

**Code Enforcement Hearing**  
**Minutes**  
**June 05, 2019**

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**Present:** D. John Morgeson Jr., Special Magistrate  
Officer Carrie Long  
Melani Beringer, Deputy City Clerk

**1. Call to Order/Rules of Procedure**

Special Magistrate D. John Morgeson Jr. called the Code Enforcement Hearing to order at 2:05 p.m. He stated that formal rules of evidence do not apply and fundamental fairness will be afforded to all. After hearing all of the relevant evidence a verbal order will be issued which will be reduced to writing and mailed to all participants. The order of the presentation will begin with the City presenting their evidence of the alleged violation(s) and then the Respondent shall present his case. All witnesses offering testimony or presenting evidence will be required to swear or affirm that the testimony they provide is the truth.

**2. Administration of Oath to Defendants/Witnesses**

Special Magistrate Morgeson asked that anyone who wished to testify to stand and be sworn in by the Clerk. The Clerk administered the oath.

**3. Additions, Deletions, Modifications**

**4. Cases**

- B. Case #02-19- 08411  
New Case  
Owner Information: Michael Kinney  
Loc. Address: 741 Willow Crest St.  
RE: 5-2 Fence erected without a permit.

Code Enforcement Carrie Long presented her case: Officer Long stated that the mentioned property has been found in violation of erecting a fence on the above property without first obtaining the appropriate fence permit required by Development Services.

Recommendation: Staff recommends the Magistrate find the property owner in violation of the Orange City Code of Ordinances as cited and order that the property owner revise the old fence permit application or re-submit a new fence permit for the existing fence located on the property and that the property must obtain a satisfactory final inspection within 30 days, Code enforcement additionally request that it be ordered that failure to comply with the original notice of violation by the deadline ordered by the Magistrate will result in a \$50.00 a day fine that will accrue until compliance is met.

The Magistrate closed the public hearing. Mr. Morgeson ordered that the respondent is in violation of the codes cited. He ordered that the respondent correct the violation on or before July 6, 2019,

by taking the remedial action as identified in the Notice of Violation. If Respondent fails to timely correct the violation on or before July 6, 2019 a fine of \$100.00 will accrue for each day that the violation exists after July 6, 2019. Respondent is further ordered to contact code enforcement to verify compliance with this order a may be necessary hereafter.

### **Adjournment**

There being no further cases to discuss, the hearing was adjourned at 4:17 p.m.