

CODE COMPLIANCE ORDER
CITY OF PALM BEACH GARDENS, FLORIDA

**ORDER FINDING IRREPARABLE/IRREVERSIBLE VIOLATION
AND ASSESSING FINE**

CITY OF PALM BEACH GARDENS,

Petitioner,

Case No. 11.01.4259

vs.

DANLEN, INC.,

Respondent.

RE: Violation of Section 110.1.1 of the Florida Building Code as adopted by the Code of Ordinances of the City of Palm Beach Gardens.

Address: 2401 PGA Blvd., Ste 160
Palm Beach Gardens, Florida 33410
Legal Description: 5-42-43, ELY 500.97 FT OF W 627.17 FT OF NLY 207.10
FT, ELY 206.05 FT OF W 322.05 FT OF S 808.52 FT OF N
1015.62 FT & ELY 775.09 FT OF W 901.29 FT OF SLY
302.53 FT LYG BET
PCN: 52-43-42-05-00-000-1460

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 10th day of January, 2011 and based on the evidence and testimony presented, entered an Order Finding Irreparable/Irreversible Violation and Assessing Fine. The following Findings of Fact, Conclusions of Law, and Order are hereby entered:

FINDINGS OF FACT

1. The Respondent, **DANLEN, INC.**, was represented by **CARMINE GIARDINI** and **CHARLIE SISCA** at the hearing and there was a finding of proper notice of the violation and of the hearing.
2. Code Compliance Officers Ismael Vasquez, Robert Creston, and Robert Williams provided evidence and testimony of the violations and that the subject violations were irreparable and irreversible. Chief Building Inspector for the City of Palm Beach Gardens, Scott Danielski, and Lieutenant Chris Henry of the City of Palm Beach Gardens Fire Department also testified to

the violations. The City's composite Exhibit 1 and City's Exhibit 2 were accepted and admitted into evidence.

- 3. CARMINE GIARDINI and CHARLIE SISCA both appeared and testified.

CONCLUSIONS OF LAW

The above-stated facts constitute violations of Section 110.1.1 of the Florida Building Code as adopted by the Code of Ordinances of the City of Palm Beach Gardens and such violations are irreparable and irreversible in nature.

ORDER

It is the Order of the Code Compliance Special Magistrate that Respondent, DANLEN, INC., is hereby assessed a Fine in the amount of Twenty-Four Thousand Dollars (\$24,000.00) at the rate of Three Thousand Dollars (\$3,000.00) per day for the eight (8) days that the bar was used in violation of Section 110.1.1 of the Florida Building Code as adopted by the Code of Ordinances of the City of Palm Beach Gardens.

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 Respondent, pursuant to Chapter 162, *Florida Statutes*.

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

DONE AND ORDERED this 14 day of January, 2011.

CITY OF PALM BEACH GARDENS
CODE COMPLIANCE

BY: 
KEVIN WAGNER, SPECIAL MAGISTRATE

Filed with City Clerk

Date: 1/14/11

By: Patricia Snider

Patricia Snider, CMC, City Clerk