.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

ZZ Case # 07-2225, 12 Via Viscaya, Richard Kurtz

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINES IN THE AMOUNT OF \$300.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

AAA Case # 07-2226 456 South Ocean Blvd., BCD Investors LLP

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON

**COMPLIANCE, ORDERED TO PAY THE FINES IN THE AMOUNT OF \$400.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

BBB Case # 07-2227, 201 El Bravo Way, Peter Cummings
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

CCC Case # 07-2228, 589 North County Road, DLKK
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

DDD Case # 07-2229, 1055 North Lake Way, Lymus LTD
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

EEE Case # 07-2230, 1640 South Ocean Blvd., Philip Steinberg
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.
SECONDED BY MR. KLEIN.**

MOTION CARRIED UNANIMOUSLY.

FFF Case # 07-2231, 401 Antigua Lane, Four 01 Antigua LTD

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

GGG Case # 07-2232, 200 Via Linda, 200 Via Linda Associates LLC

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

HHH Case # 07-2233, 212 Arabian Road, Judith Ackerman

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

III Case # 07-2234, 264 List Road, Stanley Behrman

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG TO DISMISS CASE #07-2234.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

JJJ Case # 07-2235, 234 Phipps Plaza, Mark Rosenfeld

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

KKK Case # 07-2236, 209 Angler Ave., Adel Scholl

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

LLL Case # 07-2237, 124 Cocoanut Row, William Zacker

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

MMM Case # 07-2238, 156 Peruvian Ave., Yolande Fox

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND

ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

NNN Case # 07-2239, 695 South County Road, Cement Pond Holdings LLC

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND

ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

000 Case # 07-2240, 200 El Vedado Road, Joseph Allen

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

VII. New Business:

None

VIII. Old Business:

A Case # 07-2121, 225 Everglade Avenue, Louisa Floeckher

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered, **Correction case not announced as paid at June 21, 2007 CEB hearing.**

**MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

B Case # 07-2124, 259 Clarke Avenue, David Brodsky

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered, **Correction case not announced as paid at June 21, 2007 CEB hearing.**

**MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

C Case # 07-2171, 124 Brazilian Avenue, Robert Burch

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered, **Correction case announced as paid at the June 21, 2007 CEB hearing, but should have been dismissed.**

**MOTION BY MR. KLEIN TO DISMISS CASE #07-2171.
SECONDED BY MS. GREENBERG.
MOTION CARRIED UNANIMOUSLY.**

- D Case # 07-2139, 256 South Ocean Blvd., Lauri Weltroth
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered, **Correction case announced as paid at the June 21, 2007 CEB hearing, but should have been dismissed.**

**MOTION BY MR. KLEIN TO DISMISS CASE #07-2139.
SECONDED BY MS. GREENBERG.
MOTION CARRIED UNANIMOUSLY.**

- E Case # 07-2122, 101 Dunbar Road, Michael Rubinoff
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered, **Correction case announced as unpaid, but should have been announced as paid.**

**MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE
GUILTY PLEA.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

- F Case # 07-2148, 265 Tradewind Drive, Kate C. Gubelmann
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered **Correction case announced as unpaid, but should have been announced as paid .**

**MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE
GUILTY PLEA.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

- G Case # 07-2161, 1469 North Ocean Blvd., Stanley Gaines
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered, **Correction case announced as unpaid, but should have been announced as paid.**

**MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE
GUILTY PLEA.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

H Case # 07-2107, 220 Sunrise Avenue, First American Bank

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered, **Postponed from June 21, 2007 CEB hearing to July 19, 2007.**

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

I Case # 07-2132, 233 Plantation Road, Curtis Emmer

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered, **Postponed from June 21, 2007 CEB hearing to July 19, 2007.**

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

J Case # 07-, 260 Nightingale Trail, David Canepari

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered, **Postponed from June 21, 2007 CEB hearing to July 19, 2007.**

MOTION BY MS. GREENBERG TO FIND THE DEFENDANT, CASE #07-2141 IN NON COMPLIANCE, ORDERED TO PAY FINES IN THE AMOUNT OF \$300.00 AND AN ADMISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

K Case # 07-2145, 2840 South Ocean Blvd., Royal Saxon

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered, **Postponed from June 21, 2007 CEB hearing to July 19, 2007.**

MOTION BY MS. GREENBERG THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY THE FINE OF \$100.00 AND ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00.

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

Case # 07-2168, 180 Atlantic Avenue, Paul Pellitieri

L Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water

for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered, **Postponed from June 21, 2007 CEB hearing to July 19, 2007.**

MOTION BY MR. KLEIN TO ACCEPT THE PAYMENT OF THE FINE AND THE GUILTY PLEA.

SECONDED BY MS. GREENBERG.

MOTION CARRIED UNANIMOUSLY.

M Case #07-2079, 2875 So. Ocean Blvd., Leslie Robert Evans, 2875 Development Group
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, structural members shall supply substantial support for the structure, interior walls and ceilings shall be structurally sound, all exterior walls shall be reasonably free of cracks, painted and shall be kept in sound condition and good repair. Failure to commence repairs as required by the letter from Acting Building Official dated October 11, 2006.

Lead Code Officer Walton stated that the Board has granted them until July 15, 2007 to come into compliance and we are now past that date.

Attorney Lou Mrachek, on behalf of the owners, testified that they have come to an understanding with Wachovia. Wachovia will move across the street to a property address of 2880 S. Ocean Blvd. and they will build a branch, but will remain for some time at 2875 S. Ocean until that branch is completed. At the completion of that construction process of the branch they will proceed to demolish the building when all tenants and legal impediments to the demolition being removed. Attorney Mrachek requests for 30 days to get a document signed and agreed to with Wachovia and appear before the Board next month.

After further testimony and discussion, the following recommendation was made by Lead Code Officer Walton that a fine beginning today be instituted of \$250.00 a day for non compliance. When the building is repaired or demolished to come back before the Board for a reduction of that fine.

After further testimony and discussion the following motion was made:

MOTION BY MR. OCHSTEIN THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, AND ASSESS A \$250.00 A DAY FINE TO BEGIN TODAY UNTIL COMPLIANCE IS ACHIEVED.

MODIFIED BY MR. FRIED TO REPORT BACK TO THIS BOARD IN 60 DAYS AS TO THE PROGRESS BETWEEN THE RESOLUTION WITH WACHOVIA AND COMPLIANCE WITH THE OUTSTANDING ITEMS TO BE REPAIRED.

MODIFIED BY MR. HOFFMAN TO WITHHOLD THE FINE FOR 30 DAYS IF NO RESOLUTION IS REACHED, THEN THE FINE WOULD BE INSTITUTED AS OF TODAY.

After further discussion:

CHAIRMAN HOFFMAN RECOMMENDS THE MOTION AND MODIFICATIONS TO BE WITHDRAWN. MR. OCHSTEIN WITHDRAWS HIS MOTION.

MOTION BY MR. OCHSTEIN THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, AND ASSESS A \$250.00 A DAY FINE TO BEGIN TODAY UNTIL COMPLIANCE IS ACHIEVED.
SECONDED BY MR. FRIED.

MOTION OPPOSED.

ROLL CALL VOTE:

MR. OCHSTEIN	YES
MR. FRIED	YES
MR. KLEIN	NO
MS. GREENBERG	NO
MS. VAN BUREN	NO
MR. HOFFMAN	NO

MOTION FAILED 4-2.

After further motions that failed, the following motion was made:

**MOTION BY MR. KLEIN TO DEFER CASE #07-2079 UNTIL THE AUGUST 16, 2007
CODE ENFORCEMENT BOARD HEARING.
SECONDED BY MS. VAN BUREN.**

MOTION OPPOSED.

ROLL CALL VOTE:

MR. KLEIN	YES
MS VAN BUREN	YES
MR. OCHSTEIN	NO
MR. FRIED	YES
MS. GREENBERG	YES
MR. HOFFMAN	YES

MOTION PASSED 5-1.

- N Case #07-2098, 2860 South Ocean Blvd., # 505, Maria Barnes
Violation of Chapter 18, Section 18-242, building permits are required to construct, install, repair or alter any building or building system, these permits must be obtained prior to commencing work.

Code Officer Walton reported that this project has not yet been completed.

Attorney Bruce Parrish, on behalf of the owners, addressed the Board to report that the contractor needs (10) days to complete this project. Attorney Parrish is requesting a (10) day extension and not impose a fine.

Code Officer Walton recommends the Board impose a fine of \$100.00 a day until compliance is achieved.

**MOTION BY MS. GREENBERG THAT THE DEFENDANT IS ORDERED TO PAY A
FINE OF \$100.00 A DAY UNTIL COMPLIANCE IS ACHIEVED.
MOTION SECONDED BY MS. VAN BUREN.
MOTION CARRIED UNANIMOUSLY.**

- O Case #07-2094, 105 Clarendon Ave, 105 Clarendon Corp, Royal Palm Collection Inc.

Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, Small Projects, all new or remodel construction projects of 3,999 sq. ft. or less under roof be allowed 12 months.

Code Officer Walton presented the facts in this case. This project has gone over the allotted time limit and at the last hearing the Board granted additional time to come into compliance. They have not passed all their final inspections.

Mr. Broberg, on behalf of the owners, addressed the Board regarding the issue of the delays on the final inspection of the seawall.

Code Officer Walton recommends that the Board impose a \$250.00 a day fine until compliance is achieved.

After further testimony and discussion:

MOTION BY MR. OCHSTEIN THAT THE DEFENDANT IS ORDERED TO PAY A FINE OF \$125.00 A DAY UNTIL COMPLIANCE IS ACHIEVED.

MOTION SECONDED BY MR. FRIED.

MOTION CARRIED UNANIMOUSLY.

- P Case #07-2095, Palm Beach Building & Development, 874 South County Road Corp.
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, Small Projects, all new or remodel construction projects of 3,999 sq. ft. or less under roof be allowed 12 months.

Code Officer Walton presented the facts in this case. This project has gone over the allotted time limit and at the last hearing the Board granted additional time to come into compliance. They have not passed all their final inspections.

Mr. Broberg, on behalf of the owners, addressed the Board regarding the issue of the delays on the final inspection of the seawall.

Code Officer Walton recommends that the Board impose a \$250.00 a day fine until compliance is achieved.

After further testimony and discussion:

MOTION BY MR. OCHSTEIN THAT THE DEFENDANT IS ORDERED TO PAY A FINE OF \$125.00 A DAY UNTIL COMPLIANCE IS ACHIEVED.

MOTION SECONDED BY MR. FRIED.

MOTION CARRIED UNANIMOUSLY.

- Q Case # 06-2051, 1200 So. Ocean Blvd., First Allied Jax Corporation
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances: all interior walls and ceilings to be structurally sound, exterior walls, porches, doors and windows shall be reasonably free of cracks, painted and shall be kept in a sound condition and good repair. Violation of Chapter 18, Section 18-241 of the Town of Palm Beach Code of Ordinances, which adopts the Florida Building Code, Residential, Chapter 9, Section R 903.1: requires that roof decks shall be covered with approved coverings secured to the building or structure in accordance with the provisions of this chapter. Furthermore, roof assemblies shall be designed and installed in accordance with this code and the approved manufacturer's installation instructions such that the roof assembly shall serve to protect the building or structure. Violation of Chapter 54, Section 54-71 of the Town of Palm Beach Code of

Ordinances: states no exterior architectural feature on a landmark structure may be altered without a certificate of appropriateness having first been obtained from the Landmarks Preservation Commission.

Code Officer Walton reported that the defendant has been found in non compliance. They have not finished the project and have gone over the time allotted.

Mr. Brindell, on behalf of the owners, stated that several more items have been achieved and asks that the Board grant an extension until August 10th and to not impose a fine.

Code Officer Walton recommends that a fine be imposed of \$250.00 a day to start today and continue until completion is achieved.

After further testimony and discussion:

**MOTION BY MR. KLEIN TO GRANT AN EXTENSION UNTIL AUGUST 10TH.
MOTION SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

- R Case #06-2055-A, 242 Tangier Avenue, Tangier Investments LLC
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, Medium Projects, all new or remodel construction projects of 4,000 sq. ft. to 8,999 sq. ft. under roof shall be allowed 20 months.

Code Officer Walton reported that the defendant has been found in non compliance. They have not finished the project.

Attorney Maura Ziska, on behalf of the owner Richard True, the project is not complete and asks for discretion if you impose a fine since the project cannot be completed until October 2007.

After further discussion:

**MOTION BY MR. OCHSTEIN THAT THE DEFENDANT IS ORDERED TO PAY A
FINE OF \$250.00 A DAY UNTIL COMPLIANCE IS ACHIEVED.
MOTION SECONDED BY MS GREENBERG.
MOTION CARRIED UNANIMOUSLY.**

IX. Request for fine reduction:

- A Case #07-2087, 2560 So. Ocean Blvd., Whitehouse 94, LLC
Violation of Chapter 18, Section 18-241 of the Town of Palm Beach Code of Ordinances and Florida Building Code, Section 105: Permits.

Code Officer Walton reported that the defendant was found in non compliance. At the April Code Enforcement Hearing the Board instituted a daily fine of \$250.00 and that fine ran for 60 days and the amount now due is \$15,150.00. Upon research with the building official it has been become apparent that the inspections that was called in on March 27, 2007 should have passed and we will support the reduction of the fine.

After further testimony and discussion:

MOTION BY MR. OCHSTEIN THAT THE DEFENDANT IS ORDERED TO PAY ADMINISTRATIVE COSTS OF \$150.00. AND THE FINE IS ABATED.

MOTION FAILED.

After further discussion:

MOTION BY MR. OCHSTEIN THAT THE DEFENDANT IS ORDERED TO PAY ADMINISTRATIVE COSTS OF \$150.00. AND THE FINE IS ABATED.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

X. Comments:

Chairman Hoffman asked for any comments at this time.

Mr. Walton commented the Mr. Weymer did an excellent job in addressing the Board for his first time today.

Chairman Hoffman complimented Sgt. Hess on the handling of the water violations.

Chairman Hoffman wanted to comment to the Board that at the next Code Enforcement Hearing, some of the cases we heard today will be brought before the Board again, and feel it would be our duty to not to rehash the same things we heard for so many months since we are not learning any new information. Mr. Hoffman stated that he would like to discuss any new information that would be presented to the Board regarding these cases.

XI. Adjournment:

The meeting was adjourned without benefit of a motion.