



**CODE
COMPLIANCE
BOARD**

Chairman
Gary Kuhl

Vice Chairman
Harvey Bilt

Michael Beltran
Dale Blanton
Linda Dillon

Alternate
Jenny Johnson-
Sardella

**WORKSHOP MINUTES
CODE COMPLIANCE BOARD
Ed Burke Recreation Center 11400 NE 9th Court
Tuesday- July 29th, 2014 at 7:00 p.m.**

1. CALL TO ORDER

Meeting was called to order at 7:20 p.m.

2. ROLL CALL

Gary Kuhl – Chair-present
Harvey Bilt – Vice Chair-present
Michael Beltran-present
Dale Blanton-present
Linda Dillon-present
Jenny Johnson-Sardella-present

Staff Attendance - Code Officer Reginald White and Finance Clerk, Wendy Hernandez
Administrative Attendance – Village Manager, Heidi Shafran; Village Attorney Hearn
Commission Attendance– Mayor David Coviello, Vice-Mayor Roxana Ross and
Commissioner Anderson

3. NEW BUSINESS

a. General Board Procedures

Discussion between Board members, Attorney Hearn and audience

1. Attorney notations for Board members

- a. Swearing in-Clerk should be the one swearing audience and Code Officer
- b. All cases are brought to the board by Code Compliance Officer and not by any board member.
- c. Cases should not be initiated by a board member, as it could be argued that an opinion has not been formed by the reporting member.
- d. Acknowledge property representatives/respondent presence before each case
- e. Do not hear or take any comments from anyone that has not been sworn in
- f. Board can listen to hearsay evidence but should not base decision solely on hearsay.
- g. Repeat offender (under state law): pertains to individuals that have the same exact violation more than one time within a five (5) year period
- h. The fee schedule chart can be used as a guideline for the fines, not as a dispositive of what should be the fine.
- i. The fine should be reviewed individually under three components;
 1. The gravity of the violation
 2. The action taken by the violator to correct the violation
 3. Any previous violation committed by the violator
- j. Pre-written motions will be provided by the attorney
- k. Notice of violations, pictures and all back up will be submitted to board members for review prior to meeting.
- l. Village attorney recommends that the date of compliance on the Notice of Violation be the day before the hearing.
- m. No administrative fees are assessed unless not in compliance. Administrative fees that are assessed are to be at real cost.



The Village of Biscayne Park

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- n. The Code Compliance Board cannot assess or accrue fees or fines for unpaid balances
- o. Life, health and safety cases are the only cases that require a Notice of violation where property must come into compliance within 24 hours
- p. Board will rely on the facts and recommendation from the Code Officer of time to be given to property to come into compliance
- q. The meeting must be recorded, however, the minutes must reflect only the action (the motion, who voted and how they voted)
- r. Attorney Hearn advised that a hard copy of cases and backup to be given to the Chair to have readily available for Violators that request review case
- s. Dade County code can be referenced when a citation is directed to such code violation.
- t. The Village has the right to go into property due to a true life, health and safety issues.
- u. Code Compliance Officer is allowed to go into a neighboring property and view a violation if invited onto the neighbor's property. The Code Officer will review any of these situations with the Village Attorney to discuss legality issues, as well as reaching out to Police Department if necessary.

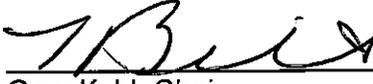
4. ANNOUNCEMENTS / SCHEDULE OF NEXT MEETING

The next meeting of the Code Compliance Board is Tuesday, August 12th, 2014, at 7:00PM.

5. ADJOURNMENT

Meeting adjourned at 8:27 p.m.

Minutes approved on 14 OCT 2014

By: 
Gary Kuhl, Chair
HBIKT