



**SPECIAL MAGISTRATE
HEARING AGENDA
July 11, 2019 10:00 AM**

PLEASE TAKE NOTE AND BE ADVISED that if any interested person desires to appeal any decision made by the Special Magistrate with respect to any matter considered at this Hearing, such interested person may need a verbatim record of the proceedings made, including the testimony and evidence presented at this Hearing.

CALL TO ORDER

SWEARING IN OF ALL WITNESSES

QUASI-JUDICIAL PROCEEDINGS

The Special Magistrate shall have the jurisdiction and authority to hear and decide alleged violations of the Codes and Ordinances enacted by the Town of Lake Park.

Category: NEW CASES

# Case No.	Date Issue	Req'd Action
1 18110020	11/13/2018	

Owner	Address	Site Address
GERLO CARLO F &	1015 LAKE SHORE DR # 202 LAKE PARK , FL 33403-2800	1015 Lake Shore Dr, Lake Park, FL 33403 202

Description

Sec. 28-33 Engaging in business without a local business tax receipt upon false representation.

RENTAL PROPERTY, AS IDENTIFIED BY HOA AND AS PER MLS LISTING, WITH NO RENTAL BTR ON FILE

WN ISSUED TO HOA ON 09/17/2018

PLEASE COMPLETE THE ENCLOSED BTR APPLICATION PRIOR TO OFFERING PROPERTY FOR RENT

APPLICATION CAN ALSO BE FOUND AT

<https://www.lakeparkflorida.gov/sites/default/files/DUPLEX%20RENTAL%20APP.pdf>

FAILURE TO COMPLY WITHIN 14 DAYS OF THIS NOTICE MAY RESULT IN CASE BEING BROUGHT TO A HEARING AND ADDITIONAL FEES AND FINES

Violations

Ordinance/Regulation	Section	Description	Days Comply
Chapter 28 TAXATION*	Sec. 28-33	Engaging in business without a local business tax receipt upon false representation. It shall be unlawful for any person to engage in any trade, business, profession or occupation within the town without a business tax receipt, or upon a business ta	14

# Case No.	Date Issue	Req'd Action
2 19050007	5/10/2019	

Owner	Address	Site Address
CARIBBEAN MEAT MARKET CORP	349 GAZETTA WAY WEST PALM BEACH, FL 33413	910 10th St, Lake Park, FL 33403

Description

Sec. 28-32 Business tax receipt required; application and pre-requisites to issuance.

(c) The person applying for the business tax receipt shall attest and certify in affidavit form on the application, the type and nature of all businesses, professions and/or occupations being conducted at the location for which the receipt is being requested. Any person applying for a receipt based upon stock of merchandise must also attest and certify that full and complete information has been furnished relative to the stock that has been provided with the application. The town's community development director may require the applicant to disclose such other relevant information as the applicant's full name, address, and the applicant's relationship to the business for which the business tax receipt is requested.

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(m) First time applicants must present, when applicable, a current town-issued zoning confirmation letter that certifies the premises conforms to the appropriate zoning regulations and that the business operator has obtained all necessary permits, approvals, and licenses needed to operate. The confirmation letter shall include but is not limited to, certification by the town that the premises has passed all required fire inspections, building inspections, and zoning reviews, and other town-conducted reviews and inspections, in order to demonstrate that the business, occupation, or profession is operational and actively engaged in the business for which the business tax receipt has been requested and that the premises is in compliance with the Town Code. (Ord. No. 11-2006, § 7, 12-6-2006) State law references: Authority for levy, F.S. § 205.042.

A NIGHT-TIME PARTY IS ADVERTISED AND PLANNED FOR MAY 10TH, 2019 IN VIOLATION OF TOWN CODE AND IN VIOLATION OF BTR AGREEMENT

ADVERTISED FOR NIGHT-CLUB EVENTS ARE FOOD SALES, WHICH ARE IN VIOLATION OF THE BTR AGREEMENT

Sec. 6-5. - Hours of sale.

No person shall buy, sell, serve, consume or deliver, or permit the purchase, sale, service, consumption or delivery of, any alcoholic beverages for consumption on or off the premises of a licensed alcoholic beverage establishment between the hours of 2:00 a.m. and 7:00 a.m. of any day, including Sunday but excepting December 31 (New Year's Eve) which hours shall be 5:00 a.m. and 7:00 a.m., respectively.

ADVERTISED FOR NIGHT-CLUB EVENTS ARE ALCOHOL SALES WITH HOURS OF OPERATION AFTER 2 AM, WHICH ARE IN VIOLATION OF THE BTR AGREEMENT

Sec. 8-91. - License required; classifications.

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Sec. 78-72. - C-2 business districts.

ON-LINE EVIDENCE WAS DISCOVERED FOR THIS ESTABLISHMENT ADVERTISING ADULT PERFORMANCES, A USE FOR WHICH THIS ESTABLISHMENT IS NOT APPROVED FOR AND PROHIBITED WITHIN C-2 BUSINESS DISTRICT

IMMEDIATELY CEASE AND DESIST ALL ADULT ENTERTAINMENT AS DEFINED IN Sec. 8-66. Definitions Adult performance establishment means:

(1) An establishment where any worker:

b. Wears and displays to a customer any covering, tape, pastie, or other device which simulates or otherwise gives the appearance of the display or exposure of any specified anatomical areas, regardless of whether the worker actually engages in performing or dancing;

IMMEDIATELY CEASE AND DESIST ALL ACTIVITIES THAT ARE UNPERMITTED AND/OR IN VIOLATION OF THE BTR AGREEMENT AND TOWN ORDINANCES.

PALM BEACH COUNTY HEALTH DEPARTMENT, Department of Business and Professional Regulation (DBPR) - Division of Alcoholic Beverages and Tobacco AND THE Division of Hotels and Restaurants WILL BE NOTIFIED OF ALL ACTIVITIES IN VIOLATION OF LOCAL LICENSING AND THE CODE.

BASED ON THE EVIDENCE GATHERED BY THE TOWN AND ADDITIONAL EVIDENCE PROVIDED TO THE TOWN BY PBSO THE ABOVE-DESCRIBED PROHIBITED ACTIVITIES APPEAR TO BE ONGOING. ZERO DAYS GRANTED TO COMPLY. NOTICE OF HEARING BEING SERVED CONCURRENTLY.

Violations

Ordinance/Regulation	Section	Description	Days Comply
Chapter 28 TAXATION*	Sec. 28-32	Business tax receipt required; application and pre-requisites to issuance. (a) An application for a new business tax receipt or the renewal of an existing business tax receipt shall be accompanied by payment of the appropriate application fee. The	0
Chapter 6 ALCOHOLIC BEVERAGES*	Sec. 6-5	Hours of sale. No person shall buy, sell, serve, consume or deliver, or permit the purchase, sale, service, consumption or delivery of, any alcoholic beverages for consumption on or off the premises of a licensed alcoholic beverage establishment bet	0
Chapter 78 ZONING*	Sec. 78-72	C-2 business districts. Within C-2 business districts, the following regulations shall apply: (1) Uses permitted. Within C-2 business districts, no building, structure or land shall be used and no building shall be erected, structurally altered	0
Chapter 8 AMUSEMENTS AND ENTERTAINMENT	Sec. 8-66	Definitions. The following words, terms and phrases, when used in this adult entertainment code, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. The terms alcoholic beverage, a	0
Chapter 8 AMUSEMENTS AND ENTERTAINMENT	Sec. 8-91	License required; classifications. (a) Requirement. No adult entertainment establishment shall be permitted to operate without having been first granted an adult entertainment license by the community development department under this article.	0

# Case No.	Date Issue	Req'd Action
3 19050022	5/23/2019	

Owner PRIME PLAZA INC
Address 4768 NOLINA LN BOYNTON BEACH, FL 33436
Site Address 1301 10th St, Lake Park, FL 33403

Description

Sec. 28-33 Engaging in business without a local business tax receipt upon false representation.

MITSUBISHI MOTORS DEALERSHIP OPERATING ON SITE WITHOUT BUSINESS TAX RECEIPT (BTR) FOR THIS LOCATION

PLEASE COMPLETE BTR APPLICATION WITHIN 14 DAYS

PLEASE CONTACT THE BUILDING AND ZONING DEPARTMENT AT 561-881-3320

FAILURE TO COMPLY IN TIMELY MANNER WILL RESULT IN CASE BEING PRESENTED BEFORE THE SPECIAL MAGISTRATE AND FEES AND FINES MAY BE ASSIGNED

Violations

Ordinance/Regulation	Section	Description	Days Comply
Chapter 28 TAXATION*	Sec. 28-33	Engaging in business without a local business tax receipt upon false representation. It shall be unlawful for any person to engage in any trade, business, profession or occupation within the town without a business tax receipt, or upon a business ta	14

# Case No.	Date Issue	Req'd Action
4 19060014	6/10/2019	

Owner LEISURE TRANSPORTING LLC
Address 17368 47TH CT N LOXAHATCHEE, FL 33470
Site Address 102 6th St, Lake Park, FL 33403 2

Description

Sec. 28-32 Business tax receipt required

PLEASE PAY A DELINQUENT BUSINESS TAX RECEIPT FOR "LEISURE TRANSPORTING, LLC"

THE BUSINESS TAX RECEIPT FOR THIS BUSINESS IS NOW 5 MONTHS PAST DUE.

PLEASE PAY TOTAL OF \$82.69 TO AVOID FURTHER LEGAL ACTION AND ADDITIONAL MONETARY FEES

PLEASE SUBMIT FULL PAYMENT TO THE FINANCE DEPARTMENT NO LATER THAN 06/14/2019

IF UNRESOLVED, THIS CASE WILL BE MOVED TO A HEARING TO BE PRESENTED BEFORE THE SPECIAL MAGISTRATE.

Violations

Ordinance/Regulation	Section	Description	Days Comply
Chapter 28 TAXATION*	Sec. 28-32	Business tax receipt required; application and pre-requisites to issuance. (a) An application for a new business tax receipt or the renewal of anexisting business tax receipt shall be accompanied by payment of the appropriate application fee. The	4

# Case No.	Date Issue	Req'd Action
5 19050018	5/22/2019	

Owner	Address	Site Address
BAY REACH CONDO ASSN INC, BANYAN PROPERTY MGMT INC C/O	3900 WOODLAKE BLVD STE 309 GREENACRES, FL 33463	1035 Lake Shore Dr, Lake Park, FL 33403 206

Description

Sec. 54-125
Subsection (k) Exterior doors.

(1) Every exterior door, basement or cellar door and hatchway shall be substantially weathertight, watertight, and rodentproof, and shall be kept in sound working condition and good repair.

Two balcony door sets observed inoperable with moderate door and door frame damage resulting in water intrusion. Replacements with permits required for compliance.

PLEASE ENSURE BOTH SETS OF BALCONY DOORS AND DOOR FRAMES ARE REPLACED AND IN SOUND AND GOOD-WORKING CONDITION. IN ADDITION, ENSURE REPLACEMENT OF ALL WEATHERSTRIPS AROUND THE NEWLY INSTALLED DOORS AS NEEDED TO ENSURE NO WATER INTRUSION AND THAT DOORS ARE WEATHERTIGHT.

CONTRACTOR PERMIT IS REQUIRED. PLEASE CONTACT TOWN BUILDING DEPARTMENT FOR PERMITTING QUESTIONS AND PERMIT APPLICATION AT 561-881-3318

PLEASE COMPLETE ALL PERMITTING REQUIREMENTS AND DOOR/DOOR FRAME REPLACEMENTS AND REPAIRS WITHIN 30 DAYS OF THIS NOTICE.

Violations

Ordinance/Regulation	Section	Description	Days Comply
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-125	General requirements for the exterior and interior of structures. (a) Foundation. The building foundation system shall be maintained in a safe manner and capable of supporting the load which normal use may cause to be placed thereon. (b) Ext	30

# Case No.	Date Issue	Req'd Action
6 19060107	6/19/2019	

Owner	Address	Site Address
TRUST LAKE PARK LTD, BOSTON FINANCIAL INV MGMT C/O	101 ARCH ST BOSTON, MA 02110	721 Veneto Dr, Lake Park, FL 33403 101

Description

Sec. 12-31. - Adoption of Palm Beach County's Local Amendments to the Florida Fire Prevention Code. It is hereby adopted by reference as fully and to the same extent as if set out at length herein Palm Beach County's Local Amendments to the Florida Fire Prevention Code, as adopted by Palm Beach County in Ordinance No. 2001-101, as it may be amended from time to time, copies of which are now and have been for the ten days preceding the adoption of this section on file in the office of the fire chief, such codes to be designated as the fire code of the town.

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Sec. 54-8

Subsection 101.4.5 Fire prevention.

For provisions related to fire prevention, refer to the Florida Fire Prevention Code. The Florida Fire Prevention Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

ONGOING NON-COMPLIANCE WITH NUMEROUS FIRE CODES WAS REPORTED BY THE FIRE DEPARTMENT

PLEASE PROVIDE WRITTEN CONFIRMATION FROM A LICENSED CONTRACTOR AUTHORIZED TO COMPLETE ALL REQUIRED REPAIRS FOR THE FIRE ALARM AND SPRINKLER SYSTEMS IN ALL BUILDINGS AS PER FIRE DEPARTMENT'S INSPECTION REPORTS

PLEASE IMPLEMENT ALL CORRECTIVE MEASURES REQUIRED BY THE FIRE DEPARTMENT AS PER FIRE DEPARTMENT'S INSPECTION REPORTS. FULL COMPLIANCE REQUIRED WITHIN SEVEN (7) DAYS OF THIS NOTICE. PROVIDE FULL COMPLIANCE IN FORM OF SATISFACTORY FINAL INSPECTION REPORTS BY FIRE DEPARTMENT AND CODE

FAILURE TO COMPLY WITHIN ALLOWED TIME WILL RESULT IN A HEARING AND ASSIGNED FEES AND FINES.

Violations

Ordinance/Regulation	Section	Description	Days Comply
Chapter 12 FIRE PREVENTION AND PROTECTION	Sec. 12-31	Adoption of Palm Beach County's Local Amendments to the Florida Fire Prevention Code. It is hereby adopted by reference as fully and to the same extent as if set out at length herein Palm Beach County's Local Amendments to the Florida Fire Prevention	7
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-8	Chapter One Amendments Adopted. CHAPTER ONE - ADMINISTRATION Section 101. General. 101.1 Title. These regulations shall be known as the Florida Building Code hereinafter referred to as "this code." 101.2 Scope. The provisions of this	7

Total	NEW CASES	6
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Total Hearing	6
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