



CITY OF TITUSVILLE

CODE ENFORCEMENT SPECIAL MAGISTRATE

AGENDA

Special Meeting

September 8, 2025 - 12:00 PM

Council Chamber at City Hall

555 South Washington Avenue, Titusville, FL 32796

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**
- 4. HEARINGS**

A. Municipal Appeals

- 1. Trespass Warning from City Facilities Appeal**

B. Lien Reduction Hearings

C. Massey Hearings

D. Continued Hearings

E. Initial Hearings

5. CODE ENFORCEMENT MANAGER'S REPORT

6. ADJOURNMENT

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Code Enforcement Special Magistrate

From:

Subject: **Municipal Appeals**

Department/Office:

Recommended Action:

Summary Explanation & Background:

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

None

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Code Enforcement Special Magistrate
From: Glenn Tolleson, Code Manager
Subject: **Trespass Warning from City Facilities Appeal**
Department/Office: Code Enforcement

Recommended Action:

Hear the request from Mr. House to appeal trespass.

Summary Explanation & Background:

On August 1, 2025, the Titusville Police Department issued Mr. Andrew House a trespass warning for the City of Titusville City hall complex. Mr. House has requested an appeal regarding the trespass. In accordance with Titusville Code of Ordinances Sections 13-120-123 and Sections 810.08 and/or 810.09.

On August 11, 2025, Mr. House contacted the City Clerk's Office requesting to schedule an appeal hearing with the Special Magistrate.

Alternatives:

1. Dismiss the case.
2. Postpone case to a time certain.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. Andrew House Appeal
2. Issued Trespass Warning Back

3. Trespass Appeal Andrew House

House, A.
8/1/25



**TITUSVILLE POLICE DEPARTMENT
TRESPASS WARNING
FOR CITY FACILITIES AND OR PARKS**



Date: 8-1-25 Time: 11:35 Case # 25-00052032
Arrested: Yes No

Name: Andrew J House DOB: 09-10-68 State and DL/ID #: H200020683300

Race: W Sex: M Height: 6'1" Weight: 250 Eye Color: _____ Hair: B+W

Address: _____
Street Apt. City State Zip

Name of Facility/Location/Address Person is Trespassed From: 555 South Washington Ave
Titusville FL

Reason for Trespass: DISRUPTION & NONE CONDUCTION OF BUSINESS

First Offense: Subsequent Offense:

In accordance with Titusville City Code Sections 13-120-123 and Sections 810.08 and/or 810.09, Florida Statutes, you are hereby ordered to leave the above described premises immediately. If you remain on, or return to, the above described premises, you may be subject to arrest. This trespass warning remains in effect for 1 year for the first offense or 2 years for each subsequent offense.

Section 13-122 - Trespass warnings; Appeal process. A person shall have the right to appeal the issuance of a trespass warning issued for any City facility; including municipal parks **AND MUST BE FILED WITHIN 10 DAYS TO THE CITY CLERKS OFFICE** located at Titusville City Hall - 555 South Washington Avenue, Titusville, FL 32796.

Should the above-named person need to re-enter this property for official business pursuant to Code Sections 13-121, he/she must first contact:

- City Manager (City Facilities) 321-567-3702
- Brevard County Parks and Recreation (Parks) 321-633-2046

Officer (Print): Taylor ID # 233 Officer Signature: [Signature] Date: 8-1-25

Original to Code Enforcement

Copy to Person Trespassed

CITY OF TITUSVILLE

INSTRUCTIONS TO APPEAL TRESPASS WARNING

You have been trespassed from a City facility. For your reference, you have the right to file an appeal. In accordance with Ordinance 08-2023, the steps to file an appeal are provided below. See: Titusville Code Sections 13-120 through 13-123: Providing for the Regulation and Management of Public Access to City-Owned, Controlled, and Leased Property Based Upon Its Intended Use.

Section 13-122. – Trespass warnings; Appeal process.

- (a) A person shall have the right to appeal the issuance of a trespass warning issued for any City facility, including municipal parks in accordance with the following:
 1. An appeal of the trespass warning must be filed, in writing with the City Clerk, within ten days of the issuance of the warning, and shall include the appellant's name, address and phone number, if any. No fee shall be charged for filing the appeal.
 2. Appeals shall be heard by a special magistrate with whom the City contracts to provide this service.
 3. Within ten days following the filing of the appeal, a hearing shall be scheduled. Notice of the hearing shall be provided to the appellant in one of the following options:
 - i. By providing the appellant a copy of the notice of hearing in person at the time he or she files the appeal. This shall be the preferred method of notice.
 - ii. By First-class mail to an address provided at the time of warning; or,
 - iii. By telephone if a telephone number has been provided; or,
 - iv. By posting the notice at City Hall. All appeal hearings shall be posted at City Hall once scheduled.
 4. The special magistrate shall hold the hearing as soon as possible. In no event shall the hearing be held later than 40 days from the filing of the appeal.
- (b) Copies of documents in the City's control which are intended to be used at the hearing, and which directly relate to the issuance of the trespass warning to the appellant, shall be made available upon request to the appellant at no cost.
- (c) The appellant shall have the right to attend with an attorney, the right to testify, and to call witnesses and present evidence. The appellant shall have the right to bring a court reporter, at his or her own expense.
- (d) The special magistrate shall consider the testimony, reports or other documentary evidence, and any other evidence presented at the hearing. Formal rules of evidence shall not apply, but fundamental due process shall govern the proceedings.
- (e) The City shall bear the burden of proof by clear and convincing evidence that the trespass warning was properly issued pursuant to the criteria of this section.
- (f) If the appellant fails to attend a scheduled hearing, the special magistrate shall review the evidence presented and determine if the trespass warning was properly issued pursuant to the criteria of this section.
- (g) Within five days of the hearing, the special magistrate shall issue a written decision on the appeal which shall be mailed to the appellant at the address provided.
- (h) The decision of the special magistrate shall be final and the appellant shall be deemed to have exhausted all administrative remedies. Such decision may be subject to judicial review in the manner provided by law.
- (i) The trespass warning shall remain in effect during the appeal and review process, including any judicial review.

*The City Manager, or his/her designee, or for county-maintained city parks, County personnel with control over city parks, may upon request, authorize an individual who has received a trespass warning to enter the property or premises to exercise his or her First Amendment rights if there is no other reasonable alternative location to exercise such rights or to conduct necessary municipal business. Such authorization must be in writing, shall specify the duration of the authorization and any conditions thereof, and shall not be unreasonably denied.

**Should you be trespassed from a location where the quasi-judicial appeal hearing is to be held, the City will allow you to enter the building for this hearing only, on the date and time specified in the Notice of Hearing issued to you upon receipt of a request for an appeal.

Appellant emailed
* City Clerk Staff on 8-11-2025
* Printed on 8-12-2025 9:21 p.m

To be completed by City Clerk staff:

Date/time received: _____
(Date and hour are essential in Code)

Staff initials: J.D.

No fee: A fee is not required to appeal.

**CITY OF TITUSVILLE, FLORIDA
APPLICATION FOR APPEAL
(Filed with the City Clerk)**

Code of Ordinances, Chapter 13. – NUISANCES, Articles II, III, and VI

Instructions: In the boxes shown immediately below, you (appellant) must identify which *Article of the City's Code of Ordinances* (The City's Local Laws) pertains to your appeal. Then, **complete** and **sign** the remainder of this form that you are filing and submitting to the City Clerk.

Article II. Public Nuisances Generally. (Conditions constituting menace to public health, welfare enumerated, declared public nuisance). Code Sec. 13-26 to 13-32. Appeal must be received **within 10 days** of citation/letter. City Council is the authority for the appeal.

Article III. Junked, Wrecked, Abandoned Property.
Code Sec. 13-56 to 13-77. Appeal to be received **on/before 4 hours** from time vehicle is ordered to be removed. The City Council is the authority for the appeal (next regular City Council meeting).



Article VI. Trespass Procedure for Public Property.
Code Sec. 13-120 to 13-123. Appeal must be received **within 10 days** of issuance of the warning. The City's Special Magistrate is the authority for the appeal.

The undersigned hereby appeals a decision of the *City of Titusville, Code of Ordinances, Chapter 13. – Nuisances*. The following information is required:

Police Dept./Code Enforcement Citation/Case No. City of Titusville

Date of Citation: August 1st 2025 Friday 11:30 AM

Appellant's name: Mr. Andrew House

Appellant's address: 16973 Cornerwood Drive Orlando FL 32820 United States

Appellant's phone number (if any): (772) 528-6271

Reason for Appeal (Write here and support your claim. You may attach additional pages and exhibits):

After an accidentally violating a city ordinance I was unaware of I left the property on my own accord, no one asked me to leave. Then a traffic stop in the hot sun caused me to get very hot. I drove around the block to seek shade to rest. I sat on the steps and an officer came offering water and said just relax. Then a new officer said I was being trespassed. I caused no disturbance

Signature of Person Subject to Citation X [Signature]

Notice: All hearings are held at City of Titusville, City Hall, 2nd Floor, Council Chamber, 555 South Washington Avenue, Titusville, FL 32796

City Clerk's Office Use Only. Upon appellant's completion, email/copy appeal application immediately to the following:

Copy to: Code Enforcement, City Attorney, and City Manager. Completed on: Date 8/12/2025, Staff initials J.D.

Campbell, Emily

From: Andy <ahot1968@gmail.com>
Sent: Monday, August 11, 2025 9:21 PM
To: Campbell, Emily
Subject: Re: Request for Appeal Hearing – Trespass Warning Issued August 1st
Attachments: Application for Appeal - Filed with City Clerk_Updated April 2024.pdf

On Aug 11, 2025, at 4:07 PM, Campbell, Emily <Emily.Campbell@titusville.com> wrote:

Sent from my iPhone

Hello,

Please see the attached file, once completed please return to the City Clerk's Office at City Hall (555 S. Washington Ave.) at the information window on the first floor. The City Clerk's Office will forward your appeal form to the appropriate designees to process or provide notice per the *City Code of Ordinances* section checked on the form.

If you have any questions, please let me know.

Emily Campbell
Sr. Administrative Assistant
City Clerk's Office
555 South Washington Ave
Titusville FL
(321)567-3686

From: Andy <ahot1968@gmail.com>
Sent: Monday, August 11, 2025 3:58 PM
To: Campbell, Emily <Emily.Campbell@Titusville.com>
Subject: Fwd: Request for Appeal Hearing – Trespass Warning Issued August 1st

Sent from my iPhone

Begin forwarded message:

From: Andy <ahot1968@gmail.com>
Date: August 8, 2025 at 3:29:12 PM EDT
To: rmsadoff@brevardclerk.us
Subject: Request for Appeal Hearing – Trespass Warning Issued August 1st



**TITUSVILLE POLICE DEPARTMENT
TRESPASS WARNING
FOR CITY FACILITIES AND OR PARKS**



Date: 8-1-25 Time: 11:35 Case # 25-00052032
Arrested: Yes No

Name: Andrew J House DOB: 09-10-68 State and DL/ID #: H200020683300

Race: W Sex: M Height: 6'1" Weight: 250 Eye Color: _____ Hair: B+W

Address: _____
Street Apt. City State Zip

Name of Facility/Location/Address Person is Trespassed From: 555 South Washington Ave
Titusville FL

Reason for Trespass: DISRUPTION & NONE CONDUCT-ON OF BUSINESS

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- Brevard County Parks and Recreation (Parks) 321-633-2046

Officer (Print): Taylor ID # 233 Officer Signature: [Signature] Date: 8-1-25

Original to Code Enforcement

Copy to Person Trespassed

COPY

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Code Enforcement Special Magistrate

From:

Subject: Lien Reduction Hearings

Department/Office:

Recommended Action:

Summary Explanation & Background:

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

None

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Code Enforcement Special Magistrate

From:

Subject: Massey Hearings

Department/Office:

Recommended Action:

Summary Explanation & Background:

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

None

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Code Enforcement Special Magistrate

From:

Subject: Continued Hearings

Department/Office:

Recommended Action:

Summary Explanation & Background:

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

None

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Code Enforcement Special Magistrate

From:

Subject: Initial Hearings

Department/Office:

Recommended Action:

Summary Explanation & Background:

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

None