



## Agenda Item Summary

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**File ID:** 19-0206

**CNST-12**

**Meeting Date:** 1/29/2019

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**PLACEMENT:** Consent

**TITLE:**

**REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF SHAWN RANGER**

**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 and Agreed Recommended Order regarding the Code Enforcement case of Shawn Ranger.

**DEPARTMENT:** Building

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

**REQUESTED BY:**

**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. Shawn Ranger Fine Reduction Request:**

The attached Fine Stipulation and Agreed Recommended Order involves property located at 9744 SE Hidden Court, Hobe Sound, Martin County.

On January 18, 2017, the Code Enforcement Magistrate entered an Order for Repeat Violation against Shawn Ranger for violation of Section 67.201.B Nuisance Declared: Trash, Etc. under General Ordinances, Martin County. An Affidavit of Compliance with fines was issued on October 12, 2018 in the amount of \$380,500.00 recorded in Order Book 3023 Page 1856.

Staff has determined that a lien reduction is warranted. The Respondent has offered to pay \$11,000.00 to resolve the outstanding fine which has accrued. The current value of the property is listed at \$160,920.00 per the Martin County Property Appraiser's website.

**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 \$11,000.00 and accepted as full payment.

**ALTERNATIVE RECOMMENDATIONS**

*Pull* this item from 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: