

Code Enforcement Special Magistrate
November 14, 2022 (Minutes)

The undersigned is the Secretary of the Special Magistrate and the information provided herein is the minutes of the meeting of said Special Magistrate on November 14, 2022 which minutes were formally approved and adopted by the Magistrate on November 16, 2022.

ATTEST:



SPECIAL MAGISTRATE



ADVISORY BOARD LIAISON

NOTE TO READER: If the minutes you have received are not completed as indicated above, this means they are not the official minutes of the (Board Name). They will become official minutes only after review and approval, which may involve some amendments, additions, or deletions.

A Special Magistrate Hearing was held on **November 14, 2022**,
was called to order at *9:12 AM*, Adjourned *11:35 AM*.

Present:

Kevin Wagner, Special Magistrate
William Bennett, Assistant City Attorney
Lawonda Warren, Assistant City Attorney
Ryan Sahai, Code Officer
Lakisia Harris, Code Officer
Brad Hasseler, Cross-Connection Control Program Administrator
Demetrius Smith, Cross-Connection Control Specialist

Case 22-11491

Property Address: 318 NE 6th Avenue

William Bennett, The Assistant City Attorney for The City of Delray Beach, questioned Brad Hasseler and Demetrius Smith in reference to proper notice.

Brad Hasseler, Cross Connection Control Program Administrator for The City of Delray Beach, testified that notices were sent to owner on record and customer and that no backflow device had been installed at this location.

William Bennett, entered into evidence city composite exhibits into evidence; notices sent by utilities and code enforcement and the utilities power point slide showing that no backflow was installed. The exhibits were accepted into evidence by Special Magistrate Kevin Wagner.

Ryan Sahai, Code Office for The City of Delray Beach, testified that notices were sent to owner of record by utilities and code enforcement, and notice was posted at the property with the violation that no backflow had been installed at this location.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Special Magistrate, stated that good notice was given and that the violation of code section 52.83 (A) (B) (C) & (D) still exists. 30 days will be given to apply for a permit, and 60 days to obtain a permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Case 22-11495

Property Address: 241 SW 13th Avenue

William Bennett, The Assistant City Attorney for The City of Delray Beach, questioned Brad Hasseler and Demetrius Smith in reference to proper notice.

Brad Hasseler, Cross Connection Control Program Administrator for The City of Delray Beach, testified that notices were sent to owner on record and customer and that no backflow device had been installed at this location.

William Bennett, entered into evidence city composite exhibits into evidence; notices sent by utilities and code enforcement and the utilities power point slide showing that no backflow was installed. The exhibits were accepted into evidence by Special Magistrate Kevin Wagner.

Ryan Sahai, Code Office for The City of Delray Beach, testified that notices were sent to owner of record by utilities and code enforcement, and notice was posted at the property with the violation that no backflow had been installed at this location.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Special Magistrate, stated that good notice was given and that the violation of code section 52.83 (A) (B) (C) & (D) still exists. 30 days will be given to apply for a permit, and 60 days to obtain a permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Case 22-11530

Property Address: 328 NE 6th Avenue

Service Address: 378 NE 6th Avenue

William Bennett, The Assistant City Attorney for The City of Delray Beach, questioned Brad Hasseler and Demetrius Smith in reference to proper notice.

Brad Hasseler, Cross Connection Control Program Administrator for The City of Delray Beach, testified that notices were sent to owner on record and customer and that no backflow device had been installed at this location.

William Bennett, entered into evidence city composite exhibits into evidence; notices sent by utilities and code enforcement and the utilities power point slide showing that no backflow was installed. The exhibits were accepted into evidence by Special Magistrate Kevin Wagner.

Lakesia Harris, Code Office for The City of Delray Beach, testified that notices were sent to owner of record by utilities and code enforcement, and notice was posted at the property with the violation that no backflow had been installed at this location.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Special Magistrate, stated that good notice was given and that the violation of code section 52.83 (A) (B) (C) & (D) still exists. 30 days will be given to apply for a permit, and 60 days to obtain a permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Case 22-11541

Property Address: 601-619 W Atlantic Avenue

William Bennett, The Assistant City Attorney for The City of Delray Beach, questioned Brad Hasseler and Demetrius Smith in reference to proper notice.

Brad Hasseler, Cross Connection Control Program Administrator for The City of Delray Beach, testified that notices were sent to owner on record and customer and that no backflow device had been installed at this location.

William Bennett, entered into evidence city composite exhibits into evidence; notices sent by utilities and code enforcement and the utilities power point slide showing that no backflow was installed. The exhibits were accepted into evidence by Special Magistrate Kevin Wagner.

Lakesia Harris, Code Office for The City of Delray Beach, testified that notices were sent to owner of record by utilities and code enforcement, and notice was posted at the property with the violation that no backflow had been installed at this location.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Special Magistrate, stated that good notice was given and that the violation of code section 52.83 (A) (B) (C) & (D) still exists. 30 days will be given to apply for a permit, and 60 days to obtain a permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Case 22-11544

Property Address: 34 SW 5th Avenue

Service Address: 32 SW 5th Avenue

William Bennett, The Assistant City Attorney for The City of Delray Beach, questioned Brad Hasseler and Demetrius Smith in reference to proper notice.

Brad Hasseler, Cross Connection Control Program Administrator for The City of Delray Beach, testified that notices were sent to owner on record and customer and that no backflow device had been installed at this location.

William Bennett, entered into evidence city composite exhibits into evidence; notices sent by utilities and code enforcement and the utilities power point slide showing that no backflow was installed. The exhibits were accepted into evidence by Special Magistrate Kevin Wagner.

Lakesia Harris, Code Office for The City of Delray Beach, testified that notices were sent to owner of record by utilities and code enforcement, and notice was posted at the property with the violation that no backflow had been installed at this location.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Special Magistrate, stated that good notice was given and that the violation of code section 52.83 (A) (B) (C) & (D) still exists. 30 days will be given to apply for a permit, and 60 days to obtain a permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Case 22-11698

Property Address: 3001 S Federal Hwy

Service Address: 3015 S Federal Hwy

William Bennett, The Assistant City Attorney for The City of Delray Beach, questioned Brad Hasseler and Demetrius Smith in reference to proper notice.

Brad Hasseler, Cross Connection Control Program Administrator for The City of Delray Beach, testified that notices were sent to owner on record and customer and that no backflow device had been installed at this location.

William Bennett, entered into evidence city composite exhibits into evidence; notices sent by utilities and code enforcement and the utilities power point slide showing that no backflow was installed. The exhibits were accepted into evidence by Special Magistrate Kevin Wagner.

Ryan Sahai, Code Office for The City of Delray Beach, testified that notices were sent to owner of record by utilities and code enforcement, and notice was posted at the property with the violation that no backflow had been installed at this location.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Special Magistrate, stated that good notice was given and that the violation of code section 52.83 (A) (B) (C) & (D) still exists and the property owner Alexander Seredin has 120 days to bring the property into compliance, or a Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance. This case will be set for a fine assessment/Status hearing prior to the expiration of 120 days.

Case 22-11773

Property Address: 306 NE 2nd Street

William Bennett, The Assistant City Attorney for The City of Delray Beach, questioned Brad Hasseler and Demetrius Smith in reference to proper notice.

Brad Hasseler, Cross Connection Control Program Administrator for The City of Delray Beach, testified that notices were sent to owner on record and customer and that no backflow device had been installed at this location.

William Bennett, entered into evidence city composite exhibits into evidence; notices sent by utilities and code enforcement and the utilities power point slide showing that no backflow was installed. The exhibits were accepted into evidence by Special Magistrate Kevin Wagner.

Lakesia Harris, Code Office for The City of Delray Beach, testified that notices were sent to owner of record by utilities and code enforcement, and notice was posted at the property with the violation that no backflow had been installed at this location.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Special Magistrate, stated that good notice was given and that the violation of code section 52.83 (A) (B) (C) & (D) still exists. 30 days will be given to apply for a permit, and 60 days to obtain a permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Case 22-11781

Property Address: 223 NE 5th Avenue

William Bennett, The Assistant City Attorney for The City of Delray Beach, questioned Brad Hasseler and Demetrius Smith in reference to proper notice.

Brad Hasseler, Cross Connection Control Program Administrator for The City of Delray Beach, testified that notices were sent to owner on record and customer and that no backflow device had been installed at this location.

William Bennett, entered into evidence city composite exhibits into evidence; notices sent by utilities and code enforcement and the utilities power point slide showing that no backflow was installed. The exhibits

were accepted into evidence by Special Magistrate Kevin Wagner.

Lakesia Harris, Code Office for The City of Delray Beach, testified that notices were sent to owner of record by utilities and code enforcement, and notice was posted at the property with the violation that no backflow had been installed at this location.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Special Magistrate, stated that good notice was given and that the violation of code section 52.83 (A) (B) (C) & (D) still exists. 30 days will be given to apply for a permit, and 60 days to obtain a permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Case 22-11785

Property Address: 305 & More SE 2nd Avenue

Lawonda Warren, The Assistant City Attorney for The City of Delray Beach, questioned Brad Hasseler and Demetrius Smith in reference to proper notice.

Brad Hasseler, Cross Connection Control Program Administrator for The City of Delray Beach, testified that notices were sent to owner on record and customer and that no backflow device had been installed at this location.

Lawonda Warren, entered into evidence city composite exhibits into evidence; notices sent by utilities and code enforcement and the utilities power point slide showing that no backflow was installed. The exhibits were accepted into evidence by Special Magistrate Kevin Wagner.

Lakesia Harris, Code Office for The City of Delray Beach, testified that notices were sent to owner of record by utilities and code enforcement, and notice was posted at the property with the violation that no backflow had been installed at this location.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Special Magistrate, stated that good notice was given and that the violation of code section 52.83 (A) (B) (C) & (D) still exists. 30 days will be given to apply for a permit, and 60 days to obtain a permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Case 22-11787**Property Address: 375 SE 2nd Avenue**

Lawonda Warren, The Assistant City Attorney for The City of Delray Beach, questioned Brad Hasseler and Demetrius Smith in reference to proper notice.

Brad Hasseler, Cross Connection Control Program Administrator for The City of Delray Beach, testified that notices were sent to owner on record and customer and that no backflow device had been installed at this location.

Lawonda Warren, entered into evidence city composite exhibits into evidence; notices sent by utilities and code enforcement and the utilities power point slide showing that no backflow was installed. The exhibits were accepted into evidence by Special Magistrate Kevin Wagner.

Lakesia Harris, Code Office for The City of Delray Beach, testified that notices were sent to owner of record by utilities and code enforcement, and notice was posted at the property with the violation that no backflow had been installed at this location.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Special Magistrate, stated that good notice was given and that the violation of code section 52.83 (A) (B) (C) & (D) still exists. 30 days will be given to apply for a permit, and 60 days to obtain a permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Case 22-11788**Property Address: 391 SE 2nd Avenue**

Lawonda Warren, The Assistant City Attorney for The City of Delray Beach, questioned Brad Hasseler and Demetrius Smith in reference to proper notice.

Brad Hasseler, Cross Connection Control Program Administrator for The City of Delray Beach, testified that notices were sent to owner on record and customer and that no backflow device had been installed at this location.

Lawonda Warren, entered into evidence city composite exhibits into evidence; notices sent by utilities and code enforcement and the utilities power point slide showing that no backflow was installed. The exhibits were accepted into evidence by Special Magistrate Kevin Wagner.

Lakisia Harris, Code Office for The City of Delray Beach, testified that notices were sent to owner of record by utilities and code enforcement, and notice was posted at the property with the violation that no backflow had been installed at this location.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Special Magistrate, stated that good notice was given and that the violation of code section 52.83 (A) (B) (C) & (D) still exists. 30 days will be given to apply for a permit, and 60 days to obtain a permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Case 22-11879

Property Address: 353 N Swinton Avenue

Lawonda Warren, The Assistant City Attorney for The City of Delray Beach, questioned Brad Hasseler and Demetrius Smith in reference to proper notice.

Brad Hasseler, Cross Connection Control Program Administrator for The City of Delray Beach, testified that notices were sent to owner on record and customer and that no backflow device had been installed at this location.

Lawonda Warren, entered into evidence city composite exhibits into evidence; notices sent by utilities and code enforcement and the utilities power point slide showing that no backflow was installed. The exhibits were accepted into evidence by Special Magistrate Kevin Wagner.

Ryan Sahai, Code Office for The City of Delray Beach, testified that notices were sent to owner of record by utilities and code enforcement, and notice was posted at the property with the violation that no backflow had been installed at this location.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Special Magistrate, stated that good notice was given and that the violation of code section 52.83 (A) (B) (C) & (D) still exists. 30 days will be given to apply for a permit, and 60 days to obtain a permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Case 22-11920**Property Address: 3001 S Federal Hwy****Service Address: 3065 S Federal Hwy**

Lawonda Warren, The Assistant City Attorney for The City of Delray Beach, questioned Brad Hasseler and Demetrius Smith in reference to proper notice.

Brad Hasseler, Cross Connection Control Program Administrator for The City of Delray Beach, testified that notices were sent to owner on record and customer and that no backflow device had been installed at this location.

Lawonda Warren, entered into evidence city composite exhibits into evidence; notices sent by utilities and code enforcement and the utilities power point slide showing that no backflow was installed. The exhibits were accepted into evidence by Special Magistrate Kevin Wagner.

Ryan Sahai, Code Office for The City of Delray Beach, testified that notices were sent to owner of record by utilities and code enforcement, and notice was posted at the property with the violation that no backflow had been installed at this location.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Special Magistrate, stated that good notice was given and that the violation of code section 52.83 (A) (B) (C) & (D) still exists. 30 days will be given to apply for a permit, and 60 days to obtain a permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Case 22-11926**Property Address: 475 Pelican Way**

Lawonda Warren, The Assistant City Attorney for The City of Delray Beach, questioned Brad Hasseler and Demetrius Smith in reference to proper notice.

Brad Hasseler, Cross Connection Control Program Administrator for The City of Delray Beach, testified that notices were sent to owner on record and customer and that no backflow device had been installed at this location.

Lawonda Warren, entered into evidence city composite exhibits into evidence; notices sent by utilities and code enforcement and the utilities power point slide showing that no backflow was installed. The exhibits were accepted into evidence by Special Magistrate Kevin Wagner.

Ryan Sahai, Code Office for The City of Delray Beach, testified that notices were sent to owner of record by utilities and code enforcement, and notice was posted at the property with the violation that no

backflow had been installed at this location.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Special Magistrate, stated that good notice was given and that the violation of code section 52.83 (A) (B) (C) & (D) still exists. 30 days will be given to apply for a permit, and 60 days to obtain a permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Case 22-11934

Property Address: 551 SE 8th Street

Lawonda Warren, The Assistant City Attorney for The City of Delray Beach, questioned Brad Hasseler and Demetrius Smith in reference to proper notice.

Brad Hasseler, Cross Connection Control Program Administrator for The City of Delray Beach, testified that notices were sent to owner on record and customer and that no backflow device had been installed at this location.

Lawonda Warren, entered into evidence city composite exhibits into evidence; notices sent by utilities and code enforcement and the utilities power point slide showing that no backflow was installed. The exhibits were accepted into evidence by Special Magistrate Kevin Wagner.

Ryan Sahai, Code Office for The City of Delray Beach, testified that notices were sent to owner of record by utilities and code enforcement, and notice was posted at the property with the violation that no backflow had been installed at this location.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.

Special Magistrate, stated that good notice was given and that the violation of code section 52.83 (A) (B) (C) & (D) still exists. 30 days will be given to apply for a permit, and 60 days to obtain a permit. Failure to meet either deadlines will be subject to Two Hundred dollar (\$200.00) daily fine and the city will be given authorization to disconnect water services for noncompliance.