



Agenda Item Summary

File ID: 20-0660

CNST-6

Meeting Date: 5/19/2020

PLACEMENT: Consent

TITLE:

REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF ERIC J AND SHERILL CERNIGLIA, CASE NO. ENF2019050432-01

EXECUTIVE SUMMARY:

Pursuant to the provisions of Section 1.98B, 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 Eric J and Sherill Cerniglia.

DEPARTMENT: Building

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

REQUESTED BY: Eric J and Sherill Cerniglia

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

Eric J and Sherill Cerniglia Fine Reduction Request:

This Fine Reduction Stipulation and Agreed Recommended Order involves a parcel located at 85 SE Norfolk Boulevard, Stuart, Martin County, Florida.

On December 18, 2019, an Order Finding Violation was issued by the Code Enforcement Magistrate to Eric J and Sherill Cerniglia, for the following violation(s): Section 67.201.B Trash - Nuisance Declared: Trash, Etc., Section 105.1 FBC - Permits - Permits When Required Incorporated by Section 21.1, Section 91.34.A Generally Inoperable - Generally Inoperable Vehicles, Section 67.201.A Weeds - Nuisance Declared: Weeds, Undergrowth, Section 3.201.C.2.H Accessory Uses - RVS - Accessory Uses - Rv's General Ordinances, Martin County Code.

Compliance was required by January 31, 2020. On February 24, 2020, an Affidavit of Compliance/Accrued fines was issued reflecting an outstanding fine of \$3,600.00 plus costs in the amount of \$575.00

Staff has determined that a lien reduction is warranted. The respondents have offered to pay \$1,200.00 to resolve the outstanding fines which have accrued.

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 \$1,200.00 and accepted as full payment.

ALTERNATIVE RECOMMENDATIONS

Pull this item from the Consent Agenda and provide staff with further direction.

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:

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