

AGENDA REQUEST FORM CITY OF DANIA BEACH

Date: November 15, 2012

Agenda Item #:

Title: Request for Abatement

Requested Action:

Approval of the Settlement Received for: Santiago C Ramirez, 3341 SW 44 Street,
Case # 10-0801

Summary Explanation & Background:

This was originally cited on 6/15/10 for 6 violations, and was given 10 days to comply. This went to the Special Magistrate on 8/5/10. The Special Magistrate issued an order giving the respondent until 8/26/10 to comply or a fine of \$200.00 per day would be levied and authorizing the City to abate the nuisances for 5 violations. At the 5/5/11 hearing, the Special Magistrate confirmed the fine as a lien. The case complied on 10/9/12. The fines ran from 8/26/10 through 10/9/12, 775 days @ \$200.00 per day = \$155,000.00 plus admin fees of \$254.00, for a total of \$155,254.00. This is a motion to accept the settlement offer received by the City due to foreclosure. The City received \$4,900.00 as settlement for the fines, \$2,695.00 for nuisance abatement liens, and \$100.00 in administrative fees, for a total settlement received of \$7,695.00.

Exhibits (List):

- (1) Copy of the history report.
- (2) Copy of the lien sheet.

Purchasing Approval:

Source of Additional Information: *(Name & Phone)*

Recommended for Approval By:

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Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

PREPARED 5/05/11, 10:33:25
PROGRAM CE200L
CITY OF DANIA BEACH

CASE HISTORY REPORT
CASE NUMBER 10-00000801

CASE TYPE DATE ESTBL STATUS STATUS DATE
Folio Number INSPECTOR TENANT NAME TENANT NBR
ADDRESS 6/09/10 ACTIVE 6/15/10

MINIMUM STANDARDS
5042-30-01-0340-
3341 SW 44 ST
DANIA BEACH FL 33004

4. CASE 10-00000801

CASE DATA: CERTIFIED MAIL NUMBER 7010 0290 0003 6192 0334
CERT LINE SM
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
FORMAL HEARING NOTICE CERT #
2ND INSPECTOR
3RD INSPECTOR
ALSO KNOWN AS ADDRESS

NARRATIVE: Vio.Let. - 8-7a; 8-21a5a1; 13-29; 13-34a; 13-34b; 13-34c 6/15/10

NOTICE NAMES: SANTIAGO C RAMIREZ OWNER
3341 SW 44 ST

RSLT TEXT: Property failed reinspection on 6.25.10 per Inspector Gary
Phaneuf.
June 28, 2010 10:02:49 AM DANITXT.

NARRATIVE: Compliance by August 25, 2010 or \$200.00 per day fine.
Authorization to abate nuisances by cutting and cleaning the
overgrowth and debris, cleaning and securing the pool after
August 25, 2010 granted in the interest of public health and
safety per Special Magistrate Gordon Linn at the August 5,
2010 Special Magistrate hearing. \$100.00 administrative fee
is assessed.

RSLT TEXT: Property failed reinspection on 8.25.10 per Inspector Gary
Phaneuf.
August 30, 2010 4:41:26 PM DANITXT.

NARRATIVE:

VIOLATIONS: (1) 6/15/10 DBCC 8-7(a) Required Pool Encl 1 CE008007001001 STATUS DATE RESOLVED
DBCC 8-7(a) requires all owners of sites on which there is ACTIVE
a swimming pool to construct an enclosure around such

PREPARED 5/05/11, 10:33:25
 PROGRAM CE200L
 CITY OF DANIA BEACH

CASE HISTORY REPORT
 CASE NUMBER 10-00000801

 CASE TYPE DATE ESTBL STATUS STATUS DATE
 Folio Number INSPECTOR TENANT NAME TENANT NBR
 ADDRESS 6/09/10 ACTIVE 6/15/10
 MINIMUM STANDARDS GARY PHANEUF
 5042-30-01-0340-
 3341 SW 44 ST
 DANIA BEACH FL 33004

4. CASE 10-00000801

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
(1)	6/15/10	DBCC 8-7(a) Required Pool Encl swimming pool. The enclosure may be either a fence, screen structure, or wall. All gates or other means of entrance through the enclosure shall contain locks, and shall be maintained in a locked condition when the swimming pool is not in use.	1	CE008007001001	ACTIVE	
(2)	6/15/10	DBCC 8-21(a)(5)(a)(1) Bidg Mnt states the exterior of all premises and every structure thereon, including all parts of the structure and appurtenance where exposed to public view, shall be maintained in good condition and shall not show evidence of deterioration, weathering, discoloration, ripping, tearing, or other holes or breaks.	1	CE008021151101	ACTIVE	
(3)	6/15/10	DBCC 13-29 Stagnant Water/Mosq keep, maintain, cause or permit within the city any collection of standing or flowing water in which mosquitoes breed or are likely to breed, unless such collection of water is treated so as effectually to prevent such breeding.	1	CE013029000001	ACTIVE	
(4)	6/15/10	DBCC 13-34(a) Nus Accumulation operator of premises within the city to allow the accumulation of or to accumulate any garbage, litter, trash, stagnant water, untended vegetation, or to allow any discoloration, or any nuisance as defined in section 13-21 upon the premises.	1	CE013034001001	ACTIVE	
(5)	6/15/10	DBCC 13-34(b) Prop & RW Maint within the city shall keep such property and the adjoining unpaved portions of the public rights of way, swales, and/or canal banks clean and free from any accumulation of garbage, trash, and litter.	1	CE013034002001	ACTIVE	
(6)	6/15/10	DBCC 13-34(c) Untended Veg improved property within the city shall not permit untended vegetation upon such property and the public rights of way, swales, and/or canal banks. Untended vegetation includes all grass, weeds, and underbrush in excess of eight (8) inches in height from the ground, and any overgrown vines and similar other vegetation.	1	CE013034003001	ACTIVE	

City of Dania Beach

100 W. Dania Beach Blvd.
 Dania Beach, FL 33004
 954-924-6800 Ext. 3662

OWNER: RAMIREZ, SANTIAGO C.
 FOLIO: 0230-01-0340
 LEGAL: CANAL GROVES 22-31 B LOT 12 BLK 4
 ADDRESS: 3341 SW 44 STREET

CODE ENFORCEMENT ORDER LIEN				CEB 10-0801		RECORDED		RELEASED	
Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	BOOK	PAGE	BOOK	PAGE
8/26/2010	10/9/2012	\$200.00	775	\$155,000.00	\$254.00	47947	1371-1377	49208	304
Total									
					\$155,254.00				
						6/1/2011			10/31/2012

Complied 10/9/12

REVISED 11/7/2012

ESTIMATED COST OF RECORDING FEES	
1	PAGES CERTIFIED COPY COVER 10.00
3	PAGES FINAL ORDER 32.00
2	PAGES SUPPLEMENTAL ORDER 17.00
2	PAGES RELEASE OF LIEN 25.00
	ADM. FEE RECORDING LIEN 40.00
	ADM. FEE RECORDING RELEASE 30.00
	ADM. FEE - SPECIAL MAGISTRATE FINE 100.00
254.00	

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NUISANCE ABATEMENT LIEN

Interest Start	Through Date	Lien Amount	# of Days	Interest Amount	Per Diem	Interest Amount	Record Fee	Total	BOOK	PAGE	DATE	BOOK	PAGE	DATE
8/31/2010	10/9/2012	\$2,090.54	770	0.00032900	\$0.687788	\$529.60	\$90.00	\$2,710.14	47497	914	11/3/2010	49208	304	10/31/2012

CASE # 10-0801 RECORDED RELEASED

Complied 10/9/12

REVISED 11/7/2012

ESTIMATED COST OF RECORDING FEES

1	PAGE(S) CLAIM OF LIEN	10.00
	ADM. FEE RECORDING LIEN	40.00
1	PAGE(S) RELEASE OF LIEN	10.00
	ADM. FEE RECORDING RELEASE	30.00
		<u>90.00</u>