

CITY OF NEWBERRY

Codes Enforcement Department

25440 W Newberry Road, Newberry, FL 32669

MINUTES

CODES ENFORCEMENT - SPECIAL MAGISTRATE PUBLIC HEARING

BLAKE FUGATE, MAGISTRATE

THURSDAY, APRIL 10, 2025 – 9:00 AM

NEWBERRY CITY HALL

25440 WEST NEWBERRY ROAD

NEWBERRY, FLORIDA 32669

Special Magistrate, Blake Fugate, called the meeting to order at 9:01 AM.

Staff Present:

Code Enforcement Officer, Greta Moreau

Permit Tech II, Michael Booth

Clerk, Missy – West Claude

City Attorney, Kiersten Ballou, Esq

The Pledge of Allegiance was led by Magistrate Fugate.

Magistrate Fugate reviewed the purpose and procedure of the hearing.

With no new evidence being accepted by Magistrate Fugate, there was no one sworn in.

NEW BUSINESS

1. McAlhany Non-Compliance Hearing – Case No. CE# 2025-001

Code Enforcement Officer, Greta Moreau stated that Mr. & Mrs. McAlhany had not come into compliance as of the time of the hearing.

Not providing any further testimony, Mr. McAlhany spoke on behalf of himself.

Robert Wisneski, neighbor of Mr. & Mrs. McAlhany spoke.

Finding that the violation was not cured within 30 days of the January 31, 2025, Order and remains uncured as of April 10, 2025.

The Special Magistrate orders as follows:

1. The Respondent shall pay to the City of Newberry, Florida, a fine in the amount of \$1,950.00, plus the \$150 administrative cost of prosecution, for a total of \$2,100.00 as of April 10, 2025. The fine previously imposed in the amount of \$50.00 per day will continue to accrue until the violations are cured.
2. In accordance with Fla. Stat. 162.09(3), the fines and costs imposed above shall become a lien upon the subject real property and upon any other real or personal property owned by the Respondent upon the recording of a certified copy of this order in the Official Records of Alachua County, Florida.
3. Jurisdiction of this matter is reserved for the possible purposes of recommending that: (i) the governing body of the City undertake remedial work to cure the violation; and (ii) taking other action as authorized under Fla. Stat. Chapter 162 or the City's Land Development Regulations.

2. Mount Non-Compliance Hearing – Case No. CE# 2025-002

Code Enforcement Office, Greta Moreau stated that Mr. & Mrs. Mount had not come into compliance as of the time of the hearing.

Mr. & Mrs. Mount were not present, nor was there anyone present on their behalf.

The Special Magistrate orders as follows:

1. The Respondent did not attend the January 9, 2025, violation hearing, following which the Special Magistrate's Order, date January 31, 2025, was entered and properly served upon the Respondent. The Order

required that the violation of Section 14-334 be cured within 30 days, and, if not timely cured, imposed a \$50.00 per day fine thereafter.

2. The Respondent's did not attend the April 10, 2025, Hearing.
3. The violation was not cured within 30 days of the January 31, 2025, order and remains uncured as of April 10, 2025.

The Special Magistrate orders as follows:

1. The Respondent shall pay to the City of Newberry, Florida, a fine in the amount of \$1950.00, plus the \$150.00 administrative cost of the prosecution, for a total of \$2100.00 as of April 10, 2025. The fine previously imposed in the amount of \$50.00 per will continue to accrue until the violations are cured.
 2. In accordance with Fla. Stat. 162.09(3), the fines and costs imposed above shall become a lien upon the subject real property and upon any other real or personal property owned by the Respondent upon the recording of a certified copy of this order in the Official Records of Alachua County, Florida.
 3. Jurisdiction of this matter is reserved for the possible purposes of recommending that: (i) the governing body of the City undertake remedial work to cure the violation; and (ii) taking other action as authorized under Fla. Stat. Chapter 162 or the City's Land Development Regulations.
3. Blair Non-Compliance Hearing – Case No. CE# 2025-003

Code Enforcement Office, Greta Moreau stated that Ms. Blair Hiers & Ms. Gibbs had not come into compliance at the time of the hearing.

Ms. Blair Hiers & Ms. Gibbs were not present, nor was there anyone present on their behalf.

The Special Magistrate orders as follows:

1. The Respondent did not attend the January 9, 2025, violation hearing, following which the Special Magistrate's Order, date January 31, 2025, was entered and properly served upon the Respondent. The Order required that the violation of Section 14-334 be cured within 30 days, and, if not timely cured, imposed a \$50.00 per day fine thereafter.
2. The Respondent's did not attend the April 10, 2025, Hearing.
3. The violation was not cured within 30 days of the January 31, 2025, Order and remains uncured as of April 10, 2025.

The Special Magistrate orders as follows:

4. The Respondent shall pay to the City of Newberry, Florida, a fine in the amount of \$1950.00, plus the \$150.00 administrative cost of the prosecution, for a total of \$2100.00 as of April 10, 2025. The fine previously imposed in the amount of \$50.00 per will continue to accrue until the violations are cured.
5. In accordance with Fla. Stat. 162.09(3), the fines and costs imposed above shall become a lien upon the subject real property and upon any other real or personal property owned by the Respondent upon the recording of a certified copy of this order in the Official Records of Alachua County, Florida.
6. Jurisdiction of this matter is reserved for the possible purposes of recommending that: (i) the governing body of the City undertake remedial work to cure the violation; and (ii) taking other action as authorized under Fla. Stat. Chapter 162 or the City's Land Development Regulations.

There being no further business to come before the Special Magistrate, this meeting was adjourned at 9:16 AM.

