



AGENDA
CODE ENFORCEMENT & APPEALS BOARD HEARING
OCTOBER 3, 2024
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

1. CALL TO ORDER / ROLL CALL / DETERMINATION OF A QUORUM

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

3.1 The minutes from the May 30, 2024, workshop meeting are presented for approval.

3.2 The minutes from the June 06, 2024, regular hearing are presented for approval.

4. OLD BUSINESS

4.1 **RUTH E MAESTRE & PAUL A LORE, 11 S 7TH ST., CASE 2021-0073:** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-173 Exterior Structure (Maintenance). At the January 4, 2024, Code Enforcement and Appeals Board Hearing, the board voted to delay action for six months regarding the assessment of administrative fees and violation fines. *Requesting Board determination of the case.*

4.2 **WILLIAM DUENAS, 1608 PENBROOK DR, CASE 2024-0042.** Violation(s) of the City of Fernandina Beach Code of Ordinances exists: Land Development Code 5.01.10 Fences and Walls. Postponed action at the June 6, 2024, Code Enforcement and Appeals Board Hearing. *Requesting Board determination of the case.*

4.3 **LINDA F. HOWISON, 213 N. 3RD ST., CASE 2024-0014** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-117 Exterior Structure (maintenance). Postponed action at June 6, 2024, Code Enforcement and Appeals Board Hearing. *Requesting Board determination of the case.*

4.4 **EUGENE HOOVER JR., 1717 BEECH ST., CASE 2024-0058** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-173 Wrecked or inoperable motor vehicle. Postponed action at the June 6, 2024, Code Enforcement and Appeals Board hearing. *Requesting Board determination of the case.*

4.5 **JAMES JOHN O'CONNER TRUST., 703 GARDEN ST., CASE 2024-0029** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-117 Exterior Structure (Maintenance). Postponed action at the June 6, 2024, Code Enforcement and Appeals Board Hearing. *Requesting Board determination of the case.*

4.6 **MARY E & ANJANETTE M BROWN, PARCEL 00-00-31-1800-0161-0290, CASE 2024-0038:** *Property owner petitioning for fine reduction and is requesting board determination of the case.*

5. **NEW BUSINESS**
6. **BOARD BUSINESS**
7. **ADJOURNMENT**

“Quasi-Judicial” signifies that the proceeding must adhere to Quasi-Judicial hearing protocols as outlined by the City Commission’s procedures and Florida Statutes.

All members of the public are encouraged to attend and express their views. Individuals who do not speak English fluently may request language or sign interpreters at least ten (10) working days before the meeting. Persons with disabilities needing accommodation to participate should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 for the hearing or speech impaired.

For inquiries regarding this matter, please reach out to the Code Enforcement Department at (904) 310-3440. Should any individual wish to challenge a decision made by the Code Enforcement & Appeals Board concerning any matter discussed during the meeting, they must ensure that a precise record of the proceedings is generated. This record should encompass the testimonies and evidence crucial for the appeal process.



AGENDA
CODE ENFORCEMENT & APPEALS BOARD HEARING
MAY 30, 2024
3:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

1. CALL TO ORDER / ROLL CALL / DETERMINATION OF A QUORUM

Educational workshop for the Code Enforcement and Appeals Board is called to order at 3:00PM.

BOARD MEMBERS PRESENT:

MEMBER THOMPSON

MEMBER FOTIADES

CHAIR KENT

VICE CHAIR STINES

MEMBER POSTMA

2. PLEDGE OF ALLEGIANCE

3. NEW BUSINESS

3.1 Educational Workshop

Crystal Rimes, Code Enforcement, began the Presentation regarding “Code Enforcement and Appeals Board Workshop”. Review of the general course description. Objective is to provide fundamental principles governing the law and procedure pertaining to the Code Enforcement and Appeals Board and the aim is to ensure that newly and seasoned appointed Board Members and Staff comprehend their individual roles and obligations in the Code Enforcement Process.

Criteria to serve on the CEAB

- Seven Members appointed based on experience or interest in the fields of zoning and building.
- Shall include, whenever possible
 - o An architect
 - o A businessperson
 - o An engineer
 - o A general contractor
 - o A realtor
 - o A subcontractor; and
 - o A person with zoning and/or building experience
- Has jurisdiction to hear and decide alleged violations of the codes and ordinances and enforce in the city
- Has the authority to levy fines and administrative fees against those found in violation of the city codes
- Hearing is held on the first Thursday of each month at 5:00pm, unless otherwise

discussed

- Financial disclosure required

OUR GOAL:

- The City of Fernandina Beach maintains an operational, effective, and well-perceived code enforcement board
- Maintains public perception of fairness and competence for the Local Government and assist in saving taxpayer funds

HOW TO GET THERE:

- CEAB has the autonomy and authority in that its decisions are final (meaning doesn't require further approval by Judge or City Commission, besides appealing to local circuit court)
- Act as a judge, remain neutral
- Remember, bringing cases to CEAB is last resort
- Be consistent with motions
- Be mindful of asking respondents to return, each time, admin fees rise.

What is Code Enforcement?

- The process of local governments ensuring compliance with local codes and regulations
- Identifying violations, notifying property owners, and taking appropriate action to bring the property into compliance
- Code Enforcement Officers are Responsible for:
 - o Conducting inspections
 - o Issuing citations
 - o Enforcing penalties when necessary

The Importance of Code Enforcement

- Health & Safety - is our #1 priority to enforce through the LDC & Municipal Code of Ordinances
- Property Values - Code helps prevent blight and deterioration by addressing issues such as dilapidated structures, overgrown yards and abandoned properties.
- Quality of Life - contributes by promoting cleanliness, noise control and overall neighborhood aesthetics

Code Enforcement Mission Statement

The Code Enforcement Department's commitment is in the pursuit of health, safety, and quality of the community. This is achieved by providing trained personnel that adhere to responsible, fair, and ethical practices. The team's mission is to provide comprehensive education of Municipal and Land Development Codes that results in voluntary compliance.

Code Enforcement in Florida

- Governed by Chapter 162 of the Florida Statutes, also known as the Local Government Code Enforcement Boards Act.
- This legislation provides the framework for local governments to establish Code Enforcement Boards or Special Magistrates to adjudicate code violations
- Code Enforcement Officers in Florida have the authority to inspect properties for code violations, issue notices of violation, and pursue legal action if necessary

Key Functions of Code Enforcement

- Enforcing Local Ordinances & Land Development Code
- Zoning Compliance
- Property Maintenance

- Public Nuisance Abatement

Code Enforcement Timeline

1. Initiation of Enforcement

- [Citizen Complaint](#)
- Routine area inspection
- Violation observed by City Staff & reported to the Code Enforcement Office
- Case is opened & investigated

****Anonymous complaints are not accepted**

Note: CEAB Lacks the authority to commence enforcement proceedings but as a resident you can report observed violations

2. Notice of Visit / 1st Inspection

- Code Enforcement (CE) Officer issues a Notice of Visit (NOV), outlining necessary corrections and a timeline for compliance
- Knock on the front door
- A [NOV Door Hanger](#) is left on the property.
- Photos are recorded
- Follow up inspection is scheduled
- Documentation

3. 2nd Inspection

- To determine compliance status
- If compliance is not met, we go to the next step
- If the property complies, the case is closed
- Documentation

4. Mail NOV/NOH Letter

- Sent via certified mail (cost \$8.69 each)
- Certified mail ensures the receipt of the document
- This process is required through the State of FL to achieve “due process”
- Documentation

5. NOV/NOH (3) Inspection

- Performed by CE Officer
- Inspection is schedule after compliance date on NOV/NOH
- Documentation

Example:

Compliance date is May 30, 2024

Inspection will be May 31, 2024

6. Receipt for Certified Mail

- To ensure due process, we must receive the certified mail receipt back with a signature - or- we can track with the USPS and gain a receipt
- Documentation

7. Pre-Agenda Inspection

- 4th inspection
- Occurs before preparing the agenda
- Checking for code compliance
- Documentation

8. Preparing the Agenda

- Preparing a case to be placed on the agenda

- Completed by CE Officer
- Time Consuming
- Compiling all communication, research, photos & evidence
- Creates the Staff Report
- Documentation

9. Publishing the Agenda

- The staff report is converted to electronic documents
- Performed by Code Enforcement Admin
- Many Steps to ensure accuracy
- Zoom Meeting Set Up
- Notify Staff & Board Members
- Ensure there is a quorum
- Documentation

10. CEAB Agendas Mailed

- Mail First Class
- Email
- Phone call made
- Documentation

11. Day of Hearing Inspection

- 5th Inspection
- Performed by CE Officer
- Photos taken
- Evidence presented
- Compliance is achieved & case is removed from the agenda
- Documentation

12. CEAB Hearing

- Time to perform:
- *(average time per case)*
- .5-hour Officer
- .5-hour Secretary
- .5-hour Attorney
- .5-hour IT tech
- .5-hour Police Officer
- Total of 2.5 City Employee Hours

Quiz: On average, how many minimum hours does the Code Enforcement Officer work on 1 case before it reaches a CEAB hearing? 11 Hours.

13. Findings of Fact Issued, CEAB Minutes are recorded, Case workflow updated

- This is where your motion takes effect [see example here](#)
- Board Secretary prepares the FOF, often replaying the meeting to ensure accuracy
- Chair signs the FOF
- FOF is notarized
- FOF is mailed & often emailed to the Respondent
- Case workflow is updated & Documented

14. Compliance -or- remains in violation

- 6th Inspection
- Performed by CE Officer

- Documentation

Compliance Achieved:

Case is closed once balance is paid

In Violation:

- Reach out to the Respondent
- Fines begin
- Next inspection is scheduled for every 3 months or so.

Time to perform: .5 to 1 hour

15. Lien is recorded

- Record the FOF on Nassau County Clerk of Courts
- If the property owner ever wants to sell the property, this will come up during a lien search (public records request)
- We then advise them on how to correct the violations &/or what they must pay in to release the lien

16. Request for Reduction

Settlement of Lien Request

If approved, the respondent goes before the City Commission and requests for the Violation Fines to be reduced.

- Commissioners cannot reduce the Admin Fees
- This option is ONLY available to properties who comply
- We assist them throughout the entirety of it

Time to perform: 3 hours or >

17. In Compliance & Settles outstanding balance

- Once compliance is achieved, fines and fees are paid
- Lien is released
- Documents History is verified
- Case is closed & documented

18. Case remains opened (-or- will be closed)

Remains opened: City can decide to foreclose on the property (helps recover fees the City acquired while working this case).

Typically, if the property is a health/safety hazard.

Closed: No further action required

Wrap up

- Minimum of 7 Inspections are conducted
- Minimum of 7 Letters are mailed
- Minimum of 8 City Employees will be involved of 1 case
- Minimum hours worked by Code Enforcement Officer to work a from start, to CEAB, to close is 21.5 hours (not including additional staff) **Note: This estimate excludes the involvement of the CE Director, City Attorney, IT Department, Planning and Building Staff, Police Officer(s), and other various consultants, which can significantly increase the total time by another 20-60 hours, depending on the complexity.

Administrative Fees

- Minimum of 7 Inspections are conducted
- Minimum of 7 Letters are mailed
- Minimum of 8 City Employees will be involved of 1 case

- Minimum hours worked by Code Enforcement Officer to work a from start, to CEAB, to close is 21.5 hours (not including additional staff) **Note: This estimate excludes the involvement of the CE Director, City Attorney, IT Department, Planning and Building Staff, Police Officer(s), and other various consultants, which can significantly increase the total time by another 20-60 hours, depending on the complexity.

Admin Fees Case Study

- **JOE @ 123 ABC CT.**
- CEAB Hearing Date 10-7-21
- Admin Fees as of 10-7-21 \$250.26
- Findings of Fact: “The Board voted to find the property in violation of 44-000. Assess administrative fees and a fine to begin on 10-18-21 if the property is not in compliance on or before 10-17-21, as determined at the next Code Enforcement and Appeals Board on 11-5-21
- CEAB Hearing Date 11-5-21
- Admin Fees at the next 11-5-21 CEAB Hearing \$326.21
 - o What made this increase?
 - Additional staff time
 - Additional mailing
 - Mandatory Return to the Board
 - o How do we keep the admin fees to a minimal
 - Following the Code Enforcement Departments Process

DETERMINATION OF “REASONABLE TIME”

- **No legal rule defining reasonable time**
 - o 10 business days is standard - if CE Officer believes Respondent has commenced good faith actions and activities to correct violation(s), extension may be issues
 - o Extensions - Standard is 30 days
- **Exceptions to “Reasonable time”**
 - o The repeat violator
 - o The emergency case
 - o Irreparable and Irreversible (i.e., tree cutting, dumping down storm drains)

DETERMINATION OF FINES

- Like determining “reasonable time”
 - o There is no set standard
 - o Use Judgement
 - o Base off severity of violation (i.e., health & safety violations)
- Daily Fines cannot exceed \$250 per day & up to \$500 per day for repeat violators

Katie Newton, Paralegal for the City of Fernandina Beach – began the second portion of the presentation, regarding Quasi-Judicial & Ethics.

Quasi-Legislative versus Quasi-Judicial (some definitions)

- **Quasi-legislative decisions:** the local government is tasked with formulating policy; subject to a debatable standard of review in the courts.

- **Fairly debatable** means that the government's action must be upheld if reasonable minds could differ as to the propriety of the decision reached - need only be rationally related to a legitimate public purpose, such as the health, safety, and welfare of the public, to be valid.
- **Quasi-judicial decisions:** the application of policy to a specific development application; hearings are to be conducted with more formality than a legislative public hearing; subject to a certiorari standard of review on appeal.
- The distinction between the two types of proceedings impacts the process that the applicant is due, the relative discretion the local government has in approving or denying the requested action, and the proper method for appealing an adverse decision.

What's the Difference?

Legislative Actions

- Set general policy
- Allows for broad discretion in decision-making
- Appeals result in new hearing where parties present evidence and testimony, decision made using "fairly debatable" standard
- **Quasi-Judicial Actions**
- Implement or apply an adopted policy
- Narrow discretion in decision making – based on competent, substantial evidence
- Appeals are based entirely on the record of the quasi-judicial proceeding: whether due process was followed, and competent substantial evidence was used to make the decision

WHEN DO WE USE QUASI-JUDICIAL HEARINGS?

- Zoning, variances, and other land use approvals follow a quasi-judicial procedure instead of a legislative one.
- This applies to the City Commission, Code Enforcement & Appeals Board, Special Magistrate Hearings, Historic District Council, and the Board of Adjustment.
- Quasi-Judicial hearings are used for the City Commission during agenda items dealing with preliminary and final plats, first readings of annexation and zoning ordinances, and variances. Other Board cases include variances, certificates of appropriateness, and alleged violations of the City Code.

WHAT IS QUASI-JUDICIAL HEARING?

- A hearing held by a Decision-Making Body (i.e. City Commission, Board of Adjustment, etc.) wherein existing policies and regulations are applied to a specific property and due process requirements are complied with for the hearing.
- The Decision-Making Body makes findings of fact and conclusions of law on the issue.
- Typically, a property owner (applicant) will request a rezoning, site plan approval, or variance.

THE BOARD'S ROLE IN QUASI-JUDICIAL HEARINGS

- In a quasi-judicial hearing, you are acting in a role like a judge in a courtroom.
- Go into the hearing with an open mind.
- You must apply the applicable law to the facts and evidence presented in the hearing.
- The decision you reach should be supported by competent substantial evidence.
- Due process must be followed.

- Ex-parte communications should be avoided.

EX-PARTE COMMUNICATIONS

- Ex parte communication occurs when a party to a case, or someone involved with a party, talks or writes to or otherwise communicates directly with the judge about issues in the case without the other parties' knowledge.
- When a Board hears a quasi-judicial case, they are acting as the "judge".
- Ex parte communications are outside of the hearing and so, off the record. They include all forms of communications, investigations, site visits, and expert opinions.

DUE PROCESS

- Due process means following the established rules set up for the enforcement and protection of private rights.
- Quasi-judicial hearings meet basic due process requirements if the parties are:
- Provided notice
- Provided an opportunity to be heard
- Allowed to present evidence and cross-examine witnesses
- Those who testify are required to swear in.

Competent Substantial Evidence is relevant, material, and reasonable

COMPETENT SUBSTANTIAL EVIDENCE

- Professional planning staff and Planning Board comments where there are facts in the record to support those opinions.
- Professional expert opinion supported by facts the expert knows or has reviewed.
- Non-professional layperson opinion that is fact-based on issues that are not highly technical or scientific.

NOT COMPETENT SUBSTANTIAL EVIDENCE

- Statements of opinion of public support or opposition.
- Attorney argument unless the attorney establishes on the record additional educational background or employment experience in the field at issue.
- "Expert" testimony from non-staff professionals who do not state their credentials on the record.
- Letters, documented phone calls, emails, or petitions where there can be no cross-examination by the parties.

MAKING MOTIONS

The City uses a modified Robert's Rules of Order when making motions. Once all parties have spoken and the Board has had an opportunity to discuss, a Board member (other than the Chair) should make a motion.

- Form:
 - "I move to find XXX property in violation/not in violation of Code XXXX."
 - If in violation, the motion would continue: "...and to give the property owner XX days to compliance. If not in compliance by date, to assess administrative fees and fines of \$XX per day until in compliance."
 - Motion must be seconded. If not seconded, the motion dies and a new motion must be made.
 - After the motion is seconded, additional Board discussion can occur. Then, the Chair or another Board member can "Call the question" to ask the Recording

Secretary to call the roll for the vote. Before the vote, the Chair or Recording Secretary should restate the motion, so everyone is clear on the motion before them.

AMENDMENTS TO MOTIONS AND POSTPONEMENTS

- Amending Motions:
 - A member can amend their motion before a vote. The seconder must agree to the amendment for it to be the motion voted upon.
 - A member can move to amend another's motion by saying "I move to amend Member XXX's motion by" The amendment can be accepted as a "friendly amendment" if the original maker and seconder agree, or, if they don't agree, must be seconded and voted upon before addressing the original motion.
- Tabling/Postponement
 - Members can make a motion to postpone a case to a date certain. The motion does require a second and then a vote to pass.
 - It is not recommended that a motion be made to "table", because that removes the item from discussion without a date.

FINDINGS OF FACT

- Findings of fact are not legally required to be in writing by the state; however, they are an important part of the hearing record and in some cases, the City Code requires them to be in writing.
- During the discussion and deliberation portion of the quasi-judicial hearing, the Board is strongly encouraged to discuss the evidence and testimony presented as it relates to the facts and to the Code of Ordinances and Land Development Code, and base a decision upon those specific, stated, actual findings.
- Findings of fact should be recited in the motion for inclusion in the order.

VOTING CONFLICTS

- You may not vote on any measure which would inure to your special gain or loss you know would inure to the special gain or loss of a principal by whom you are retained (like an employer or client), a business associate, a relative, or a parent organization of a company by whom you are retained
- **Special Private Loss or Gain** requires economic benefit or harm
- Does not mean something remote and speculative

WHAT TO DO IF YOU HAVE A VOTING CONFLICT?

- 1) Publicly disclose the conflict at the meeting prior to the vote
- 2) Abstain from voting
- 3) File a Form 8B with the Commission on Ethics within 15 days of the vote

FINAL TIPS AND TAKEAWAYS

- Maintain a high standard for enforcing the code, fairness, and competence
- Knowing the legal Code Enforcement Process is vital to making competent decisions
- Study agenda packets prior to the hearings
- Bringing cases to CEAB is last resort
- Boards Role in quasi-judicial hearings
- Be open about Ex parte communications
- Use best practices in making motions

4. ADJOURNMENT

“Quasi-Judicial” signifies that the proceeding must adhere to Quasi-Judicial hearing protocols as outlined by the City Commission’s procedures and Florida Statutes.

All members of the public are encouraged to attend and express their views. Individuals who do not speak English fluently may request language or sign interpreters at least ten (10) working days before the meeting. Persons with disabilities needing accommodation to participate should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 for the hearing or speech impaired.

For inquiries regarding this matter, please reach out to the Code Enforcement Department at (904) 310-3440. Should any individual wish to challenge a decision made by the Code Enforcement & Appeals Board concerning any matter discussed during the meeting, they must ensure that a precise record of the proceedings is generated. This record should encompass the testimonies and evidence crucial for the appeal process.



AGENDA
CODE ENFORCEMENT & APPEALS BOARD HEARING
JUNE 6, 2024
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

1. CALL TO ORDER / ROLL CALL / DETERMINATION OF A QUORUM

Roll Call.

Present: Frank Postma, Andy Fotiades, Ralph Stines (VC), Nicole Kresse, Barb Kent (C).

Absent: Bernard Thompson.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

3.1 The minutes from the May 9, 2024, regular hearing are presented for approval.

A motion was made by Member Stines and seconded by Member Postma to approve the minutes from the May 9, 2024 hearing. Motion passed unanimously.

Chair Kent asked if there were any changes to the agenda. Board Secretary announced that item 4.2 has come into compliance and may be removed from the agenda.

Quasi-Judicial proceedings were explained by Board Attorney, Mr. Harrison Poole.

Member Postma drove by the cases address to see them in person.

Board Secretary swore in witnesses,

4. NEW BUSINESS

4.1 **DAVID BERT AUSTIN, 522 CITRONA DR., CASE 2024-0077:** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 58-9 Use of recreational vehicles, etc. as living quarters (prohibited)... *Requesting Board determination of the case.*

Evidence and testimony was submitted into the record by Michelle Forstrom. Michelle Forstrom began her presentation by presenting a timeline of series of events that lead up to the case coming to light from the City Engineer on February 23, 2024, regarding a structure residential fire. March 26, 2024, a complaint was received regarding a generator running on the property. The generators were hooked up to a recreational vehicle travel trailer. Ms. Forstrom explained to Mr. Austin that the trailers can not be parked in the front yard and it may not be used as living quarters. Ms. Forstrom confirmed that there were persons residing in the trailer. Multiple inspections were conducted by Ms. Forstrom, one trailer was removed from the property, the other travel trailer remained on the property which leaves the property in violation as of June 6, 2024.

A motion as made by Member Postma Find the respondent in violation of 58-9, assess

administrative fees and assess a daily fine of \$50. Non seconded.

Public hearing opened and closed.

Board discussion began about the fire & demolition for the uninhabitable structure on the property.

A motion was made by Member Postma and seconded by Vice Chair Stines to find the respondent in violation of Section 58-9, for the respondent to pay all administrative fees accrued until compliance is reached, a fine of \$50 per day, per violation beginning on June 17th, if not in compliance by the same date certain. Motion carried by unanimous roll call vote.

- 4.2 **CECILIA DAVIS TAYLOR, 112 S 9TH ST., CASE 2024-0123:** (REPEAT) Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-116 Duty to Maintain Property. *Requesting Board determination of the case.*

(Item was removed from the agenda)

5. OLD BUSINESS

- 5.1 **MICHAEL BRODSKY, 502 STANLEY DR., CASE 2023-0271:** Property owner petitioning for fine reduction requests board determination of the case.

Mr. Michael Brodsky, 502 Stanley Dr introduced himself and explained over the last year he has been dealing with cancer treatments over the last year. Mr. Brodsky then introduced Mr. Dillard as the representative of his property.

Mr. Allan Dillard, 314 S 14th St., long and short of the scenario – very first of March when Mr. Brodsky was notified of the fencing violation. Mr. Brodsky removed the higher fence lattice and it was the owners understanding that he thought that brought the property into compliance. Michelle Forstrom and Taylor Hartman met with Mr. Dillard and Mr. Brodsky and better explained the situation to bring the issue up to code, by Sunday the violation was brought into compliance and Code Enforcement was notified immediately by sending photographs to Code Enforcements email. Mr. Brodsky was acting to comply with the code and they are kindly asking for a reduction due to the lack of understanding of the situations entirety.

City explained the admin fees were reduced to removing the filing of the lien charge, since this would not be occurring.

Board Deliberation:

The fines were \$750

Administrative fees are \$234.92

A motion was made by Member Fotiades to find the respondent in violation, to dismiss all violation fines and find the administrative fees due of \$234.92. This motion fails for a lack of a second.

A motion was made by Member Postma's to find the respondent in violation, assess admin fees and reduce the violation fine by 2/3's. This motion failed for lack of a second.

A motion was made by Member Stines to find the respondent in violation, Admin Fees of \$100, to

dismiss the fines. This motion fails for a lack of second.

A motion was made by Vice Chair Stines and seconded by Member Fotiades, to find the property in violation, assess administrative fees of \$234.92, waive the daily fines of \$750. Motion carried by unanimous roll call vote.

- 5.2 **LINDA F. HOWISON, 213 N 3RD ST., CASE 2024-0014:** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-117 Exterior Structure (Maintenance). *Board determination to impose daily fines is requested.*

George Wells announced that an email was received from Mr. Howison the day prior to the hearing. The City recommends granting an extension due to the health of the property owner.

Dan Howison, Son of Ms. Howison, was on the meeting via video chat. The family has completed most of the repairs on the property, there are additional items that need to be completed. Due to personal health reasons, it delayed the communication between the property owners representatives and the Code Enforcement Department.

Chip Ross, neighbor of Ms. Howison – Urges to rid of administrative fees and violation fines.

Ruth Howison Duncan – Daughter of Ms. Howison, she will not be leaving the hospital until June 14th, 2024. Now that the family of Ms. Howison has been made aware, they will handle the upkeep. The daughter is local.

Public hearing is closed, board deliberation begins.

The son of Ms. Howison's plans to make the repairs on the property but he does live in VA, he plans to do most of the work himself. 60 days or more seems reasonable. 60-90 from Member Kresse. Administrative fees stay. Fines – Vice Chair Stines feels as if they should be waived until extension is over.

A motion was made by Member Postma and seconded by Member Fotiades to postpone action of violation fines for sixty (60) days, if the property is brought into compliance within the 60 day extension, fines will be waived. Return to the following Code Enforcement and Appeals Board. Motion carried by unanimous roll call vote.

- 5.3 **JAMES JOHN O'CONNER TRUST, 703 GARDEN STREET, CASE 2024-0029:** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-117 Exterior Structure (Maintenance). *Board determination to impose daily fines is requested.*

Officer Wells announced the exterior structure violation remains in violation. Board discussion took place regarding the communication between Code Enforcement and the Property Owner.

A motion was made by Member Postma and seconded by Member Fotiades to find the property in violation of 42-117, assess administrative fees and a fine of \$50 per day to begin on June 9th, 2024, if the property is not brought into compliance by June 8th, 2024. Motion carried by unanimous roll call vote.

- 5.4 **EUGENE HOOVER JR, 1717 BEECH ST., CASE 2024-0058:** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-173 Wrecked or inoperable motor vehicles on private

property declared a nuisance and prohibited. *Board determination to impose daily fines is requested.*

A motion was made by Member Postma and seconded by Member Fotiades to find the property in violation of 42-173, to assess administrative fees, and daily fines of \$50 per day to begin on June 7, 2024. Motion carried by unanimous roll call vote.

- 5.5 **WILLIAM DUENAS, 1608 PENBROOK DR, CASE 2024-0042:** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Land Development Code 5.01.10 Fences and Walls. *Board determination to impose daily fines is requested.*

George Wells

Ms. Jenkins, 1608 Penbrooke Dr. – Has worked hard to get the permit for replacing the fence, Taylor contacted her and said it one inch over the property line in the back. Ms. Jenkins contacted the contractor and requested the fence to be moved back, she needs at least one more week.

A motion was made by Member Postma and seconded by Member Stines to postpone the assessment of daily fines or administrative fees until the next Code Enforcement and Appeals Board. Motion carried by unanimous roll call vote.

6. BOARD BUSINESS

July Code Enforcement and Appeals Board hearing will be held on July 11, 2024.

7. ADJOURNMENT

6:22 PM

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For inquiries regarding this matter, please reach out to the Code Enforcement Department at (904) 310-3440. Should any individual wish to challenge a decision made by the Code Enforcement & Appeals Board concerning any matter discussed during the meeting, they must ensure that a precise record of the proceedings is generated. This record should encompass the testimonies and evidence crucial for the appeal process.



City of Fernandina Beach

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF ENFORCEMENT

Date: JANURARY 4, 2024
Case Number: CODE-2021-0073

IN THE MATTER OF: Respondent Name: **RUTH E. MAESTRE & PAUL A. LORE**
Respondent Mailing Address: 11 S 7TH ST., FERNANDINA BEACH, FL 32034

This case having come before the Code Enforcement & Appeals Board of the City of Fernandina Beach on January 4, 2024 a violation hearing having been held, and the Board having heard testimony, does hereby make the following finding of facts, and conclusions of law therefore imposing the following order and penalty:

SECTION 1 - FINDINGS OF FACT

1. The Respondent was properly served notice of these proceedings as required by law on DECEMBER 18, 2023, and the Respondent was present at the hearing.
2. The real property on which the violations occurred is **11 SOUTH 7TH ST.** Fernandina Beach, FL and a brief legal description being *BLOCK 37 LOT 7 ESMT PT OR 1547/1328 CITY OF FDNA BEACH.*
3. The Respondent is the owner of record of the aforementioned real property.
4. The Respondent previously been held to have violated sections of the Fernandina Beach Code of Ordinances: **Section 42-117 Exterior Structure (Maintenance).**

SECTION 2 - CONCLUSION OF LAW & IMPOSITION OF FINE

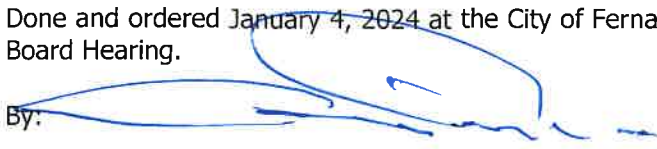
1. On April 7, 2022 the Board determined to find the property in violation of Municipal Code of Ordinance section 42-117 Exterior Structure (Maintenance). On October 6, 2022 the Board voted for the respondent to return on January 4, 2024. At the meeting on January 4, 2024, the Board voted to delay any action for six months regarding assessment of administrative fees and violation fines. The Board requested that the respondents return to the Code Enforcement and Appeal Board at the **August 1, 2024** hearing to provide a progress report of the status of restoring the property.



City of Fernandina Beach

SECTION 3 - CERTIFICATION OF VOTE

Done and ordered January 4, 2024 at the City of Fernandina Beach, Nassau County, Florida Code Enforcement & Appeals Board Hearing.

By: 

Chair, ADAM KAUFMAN

COUNTY OF NASSAU

STATE OF FLORIDA

I HEREBY CERTIFY that on this day before me, the undersigned, a Notary Public in and for the State of Florida at Large, personally appeared Adam Kaufman to me well known to be the Chair of the Code Enforcement and Appeals Board of the City of Fernandina Beach, and known to me to be the persons who executed the foregoing Findings of Fact for the City of Fernandina Beach as such Chair; and they severally acknowledged the execution of the same to be their free act and deed by authority and on behalf of the City of Fernandina Beach for the uses and purposes therein expressed.

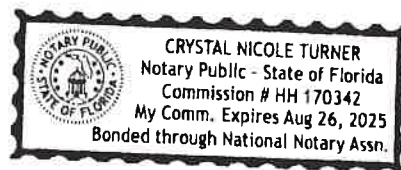
WITNESS my hand and official seal at Fernandina Beach, said County and State on this 5th day of January, 2024.

(NOTARY SEAL)



Crystal Turner, Board Secretary

Notary Public, State of Florida



**Florida Statute 162.11 Appeals. — An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed.*



City of Fernandina Beach

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF ENFORCEMENT

Date: JUNE 6, 2024

Case Number: CODE-2024-0042

IN THE MATTER OF: Respondent Name: **WILLIAM DUENAS**

Respondent Mailing Address: 1608 PENBROOK DR
FERNANDINA BEACH, FL 32034

This case having come before the Code Enforcement & Appeals Board of the City of Fernandina Beach on JUNE 6, 2024 a violation hearing having been held, and the Board having heard testimony, does hereby make the following finding of facts, and conclusions of law therefore imposing the following order and penalty:

SECTION 1 - FINDINGS OF FACT

1. The Respondent was properly served notice of these proceedings as required by law on MARCH 5, 2024 the Respondent was present at the hearing.
2. The real property on which the violations occurred is **1608 PENBROOKE DR**, Fernandina Beach, FL and a brief legal description being *BLOCK 8 LOT 16 IN OR 1044/872 LAKEWOOD #2 PB 5/136*.
3. The Respondent is the owner of record of the aforementioned real property.
4. The Respondent violated sections of the Fernandina Beach Code of Ordinances: **Land Development Code Chapter 5.01.10 Fences and Walls**.

SECTION 2 - CONCLUSION OF LAW & IMPOSITION OF FINE

1. MAY 9, 2024: Based on the foregoing findings of fact, the Board voted to find the property in violation of 5.01.10 to assess administrative fees, and if not in compliance by June 8, 2024, the Board will determine the assessment of daily fines of \$50 per day beginning on June 9, 2024, at the next Code Enforcement and appeals Board Hearing on June 6, 2024.
2. JUNE 6, 2024: Based on the foregoing findings of fact, the Board voted to postpone the assessment of fines and fees until the next Code Enforcement and Appeals Board Hearing.
3. The City of Fernandina Beach shall record a certified copy of this order in the public records and this Order shall constitute a lien against the real property on which the violations exist and upon any other real or personal property owned by the Respondent if fines are not paid within thirty (30) days of the date so ordered.
4. If the lien remains unpaid for a period of three (3) months from the date of the filing of the lien, the City of Fernandina Beach may foreclose on the lien or sue to recover a money judgment for the amount of the lien plus accrued interest.



City of Fernandina Beach

SECTION 3 - CERTIFICATION OF VOTE

Done and ordered JUNE 6, 2024 at the City of Fernandina Beach, Nassau County, Florida Code Enforcement & Appeals Board Hearing.

By:


Chair Barbara Kent

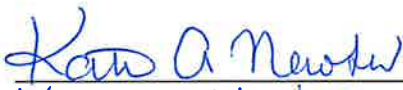
COUNTY OF NASSAU

STATE OF FLORIDA

I HEREBY CERTIFY that on this day before me, the undersigned, a Notary Public in and for the State of Florida at Large, personally appeared Barbara Kent to me well known to be a Board Member of the Code Enforcement and Appeals Board of the City of Fernandina Beach, and known to me to be the persons who executed the foregoing Findings of Fact for the City of Fernandina Beach as such Chair: and they severally acknowledged the execution of the same to be their free act and deed by authority and on behalf of the City of Fernandina Beach for the uses and purposes therein expressed.

WITNESS my hand and official seal at Fernandina Beach, said County and State on this 7th day of June, 2024.

(NOTARY SEAL)


Katie A. Newton
Notary Public, State of Florida



Katie A. Newton
Notary Public
State of Florida
Comm# HH150272
Expires 7/13/2025

**Florida Statute 162.11 Appeals. — An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed.*



City of Fernandina Beach

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF ENFORCEMENT

Date: JUNE 6, 2024

Case Number: CODE-2024-0014

IN THE MATTER OF: Respondent Name: **LINDA F. HOWINSON**

Respondent Mailing Address: PO BOX 244

FERNANDINA BEACH, FL 32035

This case having come before the Code Enforcement & Appeals Board of the City of Fernandina Beach on MAY 9, 2024, a violation hearing having been held, and the Board having heard testimony, does hereby make the following finding of facts, and conclusions of law therefore imposing the following order and penalty:

SECTION 1 - FINDINGS OF FACT

1. The Respondent was properly served notice of these proceedings as required by law on MARCH 18, 2024 and the Respondent was not present at the hearing.
2. The real property on which the violations occurred is **213 N 3RD ST.**, Fernandina Beach, FL and a brief legal description being *BLOCK 8 LOTS 23 24 25 & 26 IN OR 200 PG 675 CITY OF FDNA BEACH.*
3. The Respondent is the owner of record of the aforementioned real property.
4. The Respondent violated sections of the Fernandina Beach Code of Ordinances: **SECTION 42-117 EXTERIOR STRUCTURE (MAINTENANCE).**

SECTION 2 - CONCLUSION OF LAW & IMPOSITION OF FINE

1. MAY 9, 2024: Based on the foregoing findings of fact, the Board voted to find the property in violation of 42-117 Exterior Structure (Maintenance) to assess administrative fees, and if not in compliance by June 8, 2024, the Board will determine the assessment of daily fines of \$50 beginning on June 9, 2024, at the next Code Enforcement and Appeals Board Hearing on June 6, 2024.
2. JUNE 6, 2024: Based on the foregoing findings of fact, the Board voted to postpone any action for 60 days and to return to the following Code Enforcement and Appeals Board.
3. The City of Fernandina Beach shall record a certified copy of this order in the public records and this Order shall constitute a lien against the real property on which the violations exist and upon any other real or personal property owned by the Respondent if fines are not paid within forty-five (45) days of the date so ordered.
4. If the lien remains unpaid for a period of three (3) months from the date of the filing of the lien, the City of Fernandina Beach may foreclose on the lien or sue to recover a money judgment for the amount of the lien plus accrued interest.



City of Fernandina Beach

SECTION 3 - CERTIFICATION OF VOTE

Done and ordered JUNE 6, 2024, at the City of Fernandina Beach, Nassau County, Florida Code Enforcement & Appeals Board Hearing.

By:

CHAIR BARBARA KENT

COUNTY OF NASSAU

STATE OF FLORIDA

I HEREBY CERTIFY that on this day before me, the undersigned, a Notary Public in and for the State of Florida at Large, personally appeared Ms. Barabara Kent to me well known to be the Chair of the Code Enforcement and Appeals Board of the City of Fernandina Beach, and known to me to be the persons who executed the foregoing Findings of Fact for the City of Fernandina Beach as such Chair/Board Member: and they severally acknowledged the execution of the same to be their free act and deed by authority and on behalf of the City of Fernandina Beach for the uses and purposes therein expressed.

WITNESS my hand and official seal at Fernandina Beach, said County and State on this 7th day of June, 2024.

(NOTARY SEAL)

Katie A. Newton
Notary Public, State of Florida



Katie A. Newton
Notary Public
State of Florida
Comm# HH150272
Expires 7/13/2025

**Florida Statute 162.11 Appeals. — An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed.*



City of Fernandina Beach

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF ENFORCEMENT

Date: JUNE 6, 2024

Case Number: CODE-2024-0058

IN THE MATTER OF: Respondent Name: **EUGENE HOOVER JR**
Respondent Mailing Address: 1717 BEECH ST
FERNANDINA BEACH, FL 32034

This case having come before the Code Enforcement & Appeals Board of the City of Fernandina Beach on **MAY 9, 2024**, a violation hearing having been held, and the Board having heard testimony, does hereby make the following finding of facts, and conclusions of law therefore imposing the following order and penalty:

SECTION 1 - FINDINGS OF FACT

1. The Respondent was properly served notice of these proceedings as required by law on JUNE 6, 2024 and the Respondent was not present at the hearing.
2. The real property on which the violations occurred is **1717 BEECH ST.**, Fernandina Beach, FL and a brief legal description being *BLOCK 2 LOTS 12 & 14 IN OR 1452/1886 EX N20 FT OF 12.*
3. The Respondent is the owner of record of the aforementioned real property.
4. The Respondent violated sections of the Fernandina Beach Code of Ordinances: **SECTION 42-173 WRECKED OR INOPERABLE MOTOR VEHICLE**

SECTION 2 - CONCLUSION OF LAW & IMPOSITION OF FINE

1. Based on the foregoing findings of fact, the Board voted to find the property in violation of 42-173 to assess administrative fees, and if not in compliance by May 19, 2024, the Board will determine the assessment of daily fines of \$50 beginning on June 7, 2024 as determined at the next Code Enforcement and Appeals Board Hearing on June 6, 2024.
2. Based on the foregoing findings of fact, the Board voted to find the property in violation 42-173 to assess administrative fees, and a violation fine of \$50 per day to begin on June 7, 2024.
3. The City of Fernandina Beach shall record a certified copy of this order in the public records and this Order shall constitute a lien against the real property on which the violations exist and upon any other real or personal property owned by the Respondent if fines are not paid within forty-five (45) days of the date so ordered.
4. If the lien remains unpaid for a period of three (3) months from the date of the filing of the lien, the City of Fernandina Beach may foreclose on the lien or sue to recover a money judgment for the amount of the lien plus accrued interest.

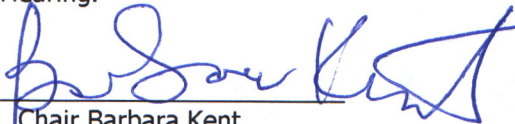


City of Fernandina Beach

SECTION 3 - CERTIFICATION OF VOTE

Done and ordered June 6, 2024 at the City of Fernandina Beach, Nassau County, Florida Code Enforcement & Appeals Board Hearing.

By:


Chair Barbara Kent

COUNTY OF NASSAU

STATE OF FLORIDA

I HEREBY CERTIFY that on this day before me, the undersigned, a Notary Public in and for the State of Florida at Large, personally appeared Barbara Kent to me well known to be the Chair of the Code Enforcement and Appeals Board of the City of Fernandina Beach, and known to me to be the persons who executed the foregoing Findings of Fact for the City of Fernandina Beach as such Chair/Board Member: and they severally acknowledged the execution of the same to be their free act and deed by authority and on behalf of the City of Fernandina Beach for the uses and purposes therein expressed.

WITNESS my hand and official seal at Fernandina Beach, said County and State on this 7th day of June, 2024.

(NOTARY SEAL)


Katie A. Newton
Crystal Nicole Rimes

Notary Public, State of Florida



Katie A. Newton
Notary Public
State of Florida
Comm# HH150272
Expires 7/13/2025

**Florida Statute 162.11 Appeals. — An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed.*



City of Fernandina Beach

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF ENFORCEMENT

Date: JUNE 6, 2024

Case Number: CODE-2024-0029

IN THE MATTER OF: Respondent Name: **JAMES JOHN O'CONNER TRUST**
Respondent Mailing Address: 2440 LYNDAL RD.
FERNANDINA BEACH, FL 32034

This case having come before the Code Enforcement & Appeals Board of the City of Fernandina Beach on JUNE 6, 2024 a violation hearing having been held, and the Board having heard testimony, does hereby make the following finding of facts, and conclusions of law therefore imposing the following order and penalty:

SECTION 1 - FINDINGS OF FACT

1. The Respondent was properly served notice of these proceedings as required by law on MARCH 5, 2024 and the Respondent was not present at the hearing.
2. The real property on which the violations occurred is **703 GARDEN ST.**, Fernandina Beach, FL and a brief legal description being *BLK 2 LOTS 10 & 11 & PT OF ABND R/W IN OR 899/1839 & OR 1279/864 & OR 1444/1825.*
3. The Respondent is the owner of record of the aforementioned real property.
4. The Respondent violated sections of the Fernandina Beach Code of Ordinances: **Section 42-117 Exterior Structure (Maintenance).**

SECTION 2 - CONCLUSION OF LAW & IMPOSITION OF FINE

1. MAY 9, 2024: Based on the foregoing findings of fact, the Board voted to find the property in violation of 42-117 assess administrative fees, and if not in compliance by June 8, 2024, the Board will determine the assessment of daily fines of \$50 beginning on June 9, 2024 at the next Code Enforcement and Appeals Board Hearing on June 6, 2024.
2. JUNE 6, 2024: Based on the foregoing findings of fact, the Board voted to find the property in violation of 42-117 assess administrative fees, and a fine of \$50 per day to begin on June 9, 2024, until compliance is reached.
3. The City of Fernandina Beach shall record a certified copy of this order in the public records and this Order shall constitute a lien against the real property on which the violations exist and upon any other real or personal property owned by the Respondent if fines are not paid within thirty (30) days of the date so ordered.
4. If the lien remains unpaid for a period of three (3) months from the date of the filing of the lien, the City of Fernandina Beach may foreclose on the lien or sue to recover a money judgment for the amount of the lien plus accrued interest.



City of Fernandina Beach

SECTION 3 - CERTIFICATION OF VOTE

Done and ordered JUNE 6, 2024 at the City of Fernandina Beach, Nassau County, Florida Code Enforcement & Appeals Board Hearing.

By:

Chair Barbara Kent

COUNTY OF NASSAU

STATE OF FLORIDA

I HEREBY CERTIFY that on this day before me, the undersigned, a Notary Public in and for the State of Florida at Large, personally appeared Ms. Barbara Kent to me well known to be the Chair of the Code Enforcement and Appeals Board of the City of Fernandina Beach, and known to me to be the persons who executed the foregoing Findings of Fact for the City of Fernandina Beach as such Chair/Member: and they severally acknowledged the execution of the same to be their free act and deed by authority and on behalf of the City of Fernandina Beach for the uses and purposes therein expressed.

WITNESS my hand and official seal at Fernandina Beach, said County and State on this 7th day of June, 2024.

(NOTARY SEAL)

Katie A. Newton
Notary Public, State of Florida

Katie A. Newton
Notary Public
State of Florida
Comm# HH150272
Expires 7/13/2025

**Florida Statute 162.11 Appeals. — An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed.*



City of Fernandina Beach

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF ENFORCEMENT

Date: APRIL 4, 2024
Case Number: CODE-2024-0038

IN THE MATTER OF: Respondent Name: **MARY E. & ANJANETTE M. BROWN**
Respondent Mailing Address: 803 S 7TH ST.
FERNANDINA BEACH, FL 32034

This case having come before the Code Enforcement & Appeals Board of the City of Fernandina Beach on APRIL 4, 2024a violation hearing having been held, and the Board having heard testimony, does hereby make the following finding of facts, and conclusions of law therefore imposing the following order and penalty:

SECTION 1 - FINDINGS OF FACT

1. The Respondent was properly served notice of these proceedings as required by law on FEBRUARY 13, 2024 and the Respondent was not present at the hearing.
2. The real property on which the violations occurred is **PARCEL 00-00-31-1800-0161-0290** Fernandina Beach, FL and a brief legal description being *BLOCK 161 LOTS 29 30 IN OR 909/89 CITY OF FDNA BEACH*.
3. The Respondent is the owner of record of the aforementioned real property.
4. The Respondent violated sections of the Fernandina Beach Code of Ordinances: **Section 42-173 Wrecked or inoperable motor vehicles on private property declared a nuisance and prohibited.**

SECTION 2 - CONCLUSION OF LAW & IMPOSITION OF FINE

1. Based on the foregoing findings of fact, the Board voted to find the property in violation of Municipal Code of Ordinances section 42-173, to assess administrative fees, allow ten (10) additional days to come into compliance and if not in compliance by April 14, 2024, to assess fines of \$25.00 per day beginning April 15, 2024.
2. The City of Fernandina Beach shall record a certified copy of this order in the public records and this Order shall constitute a lien against the real property on which the violations exist and upon any other real or personal property owned by the Respondent if fines are not paid within thirty (30) days of the date so ordered.
3. If the lien remains unpaid for a period of three (3) months from the date of the filing of the lien, the City of Fernandina Beach may foreclose on the lien or sue to recover a money judgment for the amount of the lien plus accrued interest.



City of Fernandina Beach

SECTION 3 - CERTIFICATION OF VOTE

Done and ordered April 4, 2024 at the City of Fernandina Beach, Nassau County, Florida Code Enforcement & Appeals Board Hearing.

By:


Chair, BARBARA B. KENT

COUNTY OF NASSAU

STATE OF FLORIDA

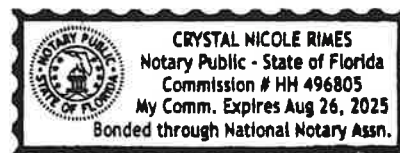
I HEREBY CERTIFY that on this day before me, the undersigned, a Notary Public in and for the State of Florida at Large, personally appeared BARB KENT to me well known to be the Chair of the Code Enforcement and Appeals Board of the City of Fernandina Beach, and known to me to be the persons who executed the foregoing Findings of Fact for the City of Fernandina Beach as such Chair: and they severally acknowledged the execution of the same to be their free act and deed by authority and on behalf of the City of Fernandina Beach for the uses and purposes therein expressed.

WITNESS my hand and official seal at Fernandina Beach, said County and State on this 5th day of April, 2024.



(NOTARY SEAL)

Notary Public, State of Florida



**Florida Statute 162.11 Appeals. — An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed.*