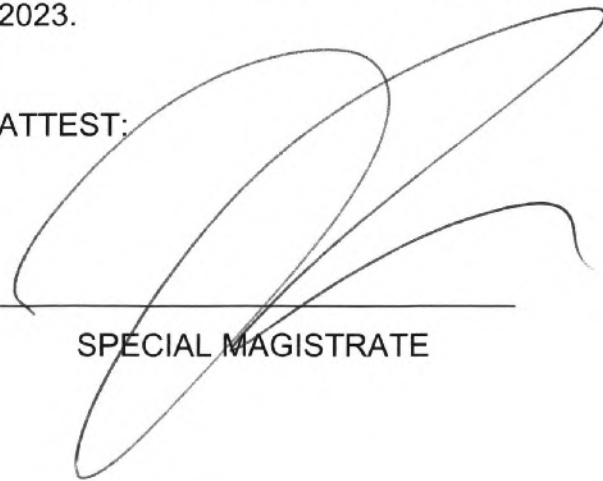


Code Enforcement Special Magistrate
January 11, 2023 (Minutes)

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 January 11, 2023 which minutes were formally approved and adopted by the Magistrate on January 25, 2023.

ATTEST:



A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke, is written over a horizontal line.

SPECIAL MAGISTRATE

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 **January 11, 2023**,
was called to order at *9:06AM*, Adjourned *10:09 AM*.

Present:

Kevin Wagner, Special Magistrate
Lawonda Warren, Assistant City Attorney
Chantale Jean-Baptist, Code Officer
Khatoya Wesley, Code Officer
Brad Hasseler, Cross-Connection Control Program Administrator
Demetrius Smith, Cross-Connection Control Specialist
Fredric Ross, Respondent/Owner

- Case 22-13916 was presented first because owner of property was present. (Case #5 on the agenda).

22-13916

Fredric Ross
Fredric Ross Trust Title Holder
Property Address: 928 Evergreen Drive

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. Demetrius Smith also testified as Cross-Connection Control Specialist that no device had been installed at this location.

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

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

Property owner Fredrick Ross testifying to his case. He mentioned he was out of town, but that he did a plumber and has every intention to comply.

City suggests: 30 days to apply for a permit, 60 days to obtain an approved permit. Failure to meet either deadlines could 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, Kevin Wagner stated that good notice was given, and that the violation of code section 52.83 (A) (B) (C) & (D) still exists. Thirty days (30) will be given to apply for a permit, and sixty days (60) 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.

- Went back to case #1 on the agenda.

Case 22-13523

QCRE VIII LLC

CT Corporation System R/A

Property Address: 186 NE 2nd Avenue

Service Address: 190 NE 2nd Avenue

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22-13531

Linton Delray LLC
CT Corporation System R/A
Property Address: 1400 S Federal Hwy
Service Address: 1490 S Federal Hwy

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22-13537

Depot Warehouse LLC
Keith Kern Esq. R/A
Property Address: 1700 Depot Avenue

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22-13669

RGMZ Marketplace of Delray OP 5 WE LLC
CT Corporation System R/A
Property Address: 14743 S Military Trail

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22-13936

Shadywoods Homeowners Assn Inc
Law Office of J.M. Cunha P.A. R/A
4500 Shadywood Drive
Service Address: 4002 Shadywood Drive

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22-13959

Delray Community Missionary Baptist Church Inc
Linda Boone-Allen R/A
Property Address: 94 SW 5th Avenue

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22-13963

PPG Architectural Finishes Inc
Prentice-Hall Corporation System Inc R/A
Property Address: 650 NE 6th Avenue

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