

ABBREVIATED MINUTES
CODE ENFORCEMENT BOARD
May 18, 2010

The City of Bradenton Code Enforcement Board met in regular session on May 18, 2010 at 2:30 P.M. in the City Hall Council Chambers, 101 Old Main Street, Bradenton, Florida.

ATTENDANCE

Code Enforcement Board Members (shaded area indicates excused absence):

Chairman Robert Grant	Vice- Chairman Richard Coury	Gerald Fisher	Al Youmans	Glyn Oldham
Larry Denyes	Fred Hayo			

Planning & Community Development	Code Enforcement	Fire	Police	Other
Ruth Seewer, Development Review Mgr.	Volker Reiss, Compliance Manager Victor Perez, Cheryl Landers Barb Hogan Mark Runnals, F.A.C.E. Certified Code Officers			Attorney William Lisch

PRELIMINARIES

- 1) Meeting called to order by Chairman Grant at 2:30 p.m.
- 2) Flag salute led by Chairman Grant.
- 3) Member Coury made the motion to accept the minutes from April 20, 2010 as presented by staff. Seconded by Member Oldham carried 6-0.
- 4) The following persons were sworn in by Laura Anderson: Dennis Bonneau, Christopher Moneuse, Jodene Moneuse, Layon Robinson, Davine Robinson, Audrey Garrison, Marc Freno, Barbara Hogan, Mark Runnals, Volker Reiss and Cheryl Landers.

UNFINISHED BUSINESS:

None at this time.

HEARINGS:

**10-018 Barbara Buckle / Richard Lee Buckle
Davine Robinson / Layon Robinson**
Address: 442-446 12th Street West/DP#3318800004/Ward 3
**Violation: Sections 304.15, 605.1, 308.1, 302.5, 504.3, 304.7, 305.3 and
604.3 from Ordinance #2906, and Chapter 18, Section 18-31
from the City Code of Ordinances, and NFPA1, National Fire
Protection Agency.**

Volker Reiss acknowledged that Mr. and Mrs. Robinson and Mr. Buckle were present in the audience. Cheryl Landers, Code Enforcement Officer entered photographs into evidence. Officer Landers stated that the property was inspected on January 4, 2010. At that time staff found the following violations; the exterior door is boarded and in disrepair and missing hardware, electrical light fixtures in disrepair, an accumulation of storage inside the structure, rodent infestation, sewer stack not properly secured, rotted fascia, ceilings, walls and floor have water damage, interior chipped and peeling paint, cracked plaster, warped ceilings, window frames contain rotted wood, exposed electrical wiring, missing light bulbs, a/c pump improperly installed, electrical light fixture in disrepair, remodeling work done without proper permits, missing ceiling tiles. Officer Landers stated that Dennis Bonneau, Fire Inspector for the City of Bradenton will explain the violations he observed. The Notice of Violation was received by the property owner on January 27, 2010. A re-inspection was done on March 10, 2010 and violations remained. The Notice of Hearing was received by the property owner on May 6, 2010. Officer Landers explained the violations through the photographs displayed; adding that Mr. Bonneau will explain the fire violations. Staff recommends 120 days for code compliance with a fine of \$200.00 per day until full compliance is reached.

Dennis Bonneau, Fire Inspector for the City of Bradenton approached the Board. He explained the additional fire violations that were found; the exit access is obstructed by combustible storage, extension cords and flexible cords, occupancy code requirements not followed, vertical and horizontal penetrations in walls and ceilings, exit illumination not working properly, second floor doors boarded, no proper fire extinguisher on second floor, west door not openable, insufficient aisle space, missing globes, flexible cord, and no annual inspection for heat detectors.

Chairman Grant asked which of the property owners from the audience, Mr. and Mrs. Robinson or Mr. Buckle would be testifying. Mr. and Mrs. Robinson

approached the Board; Mr. Robinson stated that after the initial inspection he contacted a contractor to investigate the alleged violations. Officer Landers stated that staff had met with Trina Rozier from Pinnacle Construction in February. Mr. Robinson explained that he received a letter from the construction company stating that they could not start the work until July 12, 2010.

Chairman Grant asked Mr. Robinson how much time he thought he would need to complete the work. Mr. Robinson stated that he thought the work could be done by December.

Volker Reiss, Compliance Manager read the letter from Pinnacle Construction into the record.

No further individuals indicated that they wanted to testify.

Actions

Member Coury made the motion to find case #10-018 in violation of Sections 304.15, 605.1, 308.1, 302.5, 504.3, 304.7, 305.3 and 604.3 from Ordinance #2906, and Chapter 18, Section 18-31 from the City Code of Ordinances and from the NFPA1, National Fire Protection Agency, NFPA1 14.4.1, 10.19.1, 10.3.4, 12.3.2, 14.13, 14.4.1, 13.6.1.1, 14.4.4, 14.4.1, 11.1, 11.1.5.3.5, 10.19.4 and 13.7.3.2.7. Seconded by Member Oldham. Motion carried 6-0.

Member Coury made the motion on case #10-018, giving the property owner 150 days for code compliance with a fine of \$200.00 per day until full compliance is reached. Seconded by Member Oldham. Motion carried 6-0.

10-019 Joseph P. Schmidt / Claudia M. Deschu
Address: 1207 11th Avenue West/DP#4367200005/Ward 3
Violation: Sections 304.2 and 304.15 from Ordinance #2906.

Volker Reiss stated that the property is in code compliance.

10-020 Marc I. Freno
Address: 602 9th Avenue East/DP#4593900006/Ward 4
Violation: Sections 304.2, 304.4, 305.3, 304.13, 304.10, 502.1, 506.1, 504.1, 605.1, 604.3, 704.2, 504.3 and 504.3 from Ordinance #2906.

Mark Runnals, Code Enforcement Officer entered photographs into evidence. Officer Runnals stated that the property was inspected on June 16, 2009. At that time staff found the following violations; exterior rotted wood, exterior chipped and peeling paint, siding, soffits and fascia in disrepair, roof rafters decayed, termite damage, sagging rafters, sagging floor joists, decayed floor joists, sloping and spongy floors, bathroom walls are spongy, wood frames show signs of rot and termite damage, broken windows, inoperable windows, front porch in

disrepair, plumbing under the sinks leak, raw sewage leaking onto ground, PVC piping exposed, interior light fixtures corroded and in disrepair, exposed electrical wiring, improperly installed window a/c unit, substandard water heater, missing and inoperable smoke detectors and improperly anchored propane tanks. The Notice of Violation was received by the property owner on September 4, 2009. A re-inspection was done on March 30, 2010 and the violation remained. The Notice of Hearing was received by the property owner on April 21, 2010. Officer Runnals explained the violations through the photographs displayed. Staff recommends 60 days for code compliance with a fine of \$200.00 per day until full compliance is reached.

Mr. and Mrs. Marc Freno approached the Board; he stated had a tenant that had to be evicted. He stated that code enforcement inspected the exterior and interior of the property in March 2010 and concurred the violations exist and code enforcement suggested the property not be occupied. Mr. Freno explained to the board that he has not been employed.

Chairman Grant asked if he agreed to the violations presented by the photographs, he replied that the property does not have plumbing violations.

Volker Reiss, Compliance Manager asked Officer Runnals to clarify the violation concerning the raw sewage. Officer Runnals stated that he did observe raw sewage leaking from under the larger home. Officer Runnals offered to revisit the property with the property owner for clarification.

Actions

Member Denyes made the motion to find case #10-020 in violation of Sections 304.2, 304.4, 305.3, 304.13, 304.10, 502.1, 506.1, 504.1, 605.1, 604.3, 704.2, 504.3 and 603.1 from Ordinance #2906. Seconded by Member Hayo. Motion carried 6-0.

Member Denyes made the motion on case #10-020, giving the property owner 90 days for code compliance with a fine of \$100.00 per day until full compliance is reached. Seconded by Member Hayo. Motion carried 6-0.

10-021 Charles Christopher Moneuse / Jodene K. Moneuse
Address: 404 7th Street East/DP#3145700005/Ward 4
Violation: Section 304.2 from Ordinance #2906.

Mark Runnals, Code Enforcement Officer displayed one photograph. Mr. Moneuse approached the Board; he stated that the property in the photographs is not his property.

Volker Reiss, Compliance Manager stated it appears the property depicted in the photograph displayed is not of his building, he recommended time to allow for further investigation.

Actions

Member Denyes made the motion to table case #10-021. Seconded by Member Coury. Motion carried 6-0.

10-021 Daniel C. Anderson / Nancy A. Anderson
Address: 1625 8th Avenue West/4380400004/Ward 3
Violation: Chapter 18, Section 18-31 from the City Code of Ordinances.

Volker Reiss stated that the property is in code compliance.

OTHER BUSINESS:

STAFF/BOARD COMMENTS:

Volker Reiss, Compliance Manager stated that Mr. Fisher injured his knee and his absence is excused.

Volker Reiss, Compliance Manger stated that he; Mark, Barbara and Cheryl have successfully completed F.A.C.E Level 4 training.

ADJOURMENT:

Meeting adjourned at 4:07 p.m.

Next scheduled meeting –June 15, 2010.

Robert B. Grant Jr., Chairman
Code Enforcement Board

Note: This is not a verbatim record. A recorded disc is available upon request for a \$10.00 service charge.