

**CODE ENFORCEMENT HEARINGS OF THE SPECIAL MAGISTRATE  
MONTVERDE, FLORIDA  
TUESDAY, DECEMBER 3, 2019  
11:00 A.M.**

**MONTVERDE TOWN HALL  
MAYOR'S OFFICE**

**17404 SIXTH ST  
MONTVERDE, FLORIDA**

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- I. CALL TO ORDER:**
- II. SWEARING IN:**
- III. ANNOUNCE FORMAT OF PROCEEDINGS/ANNOUNCE ADVICE TO PUBLIC:**
- IV. NEW BUSINESS:**
- V. OLD BUSINESS**

**Non-Compliance Hearing for Case No. 18-036- 16751 Country Road 455**

Violations: Violation of Town Code, Section(s):

Sec. 26-73 Description: Charge or rate for water service

Full Violation: Users of the service of the waterworks system shall pay therefor a charge or rate as currently established or as hereafter adopted by Resolution of the Town Council from time to time. A 25 percent surcharge of the charge or rate established by the Town Council shall be charged to any consumer outside of the Town of Montverde limits.

**Date violation first observed: November 6, 2018**

**Date by which the violation was to be corrected: December 18, 2018**

**Date of Non-Compliance: October 8, 2019 – Payment received October 9, 2019**

**No payment received since October 10, 2019**

Sec. 26-74 Description: Unlawful connection

Full Violation: No person shall be allowed to connect into the waterworks system without the written consent of the Town Council, and then the connection with such system shall only be made under the direction and supervision of the Municipal Director of Public Works. Any property owner of plumber who shall make any connections without such consent shall, upon conviction, be subject to the general penalty.

**Date violation first observed: November 6, 2018**

**Date by which the violation was to be corrected: December 18, 2018**

**Date of Non-Compliance: October 18, 2019**

Sec. 26-77 Description: Payment of fee; and bills required

Full Violation: Bills for the monthly charges and fees referenced in sections 26-72 and 26-73 shall be submitted by the municipal Town Clerk and shall be paid by the users

If a person decides to appeal any decision made by the Board, Agency or Commission with respect of any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purposes, he or she may need to ensure that a verbatim records of the proceedings be made, which record includes the testimony and evidence upon which the appeal is based. In accordance with the Americans with Disabilities Act (ADA), if a person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Town of Montverde, Florida, Office of the Town Clerk at 17404 Sixth St., Montverde, Florida. (352) 469-2681.

monthly. If any monthly bill for water service remains unpaid on or after 20 days from the date of the submission of said bill for such service, a penalty of ten percent of said bill shall be imposed and be added to said bill; and, if said bill shall remain due and unpaid for a period of 30 days from the date of submission of such bill, the water service to the consumer shall be discontinued and shall be reconnected until all past due charges shall have been fully paid, together with a reconnection charge as currently established or as hereafter adopted by Resolution of the Town Council from time to time.

Date violation first observed: November 6, 2018

Date by which the violation was to be corrected: December 18, 2018

Date of Non-Compliance: October 8, 2019 – Payment received October 9, 2019

No payment received since October 10, 2019

Sec. 26-78 Description: No Service Free

Full Violation: No water shall be furnished free of charge to any person whatsoever, and each and every agency, department or instrumentality which uses the waterworks system shall pay therefor at the rate fixed by this article.

Date violation first observed: November 6, 2018

Date by which the violation was to be corrected: December 18, 2018

Date of Non-Compliance: October 8, 2019 – Payment received October 9, 2019

No payment received since October 10, 2019

Sec 18-20 Description: Charge for Waste Pickup

Full Violation: The Town is authorized to charge individuals or entities, including, but not limited to, residential and commercial customers, the cost of waste pickup, and to place such charges on the entities' water bills or collect said charges in any other practical manner. Any Town of Montverde water utility customer within the corporate limits of the Town of Montverde shall be required to obtain garbage service provided by the Town and shall be financially responsible for such garbage charge. Notwithstanding anything to the contrary contained herein, a water utility customer of a vacant residence, of any other building, including but not limited to a commercial building or industrial building, or of a lot/land unimproved by a residence or other building (collectively, "the property") shall not be required to obtain from the Town and pay for garbage service for the property for the period of time the property is vacant or unimproved and garbage service is not being utilized.

Date violation first observed: April 11, 2019

Date by which the violation was to be corrected: June 14, 2019

Date of Non-Compliance: October 8, 2019 – Payment received October 9, 2019

No payment received since October 10, 2019

## **ADJOURN**

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