

# MEMORANDUM

## Gainesville Code Enforcement Board

**TO:** Mayor and City Commission

**DATE:** March 27, 2000  
CODE ENFORCEMENT BOARD  
CONSENT

**FROM:** Gainesville Code Enforcement Board

**SUBJECT:** James and Betty DeCoursey; Case No. CEB 95-017


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Recommendation: The Gainesville Code Enforcement recommends that the City Commission (1) rescind the fine and (2) release the lien.

The owner was cited for abandoned vehicles on their property and taken to the Code Enforcement Board in 1995. Mr. DeCoursey was found guilty and assessed a daily fine. The fine and lien ran on this property until just recently. However, in 1998, Mr. DeCoursey approached the City to have the fine and lien removed. Due to the specific circumstances regarding this case, staff and the Code Enforcement Board agreed to rescind the fine and lien if Mr. DeCoursey would execute an agreement indicating that the property would be brought into compliance within three months. Mr. DeCoursey did not execute the agreement, and therefore the fine and lien continued to run.

Mr. DeCoursey again contacted the City during the past month, and on February 29, 2000, Code Enforcement staff issued an affidavit of compliance and recommended that the lien be extinguished. The Code Enforcement Board heard the case on March 9, 2000, and recommended to the City Commission that the lien be extinguished.

Approved and  
Submitted by:

  
Richard W. Pohlman, Chair

RP:sw

6.00

RECORDED  
OFFICIAL RECORDS

95 SEP 27 PM 4:19

CLERK OF CIRCUIT  
COUNTY COURT  
ALACHUA COUNTY, FL.

GAINESVILLE CODE ENFORCEMENT BOARD

CITY OF GAINESVILLE,

Petitioner,

vs.

CASE NO.: CEB 95-017

JAMES & BETTY DECOURSEY, Tenants,

ORDER IMPOSING FINE

Respondents.

THIS CAUSE, having come for Public Hearing before the Code Enforcement Board on April 13, 1995, after due notice to Respondents, James & Betty Decoursey, the Board issues its Order Imposing Fine as follows:

It is ORDERED that:

1. Respondents, James & Betty Decoursey, are found guilty of violating Section 26-137, 26-138, 26-139 & 30-45 of the Gainesville Code of Ordinances existing at 1905 N.E. 3rd Avenue, also known as Tax Parcel 11212-000-000.
2. Respondents shall have 60 days from the date of the issuance of this Order to correct said violation and to come into compliance with the Code of Ordinances.
3. Should Respondents fail to comply with the Order by said date, then in that event, Respondents shall pay a fine of \$25.00 per day for each and every day said violation continue to exist at the above address past the time set by the Board.

If not complied with, this Order shall constitute a lien against Tax Parcel 11212-000-000, also known as 1905 N.E. 3rd Avenue, and any and all real or personal property owned by James & Betty Decoursey, pursuant to Sec. 162.09, F.S., and may be recorded in Public Records of Alachua County, Florida.

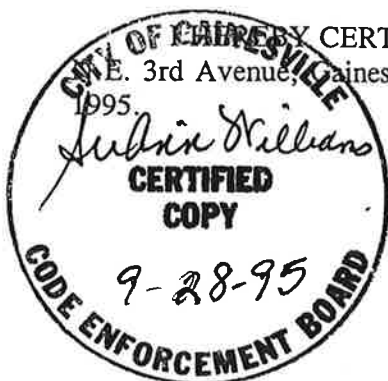
DONE AND ORDERED this 25 day of April, 1995, at Gainesville, Florida.

ATTEST:

GAINESVILLE CODE ENFORCEMENT BOARD

Susan Williams  
Clerk, Code Enforcement Board

By: Chris Wickberg  
Chris Wickberg, Chairman



I HEREBY CERTIFY that a true copy of the above Order has been sent to Respondents at 1905 N.E. 3rd Avenue, Gainesville, FL 32601, by U.S. Mail, this 25 day of April, 1995.

Susan Williams

CITY LEGAL DEPARTMENT  
220 N MAIN ST  
2nd FLOOR  
GAINESVILLE, FL 32602  
RETURN TO

1355805

O.R. BK 2030 PG2333

GAINESVILLE CODE ENFORCEMENT BOARD

CITY OF GAINESVILLE  
P.O. BOX 490  
GAINESVILLE, FLORIDA  
PETITIONER,

CASE NO: CEB95-017  
APD #: 1999-04471

JAMES AND BETTY DECOURSEY  
RESPONDENT,

AFFIDAVIT OF COMPLIANCE

STATE OF FLORIDA  
COUNTY OF ALACHUA

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED **James L. Garrett Sr.**, CODE ENFORCEMENT OFFICER FOR THE CITY OF GAINESVILLE, FLORIDA, WHO, AFTER BEING DULY SWORN, DEPOSES AND SAYS:

1. THAT ON 04/13/1995, THE BOARD HELD A PUBLIC HEARING AND ISSUED ITS ORDER IN THE ABOVE-STYLED MATTER.
2. THAT, PURSUANT TO SAID ORDER, RESPONDENT WAS TO HAVE TAKEN CERTAIN CORRECTIVE ACTION BY OR BEFORE 06/25/1995.
3. THAT RE-INSPECTION WAS PERFORMED ON 02/29/2000.
4. THAT THE RE-INSPECTION REVEALED THAT THE CORRECTIVE ACTION ORDERED BY THE BOARD HAS BEEN TAKEN IN THAT THE PROPERTY IS IN COMPLIANCE.

FURTHER AFFIANT SAYETH NOT.

DATED THIS 3/3/2000

  
James L. Garrett Sr.  
CODE ENFORCEMENT OFFICER

STATE OF FLORIDA  
COUNTY OF ALACHUA

I HEREBY CERTIFY, THAT ON THE 3, DAY OF March, 2000, BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED **James L. Garrett Sr.**, KNOWN TO ME TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND SEVERALLY ACKNOWLEDGED THE EXECUTION THEROF TO BE HIS/HER FREE ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DATE AFORESAID.

  
NOTARY PUBLIC

MY COMMISSION EXPIRES:



SuAnn Williams  
MY COMMISSION # CC 574412  
EXPIRES September 19, 2000  
BONDED THRU SANDBERG