



CITY OF TITUSVILLE

CODE ENFORCEMENT SPECIAL MAGISTRATE

AGENDA

Regular Meeting

April 14, 2025 - 2:00 PM

Council Chamber at City Hall

555 South Washington Avenue, Titusville, FL 32796

Special Magistrate Don Nguyen

The City desires to accommodate persons with disabilities. Accordingly, any person who requires an accommodation, pursuant to Chapter 286.26 Florida Statutes, should, at least 48 hours prior to the hearing, submit a written request to the City Clerk detailing the accommodation required.

Any person who decides to appeal any decision of the special magistrate, with respect to any matter considered at this hearing, will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person or defendant who requests to review or object to any exhibits presented to the special magistrate by the City of Titusville prior to submission to the special magistrate, must stand and state their requests to review the exhibits prior to review by the magistrate at the time their case or agenda item is called for hearing.

Any person found to be in violation of the City of Titusville Code of Ordinances and given a time frame in which to comply shall, upon compliance, be responsible for contacting the code enforcement supervisor for an inspection to verify said compliance. The violation will not be considered to be in compliance until the code enforcement supervisor is notified and verifies compliance.

- 1. CALL TO ORDER**
- 2. SWEARING IN OF WITNESSES**
- 3. APPROVAL OF MINUTES**
 - A. Minutes**

Approve the minutes of the Regular Code Enforcement Special Magistrate Meeting on March 10, 2025.

4. HEARINGS

A. Lien Reduction Hearings

B. Massey Hearings

1. **25-04**
Explore & Discover Inc
1700 Knox Mc Rae Dr Titusville FL 32780 (Former Address)
1680 Knox McRae Dr Titusville FL 32780 (New Address)
Tax Parcel ID#22-35-16-00-767
Notice of Hearing Certified and Posted
2. **25-09**
Emma B Portlock (Estate)
1121 Second Ave.
Titusville FL 32780
(Parcel ID# 22-35-03-54-11-13)
Notice of Hearing Certified and first class 03/06/25 and Posted
04/02/25.
3. **25-11**
TPK Investments, LLC
Darlene B Tindall – Registered Agent
2671 Sussana Ln, Titusville, FL 32780
Parcel ID# 22-35-20-05-* -3
Notice of Hearing: Certified and Posted April 1, 2025
4. **25-27**
Philp A D'Andreamatteo Jr.
1435 Brook Drive, Titusville FL 32780
Parcel ID# 22-35-08-01-3-13
Notice of Hearing: Certified and Posted April 2, 2025

C. Continued Hearings

D. Initial Hearings

1. **25-29**
BAF 4 LLC – Listed owner
Corporation Service Company – Registered Agent
4320 Byron Ave, Titusville, FL 32780
5001 Plaza on the Lake, Suite #1200, Austin, Texas 78746 - Owner
1201 Hays Street, Tallahassee, Florida 32301-2525 - Registered Agent

Parcel ID# 22-35-21-91-*-31

Notice of Hearing: Certified and Posted - Initial on September 23, 2024.

Hearing mailed March 11, 2025, posted April 1, 2025.

2. 25-30

Vermont LLC

1091 S De Leon Avenue

2582 Maguire Road #513, Ocoee, Florida 32761 - Owner

Parcel ID# 21-35-03-54-13-3

**Notice of Violation: Certified and Posted, Initial January 1, 2025,
Certified mail February 10, 2025.**

Hearing Mailed March 11, 2025, and Posted April 2, 2025

3. 25-31

Vermont LLC

1545 Kings Court, Titusville, Florida 32780

2582 Maguire Road #513, Ocoee, Florida 32761 - Owner

Parcel ID# 22-35-09-10-*-15

**Notice of Violation: Certified and Posted, Initial January 22, 2025.
Hearing Mailed March 11, 2025, and Posted April 2, 2025**

4. 25-33

Robert C Kirk

Krystal Kirk Cook

925 Cleveland Street, Titusville, FL 32780

Parcel ID # 22-35-22-52-20-6

**Notice of Violation: Certified and Posted, Initial August 27, 2024,
Certified August 24, 2024.**

Hearing Mailed March 11, 2025, and Posted April 1, 2025

5. 25-32

JL Miami Homes LLC

990 Alford Street

3446 SW 8th Street, Miami, Florida 33130 - Owner

Parcel ID# 21-35-31-26-5-11

**Notice of Violation: Certified and Posted, Initial December 3, 2024,
posted Certified mail December 5, 2024.**

Hearing Mailed March 11, 2025, and Posted April 2, 2025

5. CODE ENFORCEMENT MANAGER'S REPORT

6. ADJOURNMENT

City of Titusville
"Gateway to Nature and Space"

REPORT TO COUNCIL

To: Code Enforcement Special Magistrate
From: Thasha Castro, Senior Code Enforcement Specialist
Subject: **Minutes**
Department/Office: Code Enforcement

Recommended Action:

Approve the minutes of the Regular Code Enforcement Special Magistrate Meeting on March 10, 2025.

Summary Explanation & Background:

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. MARCH 10 2025 MEETING MINUTES

MEETING MINUTES

Monday, March 10, 2025, 2:00 PM

COUNCIL CHAMBER

CODE ENFORCEMENT SPECIAL MAGISTRATE

I. CALL TO ORDER

The scheduled meeting of the Titusville Code Enforcement Special Magistrate was called to order at 2:00 pm in the City Hall, Council Chambers, 555 S Washington Avenue, Titusville, FL.

PRESENT:

Ryan Fong, Special Magistrate
Chelsea Farrell, Assistant City Attorney
Glenn Tolleson, Code Enforcement Manager
Jim Flannigan, Code Enforcement Officer
Mae Wright, Code Enforcement Officer

II. SWEARING IN OF WITNESSES

III. APPROVAL OF FEBRUARY 10, 2025, HEARING MINUTES- *Approved by Special Magistrate Fong.*

IV. HEARINGS

MUNICIPAL TRESPASS WARNING APPEAL

None

LIEN REDUCTION HEARINGS

None

MASSEY HEARINGS

25-02

**DEVIN THOMAS COONS
2641 DRIFTWOOD DRIVE, TITUSVILLE, FL 32780
TAX PARCEL ID# 22-35-20-77-5-19
CODE ENFORCEMENT OFFICER: MAE WRIGHT
NOTICE OF HEARING: CERTIFIED AND POSTED**

1. Section 13-26; Dead Tree, Overgrowth

On January 13, 2025, Code Officer Wright entered a Notice of Violation and Affidavit of Posting as Exhibit #1, Notice of Hearing and Affidavit of posting as Exhibit #2, a Cost Recovery Statement in the amount of \$181.36 as Exhibit # 3 and a PowerPoint presentation as Exhibit #4.

Respondent Devin Thomas Coons was present and provided testimony.

Evidence shows the property remains in violation of the above stated code provisions. Based upon the findings, the Respondent shall correct the cited violations on the subject property by 12:00pm (noon) on March 7, 2025. Respondent is to notify the Code Enforcement Officer when compliance is achieved so the officer can inspect and confirm compliance. If compliance with all violations is not achieved by this date, a subsequent compliance/Massey hearing will be held, and the Magistrate may impose a fine in the amount of \$50.00 per day, per violation commencing March 8, 2025, and continuing daily until violations are corrected. A lien may also be imposed.

In addition to the fine, the City's costs of prosecution are imposed in the amount of \$181.36, payable to the "City of Titusville" and delivered to the Office of the City Attorney at 555 S Washington Avenue, Titusville, Florida.

On March 10, 2025, Code Officer Wright entered a Notice of Hearing and Affidavit of posting as Exhibit #1, a Cost Recovery Statement in the amount of \$181.36 as Exhibit #2, final orders from Special Magistrate Hearing on January 13, 2025, as Exhibit #3 and a PowerPoint presentation as Exhibit #4.

The respondent was provided with a notice of hearing but was not present at the hearing.

Code Officer Wright testified on behalf of the city and reported that the owner had hired Stratford Tree Service and would be following the recommendations from their Licensed Arborist. It was confirmed that the contractor was on site Tuesday February 25, 2025, and completed a reduction of the upper structure of the Maple.

The respondent requested that the administrative fees be waived as he completed work to the tree prior to the date given as March 7, 2025, deadline, in which the Special Magistrate approved. Based on the evidence and testimony provided, the Special Magistrate found that the Respondent came into compliance with Sec. 13-26; that no fines shall be imposed for that violation and the case is closed.

INITIAL HEARINGS

25-15

**SIMOES PROPERTY GROUP LLC
1245 GRUMMAN PL, TITUSVILLE, FL 32780
TAX PARCEL ID# 22-35-34-OF-*-1
FIRE INSPECTOR: KYLE MACK**

1. Section 3-13 – Response to Alarms, Corrective Actions, Report Required F

On February 10, 2025, Fire Inspector Kyle Mack testified that this property was inspected and found to be in violation of city code TCO Section 3-13 – Response to Alarms, Corrective Actions, Report Required. Fire Inspector Mack entered a Notice of Violation and Affidavit of Posting as Exhibit #1, Notice of Hearing and Affidavit of posting as Exhibit #2, a Cost Recovery Statement in the amount of \$128.53 as Exhibit #3 and a PowerPoint presentation as Exhibit #4.

The respondent was provided with a notice of hearing but was not present at the hearing.

Based on the evidence provided, Special Magistrate Nguyen ordered respondent to correct violation by 12:00pm (noon) on March 10, 2025, and pay the fire false alarm fees in the amount of \$1,740.00. If compliance with violation is not achieved by this date, a subsequent compliance/Massey hearing will be held, and the Magistrate may impose a fine in the amount of \$250.00 on March 11, 2025. A lien may also be imposed.

In addition to the fine, the City's costs of prosecution are imposed in the amount of \$128.53, payable to the "City of Titusville" and delivered to the Office of the City Attorney at 555 S Washington Avenue, Titusville, Florida.

On March 10, 2025, this case was requested to be withdrawn by the City of Titusville in which it was granted by Special Magistrate Fong, the case is hereby closed.

25-20

**MBABJB HOLDINGS FAMILY LP
2825 GARDEN ST, UNIT 2, TITUSVILLE, FL 32796
TAX PARCEL ID# 22-35-05-00-1
FIRE INSPECTOR: KYLE MACK**

- 1. Section 11-31 – Business tax Receipt Required*
- 2. Section 9-12 – Occupancy Inspection Fee*

On February 10, 2025, Fire Inspector Kyle Mack testified that this property was inspected and found to be in violation of city code 11-31 – Business tax Receipt Required, and Section 9-12 – Occupancy Inspection Fee. Fire Inspector Mack entered a Notice of Violation and Affidavit of Posting as Exhibit #1, Notice of Hearing and Affidavit of posting as Exhibit #2, a Cost Recovery Statement in the amount of \$163.75 as Exhibit # 3 and a PowerPoint presentation as Exhibit #4.

The respondent was provided with a notice of hearing but was not present at the hearing.

Based on the evidence provided, Special Magistrate Nguyen ordered respondent to correct violation by 12:00pm (noon) on March 10, 2025, If compliance with all violations is not achieved by this date, a subsequent compliance/Massey hearing will be held, and the Magistrate may impose a fine in the amount of \$50.00 per day, per violation commencing on March 11, 2025, and continuing daily until the violations are corrected. on March 11, 2025. A lien may also be imposed.

In addition to the fine, the City's costs of prosecution are imposed in the amount of \$163.75, payable to the "City of Titusville" and delivered to the Office of the City Attorney at 555 S Washington Avenue, Titusville, Florida.

On March 10, 2025, this case was requested to be withdrawn by the City of Titusville in which it was granted by Special Magistrate Fong, the case is hereby closed.

25-23

**C CUBES STRIP LLC
5155 S WASHINGTON AVE, UNIT COMMON, TITUSVILLE, FL 32780
TAX PARCEL ID# 22-35-26-BF-*-29
CODE ENFORCEMENT OFFICER: MAE WRIGHT
NOTICE OF HEARING: CERTIFIED AND POSTED**

- 1. Section 6-109; 2018 IPMC, Section 505.3- Water Supply*

On March 10, 2025, Code Officer Wright entered a Notice of Hearing and Affidavit of posting as Exhibit #1, a Cost Recovery Statement in the amount of \$234.19 as Exhibit #2, a Notice of Violation and Affidavit of posting as Exhibit #3 and a PowerPoint presentation as Exhibit #4.

The respondent was provided with a notice of hearing and was present.

Based on the evidence provided, the Special Magistrate ordered respondent to correct the cited violations on the subject property by 12:00pm (noon) on May 9, 2025. Corrective action includes performing all repairs to the water supply system, repairing sidewalk and retention areas and obtaining all required permitting for the work.

If compliance with all violations is not achieved by this date, a subsequent compliance/Massey hearing will be held, and the Magistrate may impose a fine in the amount of \$100.00 per day, per violation commencing on March 11, 2025, and continuing daily until the violations are corrected. on May 10, 2025, and continuing daily until violations are corrected. A lien may also be imposed.

In addition to the fine, the City's costs of prosecution are imposed in the amount of \$234.19, payable to the "City of Titusville" and delivered to the Office of the City Attorney at 555 S Washington Avenue, Titusville, Florida.

25-24

**OSCAR C MONTGOMERY
MATTIE M MONTGOMERY
1138 CAROL AVE, TITUSVILLE, FL 32780
TAX PARCEL ID# 22-35-04-AX-2-13
CODE ENFORCEMENT OFFICER: JIM FLANNIGAN
NOTICE OF HEARING: CERTIFIED AND POSTED**

- 1. Section 12-23; Junk and Debris*
- 2. Section 20-58 E; Parking E*

On March 10, 2025, this case was scheduled for an initial hearing. Based on evidence and testimony from Code Officer Flannigan, this property falls into compliance and does not remain in violation as of the hearing date. The case is hereby closed.

25-27

**PHILIP A D'ANDREAMATTEO JR
1435 BROOK DRIVE, TITUSVILLE, FL 32780
TAX PARCEL ID# 22-35-08-01-3-13**

CODE ENFORCEMENT OFFICER: JIM FLANNIGAN
NOTICE OF HEARING: CERTIFIED AND POSTED

- ~~1. Section 13-26; Trash, Dead Trees, Overgrowth~~
- ~~2. Section 13-73; Inoperative Vehicles Prohibited~~
- ~~3. Section 6-109; 2018 IPMC Section 304.6; Exterior Walls~~
4. Section 6-109; 2018 IPMC Section 304.7; Roofs and Drainage

On March 10, 2025, Code Officer Flannigan entered a Notice of Hearing and Affidavit of posting as Exhibit #1, a Cost Recovery Statement in the amount of \$251.80 as Exhibit #2, a Notice of Violation and Affidavit of posting as Exhibit #3 and a PowerPoint presentation as Exhibit #4.

The respondent was provided with a notice of hearing but was not present at the hearing.

Based on the evidence provided, violations Section 13-26; Trash, Dead Trees, Overgrowth, Section 13-73; Inoperative Vehicles Prohibited and Section 6-109; 2018 IPMC Section 304.6; Exterior Walls are within compliance. The Special Magistrate ordered the respondent to correct the remaining violation by 12:00pm (noon) on April 11, 2025. If compliance with violation is not achieved by this date, a subsequent compliance/Massey hearing will be held and the Magistrate may impose a fine in the amount of \$100.00 per day commencing on April 12, 2025, and continuing daily until the violations are corrected. A lien may also be imposed.

In addition to the fine, the City's costs of prosecution are imposed in the amount of \$251.80, payable to the "City of Titusville" and delivered to the Office of the City Attorney at 555 S Washington Avenue, Titusville, Florida.

V. CODE ENFORCEMENT MANAGER'S REPORT- None.

VI. ADJOURNMENT – 2:37 PM

City of Titusville
"Gateway to Nature and Space"

REPORT TO COUNCIL

To: Code Enforcement Special Magistrate
From: Jim Flannigan, Code Enforcement Officer
Subject: **25-04**
Explore & Discover Inc
1700 Knox Mc Rae Dr Titusville Fl 32780 (Former Address)
1680 Knox McRae Dr Titusville Fl 32780 (New Address)
Tax Parcel ID#22-35-16-00-767
Notice of Hearing Certified and Posted
Department/Office: Code Enforcement

Recommended Action:

Find that the property is in compliance on or before the compliance date ordered of April 11, 2025. Issue a written order of compliance and impose the City's cost of prosecution in the amount of \$163.75.

Summary Explanation & Background:

This case was originally heard on January 13, 2025. Special Magistrate Don Nguyen found that the violations of Section 30-39; Tree Removal Permit Required, and Section 30-38 Prohibition of Cleaning, storage of Materials and Equipment were in violation and ordered that the Respondent correct the violation by April 11, 2025, and City's cost in the amount of \$251.80 be awarded. On February 12, 2025, the property was issued a permit for landscaping and tree replacement.

The property is in compliance of this meeting.

Alternatives:

1. Alternate finding and amount.
2. Waive the City's Cost.
3. Additional time to correct.
4. Find the property is not in compliance.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. Original violation



photo by JF
September 10, 2024 9:44 AM

City of Titusville
"Gateway to Nature and Space"

REPORT TO COUNCIL

To: Code Enforcement Special Magistrate
From: Jim Flannigan, Code Enforcement Officer
Subject: **25-09**
Emma B Portlock (Estate)
1121 Second Ave.
Titusville FL 32780
(Parcel ID# 22-35-03-54-11-13)
Notice of Hearing Certified and first class 03/06/25 and
Posted 04/02/25.

Department/Office: Code Enforcement

Recommended Action:

Find the property remains in violation as of this meeting and order the City cost of \$216.58, and \$100.00 per day per violation to be imposed starting on April 11, 2025, and continuing until compliance is achieved and verified by a Code Officer.

Summary Explanation & Background:

1. SEC. 6-109; 2018 IPMC SEC 302.3 – Sidewalks and Driveways
2. SEC. 6-109; 2018 IPMC SEC. 302.4 – Overgrowth- Weeds
3. SEC. 6-109; 2018 IPMC SEC. 304.13.2 - Openable Windows
4. SEC. 6-109; 2018 IPMC SEC. 304.7 - - Roof and Drainage

This case was originally heard on February 10, 2025. The respondent who was not present at the hearing was found in violation and given until 12:00pm (noon) on April 11, 2025, to come into compliance. The Magistrate, Don Nguyen, found that the property was in violation of the City's code and would impose a fine of \$100 per day per violation commencing April 12, 2025, and continuing daily until the violations are corrected. Additionally, he ordered that the city's cost of prosecution in the amount of \$216.58 be imposed.

The property remains in violation as of this meeting.

Alternatives:

1. Alternate finding and amount.
2. Waive the City's Cost.
3. Additional time to correct.
4. Find the property is not in compliance.

Item Budgeted:

n/a

Source/Use of Funds/Budget Book Page:

n/a

Strategic Plan:

Goal #1 Quality of Life

Strategic Plan Impact:

Goal #1 Quality of Life

ATTACHMENTS:

1. 25-09 EXHIBITS
2. Violation of overgrowth and sidewalks
3. Sidewalk and and overgrowth 2
4. Sidewalk
5. Windows and Roof



City of Titusville
Affidavit - Notice of Hearing



Case No. 25-09 Address/Location of Violation: 1121 SECOND AVE
Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Hearing was hand delivered to:

- ☐ the owner of the property on _ / _ / _ at _____.
- ☐ the owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on _ / _ / _ at _____.
- ☐ the owner(s) of commercial property, leaving the Notice of Hearing with a manager or other person in charge _ / _ / _ at _____.

POST

☒ Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Hearing was properly posted on the real property listed above upon which the violation exists, AND at City Hall, 555 S Washington Avenue, Titusville, FL on 04/2/25

MAIL

- ☒ Pursuant to Florida 162.12 (1)(a), the Notice of Hearing was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 03/04/25
- ☐ the address listed in the tax collector's office on _ / _ / _.
- ☐ the address listed in the tax collector's office/another address provided to the City of Titusville _ / _ / _.

JIM FLANNIGAN

Print Name / Signature / Date

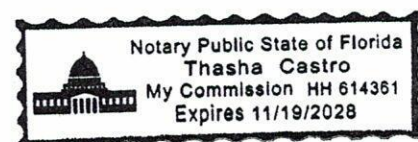
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that JIM FLANNIGAN, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 02 day of April, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 02 day of April, 2025.

THASHA CASTRO

Notary Public

SEAL



**CITY OF TITUSVILLE
CODE ENFORCEMENT
1100 JOHN GLENN BOULEVARD
TITUSVILLE, FL 32780
(321) 567-3770**

Hearing Case No. 25-09
Enforcement Case No: 24-000626

CITY OF TITUSVILLE

Petitioner,

vs.

**EMMA B PORTLOCK (ESTATE)
1121 SECOND AVE
TITUSVILLE, FL 32780**

Respondent.

_____ /

NOTICE OF CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

**On 04/14/2025 at 2:00PM
City of Titusville City Hall,
555 S Washington Avenue,
2nd Floor (Council Chambers)
Titusville, FL 32780**

YOU ARE REQUIRED TO BE PRESENT AT THE HEARING AND FAILURE TO APPEAR WILL NOT PREVENT OR POSTPONE THE HEARING IN ANY MANNER. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION WAS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION BY THE CODE INSPECTOR, THE CASE SHALL BE PRESENTED TO THE ENFORCEMENT BOARD/SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE BOARD HEARING.

If you have witnesses, books, receipts or other evidence bearing on this matter you should bring them with you at the time of the hearing. You may request issuance of subpoenas for witnesses and evidence and may appear with or without an attorney.

Proceedings of the Municipal Code Enforcement Special Magistrate are conducted in accordance and by the authority of Part I., Chapter 162 Florida Statutes, and Article II, Chapter II, Code of Ordinances of the City of Titusville, Florida. Pursuant to the provisions of Chapter 162, Florida Statutes the Board may issue orders having the force of law to command whatever steps are necessary to bring any Code violations determined to exist into compliance and, upon the failure of a party to comply, to order the payment of a fine of up to \$5000.00 for an irreversible/irreparable violation, said fine may constitute a lien upon your real and personal property.

Plaintiff, the CITY OF TITUSVILLE, a municipal corporation of the STATE OF FLORIDA, files this, its Complaint, against Defendant(s), and alleges as follows:

1. Plaintiff, the CITY OF TITUSVILLE, is a municipal corporation of the STATE OF FLORIDA, and has, pursuant to Chapter 162 Florida Statutes, and Section 2-41, et seq., of the Code of Ordinances of the City of Titusville, established a Municipal Code Enforcement Board/Special Magistrate.

2. Defendant(s) is/are the owner(s) of (or is/are in possession of) the following described real property located within the municipal boundaries of the Plaintiff:

1121 SECOND AVE

**TAX PARCEL ID 22 3503-54-11-13
ALLENS SUBD LOTS 13,14,15 BLK 11**

LAND DESCRIPTION READ &

3. Defendant(s) has/have failed to comply with the provisions of the Section(s) listed below, of the Code of Ordinances and/or the Land Development Regulations of the City of Titusville by reason of:

SEC. 6-109; 2018 IPMC SEC. 102.2 - MAINTENANCE

SEC. 6-109; 2018 IPMC SEC. 302.3 - SIDEWALKS AND DRIVEWAYS

SEC. 6-109; 2018 IPMC SEC. 302.4 - OVERGROWTH - WEEDS

SEC. 6-109; 2018 IPMC SEC. 304.13.2 - OPENABLE WINDOWS

SEC. 6-109; 2018 IPMC SEC. 304.7 - ROOFS AND DRAINAGE

4. Defendant(s) has/have been notified by Plaintiff of the violation(s) described in paragraph 3 hereof and has failed and refused to correct the same despite Plaintiff's demands thereof.

5. The Plaintiff has incurred costs and attorney fees in investigating and prosecuting this case before the Municipal Special Magistrate/Code Enforcement Board, and is entitled to recover those costs and fees from the Defendant(s).

WHEREFORE, Plaintiff requests that the Municipal Code Enforcement Board/Special Magistrate;

1. Enter its Order issuing findings of fact and directing Defendant(s) to correct the Code violation by a time certain;
2. Upon the continued failure of the Defendant(s) to correct the Code violations, enter its Final Judgment ordering the Defendant(s) to pay a fine of up to \$250.00 for each day the Code violation continues past the date set for compliance, and
3. Award Plaintiff all costs incurred in prosecuting this case and include those costs in any lien that may be imposed.

Enter such further orders and judgments as may be authorized by Chapter 162, Florida Statutes, and other applicable law.

Glenn Tolleson
Code Enforcement Manager

**CITY OF TITUSVILLE, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CITY OF TITUSVILLE, FL

Petitioner,

v.

THE ESTATE OF EMMA B PORTLOCK

Mailing address:

1121 Second Avenue
Titusville, FL 32780

Respondent.

CASE NO: 25-09

Subject Property: 1121 Second Avenue,
Titusville, FL 32780

Tax Parcel ID#: 22-35-03-54-11-13

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case came on for an initial hearing before the Code Enforcement Special Magistrate of the City of Titusville, Florida, on February 10, 2025. Based on the evidence and testimony presented, the Special Magistrate finds and orders:

Findings of Fact

1. Respondent is the owner of the Subject Property. Respondent was provided notice of this hearing and did not appear at the hearing.

2. Code Enforcement Officer Jim Flannigan testified that the property was inspected and found to be in violation of the following City Codes:

- a. Section 6-109; 2018 IPMC Section 302.3: Sidewalks and Driveways;
- b. Section 6-109; 2018 IPMC Section 302.4: Overgrowth – Weeds;
- c. Section 6-109; 2018 IPMC Section 304.13.2: Openable Windows; and
- d. Section 6-109; 2018 IPMC Section 304.7: Roof and Drainage.

A notice of violation was issued giving a reasonable time to correct the violations, but the violations were not corrected.

3. In addition to the evidence and testimony presented, the following exhibits on behalf of the City were entered into evidence:

- Ex. 1: City's Affidavit of Mailing/Posting Notice of Hearing;
- Ex. 2: City's Affidavit of Mailing/Posting Notice of Violation;
- Ex. 3: City's Cost Recovery Statement in the amount of \$216.58.

4. The evidence shows the property remains in violation of the above-stated code provisions.

Conclusions of Law

5. Proper notice of the violation and notice of hearings were provided to Respondent(s).
6. Based on the evidence and testimony provided, the Special Magistrate finds that the subject property is in violation of:
 - a. Section 6-109; 2018 IPMC Section 302.3: Sidewalks and Driveways;
 - b. Section 6-109; 2018 IPMC Section 302.4: Overgrowth – Weeds;
 - c. Section 6-109; 2018 IPMC Section 304.13.2: Openable Windows; and
 - d. Section 6-109; 2018 IPMC Section 304.7: Roof and Drainage.
7. The City is entitled to recover its costs incurred in prosecuting the case, pursuant to Section 162.07(2), Florida Statutes.

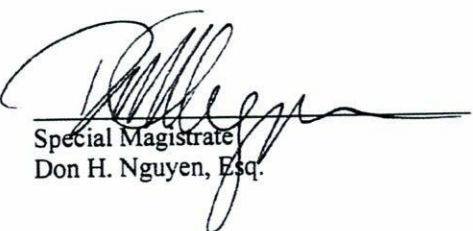
Order

Based upon the Findings of Fact and Conclusions of Law, it is hereby **ORDERED**:

1. Respondent shall correct the cited violations on the subject property by 12:00 p.m. (noon) on **April 11, 2025**. Respondent shall immediately notify the Code Enforcement Officer when compliance is achieved so the officer can inspect and confirm compliance.
2. If compliance with all violations is not achieved by this date, a subsequent compliance/Massey hearing will be held, and the Magistrate may impose a fine in the amount of **\$100.00** per day, per violation commencing April 12, 2025, and continuing daily until the violations are corrected. A lien may also be imposed.
3. In setting the proposed fine, the following are considered: (i) the gravity of the violations; (ii) any actions taken by Respondent(s) to correct the violations; and (iii) any previous code violations.
4. In addition to the fine, the City's costs of prosecution are imposed in the amount of **\$216.58**, payable to the "City of Titusville" and delivered to the Office of the City Attorney, 555 South Washington Avenue, Titusville, Florida.
5. If the violation is corrected, Respondent(s) must contact the City of Titusville Code Enforcement Department at (321)567-3770 to request an inspection to verify compliance.

DONE AND ORDERED this 20 day of February, 2025.

**CITY OF TITUSVILLE, FLORIDA
CODE ENFORCEMENT**


Special Magistrate
Don H. Nguyen, Esq.

Certificate of Mailing

I hereby certify that a true and correct copy of the foregoing has been mailed to the Respondent(s) at the mailing address(es) listed above by regular mail and certified mail this 21 day of February, 2025.



Secretary Special Magistrate



City of Titusville
Code Enforcement Board
Cost Recovery



CEB Case # 25-09
Address 1121 SECOND AVENUE
Respondent EMMA B. PORTLOCK

Number of Inspector Hours

9 Number of Field Inspections (*Each Inspection = .5 Hours*)
4.5 Field Hours 35.22 per hour
Inspection Hours Cost 158.49

Administrative Hours and Postage

42.86 2 Hours in Complaint (*\$21.43 per hour*)
15.23 Postage (*\$7.33 each certified mail, .57 each First Class Mail*)
Administrative Hours and Postage 58.09

Total 216.58



photo by JF
May 16, 2024 10:14 AM



photo by JF
May 16, 2024 10:13 AM



photo by JF
January 27, 2025 1:10 PM



photo by JF
May 16, 2024 10:13 AM

City of Titusville
"Gateway to Nature and Space"

REPORT TO COUNCIL

To: Code Enforcement Special Magistrate
From: Mae Wright, Code Enforcement Officer
Subject: **25-11**
TPK Investments, LLC
Darlene B Tindall – Registered Agent
2671 Sussana Ln, Titusville, FL 32780
Parcel ID# 22-35-20-05-* -3
Notice of Hearing: Certified and Posted April 1, 2025

Department/Office: Code Enforcement

Recommended Action:

Find that the property remains in violation and impose a fine in the amount of \$100.00 per day commencing on April 12, 2025, and continuing daily until the violation is corrected and verified by a Code Officer. Additionally, Impose Administrative costs in the amount of \$234.19.

Summary Explanation & Background:

Violation Charge(s): Titusville Code of Ordinances

1. Sec. 34-10 Site Permit Required
2. ~~Sec. 6-109; 2018 IPMC Subsection 302.4 Overgrowth Weeds-In Compliance as of 1/28/2025~~

This case was originally heard on February 10, 2025 by Magistrate Don Nguyen. The representative for the Respondent, TPK Investments LLC; Registered Agent Darlene Tindall was present and provided testimony.

The Respondent was found in violation and ordered to correct the violations on or before 12:00 pm (noon) on April 11, 2025. To correct the violations, the respondent was ordered to Remove the fill dirt, returning the lot to original topography and establish ground cover OR Submit an application for a site plan / New Construction permit for the property and complete the permitting process within 6 months of the application.

If the respondent failed to come into compliance, a fine was imposed in the amount of \$100.00 per day per violation to commence on April 12, 2025 and continuing daily until the violation is corrected.

Administrative costs in the amount of \$234.19 were imposed.

Alternatives:

1. Alternate finding and amount.
2. Waive the City's Cost.
3. Additional time to correct.
4. Find the property is not in compliance.

Item Budgeted:

N/A

Source/Use of Funds/Budget Book Page:

N/A

Strategic Plan:

Goal 1: Quality of Life

Strategic Plan Impact:

Goal 1: Quality of Life

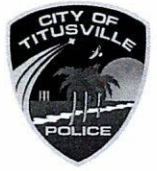
ATTACHMENTS:

1. 25-11 EXHIBITS
2. Photo taken 20250401_Sec. 34-10
3. Photo taken 20250401_Sec. 34-10



City of Titusville

Affidavit - Notice of Hearing



Case No. 25-11 Address/Location of Violation: 2671 SUSSANA LN
Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Hearing was hand delivered to:

- ☐ the owner of the property on _ / _ / _ at _____.
- ☐ the owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on _ / _ / _ at _____.
- ☐ the owner(s) of commercial property, leaving the Notice of Hearing with a manager or other person in charge _ / _ / _ at _____.

POST

☒ Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Hearing was properly posted on the real property listed above upon which the violation exists, AND at City Hall, 555 S Washington Avenue, Titusville, FL on 01/April/2025.

MAIL

- ☒ Pursuant to Florida 162.12 (1)(a), the Notice of Hearing was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 11/march/2025.
- ☐ the address listed in the tax collector's office on _ / _ / _.
- ☐ the address listed in the tax collector's office/another address provided to the City of Titusville _ / _ / _.

MAE WRIGHT

Mae Wright 3-April-2025

Print Name / Signature / Date

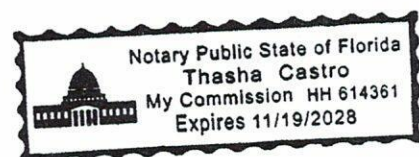
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that MAE WRIGHT, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 03 day of April, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 03 day of April, 2025.

[Signature]

Notary Public

SEAL



**CITY OF TITUSVILLE
CODE ENFORCEMENT
1100 JOHN GLENN BOULEVARD
TITUSVILLE, FL 32780
(321) 567-3770**

Hearing Case No. 25-11
Enforcement Case No: 24-000582

CITY OF TITUSVILLE

Petitioner,

vs.

**TPK INVESTMENTS LLC
2700 LAGRANGE RD
TITUSVILLE, FL 32796**

Respondent.

_____ /

NOTICE OF CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

**On 04/14/2025 at 2:00PM
City of Titusville City Hall,
555 S Washington Avenue,
2nd Floor (Council Chambers)
Titusville, FL 32780**

YOU ARE REQUIRED TO BE PRESENT AT THE HEARING AND FAILURE TO APPEAR WILL NOT PREVENT OR POSTPONE THE HEARING IN ANY MANNER. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION WAS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION BY THE CODE INSPECTOR, THE CASE SHALL BE PRESENTED TO THE ENFORCEMENT BOARD/SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE BOARD HEARING.

If you have witnesses, books, receipts or other evidence bearing on this matter you should bring them with you at the time of the hearing. You may request issuance of subpoenas for witnesses and evidence and may appear with or without an attorney.

Proceedings of the Municipal Code Enforcement Special Magistrate are conducted in accordance and by the authority of Part I., Chapter 162 Florida Statutes, and Article II, Chapter II, Code of Ordinances of the City of Titusville, Florida. Pursuant to the provisions of Chapter 162, Florida Statutes the Board may issue orders having the force of law to command whatever steps are necessary to bring any Code violations determined to exist into compliance and, upon the failure of a party to comply, to order the payment of a fine of up to \$5000.00 for an irreversible/irreparable violation, said fine may constitute a lien upon your real and personal property.

Plaintiff, the CITY OF TITUSVILLE, a municipal corporation of the STATE OF FLORIDA, files this, its Complaint, against Defendant(s), and alleges as follows:

1. Plaintiff, the CITY OF TITUSVILLE, is a municipal corporation of the STATE OF FLORIDA, and has, pursuant to Chapter 162 Florida Statutes, and Section 2-41, et seq., of the Code of Ordinances of the City of Titusville, established a Municipal Code Enforcement Board/Special Magistrate.

2. Defendant(s) is/are the owner(s) of (or is/are in possession of) the following described real property located within the municipal boundaries of the Plaintiff:

2671 SUSSANA LN

**TAX PARCEL ID 22 3520-05-*3
OF TITUSVILLE LOT 3**

LAND DESCRIPTION HIDDEN OAKS

3. Defendant(s) has/have failed to comply with the provisions of the Section(s) listed below, of the Code of Ordinances and/or the Land Development Regulations of the City of Titusville by reason of:

SEC. 34-10 - SITE PERMIT REQUIRED - SITE DEVELOPMENT

4. Defendant(s) has/have been notified by Plaintiff of the violation(s) described in paragraph 3 hereof and has failed and refused to correct the same despite Plaintiff's demands thereof.

5. The Plaintiff has incurred costs and attorney fees in investigating and prosecuting this case before the Municipal Special Magistrate/Code Enforcement Board, and is entitled to recover those costs and fees from the Defendant(s).

WHEREFORE, Plaintiff requests that the Municipal Code Enforcement Board/Special Magistrate;

1. Enter its Order issuing findings of fact and directing Defendant(s) to correct the Code violation by a time certain;
2. Upon the continued failure of the Defendant(s) to correct the Code violations, enter its Final Judgment ordering the Defendant(s) to pay a fine of up to \$250.00 for each day the Code violation continues past the date set for compliance, and
3. Award Plaintiff all costs incurred in prosecuting this case and include those costs in any lien that may be imposed.

Enter such further orders and judgments as may be authorized by Chapter 162, Florida Statutes, and other applicable law.

Glenn Tolleson
Code Enforcement Manager

**CITY OF TITUSVILLE, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CITY OF TITUSVILLE, FL

Petitioner,

v.

TPK INVESTMENTS, LLC

Mailing address:
2700 Lagrange Road
Titusville, FL 32796

Respondent.

CASE NO: 25-11

Subject Property: 2671 Sussana Lane
Titusville, FL 32780

Tax Parcel ID#: 22-35-20-05-*3

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case came on for an initial hearing before the Code Enforcement Special Magistrate of the City of Titusville, Florida, on February 10, 2025. Based on the evidence and testimony presented, the Special Magistrate finds and orders:

Findings of Fact

1. Respondent is the owner of the Subject Property. Respondent was provided notice of this hearing and did appear at the hearing.

2. Code Enforcement Officer Mae Wright testified that the property was inspected and found to be in violation of City Code Section 34-10, Site Permit Required. A notice of violation was issued giving a reasonable time to correct the violation, but the violation was not corrected.

3. In addition to the evidence and testimony presented, the following exhibits on behalf of the City were entered into evidence:

Ex. 1: City's Affidavit of Mailing/Posting Notice of Hearing;
Ex. 2: City's Affidavit of Mailing/Posting Notice of Violation;
Ex. 3: City's Cost Recovery Statement in the amount of \$234.19.

4. The evidence shows the property remains in violation of the above-stated code provision.

Conclusions of Law

5. Proper notice of the violation and notice of hearings were provided to Respondent(s).

6. Based on the evidence and testimony provided, the Special Magistrate finds that the subject property is in violation of City Code Section 34-10, Site Permit Required.

7. The City is entitled to recover its costs incurred in prosecuting the case, pursuant to Section 162.07(2), Florida Statutes.

Order

Based upon the Findings of Fact and Conclusions of Law, it is hereby **ORDERED**:

1. Respondent shall submit an application for the Site Permit and/or remove the fill from property and re-establish ground cover on all affected areas by 12:00 p.m. (noon) on **April 11, 2025**. Respondent shall further correct the cited violations on the subject property by obtaining a Site Permit and/or remove the fill from property and re-establish ground cover on all affected areas by 12:00 p.m. (noon) on **August 11, 2025**. Respondent shall immediately notify the Code Enforcement Officer when compliance is achieved so the officer can inspect and confirm compliance.

2. If compliance with all violations is not achieved by August 11, 2025, a subsequent compliance/Massey hearing will be held, and the Magistrate may impose a fine in the amount of **\$100.00** per day retroactive to April 12, 2025, and continuing daily until the violations are corrected. A lien may also be imposed.

3. In setting the proposed fine, the following are considered: (i) the gravity of the violations; (ii) any actions taken by Respondent(s) to correct the violations; and (iii) any previous code violations.

4. In addition to the fine, the City's costs of prosecution are imposed in the amount of **\$234.19**, payable to the "City of Titusville" and delivered to the Office of the City Attorney, 555 South Washington Avenue, Titusville, Florida.

5. If the violation is corrected, Respondent(s) must contact the City of Titusville Code Enforcement Department at (321)567-3770 to request an inspection to verify compliance.

DONE AND ORDERED this 21 day of February, 2025.

**CITY OF TITUSVILLE, FLORIDA
CODE ENFORCEMENT**


Special Magistrate
Don H. Nguyen, Esq.

Certificate of Mailing

I hereby certify that a true and correct copy of the foregoing has been mailed to the Respondent(s) at the mailing address(es) listed above by regular mail and certified mail this 21 day of February, 2025.


Secretary Special Magistrate



City of Titusville
Code Enforcement Board
Cost Recovery



CEB Case # 25-11
Address 2671 SUSSANA LN
Respondent TPK INVESTMENTS LLC

Number of Inspector Hours

10 Number of Field Inspections (*Each Inspection = .5 Hours*)
5 Field Hours 35.22 per hour
Inspection Hours Cost 176.1

Administrative Hours and Postage

42.86 2 Hours in Complaint (*\$21.43 per hour*)
15.23 Postage (*\$7.33 each certified mail, .57 each First Class Mail*)
Administrative Hours and Postage 58.09

Total

234.19



Photo by MW

April 01, 2025 1:43 PM



Photo by MW

April 01, 2025 1:42 PM

City of Titusville
"Gateway to Nature and Space"

REPORT TO COUNCIL

To: Code Enforcement Special Magistrate
From: Jim Flannigan, Code Enforcement Officer
Subject: **25-27**
Philp A D'Andreamatteo Jr.
1435 Brook Drive, Titusville FL 32780
Parcel ID# 22-35-08-01-3-13
Notice of Hearing: Certified and Posted April 2, 2025
Department/Office: Code Enforcement

Recommended Action:

Find the property remains in violation of this meeting, order the City cost of \$251.80, and \$100.00 per day to be imposed starting on April 11, 2025, and continuing until compliance is achieved and verified by a Code Officer.

Summary Explanation & Background:

This case was originally heard on March 10, 2025 and the respondent was not present at the meeting. Special Magistrate Ryan Fong found that the violation of Section 6-109; 2018 IMPC Section 304.7; Roofs and Drainage was in violation and ordered that the Respondent correct the violation by April 11, 2025, and cost be awarded in the amount of \$251.80.

The property is still in violation as of this meeting.

Alternatives:

1. Alternate finding and amount.
2. Waive the City's Cost.
3. Additional time to correct.
4. Find the property is not in compliance.

Item Budgeted:

N/A

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Goal 1: Quality of Life

Strategic Plan Impact:

Goal 1: Quality of Life

ATTACHMENTS:

1. 25-27 EXHIBITS
2. Roof
3. Roof 1
4. Roof 2
5. Roof 3



City of Titusville

Affidavit - Notice of Hearing



Case No. 25-27

Address/Location of Violation: 1435 BROOK DR

Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Hearing was hand delivered to:

- ☐ the owner of the property on _ / _ / _ at _____.
- ☐ the owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on _ / _ / _ at _____.
- ☐ the owner(s) of commercial property, leaving the Notice of Hearing with a manager or other person in charge _ / _ / _ at _____.

POST

☒ Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Hearing was properly posted on the real property listed above upon which the violation exists, AND at City Hall, 555 S Washington Avenue, Titusville, FL on 04/2/25.

MAIL

- ☒ Pursuant to Florida 162.12 (1)(a), the Notice of Hearing was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 03/11/25.
- ☐ the address listed in the tax collector's office on _ / _ / _.
- ☐ the address listed in the tax collector's office/another address provided to the City of Titusville _ / _ / _.

JIM FLANNIGAN

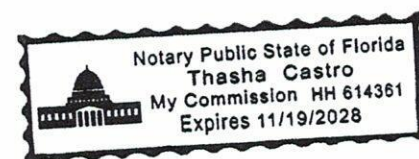
Print Name / Signature / Date

I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that JIM FLANNIGAN, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 02 day of April, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 02 day of April, 2025.

Notary Public

SEAL



**CITY OF TITUSVILLE
CODE ENFORCEMENT
1100 JOHN GLENN BOULEVARD
TITUSVILLE, FL 32780
(321) 567-3770**

**Hearing Case No. 25-27
Enforcement Case No: 24-000729**

CITY OF TITUSVILLE

Petitioner,

vs.

**PHILIP A D'ANDREAMATTEO JR
1435 BROOK DR
TITUSVILLE, FL 32780**

Respondent.

_____ /

NOTICE OF CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

**On 04/14/2025 at 2:00PM
City of Titusville City Hall,
555 S Washington Avenue,
2nd Floor (Council Chambers)
Titusville, FL 32780**

YOU ARE REQUIRED TO BE PRESENT AT THE HEARING AND FAILURE TO APPEAR WILL NOT PREVENT OR POSTPONE THE HEARING IN ANY MANNER. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION WAS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION BY THE CODE INSPECTOR, THE CASE SHALL BE PRESENTED TO THE ENFORCEMENT BOARD/SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE BOARD HEARING.

If you have witnesses, books, receipts or other evidence bearing on this matter you should bring them with you at the time of the hearing. You may request issuance of subpoenas for witnesses and evidence and may appear with or without an attorney.

Proceedings of the Municipal Code Enforcement Special Magistrate are conducted in accordance and by the authority of Part I., Chapter 162 Florida Statutes, and Article II, Chapter II, Code of Ordinances of the City of Titusville, Florida. Pursuant to the provisions of Chapter 162, Florida Statutes the Board may issue orders having the force of law to command whatever steps are necessary to bring any Code violations determined to exist into compliance and, upon the failure of a party to comply, to order the payment of a fine of up to \$5000.00 for an irreversible/irreparable violation, said fine may constitute a lien upon your real and personal property.

Plaintiff, the CITY OF TITUSVILLE, a municipal corporation of the STATE OF FLORIDA, files this, its Complaint, against Defendant(s), and alleges as follows:

1. Plaintiff, the CITY OF TITUSVILLE, is a municipal corporation of the STATE OF FLORIDA, and has, pursuant to Chapter 162 Florida Statutes, and Section 2-41, et seq., of the Code of Ordinances of the City of Titusville, established a Municipal Code Enforcement Board/Special Magistrate.

2. Defendant(s) is/are the owner(s) of (or is/are in possession of) the following described real property located within the municipal boundaries of the Plaintiff:

1435 BROOK DR

TAX PARCEL ID 22 3508-01-3-13

LAND DESCRIPTION COUNTRY CLUB

HEIGHTS 2ND ADDN LOT 13 BLK 3

3. Defendant(s) has/have failed to comply with the provisions of the Section(s) listed below, of the Code of Ordinances and/or the Land Development Regulations of the City of Titusville by reason of:

SEC. 13-26 - TRASH, DEAD TREES, OVERGROWTH

SEC. 13-73 - INOPERATIVE VEHICLES PROHIBITED

SEC. 6-109; 2018 IPMC SEC. 304.7 - - ROOFS AND DRAINAGE

SEC. 6-109; 2018 IPMC SEC. 304.6 - EXTERIOR WALLS

4. Defendant(s) has/have been notified by Plaintiff of the violation(s) described in paragraph 3 hereof and has failed and refused to correct the same despite Plaintiff's demands thereof.

5. The Plaintiff has incurred costs and attorney fees in investigating and prosecuting this case before the Municipal Special Magistrate/Code Enforcement Board, and is entitled to recover those costs and fees from the Defendant(s).

WHEREFORE, Plaintiff requests that the Municipal Code Enforcement Board/Special Magistrate;

1. Enter its Order issuing findings of fact and directing Defendant(s) to correct the Code violation by a time certain;
2. Upon the continued failure of the Defendant(s) to correct the Code violations, enter its Final Judgment ordering the Defendant(s) to pay a fine of up to \$250.00 for each day the Code violation continues past the date set for compliance, and
3. Award Plaintiff all costs incurred in prosecuting this case and include those costs in any lien that may be imposed.

Enter such further orders and judgments as may be authorized by Chapter 162, Florida Statutes, and other applicable law.

Glenn Tolleson
Code Enforcement Manager

**CITY OF TITUSVILLE, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CITY OF TITUSVILLE, FL

Petitioner,

v.

PHILLIP A. DANDREAMATTEO

Mailing address:

1435 Brook Drive
Titusville, FL 32780

Respondent.

CASE NO: 25-27

Subject Property: 1435 Brook Drive,
Titusville, FL 32780

Tax Parcel ID#: 22-35-08-01-3-13

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case came on for an initial hearing before the Code Enforcement Special Magistrate of the City of Titusville, Florida, on March 10, 2025. Based on the evidence and testimony presented, the Special Magistrate finds and orders:

Findings of Fact

1. Respondent is the owner of the Subject Property. Respondent was provided notice of this hearing and did not appear at the hearing.

2. Code Enforcement Officer Jim Flannigan testified that the property was inspected and found to be in violation of the following City Codes:

a. Section 6-109 2018 IPMC Section 304.7; Roofs and Drainage

A notice of violation was issued giving a reasonable time to correct the violations, but the violations were not corrected.

3. In addition to the evidence and testimony presented, the following exhibits on behalf of the City were entered into evidence:

Ex. 1: City's Affidavit of Mailing/Posting Notice of Hearing

Ex. 2: City's Affidavit of Mailing/Posting Notice of Violation

Ex. 3: City's Cost Recovery Statement in the amount of \$251.80

4. The evidence shows the property remains in violation of the above-stated code provisions.

Conclusions of Law

5. Proper notice of the violation and notice of hearings were provided to Respondent(s).
6. Based on the evidence and testimony provided, the Special Magistrate finds that the subject property is in violation of:
 - a. Section 6-109; 2018 IPMC Section 304.7; Roofs and Drainage
7. The City is entitled to recover its costs incurred in prosecuting the case, pursuant to Section 162.07(2), Florida Statutes.

Order

Based upon the Findings of Fact and Conclusions of Law, it is hereby **ORDERED**:

1. Respondent shall correct the cited violations on the subject property by 12:00 p.m. (noon) on April 11, 2025. Respondent shall immediately notify the Code Enforcement Officer when compliance is achieved so the officer can inspect and confirm compliance.
2. If compliance with all violations is not achieved by this date, a subsequent compliance/Massey hearing will be held, and the Magistrate may impose a fine in the amount of **\$100.00** per day, per violation commencing April 12, 2025, and continuing daily until the violations are corrected. A lien may also be imposed.
3. In setting the proposed fine, the following are considered: (i) the gravity of the violations; (ii) any actions taken by Respondent(s) to correct the violations; and (iii) any previous code violations.
4. In addition to the fine, the City's costs of prosecution are imposed in the amount of **\$251.80**, payable to the "City of Titusville" and delivered to the Office of the City Attorney, 555 South Washington Avenue, Titusville, Florida.
5. If the violation is corrected, Respondent(s) must contact the City of Titusville Code Enforcement Department at (321)567-3770 to request an inspection to verify compliance.

DONE AND ORDERED this 14th day of March, 2025.

**CITY OF TITUSVILLE, FLORIDA
CODE ENFORCEMENT**



Special Magistrate
Ryan Fong, Esq.

Certificate of Mailing

I hereby certify that a true and correct copy of the foregoing has been mailed to the Respondent(s) at the mailing address(es) listed above by regular mail and certified mail this 4 day of March, 2025.



Secretary Special Magistrate



City of Titusville
Code Enforcement Board
Cost Recovery



CEB Case # 25-27
Address 1435 BROOK DR
Respondent PHILIP A D'ANDREAMATTEO JR

Number of Inspector Hours

11 Number of Field Inspections (*Each Inspection = .5 Hours*)
5.5 Field Hours 35.22 per hour
Inspection Hours Cost 193.71

Administrative Hours and Postage

42.86 2 Hours in Complaint (*\$21.43 per hour*)
15.23 Postage (*\$7.33 each certified mail, .57 each First Class Mail*)
Administrative Hours and Postage 58.09

Total 251.8



photo by JF
July 29, 2024 11:15 AM



photo by JF

February 27, 2025 1:01 PM



photo by JF

February 27, 2025 12:59 PM



photo by JF
February 27, 2025 12:59 PM

City of Titusville
"Gateway to Nature and Space"

REPORT TO COUNCIL

To: Code Enforcement Special Magistrate

From: Mae Wright, Code Enforcement Officer

Subject: **25-29**
BAF 4 LLC – Listed owner
Corporation Service Company – Registered Agent
4320 Byron Ave, Titusville, FL 32780
5001 Plaza on the Lake, Suite #1200, Austin, Texas 78746 -
Owner
1201 Hays Street, Tallahassee, Florida 32301-2525 -
Registered Agent
Parcel ID# 22-35-21-91-* -31
Notice of Hearing: Certified and Posted - Initial on
September 23, 2024.
Hearing mailed March 11, 2025, posted April 1, 2025.

Department/Office: Code Enforcement

Recommended Action:

Order the Respondent(s) to correct the violation on or before May 9, 2025, by:

1. Sec. 13-73. Inoperative Vehicles: Remove vehicle from property OR provide proof of current registration and license plates, and demonstrate to the Code Officer that the vehicle is operational.

Order the Respondent(s) be assessed administrative costs in the amount of \$216.58. If the Respondent does not comply by May 9, 2025, it is being requested that a fine of \$50.00 per day (1 violation exists) be imposed for each day the violation continues.

The Respondent(s) must contact Mae Wright, Code Enforcement Officer, at 321-567-3935 to arrange for an inspection of the property to verify compliance.

Summary Explanation & Background:

Violation Charge(s): Titusville Code of Ordinances

1. Sec. 13-73 Inoperative Vehicles Prohibited

Narrative of Violation(s):

While completing an inspection in the area, I observed grass & weeds in the yard over 12 inches in height and a pickup truck parked in the front yard with a damaged front tire. Photos were taken for the file and a Notice of Violation was posted on the front door.

Any Contact with the owner:

In December 2024, I received email correspondence from Main Street Renewal LLC, the property maintenance company for the Respondent. The discussion with Mrs. Katherine Camacho, Violation Coordinator, included the inoperative truck in the yard and what was needed to resolve the violation. Contact was also made with tenants at the property in November and December 2024 about the truck and the process for scheduling a re-inspection.

Results of re-inspections:

The pickup truck remains on the property in an inoperative condition.

Alternatives:

1. Alternate Finding and amount.
2. Additional time to correct.
3. Find the property in compliance.

Item Budgeted:

n/a

Source/Use of Funds/Budget Book Page:

n/a

Strategic Plan:

Goal 1: Quality of Life

Strategic Plan Impact:

Goal 1: Quality of Life

ATTACHMENTS:

1. 25-29 EXHIBITS
2. 20250401_143940 - Inspection photo taken of violation on April 1, 2025 by Code Officer Mae Wright



City of Titusville

Affidavit - Notice of Hearing



Case No. 25-29 Address/Location of Violation: 4320 BYRON AVE
Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Hearing was hand delivered to:

- ☐ the owner of the property on _ / _ / _ at _____.
- ☒ the owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on 01/April/2025 at 4320 Byron Ave.
- ☐ the owner(s) of commercial property, leaving the Notice of Hearing with a manager or other person in charge _ / _ / _ at _____.

POST

☒ Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Hearing was properly posted on ~~the~~ real property listed above upon which the violation exists, AND at City Hall, 555 S Washington Avenue, Titusville, FL on 01/April/2025.

MAIL

- ☒ Pursuant to Florida 162.12 (1)(a), the Notice of Hearing was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 11/march/2025
- ☐ the address listed in the tax collector's office on _ / _ / _.
- ☐ the address listed in the tax collector's office/another address provided to the City of Titusville _ / _ / _.

MAE WRIGHT

Ma Wright 01-April-2025
Print Name / Signature / Date

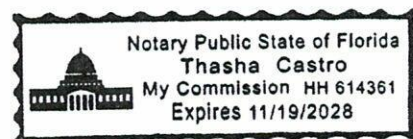
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that MAE WRIGHT, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 01 day of April, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 01 day of April, 2025.

Thasha Castro

Notary Public

SEAL



**CITY OF TITUSVILLE
CODE ENFORCEMENT
1100 JOHN GLENN BOULEVARD
TITUSVILLE, FL 32780
(321) 567-3770**

Hearing Case No. 25-29
Enforcement Case No: 24-001174

CITY OF TITUSVILLE

Petitioner,

vs.

BAF 4 LLC
5001 PLAZA ON THE LK, STE 200
AUSTIN, TX 78746

Respondent.

_____ /

NOTICE OF CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

On 04/14/2025 at 2:00PM
City of Titusville City Hall,
555 S Washington Avenue,
2nd Floor (Council Chambers)
Titusville, FL 32780

YOU ARE REQUIRED TO BE PRESENT AT THE HEARING AND FAILURE TO APPEAR WILL NOT PREVENT OR POSTPONE THE HEARING IN ANY MANNER. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION WAS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION BY THE CODE INSPECTOR, THE CASE SHALL BE PRESENTED TO THE ENFORCEMENT BOARD/SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE BOARD HEARING.

If you have witnesses, books, receipts or other evidence bearing on this matter you should bring them with you at the time of the hearing. You may request issuance of subpoenas for witnesses and evidence and may appear with or without an attorney.

Proceedings of the Municipal Code Enforcement Special Magistrate are conducted in accordance and by the authority of Part I., Chapter 162 Florida Statutes, and Article II, Chapter II, Code of Ordinances of the City of Titusville, Florida. Pursuant to the provisions of Chapter 162, Florida Statutes the Board may issue orders having the force of law to command whatever steps are necessary to bring any Code violations determined to exist into compliance and, upon the failure of a party to comply, to order the payment of a fine of up to \$5000.00 for an irreversible/irreparable violation, said fine may constitute a lien upon your real and personal property.

Plaintiff, the CITY OF TITUSVILLE, a municipal corporation of the STATE OF FLORIDA, files this, its Complaint, against Defendant(s), and alleges as follows:

1. Plaintiff, the CITY OF TITUSVILLE, is a municipal corporation of the STATE OF FLORIDA, and has, pursuant to Chapter 162 Florida Statutes, and Section 2-41, et seq., of the Code of Ordinances of the City of Titusville, established a Municipal Code Enforcement Board/Special Magistrate.

2. Defendant(s) is/are the owner(s) of (or is/are in possession of) the following described real property located within the municipal boundaries of the Plaintiff:

4320 BYRON AVE

**TAX PARCEL ID 22 3521-91-*31
HEIGHTS UNIT 14 LOT 31**

LAND DESCRIPTION INDIAN RIVER

3. Defendant(s) has/have failed to comply with the provisions of the Section(s) listed below, of the Code of Ordinances and/or the Land Development Regulations of the City of Titusville by reason of:

SEC. 13-73 - INOPERATIVE VEHICLES PROHIBITED

4. Defendant(s) has/have been notified by Plaintiff of the violation(s) described in paragraph 3 hereof and has failed and refused to correct the same despite Plaintiff's demands thereof.

5. The Plaintiff has incurred costs and attorney fees in investigating and prosecuting this case before the Municipal Special Magistrate/Code Enforcement Board, and is entitled to recover those costs and fees from the Defendant(s).

WHEREFORE, Plaintiff requests that the Municipal Code Enforcement Board/Special Magistrate;

1. Enter its Order issuing findings of fact and directing Defendant(s) to correct the Code violation by a time certain;
2. Upon the continued failure of the Defendant(s) to correct the Code violations, enter its Final Judgment ordering the Defendant(s) to pay a fine of up to \$250.00 for each day the Code violation continues past the date set for compliance, and
3. Award Plaintiff all costs incurred in prosecuting this case and include those costs in any lien that may be imposed.

Enter such further orders and judgments as may be authorized by Chapter 162, Florida Statutes, and other applicable law.

Glenn Tolleson
Code Enforcement Manager



City of Titusville
Affidavit - Notice of Violation



Case No. 25-29 Address/Location of Violation: 4320 BYRON AVE
Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Violation was hand delivered to:

- ☐ the owner of the property on _ / _ / _ at _____.
- ☐ the owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on _ / _ / _ at _____.
- ☐ the owner(s) of commercial property, leaving the Notice of Violation with a manager or other person in charge _ / _ / _ at _____.

POST

☒ Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Violation was properly posted on the real property listed above upon which the violation exists on 23/Sept/2024

MAIL

☒ Pursuant to Florida 162.12 (1)(a), the Notice of Violation was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 23/Sept/2024

- ☐ the address listed in the tax collector's office on _ / _ / _.
- ☐ the address listed in the tax collector's office/another address provided to the City of Titusville _ / _ / _.

MAE WRIGHT

Mae Wright 01-April-2025
Print Name / Signature / Date

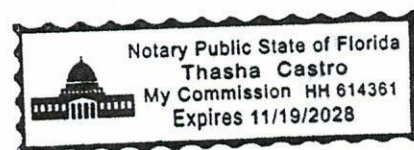
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that MAE WRIGHT, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 07 day of April, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 07 day of April, 2025.

[Signature]

Notary Public

SEAL





CODE ENFORCEMENT

PROMOTING
TEAMWORK
WITHIN OUR COMMUNITY

1100 John Glenn Blvd. • Titusville, FL 32780 • PH 321-567-3770

BAF 4 LLC
5001 PLAZA ON THE LK, STE 200
AUSTIN, TX 78746

BAF 4 LLC
c/o CORPORATION SERVICE COMPANY
1201 HAYS STREET
TALLAHASSEE, FL 32301-2525

OCCUPANT
4320 BYRON AVE
TITUSVILLE, FL 32780

September 23, 2024

CASE # 24-001174

NOTICE OF VIOLATION

THE PROPERTY LOCATED: 4320 BYRON AVE , Parcel ID# 22 3521-91-* -31

An inspection was conducted on 09/23/2024 at the above referenced property in response to a complaint received by the Code Enforcement Department.

The City of Titusville realizes that most of its citizens are not familiar with the City's Codes and Ordinances; therefore, this letter shall serve as notice that the violation(s) listed below were found during this inspection:

Section: NUISANCE

VIOLATION OF CODE: SEC. 13-26 THE ALLOWING OF DEBRIS, RUBBISH, TRASH, TIN CANS, PAPERS, OR STAGNANT WATER, DISEASED, DEAD OR DAMAGED TREES TO ACCUMULATE OR A DENSE GROWTH OF VINES, UNDERBRUSH, WEEDS, WILD GROWTH AND/OR GRASS IN EXCESS OF TWELVE (12) INCHES IN HEIGHT FROM THE GROUND TO EXIST ON ANY LOT, TRACT OR PARCEL OF LAND

Inspector Comments: 9/23/2024 OVERGROWTH: Mow and trim yard removing grass & weeds over 12 inches in height from property including area along sidewalk and from curblane. MW

Section: VEHICLES

VIOLATION OF CODE: SEC. 13-73 INOPERATIVE VEHICLES PROHIBITED; TIME LIMIT FOR DISPOSITION; EXCEPTION - (A) NO PERSON IN CHARGE OR IN CONTROL OF ANY PROPERTY

WITHIN THE CITY, WHETHER AN OWNER, TENANT, OCCUPANT, LESSEE OR OTHERWISE, SHALL ALLOW ANY INOPERATIVE VEHICLE TO REMAIN ON SUCH PROPERTY LONGER THAN SEVENTY-TWO (72) HOURS. NO PERSON SHALL LEAVE ANY VEHICLE ON ANY PROPERTY WITHIN THE CITY FOR A LONGER TIME THAN SEVENTY-TWO (72) HOURS UNLESS THE VEHICLE HAS A CURRENT TAG AND REGISTRATION. ONLY ONE (1) INOPERATIVE VEHICLE AT A TIME SHALL BE ALLOWED TO REMAIN ON SUCH PROPERTY DURING THE AFOREMENTIONED SEVENTY-TWO-HOUR PERIOD. (B) EXCEPTIONS:(1) A VEHICLE IN A FULLY-ENCLOSED STRUCTURE;(2) A VEHICLE IN A CARPORT THAT HAS AN OPAQUE COVERING MADE OF EITHER VINYL, NYLON, CHAMOIS, OR OTHER SIMILAR MATERIAL THAT IS RESISTANT TO WEATHER AND IS COMMERCIALY INTENDED TO BE USED AS AN OUTDOOR PROTECTIVE COVER FOR A VEHICLE. SUCH COVER SHALL PROVIDE SUFFICIENT SCREENING SO AS TO PREVENT ORDINARY VIEWING OF ANY INOPERABLE VEHICLE OR ITS PARTS FROM ADJACENT PUBLIC AND PRIVATE PROPERTY. (3) VEHICLES STORED OR KEPT ON THE PREMISES OR PROPERTY OF A BUSINESS ENTERPRISE OPERATED IN A LAWFUL PLACE AND MANNER, WHEN NECESSARY TO THE OPERATION OF SUCH BUSINESS ENTERPRISE, PROVIDED THAT ANY INOPERATIVE VEHICLES ARE STORED IN AN APPROPRIATE AND APPROVED SCREENED STORAGE SPACE, JUNKYARD OR DEPOSITORY, MAINTAINED IN A LAWFUL PLACE AND MANNER IN THE CITY. (4) ANY VEHICLE OR OFF-ROAD VEHICLE THAT IS NOT IN COMPLIANCE WITH STATE REGULATIONS FOR STREET USAGE, BUT IS IN OPERATING CONDITION AND INTACT, SO THAT THE VEHICLE DOES NOT MEET THE DEFINITION OF INOPERATIVE VEHICLES AS PROVIDED IN SECTION 13-56. (C) INOPERATIVE VEHICLES PLACED ON A LICENSED TRUCK, TRAILER, OR OTHER VEHICLE IS NOT AN AUTHORIZED EXCEPTION AND THE INOPERATIVE VEHICLE IS PROHIBITED.

Inspector Comments: 9/23/2024 Call 321-576-6190 to schedule time to demonstrate vehicle is operational and Provide proof of current registration / valid plates OR remove vehicle from property. MW

As the property owner of record/person in possession, you are required by Code to correct the violation (s) as stated above by **10/08/2024**. Failure to do so will necessitate a hearing before the Special Magistrate/Municipal Code Enforcement Board.

If you have any questions or to schedule a re-inspection in your effort to achieve compliance, please contact the Code Enforcement office at (321) 567 3770.

In accordance with Florida Statutes, Chapter 162, the Special Magistrate/Code Board has the authority to assess any costs the City incurs in investigating and prosecuting this case, in addition to imposing a fine of up to \$250.00 per day for each violation. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the enforcement magistrate/board even if the violation has been corrected prior to the hearing.

It is the responsibility of the City's Code Enforcement Department to enforce Titusville's Codes and Ordinances to ensure a safe and healthy environment for its citizens. By means of this notice we are asking for your assistance in achieving this goal.

Sincerely,

Mae Wright
Code Enforcement Officer



City of Titusville
Code Enforcement Board
Cost Recovery



CEB Case # 25-29
Address 4320 BYRON AVE
Respondent BAF 4 LLC

Number of Inspector Hours

9 Number of Field Inspections (*Each Inspection = .5 Hours*)
4.5 Field Hours 35.22 per hour
Inspection Hours Cost 158.49

Administrative Hours and Postage

42.86 2 Hours in Complaint (*\$21.43 per hour*)
15.23 Postage (*\$7.33 each certified mail, .57 each First Class Mail*)
Administrative Hours and Postage 58.09

Total 216.58



Photo by MW

April 01, 2025 2:39 PM

City of Titusville
"Gateway to Nature and Space"

REPORT TO COUNCIL

To: Code Enforcement Special Magistrate
From: Jim Flannigan, Code Enforcement Officer
Subject: **25-30**
Vermont LLC
1091 S De Leon Avenue
2582 Maguire Road #513, Ocoee, Florida 32761 - Owner
Parcel ID# 21-35-03-54-13-3
Notice of Violation: Certified and Posted, Initial January 1, 2025, Certified mail February 10, 2025.
Hearing Mailed March 11, 2025, and Posted April 2, 2025
Department/Office: Code Enforcement

Recommended Action:

Order the Respondent to correct the violations on or before 12:00 pm (noon) on June 6, 2025, by:

1. SEC. 6-109; 2018 IPMC SEC. 304.13.2 - Operable Windows - Repair or replace windows to function correctly and obtain a permit if required
2. SEC. 6-109; 2018 IPMC SEC. 304.15 - Exterior Doors - Repair rear exterior door to open and function as required.
3. SEC. 6-109; 2018 IPMC SEC. 304.7 Roofs and Drainage - Repair roof and soffits.
4. SEC. 6-109; 2018 IPMC SEC. 305.3 - Interior Surfaces - Repair walls and damaged areas.
5. SEC. 6-109; 2018 IPMC SEC. 308.1 - Accumulation of Rubbish or Garbage - Remove all items from the outside
6. SEC. 6-109; 2018 IPMC SEC. 602.3 - Heat Supply - Repair or replace heating supply. Obtain a permit if replacing.
7. SEC. 6-109; 2018 IPMC SEC. 704.2 - Fire Safety - SMOKE ALARMS WHERE REQUIRED - Replace and maintain required smoke alarms.
8. SEC 6-109; 2018 IPMC SEC. 309.4 - Pest Infestation Multiple Occupancy - Remove honeybees from walls.

If the respondent does not comply by June 6, 2025, it is being requested that a fine of \$100.00 per day per violation (8 violations exist) be imposed for each day the violations continue.

Order the Respondent(s) be assessed administrative costs in the amount of \$216.58

The Respondent(s) must contact Code Enforcement Officer, Jim Flannigan, at 321-567-3773 to arrange for an inspection of the property to verify compliance.

Summary Explanation & Background:

Violation Charge(s):

1. SEC. 6-109; 2018 IPMC SEC. 304.13.2 - Operable Windows
2. SEC. 6-109; 2018 IPMC SEC. 304.15 - Exterior Doors
3. SEC. 6-109; 2018 IPMC SEC. 304.7 - Roofs and Drainage
4. SEC. 6-109; 2018 IPMC SEC. 305.3 - Interior Surfaces
5. SEC. 6-109; 2018 IPMC SEC. 308.1 - Accumulation of Rubbish or Garbage
6. SEC. 6-109; 2018 IPMC SEC. 602.3 - Heat Supply
7. SEC. 6-109; 2018 IPMC SEC. 704.2 - Fire Safety - Smoke Alarm where required
8. SEC 6-109; 2018 IPMC SEC. 309.4 - Pest Infestation - Multiple Occupancy

Narrative of Inspection and Violations:

I was contacted by the tenant for a minimal housing inspection of the property. The initial complaint was that they had no heat, gaps in the windows, and a bee hive in the wall. Upon my inspection, I found multiple violations of the minimum housing standards at the property.

Alternatives:

1. Alternate finding and amount.
2. Additional time to correct.
3. Find the property in compliance.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Goal 1: Quality of Life

Strategic Plan Impact:

Goal 1: Quality of Life

ATTACHMENTS:

1. 25-30 EXHIBITS
2. Violation IMPC 304.13.2 Openable Window
3. Violation IMPC 304.15 2 Exterior Doors
4. Violation IMPC 304.15 Exterior Doors
5. Violation IMPC 305.3 2 Interior Surfaces

6. Violation IMPC 305.3 3 Interior Surfaces
7. Violation IMPC 305.3 4 Interior Surfaces
8. Violation IMPC 305.3 Interior Surfaces
9. Violation IMPC 308.1 Accumulation of Rubbish or Garbage
10. Violation IMPC 602.3 Heat Supply
11. Violation IMPC 704.2 Fire Safety - Smoke Alarm Alarm Required
12. Violation IPMC 309.4 2 Pest Infestation - Multiple Occupancy
13. Violation IPMC 309.4 Pest Infestation - Multiple Occupancy
14. Violation IMPC 304.7 2 Roof and Drainage
15. Violation IMPC 304.7 Roof and Drainage
16. Violation IMPC 304.13.2 Openable window 2

**CITY OF TITUSVILLE
CODE ENFORCEMENT
1100 JOHN GLENN BOULEVARD
TITUSVILLE, FL 32780
(321) 567-3770**

**Hearing Case No. 25-30
Enforcement Case No: 25-000010**

CITY OF TITUSVILLE

Petitioner,

vs.

**VERMONT LLC
9907 8TH ST UNIT 1269
GOTHA, FL 34734**

Respondent.

_____ /

NOTICE OF CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

**On 04/14/2025 at 2:00PM
City of Titusville City Hall,
555 S Washington Avenue,
2nd Floor (Council Chambers)
Titusville, FL 32780**

YOU ARE REQUIRED TO BE PRESENT AT THE HEARING AND FAILURE TO APPEAR WILL NOT PREVENT OR POSTPONE THE HEARING IN ANY MANNER. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION WAS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION BY THE CODE INSPECTOR, THE CASE SHALL BE PRESENTED TO THE ENFORCEMENT BOARD/SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE BOARD HEARING.

If you have witnesses, books, receipts or other evidence bearing on this matter you should bring them with you at the time of the hearing. You may request issuance of subpoenas for witnesses and evidence and may appear with or without an attorney.

Proceedings of the Municipal Code Enforcement Special Magistrate are conducted in accordance and by the authority of Part I., Chapter 162 Florida Statutes, and Article II, Chapter II, Code of Ordinances of the City of Titusville, Florida. Pursuant to the provisions of Chapter 162, Florida Statutes the Board may issue orders having the force of law to command whatever steps are necessary to bring any Code violations determined to exist into compliance and, upon the failure of a party to comply, to order the payment of a fine of up to \$5000.00 for an irreversible/irreparable violation, said fine may constitute a lien upon your real and personal property.

Plaintiff, the CITY OF TITUSVILLE, a municipal corporation of the STATE OF FLORIDA, files this, its Complaint, against Defendant(s), and alleges as follows:

1. Plaintiff, the CITY OF TITUSVILLE, is a municipal corporation of the STATE OF FLORIDA, and has, pursuant to Chapter 162 Florida Statutes, and Section 2-41, et seq., of the Code of Ordinances of the City of Titusville, established a Municipal Code Enforcement Board/Special Magistrate.

2. Defendant(s) is/are the owner(s) of (or is/are in possession of) the following described real property located within the municipal boundaries of the Plaintiff:

1091 S DE LEON AVE

**TAX PARCEL ID 22 3503-54-13-3
ALLENS SUBD LOT 3 BLK 13**

LAND DESCRIPTION READ &

3. Defendant(s) has/have failed to comply with the provisions of the Section(s) listed below, of the Code of Ordinances and /or the Land Development Regulations of the City of Titusville by reason of:

SEC. 6-109; 2018 IPMC SEC. 304.13.2 - OPENABLE WINDOWS

SEC. 6-109; 2018 IPMC SEC. 304.15 - EXTERIOR DOORS

SEC. 6-109; 2018 IPMC SEC. 304.7 - - ROOFS AND DRAINAGE

SEC. 6-109; 2018 IPMC SEC. 305.3 - INTERIOR SURFACES

SEC. 6-109; 2018 IPMC SEC. 308.1 - ACCUMULATION OF RUBBISH OR GARBAGE

SEC. 6-109; 2018 IPMC SEC. 602.3 - HEAT SUPPLY

SEC. 6-109; 2018 IPMC SEC. 704.2 - FIRE SAFETY - SMOKE ALARMS WHERE REQUIRED

SEC 6-109; 2018 IPMC SEC. 309.4 - PEST INFESTATION- MULTIPLE OCCUPANCY

4. Defendant(s) has/have been notified by Plaintiff of the violation(s) described in paragraph 3 hereof and has failed and refused to correct the same despite Plaintiff's demands thereof.

5. The Plaintiff has incurred costs and attorney fees in investigating and prosecuting this case before the Municipal Special Magistrate/Code Enforcement Board, and is entitled to recover those costs and fees from the Defendant(s).

WHEREFORE, Plaintiff requests that the Municipal Code Enforcement Board/Special Magistrate;

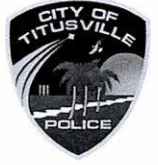
1. Enter its Order issuing findings of fact and directing Defendant(s) to correct the Code violation by a time certain;
2. Upon the continued failure of the Defendant(s) to correct the Code violations, enter its Final Judgment ordering the Defendant(s) to pay a fine of up to \$250.00 for each day the Code violation continues past the date set for compliance, and
3. Award Plaintiff all costs incurred in prosecuting this case and include those costs in any lien that may be imposed.

Enter such further orders and judgments as may be authorized by Chapter 162, Florida Statutes, and other applicable law.

Glenn Tolleson
Code Enforcement Manager



City of Titusville
Affidavit - Notice of Violation



Case No. 25-30 Address/Location of Violation: 1091 S DE LEON AVE
Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Violation was hand delivered to:

- ☐ the owner of the property on _ / _ / _ at _____.
- ☐ the owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on _ / _ / _ at _____.
- ☐ the owner(s) of commercial property, leaving the Notice of Violation with a manager or other person in charge _ / _ / _ at _____.

POST

☒ Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Violation was properly posted on the real property listed above upon which the violation exists on 01/19/25.

MAIL

- ☐ Pursuant to Florida 162.12 (1)(a), the Notice of Violation was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on _ / _ / _ . :
- ☐ the address listed in the tax collector's office on _ / _ / _ .
- ☐ the address listed in the tax collector's office/another address provided to the City of Titusville _ / _ / _ .

JIM FLANNIGAN

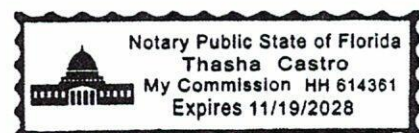
Print Name / Signature / Date

I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that JIM FLANNIGAN, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 02 day of April, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 02 day of April, 2025.

THASHA CASTRO
Notary Public

SEAL





CODE ENFORCEMENT

PROMOTING
TEAMWORK
WITHIN OUR COMMUNITY

1100 John Glenn Blvd. • Titusville, FL 32780 • PH 321-567-3770

VERMONT LLC
9907 8TH ST UNIT 1269
GOTHA, FL 34734

January 10, 2025

CASE # 25-000010

NOTICE OF VIOLATION

THE PROPERTY LOCATED: 1091 S DE LEON AVE , Parcel ID# 22 3503-54-13-3

An inspection was conducted on at the above referenced property in response to a complaint received by the Code Enforcement Department.

The City of Titusville realizes that most of its citizens are not familiar with the City's Codes and Ordinances; therefore, this letter shall serve as notice that the violation(s) listed below were found during this inspection:

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 304.13.2 EVERY WINDOW, OTHER THAN A FIXED WINDOW, SHALL BE EASILY OPENABLE AND CAPABLE OF BEING HELD IN POSITION BY WINDOW HARDWARE.

Inspector Comments: Windows need to be repaired. Plywood needs to be removed from windows. All windows must work properly

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 304.15 EXTERIOR DOORS, DOOR ASSEMBLIES OPERATOR SYSTEMS IF PROVIDED, AND HARDWARE SHALL BE MAINTAINED IN GOOD CONDITION. LOCKS AT ALL ENTERANCES TO DWELLING UNITS AND SLEEPING UNITS SHALL TIGHTLY SECURE THE DOOR. LOCKS ON MEANS OF EGRESS DOORS SHALL BE IN ACCORDANCE WITH SECTION 702.3

Inspector Comments: Rear exterior door does not open, appears to be caulked shut preventing opening. Repairs required.

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 304.7 - THE ROOF AND FLASHING SHALL BE SOUND, TIGHT AND NOT HAVE DEFECTS THAT ADMIT RAIN. ROOF DRAINAGE SHALL BE ADEQUATE TO PREVENT DAMPNES OR DETERIORATION IN THE WALLS OR INTERIOR PORTION OF THE STRUCTURE. ROOF DRAINS, GUTTERS AND DOWNSPOUTS SHALL BE

MAINTAINED IN GOOD REPAIR AND FREE FROM OBSTRUCTIONS. ROOF WATER SHALL NOT BE DISCHARGED IN A MANNER THAT CREATES A PUBLIC NUISANCE.

Inspector Comments: Roof and soffit repairs needed. Rotting wood open areas ect.

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 305.3 INTERIOR SURFACES, INCLUDING WINDOWS AND DOORS, SHALL BE MAINTAINED IN GOOD, CLEAN AND SANITARY CONDITION. PEELING, CHIPPING, FLAKING OR ABRADED PAINT SHALL BE REPAIRED, REMOVED OR COVERED. CRACKED OR LOOSE PLASTER, DECAYED WOOD AND OTHER DEFECTIVE SURFACE CONDITIONS SHALL BE CORRECTED.

Inspector Comments: Walls need repaired from cracks and missing pieces.

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 308.1 ACCUMULATION OF RUBBISH OR GARBAGE - EXTERIOR PROPERTY AND PREMISES, AND THE INTERIOR OF EVERY STRUCTURE, SHALL BE FREE FROM ANY ACCUMULATION OF RUBBISH OR GARBAGE.

Inspector Comments: Tires and other large amount of debris in back of property needs to be removed

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 602.3 HEAT SUPPLY - EVERY OWNER AND OPERATOR OF ANY BUILDING WHO RENTS, LEASES OR LETS ONE OR MORE DWELLING UNITS OR SLEEPING UNITS ON TERMS, EITHER EXPRESSED OR IMPLIED, TO FURNISH HEAT TO THE OCCUPANTS THEREOF SHALL SUPPLY HEAT DURING THE PERIOD FROM [DATE] TO [DATE] TO MAINTAIN A MINIMUM TEMPERATURE OF 68°F (20°C) IN ALL HABITABLE ROOMS, BATHROOMS AND TOILET ROOMS.

Inspector Comments: No heating supply for the unit to warm area as required.

Section: FIRE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 704.2 FIRE SAFETY - WHERE SINGLE AND MULTIPLE STATION SMOKE ALARMS ARE REQUIRED TO BE INSTALLED

Inspector Comments: No smoke alarms in unit as required.

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC 6-109; 2018 IPMC SEC. 309.4 MULTIPLE OCCUPANCY. THE OWNER OF A STRUCTURE CONTAINING TWO OR MORE DWELLING UNITS, A MULTIPLE OCCUPANCY, A ROOMING HOUSE OR A NONRESIDENTIAL STRUCTURE SHALL BE RESPONSIBLE FOR PEST ELIMINATION IN THE PUBLIC OR SHARED AREAS OF THE STRUCTURE AND EXTERIOR PROPERTY. IF INFESTATION IS CAUSED BY FAILURE OF AN OCCUPANT TO PREVENT SUCH INFESTATION IN THE AREA OCCUPIED, THE OCCUPANT AND OWNER SHALL BE RESPONSIBLE FOR PEST ELIMINATION.

Inspector Comments: Infestation of honey bees in wall on back side of building.

As the property owner of record/person in possession, you are required by Code to correct the violation (s) as stated above by **02/20/2025**. Failure to do so will necessitate a hearing before the Special Magistrate/Municipal Code Enforcement Board.

If you have any questions or to schedule a re-inspection in your effort to achieve compliance, please contact the Code Enforcement office at (321) 567 3770.

In accordance with Florida Statutes, Chapter 162, the Special Magistrate/Code Board has the authority to assess any costs the City incurs in investigating and prosecuting this case, in addition to imposing a fine of up to \$250.00 per day for each violation. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the enforcement magistrate/board even if the violation has been corrected prior to the hearing.

It is the responsibility of the City's Code Enforcement Department to enforce Titusville's Codes and Ordinances to ensure a safe and healthy environment for its citizens. By means of this notice we are asking for your assistance in achieving this goal.

Sincerely,

Jim Flannigan
Code Enforcement Officer

25-000010

25-000010

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

VERMONT LLC
9907 8th St Unit 1269
Gotha, FL 34734



9590 9402 9036 4122 4410 44

2. Article Number (Transfer from service label)

9589 0710 5270 2118 4825 77

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type

☐ Adult Signature	☐ Priority Mail Express®
☐ Adult Signature Restricted Delivery	☐ Registered Mail™
☐ Certified Mail®	☐ Registered Mail Restricted Delivery
☐ Certified Mail Restricted Delivery	☐ Signature Confirmation™
☐ Collect on Delivery	☐ Signature Confirmation Restricted Delivery
☐ Collect on Delivery Restricted Delivery	☐ Restricted Delivery

**CODE ENFORCEMENT**

PROMOTING TEAMWORK
WITHIN OUR COMMUNITY

1100 John Glenn Blvd., Titusville, FL 32780, PH 321-567-377

VERMONT LLC
9907 8TH ST UNIT 1269
GOTHA, FL 34734
January 10, 2025



City of Titusville
Code Enforcement Board
Cost Recovery



CEB Case # 25-30
Address 1091 S DE LEON AVE
Respondent VERMONT LLC

Number of Inspector Hours

5 Number of Field Inspections (*Each Inspection = .5 Hours*)
2.5 Field Hours 35.22 per hour
Inspection Hours Cost 88.05

Administrative Hours and Postage

42.86 2 Hours in Complaint (*\$21.43 per hour*)
15.23 Postage (*\$7.33 each certified mail, .57 each First Class Mail*)
Administrative Hours and Postage 58.09

Total 146.14

decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

[F] 304.3 Premises identification. Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members. Structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. Chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. Exposed sur-

faces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing. Glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.14 Insect screens. During the period from [DATE] to [DATE], every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

304.15 Doors. Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows. Every *basement* window that is openable shall be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents.

304.18 Building security. Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

304.18.1 Doors. Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

304.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a

GENERAL REQUIREMENTS

walking surface below that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a window sash locking device.

304.18.3 Basement hatchways. *Basement* hatchways that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

304.19 Gates. Exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

SECTION 305 INTERIOR STRUCTURE

305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the structure that they occupy or control in a clean and sanitary condition. Every *owner* of a structure containing a *rooming house*, *housekeeping units*, a hotel, a dormitory, two or more *dwelling units* or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and *exterior property*.

305.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength.
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects.
3. Structures or components thereof that have reached their limit state.
4. Structural members are incapable of supporting nominal loads and load effects.
5. Stairs, landings, balconies and all similar walking surfaces, including *guards* and handrails, are not structurally sound, not properly *anchored* or are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.
6. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

305.2 Structural members. Structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

305.3 Interior surfaces. Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

305.5 Handrails and guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

305.6 Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

SECTION 306 COMPONENT SERVICEABILITY

306.1 General. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

306.1.1 Unsafe conditions. Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:
 - 1.1. Collapse of footing or foundation system.
 - 1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion.
 - 1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil.
 - 1.4. Inadequate soil as determined by a geotechnical investigation.
 - 1.5. Where the allowable bearing capacity of the soil is in doubt.
 - 1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
 - 2.1. *Deterioration*.
 - 2.2. *Ultimate deformation*.
 - 2.3. Fractures.

- 2.4. Fissures.
- 2.5. Spalling.
- 2.6. Exposed reinforcement.
- 2.7. *Detached*, dislodged or failing connections.
- 3. Aluminum that has been subjected to any of the following conditions:
 - 3.1. *Deterioration*.
 - 3.2. Corrosion.
 - 3.3. Elastic deformation.
 - 3.4. *Ultimate deformation*.
 - 3.5. Stress or strain cracks.
 - 3.6. Joint fatigue.
 - 3.7. *Detached*, dislodged or failing connections.
- 4. Masonry that has been subjected to any of the following conditions:
 - 4.1. *Deterioration*.
 - 4.2. *Ultimate deformation*.
 - 4.3. Fractures in masonry or mortar joints.
 - 4.4. Fissures in masonry or mortar joints.
 - 4.5. Spalling.
 - 4.6. Exposed reinforcement.
 - 4.7. *Detached*, dislodged or failing connections.
- 5. Steel that has been subjected to any of the following conditions:
 - 5.1. *Deterioration*.
 - 5.2. Elastic deformation.
 - 5.3. *Ultimate deformation*.
 - 5.4. Metal fatigue.
 - 5.5. *Detached*, dislodged or failing connections.
- 6. Wood that has been subjected to any of the following conditions:
 - 6.1. *Ultimate deformation*.
 - 6.2. *Deterioration*.
 - 6.3. Damage from insects, rodents and other vermin.
 - 6.4. Fire damage beyond charring.
 - 6.5. Significant splits and checks.
 - 6.6. Horizontal shear cracks.
 - 6.7. Vertical shear cracks.
 - 6.8. Inadequate support.
 - 6.9. *Detached*, dislodged or failing connections.
 - 6.10. Excessive cutting and notching.

Exceptions:

- 1. Where substantiated otherwise by an *approved* method.
- 2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

SECTION 307 HANDRAILS AND GUARDRAILS

307.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface that is more than 30 inches (762 mm) above the floor or grade below shall have *guards*. Handrails shall be not less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. *Guards* shall be not less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: *Guards* shall not be required where exempted by the adopted building code.

SECTION 308 RUBBISH AND GARBAGE

308.1 Accumulation of rubbish or garbage. *Exterior property* and *premises*, and the interior of every structure, shall be free from any accumulation of *rubbish* or *garbage*.

308.2 Disposal of rubbish. Every *occupant* of a structure shall dispose of all *rubbish* in a clean and sanitary manner by placing such *rubbish* in *approved* containers.

308.2.1 Rubbish storage facilities. The *owner* of every occupied *premises* shall supply *approved* covered containers for *rubbish*, and the *owner* of the *premises* shall be responsible for the removal of *rubbish*.

308.2.2 Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on *premises* without first removing the doors.

308.3 Disposal of garbage. Every *occupant* of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an *approved* garbage disposal facility or *approved* garbage containers.

308.3.1 Garbage facilities. The *owner* of every dwelling shall supply one of the following: an *approved* mechanical food waste grinder in each *dwelling unit*; an *approved* incinerator unit in the structure available to the *occupants* in each *dwelling unit*; or an *approved* leakproof, covered, outside garbage container.

308.3.2 Containers. The *operator* of every establishment producing garbage shall provide, and at all times cause to be utilized, *approved* leakproof containers provided with close-fitting covers for the storage of such materials until removed from the *premises* for disposal.

SECTION 309 PEST ELIMINATION

309.1 Infestation. Structures shall be kept free from insect and rodent *infestation*. Structures in which insects or rodents are found shall be promptly exterminated by *approved* processes that will not be injurious to human health. After pest

CHAPTER 6

MECHANICAL AND ELECTRICAL REQUIREMENTS

User note:

About this chapter: Chapter 6 establishes minimum performance requirements for heating, electrical and mechanical facilities serving existing structures, such as heating and air-conditioning equipment, appliances and their supporting systems; water heating equipment, appliances and systems; cooking equipment and appliances; ventilation and exhaust equipment; gas and liquid fuel distribution piping and components; fireplaces and solid fuel-burning appliances; chimneys and vents; electrical services; lighting fixtures; electrical receptacle outlets; electrical distribution system equipment, devices and wiring; and elevators, escalators and dumbwaiters.

SECTION 601 GENERAL

601.1 Scope. The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

601.2 Responsibility. The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that does not comply with the requirements of this chapter.

SECTION 602 HEATING FACILITIES

602.1 Facilities required. Heating facilities shall be provided in structures as required by this section.

602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms* based on the winter outdoor design temperature for the locality indicated in Appendix D of the *International Plumbing Code*. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.

Exception: In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor

design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*.

2. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

602.5 Room temperature measurement. The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

SECTION 603 MECHANICAL EQUIPMENT

603.1 Mechanical equipment and appliances. Mechanical equipment, appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

603.2 Removal of combustion products. Fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances that are labeled for unvented operation.

603.3 Clearances. Required clearances to combustible materials shall be maintained.

603.4 Safety controls. Safety controls for fuel-burning equipment shall be maintained in effective operation.

603.5 Combustion air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the

13. Single- and multiple-station smoke alarms, see Section 907.10.
14. Smoke and heat vents and mechanical smoke removal systems, see Section 910.5.
15. Smoke control systems, see Section 909.20.
16. Wet-chemical extinguishing systems, see Section 904.5.

[F] **704.2 Standards.** Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 704.2 and as required in this section.

TABLE 704.2
FIRE PROTECTION SYSTEM MAINTENANCE STANDARDS

SYSTEM	STANDARD
Portable fire extinguishers	NFPA 10
Carbon dioxide fire-extinguishing system	NFPA 12
Halon 1301 fire-extinguishing systems	NFPA 12A
Dry-chemical extinguishing systems	NFPA 17
Wet-chemical extinguishing systems	NFPA 17A
Water-based fire protection systems	NFPA 25
Fire alarm systems	NFPA 72
Smoke and heat vents	NFPA 204
Water-mist systems	NFPA 750
Clean-agent extinguishing systems	NFPA 2001

[F] **704.2.1 Records.** Records shall be maintained of all system inspections, tests and maintenance required by the referenced standards.

[F] **704.2.2 Records information.** Initial records shall include the: name of the installation contractor; type of components installed; manufacturer of the components; location and number of components installed per floor; and manufacturers' operation and maintenance instruction manuals. Such records shall be maintained for the life of the installation.

[F] **704.3 Systems out of service.** Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, either the building shall be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department and shall not have duties beyond performing constant patrols of the protected premises and keeping watch for fires. Actions shall be taken in accordance with Section 901 of the *International Fire Code* to bring the systems back in service.

[F] **704.3.1 Emergency impairments.** Where unplanned impairments of fire protection systems occur, appropriate emergency action shall be taken to minimize potential injury and damage. The impairment coordinator shall implement the steps outlined in Section 901.7.4 of the *International Fire Code*.

[F] **704.4 Removal of or tampering with equipment.** It shall be unlawful for any person to remove, tamper with or otherwise disturb any fire hydrant, fire detection and alarm system, fire suppression system or other fire appliance required by this code except for the purposes of extinguishing fire, training, recharging or making necessary repairs.

[F] **704.4.1 Removal of or tampering with appurtenances.** Locks, gates, doors, barricades, chains, enclosures, signs, tags and seals that have been installed by or at the direction of the fire code official shall not be removed, unlocked, destroyed or tampered with in any manner.

[F] **704.4.2 Removal of existing occupant-use hose lines.** The fire code official is authorized to permit the removal of existing occupant-use hose lines where all of the following apply:

1. The installation is not required by the *International Fire Code* or the *International Building Code*.
2. The hose line would not be utilized by trained personnel or the fire department.
3. The remaining outlets are compatible with local fire department fittings.

[F] **704.4.3 Termination of monitoring service.** For fire alarm systems required to be monitored by the *International Fire Code*, notice shall be made to the fire code official whenever alarm monitoring services are terminated. Notice shall be made in writing by the provider of the monitoring service being terminated.

[F] **704.5 Fire department connection.** Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches (152 mm) high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the fire code official.

[F] **704.5.1 Fire department connection access.** Ready access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or movable object. Access to fire department connections shall be approved by the fire chief.

Exception: Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 of the *International Fire Code* and a means of emergency operation. The gate and the means of emergency operation shall be approved by the fire chief and maintained operational at all times.

[F] **704.5.2 Clear space around connections.** A working space of not less than 36 inches (914 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided and maintained in front of and to the sides of wall-mounted fire department connections and around the circumference of free-standing fire department connections.

GENERAL REQUIREMENTS

elimination, proper precautions shall be taken to prevent reinfestation.

309.2 Owner. The *owner* of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.

309.3 Single occupant. The *occupant* of a one-family dwelling or of a *single-tenant* nonresidential structure shall be responsible for pest elimination on the *premises*.

309.4 Multiple occupancy. The *owner* of a structure containing two or more *dwelling units*, a multiple *occupancy*, a *rooming house* or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and *exterior property*. If *infestation* is caused by failure of an *occupant* to prevent such *infestation* in the area occupied, the *occupant* and *owner* shall be responsible for pest elimination.

309.5 Occupant. The *occupant* of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the *infestations* are caused by defects in the structure, the *owner* shall be responsible for pest elimination.



photo by JF
January 10, 2025 9:53 AM



photo by JF
January 10, 2025 9:44 AM



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January 10, 2025 9:53 AM



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City of Titusville
"Gateway to Nature and Space"

REPORT TO COUNCIL

To: Code Enforcement Special Magistrate

From: Jim Flannigan, Code Enforcement Officer

Subject: **25-31**
Vermont LLC
1545 Kings Court, Titusville, Florida 32780
2582 Maguire Road #513, Ocoee, Florida 32761 - Owner
Parcel ID# 22-35-09-10-* -15
Notice of Violation: Certified and Posted, Initial January 22, 2025.
Hearing Mailed March 11, 2025, and Posted April 2, 2025

Department/Office: Code Enforcement

Recommended Action:

Order the Respondent to correct the violations on or before 12:00 pm (noon) on June 6, 2025, by:

1. SEC. 6-109; 2018 IPMC SEC. 605.4 – Electrical Equipment Wiring - Repair all exposed electrical wires throughout the house, and around exterior walls
2. SEC. 6-109; 2018 IPMC SEC 302.7 – Accessory Structures - Repair Fence needs to be repaired or replaced
3. SEC. 6-109; 2018 IPMC SEC. 304.13 – Windows, Skylights, Door Frames - Repair Windows to operate properly as required.
4. SEC. 6-109; 2018 IPMC SEC. 304.13.2 – Operable Windows - Repair or replace windows with permits that do not properly work.
5. SEC. 6-109; 2018 IPMC SEC. 304.7 - - Roofs and Drainage - Repair roof that allows water to enter living areas. Repair soffits around property as required to seal and repair wood rot.
6. SEC. 6-109; 2018 IPMC SEC. 305.3 – Interior Surfaces - repair cracks in walls and deteriorating walls and paint chipping.
7. SEC. 6-109; 2018 IPMC SEC. 305.6 – Interior Doors - Repair or replace interior doors that are damaged.
8. SEC. 6-109; 2018 IPMC SEC. 506.1 – Sanitary Drainage System General - Repair plumbing to work and drain correctly.
9. SEC. 6-109; 2018 IPMC SEC. 602.1 – Heating Facilities Required - Repair or replace heating requirements for house.
10. SEC. 6-109; 2018 IPMC SEC. 603.1 - Mechanical Appliances - Repair oven as required. Properly repair outside air handler and install correctly on concrete pedestal with proper straps to secure and permits.

11. SEC. 6-109; 2018 IPMC SEC. 605.2 – Electrical Equipment Receptacles - Cover all electrical receptacles. Repair wires in house.
12. SEC. 6-109; 2018 IPMC SEC. 704.2 – Fire Safety – Smoke Alarms Where Required - Supply Smoke alarms that work as required.

If the respondent does not comply by June 6, 2025, it is being requested that a fine of \$250.00 per day per violation (12 violations exist) be imposed for each day the violations continue. Additionally, Order the Respondent(s) be assessed administrative costs in the amount of \$146.14.

The Respondent(s) must contact Code Enforcement Officer, Jim Flannigan, at 321-567-3773 to arrange for an inspection of the property to verify compliance.

Summary Explanation & Background:

Violation Charge(s):

1. SEC. 6-109; 2018 IPMC SEC. 605.4 – Electrical Equipment Wiring
2. SEC. 6-109; 2018 IPMC SEC 302.7 – Accessory Structures
3. SEC. 6-109; 2018 IPMC SEC. 304.13 – Windows, Skylights, Door Frames
4. SEC. 6-109; 2018 IPMC SEC. 304.13.2 – Operable Windows
5. SEC. 6-109; 2018 IPMC SEC. 304.7 - - Roofs and Drainage
6. SEC. 6-109; 2018 IPMC SEC. 305.3 – Interior Surfaces
7. SEC. 6-109; 2018 IPMC SEC. 305.6 – Interior Doors
8. SEC. 6-109; 2018 IPMC SEC. 506.1 – Sanitary Drainage System General
9. SEC. 6-109; 2018 IPMC SEC. 602.1 – Heating Facilities Required
10. SEC. 6-109; 2018 IPMC SEC. 603.1 - - Mechanical Appliances
11. SEC. 6-109; 2018 IPMC SEC. 605.2 – Electrical Equipment Receptacles
12. SEC. 6-109; 2018 IPMC SEC. 704.2 – Fire Safety – Smoke Alarms Where Required

Narrative of Inspection and Violations:

I was contacted by the tenant for a minimal housing inspection of the property. The initial complaint was that they had no heat, gaps in the windows, and a bee hive in the wall. Upon my inspection, I found multiple violations of the minimum housing standards at the property.

Alternatives:

1. Alternate finding and amount.
2. Additional time to correct.
3. Find the property in compliance.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Goal 1: Quality of Life

Strategic Plan Impact:

Goal 1: Quality of Life

ATTACHMENTS:

1. 25-31 EXHIBITS (1)
2. IMPC 304.7 Roofs and Drainage
3. IMPC 304.13 Window, Skylights, Doors 2
4. IMPC 304.13 Window, Skylights, Doors
5. IMPC 305.6 Interior Doors
6. IMPC 506.1 Sanitary Drainage System 2
7. IMPC 506.1 Sanitary Drainage System
8. IMPC 602.1 Heating Facilities Required
9. IMPC 603.1 Mechanical Appliances 2
10. IMPC 302. Accessory Structure 2
11. IMPC 302. Accessory Structure
12. IMPC 304.7 Roofs and Drainage 2
13. IMPC 304.7 Roofs and Drainage 3
14. IMPC 704.2 Fire Safety Smoke Alarms
15. IPMC 305.3 Interior Surfaces 2
16. IPMC 305.3 Interior Surfaces 3
17. IPMC 305.3 Interior Surfaces
18. IPMC 605.4 Electrical Equipment Wiring 2
19. IPMC 605.4 Electrical Equipment Wiring 3
20. IPMC 605.4 Electrical Equipment Wiring 4
21. IPMC 605.4 Electrical Equipment Wiring
22. IMPC 603.1 Mechanical Appliances
23. IMPC 605.2 Electrical Equipment Recepticals 2
24. IMPC 605.2 Electrical Equipment Recepticals 3
25. IMPC 605.2 Electrical Equipment Recepticals 4
26. IMPC 605.2 Electrical Equipment Recepticals



City of Titusville

Affidavit - Notice of Hearing



Case No. 25-31 Address/Location of Violation: 1545 KINGS CT
Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Hearing was hand delivered to:

- ☐ the owner of the property on _ / _ / _ at _____.
- ☐ the owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on _ / _ / _ at _____.
- ☐ the owner(s) of commercial property, leaving the Notice of Hearing with a manager or other person in charge _ / _ / _ at _____.

POST

☒ Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Hearing was properly posted on the real property listed above upon which the violation exists, AND at City Hall, 555 S Washington Avenue, Titusville, FL on 04/04/25

MAIL

- ☐ Pursuant to Florida 162.12 (1)(a), the Notice of Hearing was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on _ / _ / _.
- ☐ the address listed in the tax collector's office on _ / _ / _.
- ☐ the address listed in the tax collector's office/another address provided to the City of Titusville _ / _ / _.

JIM FLANNIGAN

Print Name / Signature / Date

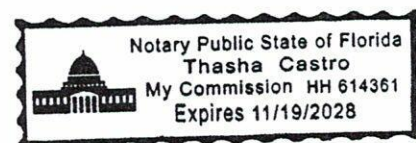
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that JIM FLANNIGAN, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 02 day of April, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 02 day of April 2025.

THASHA CASTRO

Notary Public

SEAL



**CITY OF TITUSVILLE
CODE ENFORCEMENT
1100 JOHN GLENN BOULEVARD
TITUSVILLE, FL 32780
(321) 567-3770**

**Hearing Case No. 25-31
Enforcement Case No: 25-000033**

CITY OF TITUSVILLE

Petitioner,

vs.

**VERMONT LLC
1728 KINGSLEY AVE, STE 22
ORANGE PARK, FL 32073**

Respondent.

_____ /

NOTICE OF CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

**On 04/14/2025 at 2:00PM
City of Titusville City Hall,
555 S Washington Avenue,
2nd Floor (Council Chambers)
Titusville, FL 32780**

YOU ARE REQUIRED TO BE PRESENT AT THE HEARING AND FAILURE TO APPEAR WILL NOT PREVENT OR POSTPONE THE HEARING IN ANY MANNER. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION WAS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION BY THE CODE INSPECTOR, THE CASE SHALL BE PRESENTED TO THE ENFORCEMENT BOARD/SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE BOARD HEARING.

If you have witnesses, books, receipts or other evidence bearing on this matter you should bring them with you at the time of the hearing. You may request issuance of subpoenas for witnesses and evidence and may appear with or without an attorney.

Proceedings of the Municipal Code Enforcement Special Magistrate are conducted in accordance and by the authority of Part I., Chapter 162 Florida Statutes, and Article II, Chapter II, Code of Ordinances of the City of Titusville, Florida. Pursuant to the provisions of Chapter 162, Florida Statutes the Board may issue orders having the force of law to command whatever steps are necessary to bring any Code violations determined to exist into compliance and, upon the failure of a party to comply, to order the payment of a fine of up to \$5000.00 for an irreversible/irreparable violation, said fine may constitute a lien upon your real and personal property.

Plaintiff, the CITY OF TITUSVILLE, a municipal corporation of the STATE OF FLORIDA, files this, its Complaint, against Defendant(s), and alleges as follows:

1. Plaintiff, the CITY OF TITUSVILLE, is a municipal corporation of the STATE OF FLORIDA, and has, pursuant to Chapter 162 Florida Statutes, and Section 2-41, et seq., of the Code of Ordinances of the City of Titusville, established a Municipal Code Enforcement Board/Special Magistrate.

2. Defendant(s) is/are the owner(s) of (or is/are in possession of) the following described real property located within the municipal boundaries of the Plaintiff:

1545 KINGS CT

TAX PARCEL ID 22 3509-10-*15

LAND DESCRIPTION KINGS COURT

ADDN LOT 15

3. Defendant(s) has/have failed to comply with the provisions of the Section(s) listed below, of the Code of Ordinances and/or the Land Development Regulations of the City of Titusville by reason of:

SEC. 6-109; 2018 IPMC SEC. 605.4 - ELECTRICAL EQUIPMENT WIRING

SEC. 6-109; 2018 IPMC SEC 302.7 - ACCESSORY STRUCTURES

SEC. 6-109; 2018 IPMC SEC. 304.13 - WINDOW, SKYLIGHTS, DOOR FRAMES

SEC. 6-109; 2018 IPMC SEC. 304.13.2 - OPENABLE WINDOWS

SEC. 6-109; 2018 IPMC SEC. 304.7 - - ROOFS AND DRAINAGE

SEC. 6-109; 2018 IPMC SEC. 305.3 - INTERIOR SURFACES

SEC. 6-109; 2018 IPMC SEC. 305.6 - INTERIOR DOORS

SEC. 6-109; 2018 IPMC SEC. 506.1 - SANITARY DRAINAGE SYSTEM GENERAL

SEC. 6-109; 2018 IPMC SEC. 602.1 - HEATING FACILITIES REQUIRED

SEC. 6-109; 2018 IPMC SEC. 603.1 - - MECHANICAL APPLIANCES

SEC. 6-109; 2018 IPMC SEC. 605.2 - ELECTRICAL EQUIPMENT RECEPTACLES

SEC. 6-109; 2018 IPMC SEC. 704.2 - FIRE SAFETY - SMOKE ALARMS WHERE REQUIRED

4. Defendant(s) has/have been notified by Plaintiff of the violation(s) described in paragraph 3 hereof and has failed and refused to correct the same despite Plaintiff's demands thereof.

5. The Plaintiff has incurred costs and attorney fees in investigating and prosecuting this case before the Municipal Special Magistrate/Code Enforcement Board, and is entitled to recover those costs and fees from the Defendant(s).

WHEREFORE, Plaintiff requests that the Municipal Code Enforcement Board/Special Magistrate;

1. Enter its Order issuing findings of fact and directing Defendant(s) to correct the Code violation by a time certain;
2. Upon the continued failure of the Defendant(s) to correct the Code violations, enter its Final Judgment ordering the Defendant(s) to pay a fine of up to \$250.00 for each day the Code violation continues past the date set for compliance, and
3. Award Plaintiff all costs incurred in prosecuting this case and include those costs in any lien that may be imposed.

Enter such further orders and judgments as may be authorized by Chapter 162, Florida Statutes, and other applicable law.

Glenn Tolleson
Code Enforcement Manager



City of Titusville
Affidavit - Notice of Violation



Case No. 25-31 Address/Location of Violation: 1545 KINGS CT
Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Violation was hand delivered to:

- ☐ the owner of the property on _ / _ / _ at _____.
- ☐ the owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on _ / _ / _ at _____.
- ☐ the owner(s) of commercial property, leaving the Notice of Violation with a manager or other person in charge _ / _ / _ at _____.

POST

☒ Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Violation was properly posted on the real property listed above upon which the violation exists on 01/22/25.

MAIL

☒ Pursuant to Florida 162.12 (1)(a), the Notice of Violation was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 01/22/25.

- ☐ the address listed in the tax collector's office on _ / _ / _.
- ☐ the address listed in the tax collector's office/another address provided to the City of Titusville _ / _ / _.

JIM FLANNIGAN

Print Name / Signature / Date

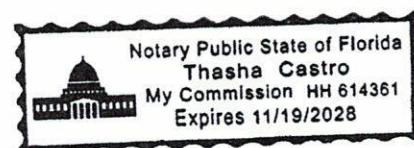
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that JIM FLANNIGAN, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 02 day of April, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 02 day of April, 2025.

Thasha Castro

Notary Public

SEAL





CODE ENFORCEMENT

PROMOTING
TEAMWORK
WITHIN OUR COMMUNITY

1100 John Glenn Blvd. • Titusville, FL 32780 • PH 321-567-3770

VERMONT LLC
1728 KINGSLEY AVE, STE 22
ORANGE PARK, FL 32073

January 22, 2025

CASE # 25-000033

NOTICE OF VIOLATION

THE PROPERTY LOCATED: 1545 KINGS CT , Parcel ID# 22 3509-10-*-15

An inspection was conducted on at the above referenced property in response to a complaint received by the Code Enforcement Department.

The City of Titusville realizes that most of its citizens are not familiar with the City's Codes and Ordinances; therefore, this letter shall serve as notice that the violation(s) listed below were found during this inspection:

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 605.4 ELECTRICAL EQUIPMENT WIRING - FLEXIBLE CORDS SHALL NOT BE USED FOR PERMANENT WIRING, OR FOR RUNNING THROUGH DOORS, WINDOWS, OR CABINETS, OR CONCEALED WITHIN WALLS, FLOORS, OR CEILINGS.

Inspector Comments: exposed electrical wires throughout house, and around exterior walls. Need repaired or replace ASAP

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC 302.7 ACCESSORY STRUCTURES, INCLUDING DETACHED GARAGES, FENCES AND WALLS, SHALL BE MAINTAINED STRUCTURALLY SOUND AND IN GOOD REPAIR.

Inspector Comments: Fence needs to be repaired or replaced

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 304.13 EVERY WINDOW, SKYLIGHT, DOOR, AND FRAME SHALL BE KEPT IN SOUND CONDITION, GOOD REPAIR AND WEATHER TIGHT.

Inspector Comments: Windows need to be repaired to operate [properly as required. Properly seal window frames as required.

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 304.13.2 EVERY WINDOW, OTHER THAN A FIXED WINDOW, SHALL BE EASILY OPENABLE AND CAPABLE OF BEING HELD IN POSITION BY WINDOW HARDWARE.

Inspector Comments: Repair or replace windows with permit, that do not properly work

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 304.7 - THE ROOF AND FLASHING SHALL BE SOUND, TIGHT AND NOT HAVE DEFECTS THAT ADMIT RAIN. ROOF DRAINAGE SHALL BE ADEQUATE TO PREVENT DAMPNESS OR DETERIORATION IN THE WALLS OR INTERIOR PORTION OF THE STRUCTURE. ROOF DRAINS, GUTTERS AND DOWNSPOUTS SHALL BE MAINTAINED IN GOOD REPAIR AND FREE FROM OBSTRUCTIONS. ROOF WATER SHALL NOT BE DISCHARGED IN A MANNER THAT CREATES A PUBLIC NUISANCE.

Inspector Comments: Repair roof that is allowing water to enter living area. Repair soffits around property as required to seal and repair wood rot.

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 305.3 INTERIOR SURFACES, INCLUDING WINDOWS AND DOORS, SHALL BE MAINTAINED IN GOOD, CLEAN AND SANITARY CONDITION. PEELING, CHIPPING, FLAKING OR ABRADED PAINT SHALL BE REPAIRED, REMOVED OR COVERED. CRACKED OR LOOSE PLASTER, DECAYED WOOD AND OTHER DEFECTIVE SURFACE CONDITIONS SHALL BE CORRECTED.

Inspector Comments: repair cracks in walls and deteriorating walls and paint chipping.

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 305.6 INTERIOR DOORS - EVERY INTERIOR DOOR SHALL FIT REASONABLY WELL WITHIN ITS FRAME AND SHALL BE CAPABLE OF BEING OPENED AND CLOSED BY BEING PROPERLY AND SECURELY ATTACHED TO JAMBS, HEADERS OR TRACKS AS INTENDED BY THE MANUFACTURER OF THE ATTACHMENT HARDWARE.

Inspector Comments: Repair or replace interior doors that are damaged.

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 506.1 SANITARY DRAINAGE SYSTEM GENERAL - PLUMBING FIXTURES SHALL BE PROPERLY CONNECTED TO EITHER A PUBLIC SEWER SYSTEM OR TO AN APPROVED PRIVATE SEWAGE DISPOSAL SYSTEM.

Inspector Comments:

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 602.1 HEATING FACILITIES REQUIRED - HEATING FACILITIES SHALL BE PROVIDED IN STRUCTURES AS REQUIRED BY THIS SECTION.

Inspector Comments: Provide correct heating per requirements to maintain temperature in house

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 603.1 - MECHANICAL APPLIANCES, FIREPLACES, SOLID FUEL-BURNING APPLIANCES, COOKING APPLIANCES AND WATER HEATING APPLIANCES SHALL BE PROPERLY INSTALLED AND MAINTAINED IN A SAFE WORKING CONDITION, AND SHALL BE CAPABLE OF PERFORMING THE INTENDED FUNCTION.

Inspector Comments: Repair oven as required. Properly repair outside air handler and install correctly on concrete pedestal with proper straps to secure.

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 605.2 ELECTRICAL EQUIPMENT RECEPTACLES - EVERY HABITABLE SPACE IN A DWELLING SHALL CONTAIN NOT LESS THAN TWO SEPARATE AND REMOTE RECEPTACLE OUTLETS. EVERY LAUNDRY AREA SHALL CONTAIN NOT LESS THAN ONE GROUNDING-TYPE RECEPTACLE OR A RECEPTACLE WITH A GROUND FAULT CIRCUIT INTERRUPTER. EVERY BATHROOM SHALL CONTAIN NOT LESS THAN ONE RECEPTACLE. ANY NEW BATHROOM RECEPTACLE OUTLET SHALL HAVE GROUND FAULT CIRCUIT INTERRUPTER PROTECTION. ALL RECEPTACLE OUTLETS SHALL HAVE THE APPROPRIATE FACEPLATE COVER FOR THE LOCATION.

Inspector Comments: Cover all electrical receptacles. Repair wires in house.

Section: FIRE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 704.2 FIRE SAFETY - WHERE SINGLE AND MULTIPLE STATION SMOKE ALARMS ARE REQUIRED TO BE INSTALLED

Inspector Comments: No operating smoke detectors in house

As the property owner of record/person in possession, you are required by Code to correct the violation (s) as stated above by **02/17/2025**. Failure to do so will necessitate a hearing before the Special Magistrate/Municipal Code Enforcement Board.

If you have any questions or to schedule a re-inspection in your effort to achieve compliance, please contact the Code Enforcement office at (321) 567 3770.

In accordance with Florida Statutes, Chapter 162, the Special Magistrate/Code Board has the authority to assess any costs the City incurs in investigating and prosecuting this case, in addition to imposing a fine of up to \$250.00 per day for each violation. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the enforcement magistrate/board even if the violation has been corrected prior to the hearing.

It is the responsibility of the City's Code Enforcement Department to enforce Titusville's Codes and Ordinances to ensure a safe and healthy environment for its citizens. By means of this notice we are asking for your assistance in achieving this goal.

Sincerely,

Jim Flannigan
Code Enforcement Officer

25-000033

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.

■ Print your name and address on the reverse so that we can return the card to you.

■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

VERMONT LLC
1728 KINGSLEY AVE STE 22
ORANGE PARK, FL 32073

9590 9402 9036 4122 4414 40

2. Article Number (Transfer from service label)
9589 0710 5270 2118 4827 82

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?
If YES, enter delivery address below:

☐ Yes
☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

25-000033

VERMONT LLC
1728 KINGSLEY AVE, STE 22
ORANGE PARK, FL 32073

January 22, 2025

Page 103 of 175



City of Titusville
Code Enforcement Board
Cost Recovery



CEB Case # 25-31
Address 1545 KINGS CT
Respondent VERMONT LLC

Number of Inspector Hours

5 Number of Field Inspections (*Each Inspection = .5 Hours*)
2.5 Field Hours 35.22 per hour
Inspection Hours Cost 88.05

Administrative Hours and Postage

42.86 2 Hours in Complaint (*\$21.43 per hour*)
15.23 Postage (*\$7.33 each certified mail, .57 each First Class Mail*)
Administrative Hours and Postage 58.09

Total

146.14

Pool and spa luminaires over 15 V shall have ground fault circuit interrupter protection.

605.4 Wiring. Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

SECTION 606 ELEVATORS, ESCALATORS AND DUMBWAITERS

606.1 General. Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building *operator* or be posted in a publicly conspicuous location *approved* by the *code official*. The inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.

606.2 Elevators. In buildings equipped with passenger elevators, not less than one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

SECTION 607 DUCT SYSTEMS

607.1 General. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

CHAPTER 3

GENERAL REQUIREMENTS

User note:

About this chapter: Chapter 3 is broad in scope and includes a variety of requirements for the maintenance of exterior property areas, as well as the interior and exterior elements of the structure, that are intended to maintain a minimum level of safety and sanitation for both the general public and the occupants of a structure, and to maintain a building's structural and weather-resistance performance. Specifically, Chapter 3 contains criteria for the maintenance of building components; vacant structures and land; the safety, sanitation and appearance of the interior and exterior of structures and all exterior property areas; accessory structures; extermination of insects and rodents; access barriers to swimming pools, spas and hot tubs; vehicle storage and owner/occupant responsibilities.

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and *exterior property*.

301.2 Responsibility. The *owner* of the *premises* shall maintain the structures and *exterior property* in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy *premises* that are not in a sanitary and safe condition and that do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit*, *rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit* or *premises* they occupy and control.

301.3 Vacant structures and land. Vacant structures and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 302 EXTERIOR PROPERTY AREAS

302.1 Sanitation. *Exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* that such *occupant* occupies or controls in a clean and sanitary condition.

302.2 Grading and drainage. *Premises* shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: *Approved* retention areas and reservoirs.

302.3 Sidewalks and driveways. Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.4 Weeds. *Premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of [JURIS-

DICTION TO INSERT HEIGHT IN INCHES]. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

302.5 Rodent harborage. Structures and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated by *approved* processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly on abutting or adjacent public or private property or that of another *tenant*.

302.7 Accessory structures. Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles. Except as provided for in other regulations, inoperative or unlicensed motor vehicles shall not be parked, kept or stored on any *premises*, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and *approved* for such purposes.

decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

[F] 304.3 Premises identification. Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members. Structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. Chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. Exposed sur-

faces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing. Glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.14 Insect screens. During the period from [DATE] to [DATE], every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

304.15 Doors. Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows. Every *basement* window that is openable shall be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents.

304.18 Building security. Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

304.18.1 Doors. Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

304.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a

GENERAL REQUIREMENTS

walking surface below that provide access to a *dwelling unit, rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a window sash locking device.

304.18.3 Basement hatchways. *Basement hatchways* that provide access to a *dwelling unit, rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

304.19 Gates. Exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

SECTION 305 INTERIOR STRUCTURE

305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the structure that they occupy or control in a clean and sanitary condition. Every *owner* of a structure containing a *rooming house, housekeeping units*, a hotel, a dormitory, two or more *dwelling units* or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and *exterior property*.

305.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength.
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects.
3. Structures or components thereof that have reached their limit state.
4. Structural members are incapable of supporting nominal loads and load effects.
5. Stairs, landings, balconies and all similar walking surfaces, including *guards* and handrails, are not structurally sound, not properly *anchored* or are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.
6. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

305.2 Structural members. Structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

305.3 Interior surfaces. Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

305.5 Handrails and guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

305.6 Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

SECTION 306 COMPONENT SERVICEABILITY

306.1 General. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

306.1.1 Unsafe conditions. Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:
 - 1.1. Collapse of footing or foundation system.
 - 1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion.
 - 1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil.
 - 1.4. Inadequate soil as determined by a geotechnical investigation.
 - 1.5. Where the allowable bearing capacity of the soil is in doubt.
 - 1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
 - 2.1. *Deterioration*.
 - 2.2. *Ultimate deformation*.
 - 2.3. Fractures.

PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

[P] **504.3 Plumbing system hazards.** Where it is found that a plumbing system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, *deterioration* or damage or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

SECTION 505 WATER SYSTEM

[P] **505.1 General.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an *approved* private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *International Plumbing Code*.

[P] **505.2 Contamination.** The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

[P] **505.3 Supply.** The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

[P] **505.4 Water heating facilities.** Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature not less than 110°F (43°C). A gas-burning water heater shall not be located in any *bathroom, toilet room, bedroom* or other occupied room normally kept closed, unless adequate combustion air is provided. An *approved* combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

[P] **505.5 Nonpotable water reuse systems.** Nonpotable water reuse systems and rainwater collection and conveyance systems shall be maintained in a safe and sanitary condition. Where such systems are not properly maintained, the systems shall be repaired to provide for safe and sanitary conditions, or the system shall be abandoned in accordance with Section 505.5.1.

[P] **505.5.1 Abandonment of systems.** Where a nonpotable water reuse system or a rainwater collection and distribution system is not maintained or the owner ceases use of the system, the system shall be abandoned in accordance with Section 1301.10 of the *International Plumbing Code*.

SECTION 506 SANITARY DRAINAGE SYSTEM

[P] **506.1 General.** Plumbing fixtures shall be properly connected to either a public sewer system or to an *approved* private sewage disposal system.

[P] **506.2 Maintenance.** Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

[P] **506.3 Grease interceptors.** Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. Records of maintenance, cleaning and repairs shall be available for inspection by the *code official*.

SECTION 507 STORM DRAINAGE

[P] **507.1 General.** Drainage of roofs and paved areas, *yards* and courts, and other open areas on the *premises* shall not be discharged in a manner that creates a public nuisance.

CHAPTER 6

MECHANICAL AND ELECTRICAL REQUIREMENTS

User note:

About this chapter: Chapter 6 establishes minimum performance requirements for heating, electrical and mechanical facilities serving existing structures, such as heating and air-conditioning equipment, appliances and their supporting systems; water heating equipment, appliances and systems; cooking equipment and appliances; ventilation and exhaust equipment; gas and liquid fuel distribution piping and components; fireplaces and solid fuel-burning appliances; chimneys and vents; electrical services; lighting fixtures; electrical receptacle outlets; electrical distribution system equipment, devices and wiring; and elevators, escalators and dumbwaiters.

SECTION 601 GENERAL

601.1 Scope. The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

601.2 Responsibility. The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that does not comply with the requirements of this chapter.

SECTION 602 HEATING FACILITIES

602.1 Facilities required. Heating facilities shall be provided in structures as required by this section.

602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms* based on the winter outdoor design temperature for the locality indicated in Appendix D of the *International Plumbing Code*. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.

Exception: In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor

design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*.

2. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

602.5 Room temperature measurement. The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

SECTION 603 MECHANICAL EQUIPMENT

603.1 Mechanical equipment and appliances. Mechanical equipment, appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

603.2 Removal of combustion products. Fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances that are labeled for unvented operation.

603.3 Clearances. Required clearances to combustible materials shall be maintained.

603.4 Safety controls. Safety controls for fuel-burning equipment shall be maintained in effective operation.

603.5 Combustion air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the

MECHANICAL AND ELECTRICAL REQUIREMENTS

fuel-burning equipment shall be provided for the fuel-burning equipment.

603.6 Energy conservation devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless *labeled* for such purpose and the installation is specifically *approved*.

SECTION 604 ELECTRICAL FACILITIES

604.1 Facilities required. Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

604.2 Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. *Dwelling units* shall be served by a three-wire, 120/240 volt, single-phase electrical service having a minimum rating of 60 amperes.

604.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, *deterioration* or damage, or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

604.3.1 Abatement of electrical hazards associated with water exposure. The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

604.3.1.1 Electrical equipment. Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the *International Building Code*.

Exception: The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated not more than 600 volts or less.
2. Busway, rated not more than 600 volts.
3. Panelboards, rated not more than 600 volts.
4. Switchboards, rated not more than 600 volts.
5. Fire pump controllers, rated not more than 600 volts.
6. Manual and magnetic motor controllers.
7. Motor control centers.

8. Alternating current high-voltage circuit breakers.
9. Low-voltage power circuit breakers.
10. Protective relays, meters and current transformers.
11. Low- and medium-voltage switchgear.
12. Liquid-filled transformers.
13. Cast-resin transformers.
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water.
15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water.
16. Luminaires that are listed as submersible.
17. Motors.
18. Electronic control, signaling and communication equipment.

604.3.2 Abatement of electrical hazards associated with fire exposure. The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire.

604.3.2.1 Electrical equipment. Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the *International Building Code*.

Exception: Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

SECTION 605 ELECTRICAL EQUIPMENT

605.1 Installation. Electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and *approved* manner.

605.2 Receptacles. Every *habitable space* in a dwelling shall contain not less than two separate and remote receptacle outlets. Every laundry area shall contain not less than one grounding-type receptacle or a receptacle with a ground fault circuit interrupter. Every *bathroom* shall contain not less than one receptacle. Any new *bathroom* receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

605.3 Luminaires. Every public hall, interior stairway, *toilet room*, kitchen, *bathroom*, laundry room, boiler room and furnace room shall contain not less than one electric luminaire.

13. Single- and multiple-station smoke alarms, see Section 907.10.
14. Smoke and heat vents and mechanical smoke removal systems, see Section 910.5.
15. Smoke control systems, see Section 909.20.
16. Wet-chemical extinguishing systems, see Section 904.5.

[F] **704.2 Standards.** Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 704.2 and as required in this section.

TABLE 704.2
FIRE PROTECTION SYSTEM MAINTENANCE STANDARDS

SYSTEM	STANDARD
Portable fire extinguishers	NFPA 10
Carbon dioxide fire-extinguishing system	NFPA 12
Halon 1301 fire-extinguishing systems	NFPA 12A
Dry-chemical extinguishing systems	NFPA 17
Wet-chemical extinguishing systems	NFPA 17A
Water-based fire protection systems	NFPA 25
Fire alarm systems	NFPA 72
Smoke and heat vents	NFPA 204
Water-mist systems	NFPA 750
Clean-agent extinguishing systems	NFPA 2001

[F] **704.2.1 Records.** Records shall be maintained of all system inspections, tests and maintenance required by the referenced standards.

[F] **704.2.2 Records information.** Initial records shall include the: name of the installation contractor; type of components installed; manufacturer of the components; location and number of components installed per floor; and manufacturers' operation and maintenance instruction manuals. Such records shall be maintained for the life of the installation.

[F] **704.3 Systems out of service.** Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, either the building shall be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department and shall not have duties beyond performing constant patrols of the protected premises and keeping watch for fires. Actions shall be taken in accordance with Section 901 of the *International Fire Code* to bring the systems back in service.

[F] **704.3.1 Emergency impairments.** Where unplanned impairments of fire protection systems occur, appropriate emergency action shall be taken to minimize potential injury and damage. The impairment coordinator shall implement the steps outlined in Section 901.7.4 of the *International Fire Code*.

[F] **704.4 Removal of or tampering with equipment.** It shall be unlawful for any person to remove, tamper with or otherwise disturb any fire hydrant, fire detection and alarm system, fire suppression system or other fire appliance required by this code except for the purposes of extinguishing fire, training, recharging or making necessary repairs.

[F] **704.4.1 Removal of or tampering with appurtenances.** Locks, gates, doors, barricades, chains, enclosures, signs, tags and seals that have been installed by or at the direction of the fire code official shall not be removed, unlocked, destroyed or tampered with in any manner.

[F] **704.4.2 Removal of existing occupant-use hose lines.** The fire code official is authorized to permit the removal of existing occupant-use hose lines where all of the following apply:

1. The installation is not required by the *International Fire Code* or the *International Building Code*.
2. The hose line would not be utilized by trained personnel or the fire department.
3. The remaining outlets are compatible with local fire department fittings.

[F] **704.4.3 Termination of monitoring service.** For fire alarm systems required to be monitored by the *International Fire Code*, notice shall be made to the fire code official whenever alarm monitoring services are terminated. Notice shall be made in writing by the provider of the monitoring service being terminated.

[F] **704.5 Fire department connection.** Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches (152 mm) high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the fire code official.

[F] **704.5.1 Fire department connection access.** Ready access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or movable object. Access to fire department connections shall be approved by the fire chief.

Exception: Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 of the *International Fire Code* and a means of emergency operation. The gate and the means of emergency operation shall be approved by the fire chief and maintained operational at all times.

[F] **704.5.2 Clear space around connections.** A working space of not less than 36 inches (914 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided and maintained in front of and to the sides of wall-mounted fire department connections and around the circumference of free-standing fire department connections.



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January 21, 2025 10:36 AM



photo by JF

January 21, 2025 10:20 AM



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January 21, 2025 10:33 AM



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City of Titusville
"Gateway to Nature and Space"

REPORT TO COUNCIL

To: Code Enforcement Special Magistrate
From: Mae Wright, Code Enforcement Officer
Subject: **25-33**
Robert C Kirk
Krystal Kirk Cook
925 Cleveland Street, Titusville, FL 32780
Parcel ID # 22-35-22-52-20-6
Notice of Violation: Certified and Posted, Initial August 27, 2024, Certified August 24, 2024.
Hearing Mailed March 11, 2025, and Posted April 1, 2025

Department/Office: Code Enforcement

Recommended Action:

Order the Respondent(s) to correct the violation on or before 12:00 pm (noon) on June 6, 2025, by:

1. Sec. 12-23 – Junk and Debris - Remove all items being stored outside the house and in the backyard from the property.
2. Sec. 13-73 - Inoperative Vehicles Prohibited - Remove the pickup truck from the property or provide proof of current registration and license plates and demonstrate to the Code Officer that the vehicle is operational.
3. Sec. 6-109; 2018 IPMC Subsection 304.14 - Window, Skylights, and Door Frames - Replace or repair windows to function correctly and obtain permit as required.

If the respondent does not comply by June 6, 2025, it is being requested that a fine of \$50.00 per day per violation (3 violations exist) be imposed for each day the violations continue.

Order the Respondent(s) be assessed administrative costs in the amount of \$216.58

The Respondent(s) must contact Code Enforcement Officer, Mae Wright, at 321-567-3935 to arrange for an inspection of the property to verify compliance.

Summary Explanation & Background:

Violation Charge(s): Titusville Code of Ordinances

1. Sec. 12-23 – Junk and Debris
2. Sec. 13-73 - Inoperative Vehicles Prohibited
3. Sec. 6-109; 2018 IPMC Subsection 304.14 Window, Skylights, and Door Frames

Narrative of Violation(s):

A complaint was received concerning junk and debris all over the yard from multiple individuals camping in the backyard and sleeping on the front porch.

During the inspection, I observed multiple violations on the property, including unlicensed/inoperative vehicles parked in the yard, an accumulation of trash, junk and debris around the house, on the front porch and in the side and backyard, as well as multiple windows on the house boarded up due to the glazing being damaged or window unit broken. Knocked on the door and was invited inside by a female occupant. While speaking with owner Robert Kirk, he admitted multiple individuals were staying in the house with him. I observed the living room being used as a bedroom as well as the back porch being occupied by 1 or more adults as a sleeping area. Photos were taken for file and the Notice of violation was hand-delivered to the owner.

Any Contact with the owner:

I've spoken with the owner and occupants of the property during multiple visits to the property. Discussed removing the accumulation of personal items and trash from the yard as well as the inoperative truck from the driveway. The owner stated he was working on getting the windows replaced, but at this time no permit had ever been applied for.

Results of re-inspection:

The pickup truck remains on the property in an inoperative condition. Windows on the south and east sides of the house remain inoperative and boarded up. Accumulation of junk, trash and debris remain stored around the house in front, side and rear yards. The porches and living rooms continue to be used as sleeping areas.

Alternatives:

1. Alternate finding and amount.
2. Additional time to correct.
3. Find the property in compliance.

Item Budgeted:

N/A

Source/Use of Funds/Budget Book Page:**Strategic Plan:**

Goal 1: Quality of Life

Strategic Plan Impact:

Goal 1: Quality of Life

ATTACHMENTS:

1. 25-33 EXHIBITS
2. Photo taken 20250104_Sec. 13-73 – Inoperative vehicles, 12-23 Junk & Debris,
3. Photo taken 20250104_Sec. 13-73 – Inoperative vehicles, 12-23 Junk & Debris,
304.13 - Windows
4. Photo taken 20250104_Sec. 304.13 - Windows
5. Photo taken 20250104_Sec. 12-23 Junk & Debris
6. Photo taken 20250104_Sec. 13-73 – Inoperative vehicles, 12-23 Junk & Debris



City of Titusville

Affidavit - Notice of Hearing



Case No. 25-33

Address/Location of Violation: 925 CLEVELAND ST

Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Hearing was hand delivered to:

☒ the owner of the property on 01/April/2025 at 925 Cleveland.

☐ the owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on _/_/_ at _____.

☐ the owner(s) of commercial property, leaving the Notice of Hearing with a manager or other person in charge _/_/_ at _____.

POST

☒ Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Hearing was properly posted ~~on the real property listed above upon which the violation exists, AND~~ at City Hall, 555 S Washington Avenue, Titusville, FL on 01/April/2025

MAIL

☒ Pursuant to Florida 162.12 (1)(a), the Notice of Hearing was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 11/March/2025

☐ the address listed in the tax collector's office on _/_/_.

☐ the address listed in the tax collector's office/another address provided to the City of Titusville _/_/_.

MAE WRIGHT

Print Name / Signature / Date

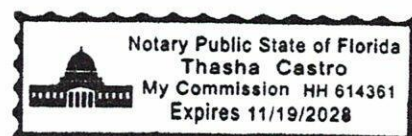
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that MAE WRIGHT, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 01 day of April, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 01 day of April, 2025.

[Signature]

Notary Public

SEAL



**CITY OF TITUSVILLE
CODE ENFORCEMENT
1100 JOHN GLENN BOULEVARD
TITUSVILLE, FL 32780
(321) 567-3770**

Hearing Case No.
Enforcement Case No: 24-001033

CITY OF TITUSVILLE

Petitioner,

vs.

**KIRK, ROBERT C & COOK, KRYSTAL KIRK
925 CLEVELAND ST
TITUSVILLE, FL 32780**

Respondent.

_____ /

NOTICE OF CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

**On 04/14/2025 at 2:00PM
City of Titusville City Hall,
555 S Washington Avenue,
2nd Floor (Council Chambers)
Titusville, FL 32780**

YOU ARE REQUIRED TO BE PRESENT AT THE HEARING AND FAILURE TO APPEAR WILL NOT PREVENT OR POSTPONE THE HEARING IN ANY MANNER. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION WAS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION BY THE CODE INSPECTOR, THE CASE SHALL BE PRESENTED TO THE ENFORCEMENT BOARD/SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE BOARD HEARING.

If you have witnesses, books, receipts or other evidence bearing on this matter you should bring them with you at the time of the hearing. You may request issuance of subpoenas for witnesses and evidence and may appear with or without an attorney.

Proceedings of the Municipal Code Enforcement Special Magistrate are conducted in accordance and by the authority of Part I., Chapter 162 Florida Statutes, and Article II, Chapter II, Code of Ordinances of the City of Titusville, Florida. Pursuant to the provisions of Chapter 162, Florida Statutes the Board may issue orders having the force of law to command whatever steps are necessary to bring any Code violations determined to exist into compliance and, upon the failure of a party to comply, to order the payment of a fine of up to \$5000.00 for an irreversible/irreparable violation, said fine may constitute a lien upon your real and personal property.

Plaintiff, the CITY OF TITUSVILLE, a municipal corporation of the STATE OF FLORIDA, files this, its Complaint, against Defendant(s), and alleges as follows:

1. Plaintiff, the CITY OF TITUSVILLE, is a municipal corporation of the STATE OF FLORIDA, and has, pursuant to Chapter 162 Florida Statutes, and Section 2-41, et seq., of the Code of Ordinances of the City of Titusville, established a Municipal Code Enforcement Board/Special Magistrate.

2. Defendant(s) is/are the owner(s) of (or is/are in possession of) the following described real property located within the municipal boundaries of the Plaintiff:

**925 CLEVELAND ST TAX PARCEL ID 22 3522-52-20-6 LAND DESCRIPTION WHISPERING
LAKES 2ND SEC, AMENDED PLAT OF LOT 6 BLK 20**

3. Defendant(s) has/have failed to comply with the provisions of the Section(s) listed below, of the Code of Ordinances and/or the Land Development Regulations of the City of Titusville by reason of:

SEC 6-109; 2018 IPMC SEC. 404.4.4 - PROHIBITED OCCUPANCY NONHABITABLE SPACE

SEC. 12-23 - JUNK AND DEBRIS

SEC. 13-73 - INOPERATIVE VEHICLES PROHIBITED

SEC. 6-109; 2018 IPMC SEC. 304.13 - WINDOW, SKYLIGHTS, DOOR FRAMES

4. Defendant(s) has/have been notified by Plaintiff of the violation(s) described in paragraph 3 hereof and has failed and refused to correct the same despite Plaintiff's demands thereof.

5. The Plaintiff has incurred costs and attorney fees in investigating and prosecuting this case before the Municipal Special Magistrate/Code Enforcement Board, and is entitled to recover those costs and fees from the Defendant(s).

WHEREFORE, Plaintiff requests that the Municipal Code Enforcement Board/Special Magistrate;

1. Enter its Order issuing findings of fact and directing Defendant(s) to correct the Code violation by a time certain;
2. Upon the continued failure of the Defendant(s) to correct the Code violations, enter its Final Judgment ordering the Defendant(s) to pay a fine of up to \$250.00 for each day the Code violation continues past the date set for compliance, and
3. Award Plaintiff all costs incurred in prosecuting this case and include those costs in any lien that may be imposed.

Enter such further orders and judgments as may be authorized by Chapter 162, Florida Statutes, and other applicable law.

Glenn Tolleson
Code Enforcement Manager



City of Titusville
Affidavit - Notice of Violation



Case No. 25-33 Address/Location of Violation: 925 CLEVELAND ST
Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Violation was hand delivered to:

- ☒ the owner of the property on 27/Aug/2024 at 925 Cleveland St
- ☐ the owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on _/_/_ at _____.
- ☐ the owner(s) of commercial property, leaving the Notice of Violation with a manager or other person in charge _/_/_ at _____.

POST

- ☐ Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Violation was properly posted on the real property listed above upon which the violation exists on _/_/_.

MAIL

- ☒ Pursuant to Florida 162.12 (1)(a), the Notice of Violation was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 11/Sept/2024
- ☐ the address listed in the tax collector's office on ___/___/___.
- ☐ the address listed in the tax collector's office/another address provided to the City of Titusville _/_/_.

MAE WRIGHT

Print Name / Signature / Date

Mae Wright 01-April-2025

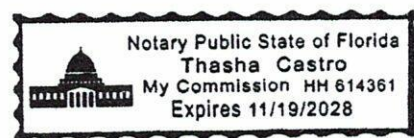
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that MAE WRIGHT, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 01 day of April, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 01 day of April, 2025.

[Signature]

Notary Public

SEAL





CODE ENFORCEMENT

PROMOTING
TEAMWORK
WITHIN OUR COMMUNITY

1100 John Glenn Blvd. • Titusville, FL 32780 • PH 321-567-3770

ROBERT C KIRK,
KRYSTAL KIRK COOK,
925 CLEVELAND ST
TITUSVILLE, FL 32780

August 28, 2024

CASE # 24-001033

NOTICE OF VIOLATION

THE PROPERTY LOCATED: 925 CLEVELAND ST , Parcel ID# 22 3522-52-20-6

An inspection was conducted on 08/27/2024 at the above referenced property in response to a complaint received by the Code Enforcement Department.

The City of Titusville realizes that most of its citizens are not familiar with the City's Codes and Ordinances; therefore, this letter shall serve as notice that the violation(s) listed below were found during this inspection:

Section: PROPERTY MAINTENANCE

**VIOLATION OF CODE: SEC 6-109; 2018 IPMC SEC. 404.4.4 PROHIBITED OCCUPANY
NONHABITABLE SPACE - KITCHENS AND OTHER NONHABITABLE SPACES SHALL NOT BE USED
FOR SLEEPING PURPOSES.**

Inspector Comments: 8/27/2024 To utilize the Living/Dining room for sleeping purposes also, it must comply with all applicable provisions of this code including but not limited to: room area minimums, electrical receptacles, and smoke detectors. MW

Section: NUISANCE

VIOLATION OF CODE: SEC. 12-23 MACHINERY PARTS, SCRAPPED PARTS, SCRAPPED LUMBER, ETC. - STORAGE MANTAINING PROHIBITED - (A) IT SHALL BE UNLAWFUL FOR ANY PERSON TO CAUSE OR PERMIT JUNK, SCRAP METAL, SCRAP LUMBER, WASTEPAPER PRODUCTS, DISCARDED BUILDING MATERIALS, OR ANY UNUSED ABANDONED VEHICLE, VEHICLES, OR ABANDONED PARTS, MACHINERY OR MACHINERY PARTS, OR OTHER WASTE MATERIALS, TO BE IN OR UPON ANY YARD, GARDEN, LAWN, OUT-BUILDING, OR PREMISES, IN THE CITY UNLESS IN CONNECTION WITH A BUSINESS ENTERPRISE LAWFULLY SITUATED AND LICENSED FOR THE SAME. (B) IT SHALL BE UNLAWFUL TO PERMIT ANY ACCUMULATION OF ANY SUCH WASTE MATERIALS TO BE IN OR UPON ANY YARD, LAWN, GARDEN, OUT-BUILDING OR PREMISES, IN THE CITY, IF IT CONSTITUTES A FIRE HAZARD, A HAZARD TO THE SAFETY OF PERSONS OR PROPERTY, OR AN UNSANITARY CONDITION.

Inspector Comments: 8/27/2024 Remove accumulation of trash junk and debris from backyard and from around exterior of house. NOTE: Contact Titusville Solid Waste Dept at (321) 383-5755 to schedule a bulk trash pickup. MW

Section: VEHICLES

VIOLATION OF CODE: SEC. 13-73 INOPERATIVE VEHICLES PROHIBITED; TIME LIMIT FOR DISPOSITION; EXCEPTION - (A) NO PERSON IN CHARGE OR IN CONTROL OF ANY PROPERTY WITHIN THE CITY, WHETHER AN OWNER, TENANT, OCCUPANT, LESSEE OR OTHERWISE, SHALL ALLOW ANY INOPERATIVE VEHICLE TO REMAIN ON SUCH PROPERTY LONGER THAN SEVENTY-TWO (72) HOURS. NO PERSON SHALL LEAVE ANY VEHICLE ON ANY PROPERTY WITHIN THE CITY FOR A LONGER TIME THAN SEVENTY-TWO (72) HOURS UNLESS THE VEHICLE HAS A CURRENT TAG AND REGISTRATION. ONLY ONE (1) INOPERATIVE VEHICLE AT A TIME SHALL BE ALLOWED TO REMAIN ON SUCH PROPERTY DURING THE AFOREMENTIONED SEVENTY-TWO-HOUR PERIOD. (B) EXCEPTIONS: (1) A VEHICLE IN A FULLY-ENCLOSED STRUCTURE; (2) A VEHICLE IN A CARPORT THAT HAS AN OPAQUE COVERING MADE OF EITHER VINYL, NYLON, CHAMOIS, OR OTHER SIMILAR MATERIAL THAT IS RESISTANT TO WEATHER AND IS COMMERCIALY INTENDED TO BE USED AS AN OUTDOOR PROTECTIVE COVER FOR A VEHICLE. SUCH COVER SHALL PROVIDE SUFFICIENT SCREENING SO AS TO PREVENT ORDINARY VIEWING OF ANY INOPERABLE VEHICLE OR ITS PARTS FROM ADJACENT PUBLIC AND PRIVATE PROPERTY. (3) VEHICLES STORED OR KEPT ON THE PREMISES OR PROPERTY OF A BUSINESS ENTERPRISE OPERATED IN A LAWFUL PLACE AND MANNER, WHEN NECESSARY TO THE OPERATION OF SUCH BUSINESS ENTERPRISE, PROVIDED THAT ANY INOPERATIVE VEHICLES ARE STORED IN AN APPROPRIATE AND APPROVED SCREENED STORAGE SPACE, JUNKYARD OR DEPOSITORY, MAINTAINED IN A LAWFUL PLACE AND MANNER IN THE CITY. (4) ANY VEHICLE OR OFF-ROAD VEHICLE THAT IS NOT IN COMPLIANCE WITH STATE REGULATIONS FOR STREET USAGE, BUT IS IN OPERATING CONDITION AND INTACT, SO THAT THE VEHICLE DOES NOT MEET THE DEFINITION OF INOPERATIVE VEHICLES AS PROVIDED IN SECTION 13-56. (C) INOPERATIVE VEHICLES PLACED ON A LICENSED TRUCK, TRAILER, OR OTHER VEHICLE IS NOT AN AUTHORIZED EXCEPTION AND THE INOPERATIVE VEHICLE IS PROHIBITED.

Inspector Comments: 8/27/2024 Call 321-576-6190 to schedule time to demonstrate all vehicle on property are operational and Provide proof of current registration / valid plates for each vehicle on property OR Store inside garage OR remove vehicle from property. MW

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 304.13 EVERY WINDOW, SKYLIGHT, DOOR, AND FRAME SHALL BE KEPT IN SOUND CONDITION, GOOD REPAIR AND WEATHER TIGHT.

Inspector Comments: 8/27/2024 Repair windows so that all glazing materials are free of cracks or holes; and are easily openable and capable of being held in position and secured against entry by window hardware. Boards must be removed from bedroom windows. NOTE: Building Permits are required to replace entire window units and exterior doors. Contact Titusville Building Department at 321-567-3760 or builidngpermits@titusville.com for more information on required applications and documentation. MW

As the property owner of record/person in possession, you are required by Code to correct the violation (s) as stated above by **09/10/2024**. Failure to do so will necessitate a hearing before the Special Magistrate/Municipal Code Enforcement Board.

If you have any questions or to schedule a re-inspection in your effort to achieve compliance,

please contact the Code Enforcement office at (321) 567 3770.

In accordance with Florida Statutes, Chapter 162, the Special Magistrate/Code Board has the authority to assess any costs the City incurs in investigating and prosecuting this case, in addition to imposing a fine of up to \$250.00 per day for each violation. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the enforcement magistrate/board even if the violation has been corrected prior to the hearing.

It is the responsibility of the City's Code Enforcement Department to enforce Titusville's Codes and Ordinances to ensure a safe and healthy environment for its citizens. By means of this notice we are asking for your assistance in achieving this goal.

Sincerely,

Mae Wright
Code Enforcement Officer

TITUSVILLE POLICE DEPARTMENT

NOTICE OF CODE VIOLATION

TO: PROPERTY OWNER/RESIDENT

ADDRESS: 925 Cleveland St

This notice is to make you aware that the following condition is a violation of the Code of the City of Titusville.

☒ INTERNAL PROPERTY MAINTENANCE CODE: 6-109
See description below of Section: See below

☒ ACCUMULATION OF TRASH AND DEBRIS: 12-23
Remove all junk, trash, and debris from property.

☐ VEH/BOAT/RV/TRAILER STORED ON YARD: 20-58

☐ PROHIBITED USES IN ZONING DIST. 28-52

☐ COMMERCIAL USE OF RESIDENTIAL AREA: 20-60
Remove commercial vehicle or equipment.

☐ FENCE IN NEED OF REPAIR: 302.7

☒ INOPERABLE/UNLICENSED VEHICLE: 13-72/13-73

☐ OVERGROWTH PROP/DEAD TREE: 13-26/13-28

☐ STAGNANT POOL/POOL ENCLOSURE: 303.1/303.2

☐ TEMPORARY STORAGE UNIT 28-373

☐ PERMIT REQUIRED: 6-56

✓ OTHER: Sec 304.13 - Windows
Sec 404.4.4 Prohibited occupancies

PLEASE CORRECT VIOLATION BY: Sept 10, 2024

TO NOTIFY OFFICER WHEN CORRECTED OR
FOR INFORMATION NEEDED CALL 321-567-3770

OFFICER/ID #: Mae Wright #804

CASE NUMBER: 24-001033 DATE: 27 Aug 2024



**CODE
ENFORCEMENT**

**PROMOTING
TEAMWORK
WITH THE CITY GOVERNMENT**

**ROBERT C KIRK,
KRISTAL KIRK COOK,
925 CLEVELAND ST
TITUSVILLE, FL 32780**

August 22, 2024

UNIT DELIVERED TO THE ADDRESS SHOWN ON THE LABEL
IF THE DELIVERY ADDRESS IS DIFFERENT, PLEASE RE-ENTER IT

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Robert Kirk
Kristal Kirk Cook
925 Cleveland St
Titusville, FL 32780*



9590 9402 9036 4122 4404 12

2. Article Number (Transfer from service label)

9589 0710 5270 2118 4807 64

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

☐ Agent
☐ Addressee

C. Date of Delivery

**D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No**

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Mail
- ☐ Mail Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

24-1033



City of Titusville
Code Enforcement Board
Cost Recovery



CEB Case # 25-33
Address 925 CLEVELAND ST
Respondent ROBERT C KIRK & KRYSTAL KIRK COOK

Number of Inspector Hours

9 Number of Field Inspections (*Each Inspection = .5 Hours*)
4.5 Field Hours 35.22 per hour
Inspection Hours Cost 158.49

Administrative Hours and Postage

42.86 2 Hours in Complaint (*\$21.43 per hour*)
15.23 Postage (*\$7.33 each certified mail, .57 each First Class Mail*)
Administrative Hours and Postage 58.09

Total 216.58



Photo by MW

April 01, 2025 2:56 PM



Photo by MW
April 01, 2025 2:57 PM







City of Titusville
"Gateway to Nature and Space"

REPORT TO COUNCIL

To: Code Enforcement Special Magistrate
From: Jim Flannigan, Code Enforcement Officer
Subject: **25-32**
JL Miami Homes LLC
990 Alford Street
3446 SW 8th Street, Miami, Florida 33130 - Owner
Parcel ID# 21-35-31-26-5-11
Notice of Violation: Certified and Posted, Initial December 3, 2024, posted Certified mail December 5, 2024.
Hearing Mailed March 11, 2025, and Posted April 2, 2025
Department/Office: Code Enforcement

Recommended Action:

Order the Respondent to correct the violations on or before 12:00 pm (noon) on June 6, 2025, by:

NFPA 1-11.1.8 Electrical Cover Plates - Cover all electrical outlet plates
SEC. 6-109; IPMC Sec. 304.7 Roofs and Drainage - Add proper protection of wood around soffits, Cover or paint.
SEC. 6-109; IPMC Sec. 704.2 Fire safety – Smoke Alarms Where Required - Install and maintain Smoke Alarms in house.
6-56(A) Building Permit Required - Obtain permits for Roof, Water Heater, New Windows, Enclosure of window spaces.
SEC. 6-109; IPMC Sec. 602-2 Heating-Residential Occupancies - Repair or replace Heating appliances in home for proper Heating.
SEC. 6-109; IPMC Sec. 603.1 Mechanical Appliances - Water Heater needs to be installed correctly. Heater appliance needs to be repaired or replaced.

If the respondent does not comply by June 6, 2025, it is being requested that a fine of \$1000.00 per day per violation (6 violations exist) be imposed for each day the violations continue. Additionally, Order the Respondent(s) be assessed administrative costs in the amount of \$128.53.

The Respondent(s) must contact Code Enforcement Officer, Jim Flannigan, at 321-567-3773 to arrange for an inspection of the property to verify compliance.

Summary Explanation & Background:

Violation Charge(s):

NFPA 1-11.1.8 Electrical Cover Plates
SEC. 6-109; IPMC Sec. 304.7 Roofs and Drainage
SEC. 6-109; IPMC Sec. 704.2 Fire safety – Smoke Alarms Where Required
6-56(A) Building Permit Required
SEC. 6-109; IPMC Sec. 602-2 Heating-Residential Occupancies
SEC. 6-109; IPMC Sec. 603.1 Mechanical Appliances

Narrative of Inspection and Violations:

I was contacted by the tenant for a minimal housing inspection of the property. The initial complaint was that they had no heat, gaps in the windows, and a bee hive in the wall. Upon my inspection, I found multiple violations of the minimum housing standards at the property.

Alternatives:

1. Alternate finding and amount.
2. Additional time to correct.
3. Find the property in compliance.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Goal 1: Quality of Life

Strategic Plan Impact:

Goal 1: Quality of Life

ATTACHMENTS:

1. 25-32 EXHIBITS
2. IMPC 304.7 Roofd snd Drainage
3. IMPC 603.1 Mechanical Appliance & Code 6-54 (A) Building Permit Required
4. IMPC 704.2 Fire Safety Smoke Alarm
5. NFPA 1-11.1.8 Electrical Covers missing
6. Owner working on property
7. 6-56 (A) Permit Required Window enclosed
8. 6-56 (A) Permit Required Windows



City of Titusville

Affidavit - Notice of Hearing



Case No. 25-32 Address/Location of Violation: 990 ALFORD ST

Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Hearing was hand delivered to:

- ☐ the owner of the property on _ / _ / _ at _____.
- ☐ the owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on _ / _ / _ at _____.
- ☐ the owner(s) of commercial property, leaving the Notice of Hearing with a manager or other person in charge _ / _ / _ at _____.

POST

☒ Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Hearing was properly posted on the real property listed above upon which the violation exists, AND at City Hall, 555 S Washington Avenue, Titusville, FL on 03/04/25

MAIL

- ☒ Pursuant to Florida 162.12 (1)(a), the Notice of Hearing was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 03/11/25
- ☐ the address listed in the tax collector's office on _ / _ / _.
- ☐ the address listed in the tax collector's office/another address provided to the City of Titusville _ / _ / _.

JIM FLANNIGAN

Print Name / Signature / Date

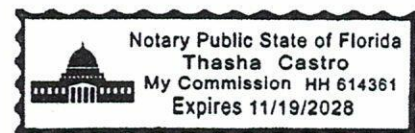
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that JIM FLANNIGAN, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 02 day of April, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 02 day of April, 2025.

THASHA CASTRO

Notary Public

SEAL



**CITY OF TITUSVILLE
CODE ENFORCEMENT
1100 JOHN GLENN BOULEVARD
TITUSVILLE, FL 32780
(321) 567-3770**

Hearing Case No. 25-32
Enforcement Case No: 24-001425

CITY OF TITUSVILLE

Petitioner,

vs.

**JL MIAMI HOMES LLC
3446 SW 8TH ST
MIAMI, FL 33135**

Respondent.

_____ /

NOTICE OF CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

**On 04/14/2025 at 2:00PM
City of Titusville City Hall,
555 S Washington Avenue,
2nd Floor (Council Chambers)
Titusville, FL 32780**

YOU ARE REQUIRED TO BE PRESENT AT THE HEARING AND FAILURE TO APPEAR WILL NOT PREVENT OR POSTPONE THE HEARING IN ANY MANNER. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION WAS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION BY THE CODE INSPECTOR, THE CASE SHALL BE PRESENTED TO THE ENFORCEMENT BOARD/SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE BOARD HEARING.

If you have witnesses, books, receipts or other evidence bearing on this matter you should bring them with you at the time of the hearing. You may request issuance of subpoenas for witnesses and evidence and may appear with or without an attorney.

Proceedings of the Municipal Code Enforcement Special Magistrate are conducted in accordance and by the authority of Part I., Chapter 162 Florida Statutes, and Article II, Chapter II, Code of Ordinances of the City of Titusville, Florida. Pursuant to the provisions of Chapter 162, Florida Statutes the Board may issue orders having the force of law to command whatever steps are necessary to bring any Code violations determined to exist into compliance and, upon the failure of a party to comply, to order the payment of a fine of up to \$5000.00 for an irreversible/irreparable violation, said fine may constitute a lien upon your real and personal property.

Plaintiff, the CITY OF TITUSVILLE, a municipal corporation of the STATE OF FLORIDA, files this, its Complaint, against Defendant(s), and alleges as follows:

1. Plaintiff, the CITY OF TITUSVILLE, is a municipal corporation of the STATE OF FLORIDA, and has, pursuant to Chapter 162 Florida Statutes, and Section 2-41, et seq., of the Code of Ordinances of the City of Titusville, established a Municipal Code Enforcement Board/Special Magistrate.

2. Defendant(s) is/are the owner(s) of (or is/are in possession of) the following described real property located within the municipal boundaries of the Plaintiff:

990 ALFORD ST

TAX PARCEL ID 21 3531-26-5-11

LAND DESCRIPTION SOUTHERN

COMFORT ESTS SEC 2 LOT 11 BLK 5

3. Defendant(s) has/have failed to comply with the provisions of the Section(s) listed below, of the Code of Ordinances and/or the Land Development Regulations of the City of Titusville by reason of:

NFPA 1-11.1.8 - ELECTRICAL COVER PLATES

SEC. 6-109; 2018 IPMC SEC. 304.7 - - ROOFS AND DRAINAGE

SEC. 6-109; 2018 IPMC SEC. 704.2 - FIRE SAFETY - SMOKE ALARMS WHERE REQUIRED

SEC. 6-56 (A) - BUILDING PERMIT REQUIRED

SEC. 6-109; 2018 IPMC SEC. 602.2 - HEATING - RESIDENTIAL OCCUPANCIES

SEC. 6-109; 2018 IPMC SEC. 603.1 - - MECHANICAL APPLIANCES

4. Defendant(s) has/have been notified by Plaintiff of the violation(s) described in paragraph 3 hereof and has failed and refused to correct the same despite Plaintiff's demands thereof.

5. The Plaintiff has incurred costs and attorney fees in investigating and prosecuting this case before the Municipal Special Magistrate/Code Enforcement Board, and is entitled to recover those costs and fees from the Defendant(s).

WHEREFORE, Plaintiff requests that the Municipal Code Enforcement Board/Special Magistrate;

1. Enter its Order issuing findings of fact and directing Defendant(s) to correct the Code violation by a time certain;
2. Upon the continued failure of the Defendant(s) to correct the Code violations, enter its Final Judgment ordering the Defendant(s) to pay a fine of up to \$250.00 for each day the Code violation continues past the date set for compliance, and
3. Award Plaintiff all costs incurred in prosecuting this case and include those costs in any lien that may be imposed.

Enter such further orders and judgments as may be authorized by Chapter 162, Florida Statutes, and other applicable law.

Glenn Tolleson
Code Enforcement Manager



City of Titusville
Affidavit - Notice of Violation



Case No. 25-32 Address/Location of Violation: 990 ALFORD ST
Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Violation was hand delivered to:

- ☐ the owner of the property on _ / _ / _ at _____.
- ☐ the owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on _ / _ / _ at _____.
- ☐ the owner(s) of commercial property, leaving the Notice of Violation with a manager or other person in charge _ / _ / _ at _____.

POST

☒ Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Violation was properly posted on the real property listed above upon which the violation exists on 12/03/24.

MAIL

☒ Pursuant to Florida 162.12 (1)(a), the Notice of Violation was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 12/05/25.

- ☐ the address listed in the tax collector's office on ____/____/____.
- ☐ the address listed in the tax collector's office/another address provided to the City of Titusville ____/____/____.

JIM FLANNIGAN

Print Name / Signature / Date

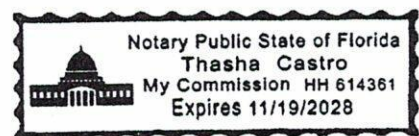
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that JIM FLANNIGAN, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 02 day of April, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 02 day of April, 2025.

Thasha Castro

Notary Public

SEAL





CODE ENFORCEMENT

PROMOTING
TEAMWORK
WITHIN OUR COMMUNITY

1100 John Glenn Blvd. • Titusville, FL 32780 • PH 321-567-3770

JL MIAMI HOMES LLC
3446 SW 8TH ST
MIAMI, FL 33135

December 05, 2024

CASE # 24-001425

NOTICE OF VIOLATION

THE PROPERTY LOCATED: 990 ALFORD ST , Parcel ID# 21 3531-26-5-11

An inspection was conducted on at the above referenced property in response to a complaint received by the Code Enforcement Department.

The City of Titusville realizes that most of its citizens are not familiar with the City's Codes and Ordinances; therefore, this letter shall serve as notice that the violation(s) listed below were found during this inspection:

Section: FIRE

VIOLATION OF CODE: NFPA 1-11.1.8 ELECTRICAL COVER PLATES - REPLACE ALL MISSING OUTLET OR CIRCUIT BREAKER PANEL COVER PLATES.

Inspector Comments: Cover plates missing on interior of house

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 304.7 - THE ROOF AND FLASHING SHALL BE SOUND, TIGHT AND NOT HAVE DEFECTS THAT ADMIT RAIN. ROOF DRAINAGE SHALL BE ADEQUATE TO PREVENT DAMPNES OR DETERIORATION IN THE WALLS OR INTERIOR PORTION OF THE STRUCTURE. ROOF DRAINS, GUTTERS AND DOWNSPOUTS SHALL BE MAINTAINED IN GOOD REPAIR AND FREE FROM OBSTRUCTIONS. ROOF WATER SHALL NOT BE DISCHARGED IN A MANNER THAT CREATES A PUBLIC NUISANCE.

Inspector Comments: unprotected wood around rear of property.

Section: FIRE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 704.2 FIRE SAFETY - WHERE SINGLE AND MULTIPLE STATION SMOKE ALARMS ARE REQUIRED TO BE INSTALLED

Inspector Comments: No working Smoke alarms present in house.

Section: BUILDING

VIOLATION OF CODE: SEC. 6-56 (A) IT SHALL BE UNLAWFUL FOR ANY PERSON TO CONSTRUCT, ALTER, REPAIR, REMOVE OR DEMOLISH OR TO COMMENCE THE CONSTRUCTION, ALTERATION, REPAIR, REMOVAL OR DEMOLITION OF A BUILDING, SWIMMING POOL OR STRUCTURE IN THE CITY WITHOUT FIRST OBTAINING A FORMAL PERMIT FROM THE BUILDING OFFICIAL.

Inspector Comments: New Windows installed, Hot water heater, Air handler, new plumbing, Electrical panel, enclosure of back porch, Exterior walls, enclosure of window area covered.

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 602.2 HEATING - RESIDENTIAL OCCUPANCIES - DWELLINGS SHALL BE PROVIDED WITH HEATING FACILITIES CAPABLE OF MAINTAINING A ROOM TEMPERATURE OF 68°F (20°C) IN ALL HABITABLE ROOMS, BATHROOMS AND TOILET ROOMS BASED ON THE WINTER OUTDOOR DESIGN TEMPERATURE FOR THE LOCALITY INDICATED IN APPENDIX D OF THE INTERNATIONAL PLUMBING CODE. COOKING APPLIANCES SHALL NOT BE USED, NOR SHALL PORTABLE UNVENTED FUEL-BURNING SPACE HEATERS BE USED, AS A MEANS TO PROVIDE REQUIRED HEATING.

Inspector Comments: Property has no working heater

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 603.1 - MECHANICAL APPLIANCES, FIREPLACES, SOLID FUEL-BURNING APPLIANCES, COOKING APPLIANCES AND WATER HEATING APPLIANCES SHALL BE PROPERLY INSTALLED AND MAINTAINED IN A SAFE WORKING CONDITION, AND SHALL BE CAPABLE OF PERFORMING THE INTENDED FUNCTION.

Inspector Comments: Water heater installed incorrectly without permit.

As the property owner of record/person in possession, you are required by Code to correct the violation (s) as stated above by **01/20/2025**. Failure to do so will necessitate a hearing before the Special Magistrate/Municipal Code Enforcement Board.

If you have any questions or to schedule a re-inspection in your effort to achieve compliance, please contact the Code Enforcement office at (321) 567 3770.

In accordance with Florida Statutes, Chapter 162, the Special Magistrate/Code Board has the authority to assess any costs the City incurs in investigating and prosecuting this case, in addition to imposing a fine of up to \$250.00 per day for each violation. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the enforcement magistrate/board even if the violation has been corrected prior to the hearing.

It is the responsibility of the City's Code Enforcement Department to enforce Titusville's Codes and Ordinances to ensure a safe and healthy environment for its citizens. By means of this notice we are asking for your assistance in achieving this goal.

Sincerely,

Jim Flannigan
Code Enforcement Officer

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

24-001425

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.

■ Print your name and address on the reverse so that we can return the card to you.

■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
JL Miami Homes LLC
3446 SW 8th St
Miami, FL 33135


9590 9402 9036 4122 4416 79

2. Article Number (Transfer from service label)
9589 0710 5270 2118 4821 95

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
☒ Agent
☐ Addressee

B. Received by (Printed Name)
C. Date of Delivery

D. Is delivery address different from item 1?
If YES, enter delivery address below: ☐ Yes ☐ No

3. Service Type

☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

CODE ENFORCEMENT
PROMOT TEAMWOC
WITHIN 017 GCM
1100 John Glenn Blvd., Titusville, FL 32780 PH 321-567

JL MIAMI HOMES LLC
3446 SW 8TH ST
MIAMI, FL 33135

December 05, 2024

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City of Titusville
Code Enforcement Board
Cost Recovery



CEB Case # 25-32
Address 990 ALFORD ST
Respondent JL MIAMI HOMES LLC

Number of Inspector Hours

4 Number of Field Inspections (*Each Inspection = .5 Hours*)
2 Field Hours 35.22 per hour
Inspection Hours Cost 70.44

Administrative Hours and Postage

42.86 2 Hours in Complaint (*\$21.43 per hour*)
15.23 Postage (*\$7.33 each certified mail, .57 each First Class Mail*)
Administrative Hours and Postage 58.09

Total

128.53

CHAPTER 6

MECHANICAL AND ELECTRICAL REQUIREMENTS

User note:

About this chapter: Chapter 6 establishes minimum performance requirements for heating, electrical and mechanical facilities serving existing structures, such as heating and air-conditioning equipment, appliances and their supporting systems; water heating equipment, appliances and systems; cooking equipment and appliances; ventilation and exhaust equipment; gas and liquid fuel distribution piping and components; fireplaces and solid fuel-burning appliances; chimneys and vents; electrical services; lighting fixtures; electrical receptacle outlets; electrical distribution system equipment, devices and wiring; and elevators, escalators and dumbwaiters.

SECTION 601 GENERAL

601.1 Scope. The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

601.2 Responsibility. The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that does not comply with the requirements of this chapter.

SECTION 602 HEATING FACILITIES

602.1 Facilities required. Heating facilities shall be provided in structures as required by this section.

602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms* based on the winter outdoor design temperature for the locality indicated in Appendix D of the *International Plumbing Code*. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.

Exception: In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor

design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*.

2. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

602.5 Room temperature measurement. The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

SECTION 603 MECHANICAL EQUIPMENT

603.1 Mechanical equipment and appliances. Mechanical equipment, appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

603.2 Removal of combustion products. Fuel-burning equipment and appliances shall be connected to an *approved* chimney or vent.

Exception: Fuel-burning equipment and appliances that are *labeled* for unvented operation.

603.3 Clearances. Required clearances to combustible materials shall be maintained.

603.4 Safety controls. Safety controls for fuel-burning equipment shall be maintained in effective operation.

603.5 Combustion air. A supply of air for complete combustion of the fuel and for *ventilation* of the space containing the

13. Single- and multiple-station smoke alarms, see Section 907.10.
14. Smoke and heat vents and mechanical smoke removal systems, see Section 910.5.
15. Smoke control systems, see Section 909.20.
16. Wet-chemical extinguishing systems, see Section 904.5.

[F] 704.2 Standards. Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 704.2 and as required in this section.

**TABLE 704.2
FIRE PROTECTION SYSTEM MAINTENANCE STANDARDS**

SYSTEM	STANDARD
Portable fire extinguishers	NFPA 10
Carbon dioxide fire-extinguishing system	NFPA 12
Halon 1301 fire-extinguishing systems	NFPA 12A
Dry-chemical extinguishing systems	NFPA 17
Wet-chemical extinguishing systems	NFPA 17A
Water-based fire protection systems	NFPA 25
Fire alarm systems	NFPA 72
Smoke and heat vents	NFPA 204
Water-mist systems	NFPA 750
Clean-agent extinguishing systems	NFPA 2001

[F] 704.2.1 Records. Records shall be maintained of all system inspections, tests and maintenance required by the referenced standards.

[F] 704.2.2 Records information. Initial records shall include the: name of the installation contractor; type of components installed; manufacturer of the components; location and number of components installed per floor; and manufacturers' operation and maintenance instruction manuals. Such records shall be maintained for the life of the installation.

[F] 704.3 Systems out of service. Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, either the building shall be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department and shall not have duties beyond performing constant patrols of the protected premises and keeping watch for fires. Actions shall be taken in accordance with Section 901 of the *International Fire Code* to bring the systems back in service.

[F] 704.3.1 Emergency impairments. Where unplanned impairments of fire protection systems occur, appropriate emergency action shall be taken to minimize potential injury and damage. The impairment coordinator shall implement the steps outlined in Section 901.7.4 of the *International Fire Code*.

[F] 704.4 Removal of or tampering with equipment. It shall be unlawful for any person to remove, tamper with or otherwise disturb any fire hydrant, fire detection and alarm system, fire suppression system or other fire appliance required by this code except for the purposes of extinguishing fire, training, recharging or making necessary repairs.

[F] 704.4.1 Removal of or tampering with appurtenances. Locks, gates, doors, barricades, chains, enclosures, signs, tags and seals that have been installed by or at the direction of the fire code official shall not be removed, unlocked, destroyed or tampered with in any manner.

[F] 704.4.2 Removal of existing occupant-use hose lines. The fire code official is authorized to permit the removal of existing occupant-use hose lines where all of the following apply:

1. The installation is not required by the *International Fire Code* or the *International Building Code*.
2. The hose line would not be utilized by trained personnel or the fire department.
3. The remaining outlets are compatible with local fire department fittings.

[F] 704.4.3 Termination of monitoring service. For fire alarm systems required to be monitored by the *International Fire Code*, notice shall be made to the fire code official whenever alarm monitoring services are terminated. Notice shall be made in writing by the provider of the monitoring service being terminated.

[F] 704.5 Fire department connection. Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches (152 mm) high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the fire code official.

[F] 704.5.1 Fire department connection access. Ready access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or movable object. Access to fire department connections shall be approved by the fire chief.

Exception: Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 of the *International Fire Code* and a means of emergency operation. The gate and the means of emergency operation shall be approved by the fire chief and maintained operational at all times.

[F] 704.5.2 Clear space around connections. A working space of not less than 36 inches (914 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided and maintained in front of and to the sides of wall-mounted fire department connections and around the circumference of free-standing fire department connections.

decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

[F] 304.3 Premises identification. Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members. Structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. Chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. Exposed sur-

faces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing. Glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.14 Insect screens. During the period from [DATE] to [DATE], every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

304.15 Doors. Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows. Every *basement* window that is openable shall be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents.

304.18 Building security. Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

304.18.1 Doors. Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

304.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a



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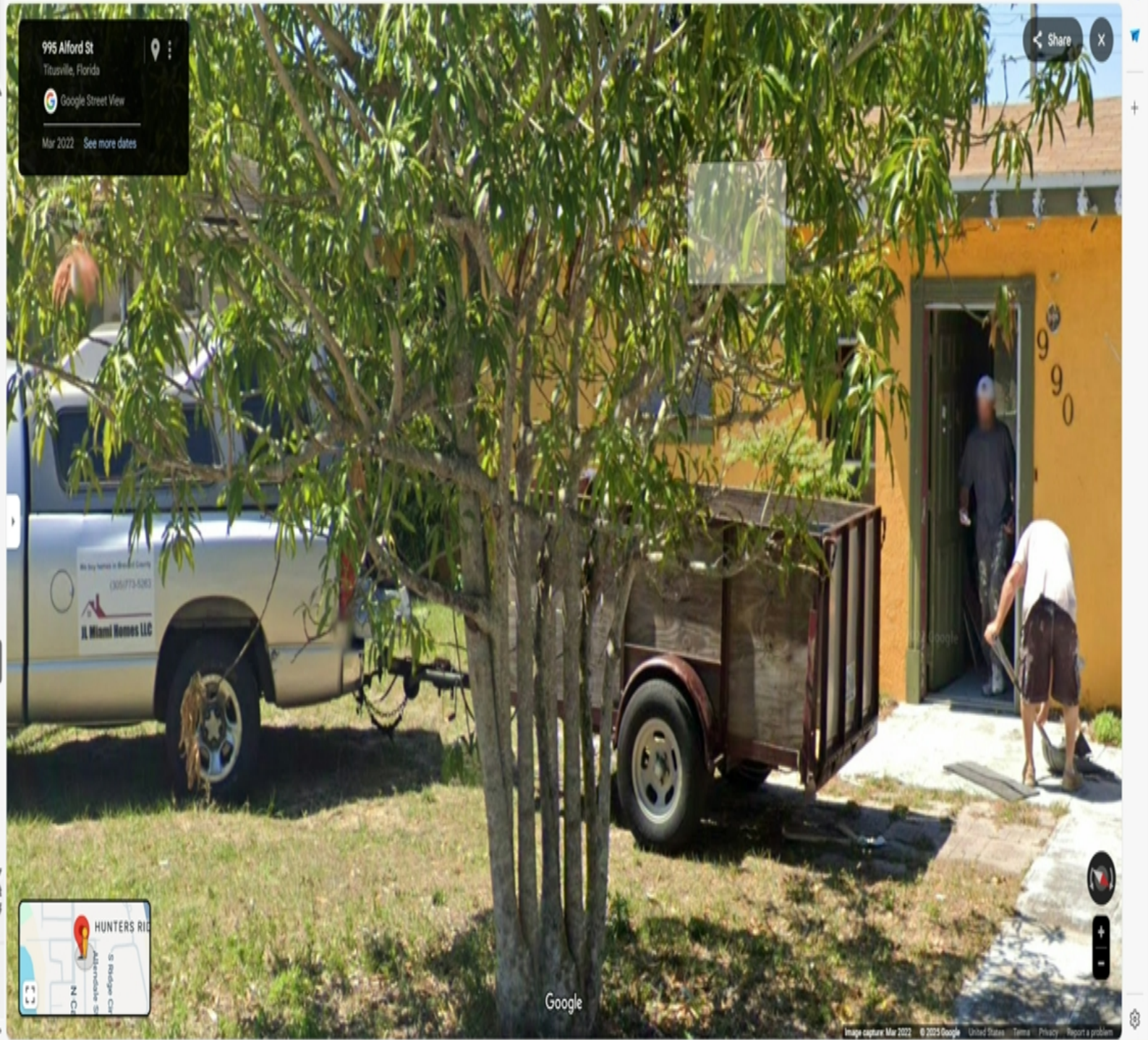




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