

Minutes
Code Enforcement Board Meeting
City of Oviedo
December 9, 2010

The Code Enforcement Board of the City of Oviedo, Florida met in regular session Thursday, December 9, 2010.

Chairperson Robert Thrift called the Meeting to order at 6:31 P.M.

ROLL CALL

Present: Robert Elfand, Curtis Gashlin, Darrell Lopez, Robert Thrift

Absent: Tia Hughes, absent with cause; Annie Soares, absent with cause;
Tanya Walter, absent.

Staff Present: Shawn E. O'Rourke, Code Enforcement Manager; Monica Anderson,
Code Enforcement Officer; Debbie Pope, Secretary.

APPROVAL OF MINUTES

Motion by Mr. Lopez to accept the minutes of the October 28, 2010 Code Board Hearing as written. Seconded by Mr. Gashlin.

AYE: Elfand, Gashlin, Lopez, Thrift
NAY: None
MOTION CARRIED: 4-0

Shawn E. O'Rourke, Monica Anderson and Carlos A. Sosa were sworn in by Board Attorney William J. Wieland.

OLD BUSINESS

None

NEW BUSINESS

A) Case CE10-00001846

CARLOS SOSA & EDGAR SOSA
484 BANYON TREE CIR APT 200
MAITLAND, FL 32751

RE: 1129 COVINGTON ST, OVIEDO FL 32765-7080
Parcel ID: 23-21-31-503-0000-0280

VIOLATION of the Code of Ordinances of the City of Oviedo (a) A sanitary nuisance in the city is hereby declared to be the commission of any act by any person, or the keeping, maintaining, propagation, existence or permitting of anything by any person, which presents a serious threat to the public health, safety and welfare of any person, or by which or through which, directly or indirectly, disease may be caused or the environment of any person rendered unclean or unwholesome by act of another or others, including but not limited to allowing stagnant water to accumulate in swimming pools or other containment devices as determined by the code enforcement officer or his or her designee. **ARTICLE IV. PROPERTY MAINTENANCE CODE Sec. 14-70. Adopted by reference. SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS 303.1 Swimming pools.** Swimming pools shall be maintained in a clean and sanitary condition, and in good repair. **303.2 Enclosures.** Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Motion by Mr. Gashlin to find that Respondents, CARLOS SOSA & EDGAR SOSA, RE: 1129 COVINGTON ST, OVIEDO FL 32765-7080 in Case CE10-00001846 are IN VIOLATION of the Code of Ordinances of the City of Oviedo Sec. 22-144. Sanitary nuisance. (a); ARTICLE IV. PROPERTY MAINTENANCE CODE Sec. 14-70. Adopted by reference.; SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS, 303.1 Swimming pools.; and 303.2 Enclosures.; and that the Respondents correct the enclosure violation by: December 13, 2010 by: *completely surrounding the swimming pool by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level;* and correct the swimming pool violation by: December 31, 2010 by: *maintaining the swimming pool in a clean and sanitary condition, and in good repair.*

In the event the Respondents do not comply with this Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the forestated date. The Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Seconded by Mr. Lopez.

Elfand – Aye
Gashlin – Aye

Lopez – Aye
Thrift – Aye

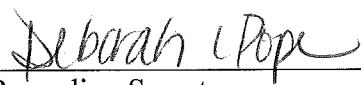
MOTION CARRIED: 4-0

ADJOURNMENT

Meeting adjourned at 6:49 P.M.



Chairman



Recording Secretary