



## Legislation Details (With Text)

**File #:** 18-0711

**Type:** Consent      **Status:** Agenda Ready

**In control:** Board of County Commissioners

**On agenda:** 9/11/2018      **Final action:**

**Title:** REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF SHARON M KRAMER

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. SIGNED STIPULATION Sharon M Kramer.pdf

Date	Ver.	Action By	Action	Result
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**PLACEMENT:** Consent

### TITLE:

**REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF SHARON M KRAMER**

### EXECUTIVE SUMMARY:

Pursuant to the provisions of Section 1.98.B, General Ordinance, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction Stipulation and Agreed Recommended Order regarding the Code Enforcement case of Sharon M. Kramer.

**DEPARTMENT:** Building

**PREPARED BY:** **Name:** Dawn Matias  
**Title:** Business Operations Manager

**REQUESTED BY:** Plain Site, LLC

**PRESET:**

**PROCEDURES:** None

### BACKGROUND/RELATED STRATEGIC GOAL:

A. Code Enforcement Statistics - Fiscal Year 2017

During fiscal year 2017, the Code Enforcement Division responded to approximately 7,231 Requests for Service (Investigations) of which approximately 97.8% (7,073) were resolved prior to the close of the fiscal year. Over this same period of time, the Code Enforcement Division resolved a total of 7,424 Code Enforcement cases.

Of the 7,231 code enforcement investigations, 4,045 of these investigations were directly related to alleged violations of the Martin County Code(s). Over the course of the fiscal year, the Magistrate ultimately issued compliance orders which could result in an accruing fine/lien upon property for 77 of the code enforcement actions.

During fiscal year 2017 a total of 15 fine reduction recommendations were forwarded from the Code Enforcement Magistrate to the Board of County Commissioners in accordance with Martin County Code and the average fine reduction equated to approximately 7.15% of the face value of the fine.

**B. Plain Site, LLC Fine Reduction Request:**

The attached Fine Reduction Stipulation and Agreed Recommended Order involves property located at 19162 SE Barus Drive, Tequesta, Martin County.

On February 18, 2015, an Order Finding Violation was issued by the Code Enforcement Magistrate to Sharon M. Kramer, for the following violations: Section 105.1 Florida Building Code (FBC) - Required, as incorporated by Section 21.1 (Expired Re-roof Permit). Compliance was required by March 18, 2015. On January 7, 2016, an Affidavit of Compliance/Accrued Fines was issued reflecting an outstanding fine of \$28,575.00.

On October 13, 2015, a Certificate of Title was issued to Plain Site, LLC. On June 22, 2018, Mr. Michael L. Bury, as manager for Plain Site, LLC, came into the office and requested a fine reduction to the amount of \$2,857.50, which represents 10 percent of the total fine.

Plain Site, LLC was not responsible for the violation on site.

Staff has determined that a lien reduction is warranted as Plain Site, LLC was not responsible for the violation and complied within three months of taking possession of the property.

**ISSUES:**

None

**LEGAL SUFFICIENCY REVIEW:**

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law, has identified and addressed legal risks and has developed strategies for legal defensibility.

**RECOMMENDED ACTION:**

**RECOMMENDATION**

Move that the Board accept the Magistrate's recommendation that the lien on the property be reduced to \$2,857.50 and accepted as full payment.

**ALTERNATIVE RECOMMENDATIONS**

*Pull* this item for the Consent Agenda.  
Provide staff with further directions.

**FISCAL IMPACT:**

**RECOMMENDATION**

None

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

**ALTERNATIVE RECOMMENDATIONS**

None

**DOCUMENT(S) REQUIRING ACTION:**

- ☐ Budget Transfer / Amendment   ☐ Chair Letter   ☐ Contract / Agreement  
☐ Grant / Application   ☐ Notice   ☐ Ordinance   ☐ Resolution  
☐ Other: