

#991015

GAINESVILLE CODE ENFORCEMENT BOARD

Reply to:
P.O. Box 1110
Gainesville, FL 32602
(352) 334-5011
Fax: (352) 334-2229

Richard Pohlman, Chair
Hugh Rhea
Marty Eskridge
Darlene Pifalo
Jamie Clayton
Susan Carter
Steve Douglas

March 9, 2000

via hand delivery

Honorable Mayor and Members
of the City Commission
200 E. University Avenue
Gainesville, Florida 32601

Re: Nuisance Abatement Board

At its meeting of March 9, 2000, the Gainesville Code Enforcement Board expressed concerns on serving as ex officio members of the Nuisance Abatement Board.

One concern involves the Board's potential interaction with serious offenders and the consequences of its actions in dealing with such. The Board feels in order for it to hear these cases, it would require much more serious training, either by the Gainesville Police Department or Office of the City Attorney.


Another concern the Board has is the liability of its members, and whether the City's insurance would cover them in any claims against them.

If the above concerns are addressed to the board's satisfaction, they would be willing to serve as ex officio members of the Nuisance Abatement Board.

Also, please find attached Board Member Steve Douglas' letter expressing his opinion.

Very truly yours,

GAINESVILLE CODE ENFORCEMENT BOARD

By: 
Richard Pohlman, Chair



CITY OF GAINESVILLE

Office of the City Attorney

Marion J. Radson
City Attorney

Debra S. Babb
Patricia M. Carter
Ronald D. Combs
Charles L. Hauck
Elizabeth A. Waratuke

February 29, 2000

Darlene Pifalo
Gainesville Code Enforcement Board
1035 NW 41st Drive
Gainesville, FL 32605

Re: Ordinance No. 0-0034; Public Nuisance Abatement

Dear Ms. Pifalo:

The City Commission at its meeting on February 28, 2000, passed the above-referenced ordinance on first reading. The City Commission expressed interest in hearing comments from the members of the Code Enforcement Board about serving as ex officio as the newly created Nuisance Abatement Board. The second and final reading of the ordinance will be on Monday, March 13, 2000, at 6:00 p.m., or as soon thereafter as the matter may be heard.

Should you have questions in the meantime, please contact Marion Radson, City Attorney, at 334-5011, or Sr. Assistant City Attorney Ronald D. Combs, who drafted the ordinance, 334-2414.

Very truly yours,

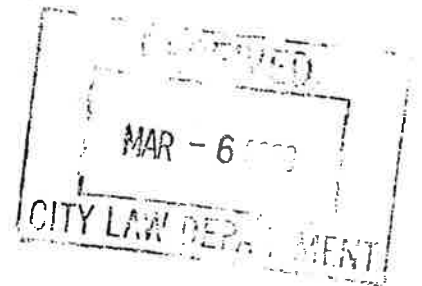
SuAnn Williams
Legal Assistant/Clerk of the Board

/sw

Enclosure

PERMA-FIX
ENVIRONMENTAL SERVICES

March 2, 2000



SuAnn Williams
City of Gainesville - Office of the City Attorney
P.O. Box 1110
Gainesville, FL 32602-1110

Subj: Ordinance No. 0-0034; Public Nuisance Abatement

Dear Ms. Williams:

I received your February 29 letter stating that the Gainesville City Commission was soliciting comments regarding Code Enforcement Board members serving as ex officio members of the newly formed Nuisance Abatement Board.

I took a few moments to read the declaration of intent for the Code Enforcement Board (Sec. 2-376) and the Nuisance Abatement Board (Sec. 16-92). The contemplated purpose of both boards appears to be the same - namely, an economical and judicious means of achieving compliance with city ordinances. During our recent board meeting, Mr. Radson stated that he anticipated the Nuisance Abatement Board would meet very infrequently. Additionally, violators of the Public Nuisance Abatement ordinance would likely have appeared before the Code Enforcement Board on previous occasions. Code Enforcement Board members would already have an understanding of the history surrounding the case. I, therefore, believe that the formation of a standalone Nuisance Abatement Board would be a judicious means of achieving compliance, but not an economical one.

Please relay to the members of the City Commission my support for having the Code Enforcement Board members serve as ex officio members of the Nuisance Abatement Board.

It is a continued honor and pleasure to serve as a member of the Code Enforcement Board. If you have any questions or need further information, please do not hesitate to contact me at (352) 395-1356.

Sincerely,

Steven Douglas
Certified Hazardous Materials Manager

Gainesville Code Enforcement Board