



CODE ENFORCEMENT HEARINGS OF THE  
SPECIAL MAGISTRATE  
MONTVERDE, FLORIDA  
WEDNESDAY, JUNE 19, 2024  
10:00 a.m.

MONTVERDE TOWN HALL  
COUNCIL CHAMBERS

17404 SIXTH ST  
MONTVERDE, FLORIDA

I. CALL TO ORDER:

II. CITY CLERK ADMINISTRATION OF OATH TO RESPONDENTS/WITNESSES:

*I solemnly affirm that the evidence that I shall give shall be the truth, the whole truth, and nothing but the truth.*

III. ANNOUNCE FORMAT OF PROCEEDINGS:

IV. CODE ENFORCEMENT OFFICER/TOWN MANAGER AGENDA UPDATES

V. NEW CODE COMPLIANCE CASES:

**Case No. CE 24-00030 – EMERGENCY CONDEMNATION – UNFIT AND UNSAFE BUILDING**

**Respondent(s): Franklin West Center**

**17530 8<sup>th</sup> Street, Montverde FL 34756**

**Parcel ID# 01-22-26-1200-001-00300**

**Alt Key# 1462452**

Sec. 5-52. Unfit or unsafe dwellings or structures declared nuisance.

- (a) When a dwelling or other structure, or any portion thereof, including accessory buildings, is found unfit or unsafe for human habitation or may imperil the health, safety, welfare and morals of the occupants thereof or of the surrounding areas, upon inspection by the town manager or designee, such official shall require the repair, securing, demolition or removal thereof.
- (b) The term "unfit or unsafe dwelling or structure or portion thereof, including accessory buildings," shall include:
  - (1) Dwellings or structures, or portions thereof, including accessory buildings, that are structurally unsafe, unstable, unsanitary, inadequately provided with exit facilities, or use of unsafe equipment that is in such disrepair or condition that the equipment is a hazard to life, health, property or safety of the public or occupants of the dwelling or structure;
  - (2) Any structure not provided with permanent means of adequately securing all openings against unauthorized entry;
  - (3) Constituting a fire hazard;
  - (4) Unsuitable or improper for the use of occupancy for which they are intended because is insanitary, is of a condition conducive for vermin or rat infested, contains fifth and contamination, broken glass, or lacks ventilation or other essential equipment required by any applicable code;
  - (5) Constituting a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment;
  - (6) Dangerous to life or property including but not limited to means of ingress or egress fails to conform to the approved building or fire code, any portion of the dwelling or structure has been damaged by fire, wind, flood, vandalism, deterioration, neglect, or abandonment or by any other cause to such an extent that it is likely to partially or completely collapse or to become detached or dislodged; or

- (7) Otherwise in violation of any of the following: the Florida Building Code, the Florida Fire Prevention Code and the Life Safety Code, the International Codes published by the International Code Council, and the National Electric Code (NFPA 70).
- (c) Such structures are further declared a nuisance or unsafe dwelling or structure

**Further Notice of Violation:**

Sec. 5-59. Assessment of cost as lien on property.

- (a) Upon expiration of the appeal period, if no appeal having been taken, the Town Manager, after proceeding under this article, shall report the abatement of the nuisance by the town. The Special Master shall assess the entire cost of such vacation, demolition, removal or securing, including any unpaid fees and costs arising out of any appeal hearing, against the real property, upon which such costs was incurred. This assessment, including rodent extermination where employed, all administrative costs, postal expense, newspaper advertising or other similar costs, when made, constitutes a lien upon such property.
- (b) The town shall record a notice of lien in the public records of Lake County, Florida, showing the nature of the lien, the amount thereof and an accurate legal description of the property, including the street address. The lien shall date from the date of recording and recite the names of all persons notified or interested parties. Such municipal lien shall bear interest from the date of recording at the rate of nine (9) percent per year and shall be enforceable by foreclosure in the same manner and time as a town code enforcement lien if unsatisfied after the expiration of ninety (90) days from the date of recording the notice of lien.
- (c) Such lien may be foreclosed and collected in the manner and procedure by which real property mortgages are foreclosed and collected, including an award of reasonable attorney's fees and costs for recording the notice of lien and prosecuting the foreclosure proceedings.

Sec. 5-64. Penalty for violation of article.

- (a) If the owner or occupant fails to comply with the written notice or order of the Town Manager or the Special Master issued pursuant to this article, then the owner or occupant may be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for a term not to exceed sixty (60) days, or by both such fine and imprisonment. Each day that a violation shall continue to exist shall be considered a separate violation and may be prosecuted as such.
- (b) If any dwelling or building or other structure described in this article is occupied and the occupant refuses to vacate the structure, in addition to the penalties set out in subsection (a), the town may apply to the circuit court for the appropriate order requiring vacation of premises and compliance with this article.

**Violation Date: January 24, 2024**

Case No. CE 23-000332 – ORDER OF FINE  
Respondent(s): Rondel and Nancy Shrewsbury  
16643 7<sup>th</sup> Street, Montverde FL 34756  
Parcel ID# 11-22-26-0200-00B-00100  
Alt Key# 1531756

**Storage and repair of equipment or parts of any kind within the public view for more than ten days in a residential area, prohibited home occupation use.**

Sec. 10-88. - (a) Home occupations shall be permitted in all zoning districts except PFD and U districts. (b) All home occupations which serve customers on the property, store materials or equipment on the property, or have employees that are not resident occupants must be registered annually with the town clerk. All other home occupations may, at the resident's discretion, choose to be registered annually with the town clerk. (c) The following shall not be permitted as home occupations: (6) Repair of any equipment within public view (10) Storage of equipment or parts of any kind within public view for more than ten hours.

**Violation Date: October 2, 2023**

## **VI ADJOURNMENT**