



Legislation Details (With Text)

**File #:** 21-4369      **Name:** RESOLUTION NO. R2021-18 (CODE COMPLIANCE FINE REDUCTION FOR 13984 COLUMBINE AVE)

**Type:** Discussion Item      **In control:** Village Council

**On agenda:** 4/27/2021      **Final action:**

**Title:** RESOLUTION NO. R2021-18 (CODE COMPLIANCE FINE REDUCTION FOR 13984 COLUMBINE AVE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL COMPROMISING A LIEN ASSOCIATED WITH A CODE COMPLIANCE ACTION NOH-10-3446, 13984 COLUMBINE AVE, PURSUANT TO SECTION 2-199 OF THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

**Code sections:**

**Attachments:** 1. 1. 5 10-3446 Reduction Application.pdf, 2. 2. R2021-18

Date	Ver.	Action By	Action	Result
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**ITEM: RESOLUTION NO. R2021-18 (CODE COMPLIANCE FINE REDUCTION FOR 13984 COLUMBINE AVE)**

**A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL COMPROMISING A LIEN ASSOCIATED WITH A CODE COMPLIANCE ACTION NOH-10-3446, 13984 COLUMBINE AVE, PURSUANT TO SECTION 2-199 OF THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

**REQUEST:** Request for reduction of a lien associated with code compliance action NOH-10-3446, 13984 Columbine Ave, for John K. Ramey and Stacie I. Ramey's settlement in the amount of \$1,000.00 with payment schedule.

**EXPLANATION:** Property owners, John K. Ramey and Stacie I. Ramey, submitted a fine reduction application seeking a reduction of liens associated with a compliance action. John K. Ramey and Stacie I. Ramey submitted an initial settlement offer in the amount of \$500.00. Staff reviewed the request and offered a settlement in the amount of \$12,691.00, a reduction from the original amount of \$63,291.22. The property owners submitted a counter offer in the amount of \$1,000.00 and a request for a payment schedule. The Village Council's authority to reduce a lien is found in Wellington Code of Ordinances Section 2-199, "a lien arising from a fine imposed pursuant to this article runs in favor of the village council, and the village council may execute a satisfaction or release of lien entered pursuant to this article."

Code Compliance case NOH-10-3446 was initiated based on a complaint. The initial inspection was conducted on August 4, 2010. The Courtesy Violation Notice was issued on August 4, 2010, providing 30 days to address dead and bare areas in the lawn, weeds, and dead palm fronds, driveway and sidewalk

stained and discolored, trim and gutters stained, and hedges over six feet in height. A subsequent inspection found the issues were not corrected.

The Notice of Violation/Notice of Hearing was issued on October 21, 2010, providing a compliance date of November 21, 2010, and a potential hearing date of December 9, 2010. The certified mail was returned signed. John Ramey responded via a phone call to the Code Officer on November 22, 2010. Mr. Ramey stated a 60-day extension was needed. A Stipulation Agreement was signed and approved by the Special Magistrate on December 9, 2010. The Stipulation Agreement provided until February 9, 2011, to correct the violations and outlined a potential fine of \$25.00 per day. A second phone exchange took place on February 10, 2011. Mr. Ramey requested additional time to correct the violations. An extension to March 9, 2011, was granted by the Special Magistrate on February 17, 2011.

A letter was received from Mr. Ramey on March 10, 2011, requesting additional time and explaining his family's current medical and financial difficulties. Wellington's Community Services Division was contacted concerning possible assistance. An additional extension was granted on March 17, 2011, providing until April 6, 2011, and again on April 21, 2011, extending the compliance date to June 6, 2011, to provide time for Community Services opportunity to review the issue and locate potential assistance. Community Services scheduled volunteer assistance and the pressure cleaning, weeds, high hedge and dead and bare areas were corrected on May 12, 2011. The volunteer group was unable to clean the roof. The Code Officer contacted Mr. Ramey on June 9, 2011, and explained Wellington was unable to secure a program to assist in correcting the remaining violation. A final extension was granted on June 16, 2011, extending the compliance date to July 24, 2011. A follow up inspection on July 25, 2011, found the roof stained and discolored. The case was presented to the Special Magistrate on August 18, 2011. As outlined in the December 9, 2010, Stipulation Agreement, the Magistrate ordered a fine in the amount of \$25.00 per day commencing on July 25, 2011.

On March 29, 2018, Mr. Ramey contacted staff and advised the roof will be cleaned. A follow up inspection on June 28, 2018, found the roof cleaned. Total fines 2,530 days of non-compliance totaled \$63,250.00, including costs incurred \$41.22, total lien equaled \$63,291.22.

**BUDGET AMENDMENT REQUIRED:** NO

**PUBLIC HEARING:** NO                      **QUASI-JUDICIAL:**

**FIRST READING:**                              **SECOND READING:**

**LEGAL SUFFICIENCY:** YES

**FISCAL IMPACT:** N/A

**WELLINGTON FUNDAMENTAL:** Responsive Government

**RECOMMENDATION:** Request for reduction of a lien associated with code compliance action NOH-10-3446, 13984 Columbine Ave, for John K. Ramey and Stacie I. Ramey's settlement in the amount of \$1,000.00 with payment schedule.