

CODE COMPLIANCE ORDER
CITY OF PALM BEACH GARDENS, FLORIDA

ORDER ASSESSING FINE

CITY OF PALM BEACH GARDENS,

CASE NO. 10.01.3444

Petitioner,

vs.

WILLIAM AND DAISY FORNARO,

Respondents.

RE: Violation of Sections 79-5 and 1-1 of the Code of Ordinances of the City of Palm Beach Gardens.

Address: 3316 Pine Hill Trail
Palm Beach Gardens, Florida
Legal Description: SHADY LAKES PL LT 69
PCN: 52-42-42-02-03-000-0690

The Special Magistrate appointed by the City Council to hear code compliance cases for the City of Palm Beach Gardens, in accordance with Chapter 162, *Florida Statutes*, has heard testimony at the Code Compliance Hearing held on the 23rd day of November, 2010, and based on the evidence and testimony presented, entered an Order Assessing Fine. The following Findings of Fact, Conclusions of Law, and Order are hereby entered:

FINDINGS OF FACT

1. The Respondents, **WILLIAM AND DAISY FORNARO**, were not present at the hearing; however, there was a finding of proper notice of the violation and of the hearing.
2. Code Officer Alex Lopez testified and produced evidence that the violations of Sections 79-5 and 1-1 of the Code of Ordinances of the City of Palm Beach Gardens remain on the property.
3. Based upon the evidence and testimony presented, the Special Magistrate found that the property remains in violation of Sections 79-5 and 1-1 of the Code of Ordinances of the City of Palm Beach Gardens.

CONCLUSIONS OF LAW

Based on the above-stated facts, Respondents remain in violation of Sections 79-5 and 1-1 of the Code of Ordinances of the City of Palm Beach Gardens.

ORDER

It is the Order of the Special Magistrate that Respondents shall immediately comply with Sections 79-5 and 1-1 of the Code of Ordinances of the City of Palm Beach Gardens.

A Fine in the amount of Twenty-Five Dollars (\$25.00) per day is hereby assessed for the violations that continue to exist on the property, commencing on November 4, 2010, and continuing to accrue on a daily basis until compliance is achieved.

Should Respondents violate the same Section of the Code again, Respondents may be subject to a Fine of up to Five Hundred Dollars (\$500.00) per day for such repeat violation. Additionally, the Code Inspector is not required to give a reasonable time to correct the repeat violation and the case may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the Special Magistrate hearing.

A certified copy of this Order may be recorded in the Public Records of Palm Beach County, Florida, and, once recorded, shall constitute a lien against the property upon which the violation exists and upon any other real or personal property owned by the Respondents, pursuant to Chapter 162, *Florida Statutes*.

Upon complying in any code compliance matter, it is always the responsibility of the Respondents to contact the Code Compliance Department at (561) 799-4245 to request a reinspection of the property.

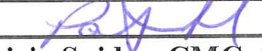
DONE AND ORDERED this 30 day of November, 2010.

CITY OF PALM BEACH GARDENS
CODE COMPLIANCE

BY: 
KEVIN WAGNER, SPECIAL MAGISTRATE

Filed with City Clerk

Date: 11-30-10

By: 
Patricia Snider, CMC, City Clerk