

TOWN OF SEWALL'S POINT



**Code Enforcement Board Meeting
February 09, 2022
10:00 AM**

I. CALL TO ORDER

- a. Pledge Allegiance to the Flag
- b. Roll Call

II.

PUBLIC COMMENT ON NON-AGENDA ITEMS- PLEASE SUBMIT A COMMENT CARD TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING AND LIMIT YOUR COMMENTS TO THREE MINUTES. *If the thirty (30) minute time period has been exhausted, the Commission will entertain any remaining comments near the end of the meeting with the same three (3) minute per person time limitation.*

III. CIVIL VIOLATION CASES

- a. Case No. - CEO4131 - 3 S. Ridgeview Road - Jason Bultman - Violation of Town Code Ordinance 42-24(a) – Parking in Area Non- Designed for Parking (Front Lawn/ROW)

- 1) [CEB Park Non Des Area Complete Case Compact CEO4131.pdf](#)
- 2) [3 S Ridgeview Rd Notice.pdf](#)

IV. VIOLATION CASES

- a. Case No. B21-0074 - 3 S. Ridgeview Road - Jason Bultman - Violation of Town Code Ordinance 42-24(c) Failure to Enclose/Conceal Restricted Vehicle

- 1) [CEB Fail to Conceal CMV Complete Case Compact File B21-0074.pdf](#)

V.

COMMENTS FROM BOARD MEMBERS

VI.

ADJOURN

CIVILITY CLAUSE: It is the policy of the Sewall's Point Town Commission that all persons addressing a town board or attending a Town board meeting shall conduct themselves in a manner that does not disrupt the orderly and efficient conduct of the meeting. Boisterous or unruly behavior; threatening or inciting an immediate breach of the peace; or use of profane, slanderous or obscene speech will not be tolerated and could result in ejection from the meeting after warning from the presiding officer. In accordance with the provisions of the Americans with Disabilities Act (ADA) this document may be requested in an alternate format. Persons in need of a special accommodation to participate in this proceeding shall, within 3 working days prior to any proceeding, contact the Town Clerk's office, One South Sewall's Point Road,

Sewall's Point, Florida 34996 (772)287-2455. If any person decides to appeal any decision made by the Town Commission with regard to any matter considered at such meeting or hearing, s/he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Civil Violation Citation

CE04131

**Hearing Date: January 12, 2022 Code Enforcement Board Preparation
42-24 (a) Parking in Non-Designated Area (Front Lawn/ROW)**

This hearing is at the request of Mr. Jason Bultman to contest Civil Violation Citation # CE04131, issued on December 12, 2021 and served to him on December 14, 2021. The CVC is for parking in an area not designated for parking, in this case, the front lawn/right of way. Mr. Bultman requested an expedited hearing, as opposed to the assigned hearing date of 02/09/2022 and for it to be added to the January 12, 2022 docket when his other Code Enforcement case was being heard. The request was approved.

The Martin County Property Appraiser identifies the owner of 3 S. Ridgeview Road as Jason Bultman and Michelle Balfourt. The parcel identification number is 01-38-41-006-005-00030-9.

The Town of Sewall's Point Code of Ordinances Chapter 18 identifies a "violator" as follows:

Violator means any person, individually or otherwise, who has a legal, beneficial, or equitable interest in the facility or instrumentality causing or contributing to the violation, or who has a legal, beneficial, or equitable interest in the real property upon which a violation occurs or exists, or has occurred or existed. This provision shall be construed to impose joint and severable liability, regardless of fault and regardless of knowledge of the violation, upon all such interested persons.

Mr. Bultman has a legal, beneficial, or equitable interest in the real property upon which these violations occur or exist, or have occurred or existed.

Documentation: Code of Ordinances, Town of Sewall's Point, Chapter 18 Enforcement (areas highlighted related to this case)
Martin County Property Appraiser Information received via website on 11/16/2021

1

Event: 06/22/2021 (Two Violations)

Code Violated: 1. 42-24(a) Parking in a non-designated area (Front Lawn of the Residence/Right of Way)

Violation of Sec 42-24 Parking Restrictions: (a) *Parking of standard vehicles in R-1 district.* Any resident may park, keep, store and maintain, without restriction, standard vehicles, whether or not owned by the resident, anywhere on the resident's private property designed for parking vehicles in any R-1 district of the town. The vehicle need not be garaged, walled, enclosed or otherwise concealed from view.

2. 42-24 (c) Failure to enclose/conceal restricted vehicle.

Violation of Sec. 42-24 (c) *Enclosure of restricted vehicles required in R-1 district.* No restricted vehicles may be parked, kept, stored or maintained upon a street, road or right-of-way or on private property within any R-1 district of the town unless the vehicle meets one of the following exceptions:

- (1) The restricted vehicle is totally concealed from the view by a fence or wall set behind the front building line, or a hedge, constructed in compliance with section 82-276, of any abutting property (whether occupied or not) or any street or road, whether public or private, right-of-way or easement serving the property on which the restricted vehicle is located. A restricted vehicle not concealed as specified herein is in violation of this section.

Action Taken: Two "hang tag" warnings were issued the same vehicle this day.

**Hearing Date: January 12, 2022 Code Enforcement Board Preparation
42-24 (a) Parking in Non-Designated Area (Front Lawn/ROW)**

Documentation: Photocopy of hang tags related to parking on undesignated area (lawn)
Officer Garcia's Daily Activity Sheet for 06/22/2021

Event: 09/20/2021

Code Violated: 42-24(a) Parking in a non-designated area (Front Lawn of the Residence/Right of Way)

Violation of Sec 42-24 Parking Restrictions: (a) Parking of standard vehicles in R-1 district. Any resident may park, keep, store and maintain, without restriction, standard vehicles, whether or not owned by the resident, anywhere on the resident's private property designed for parking vehicles in any R-1 district of the town. The vehicle need not be garaged, walled, enclosed or otherwise concealed from view.

This offense is also a violation of 42-24 (c) Failure to enclose/conceal restricted vehicle.

Restricted vehicles. All vehicles that are not defined as standard passenger vehicles, including but not limited to, commercial vehicles, nonstandard vehicles, and inoperable vehicles. Restricted vehicles also include vehicles greater than seven feet in height, having more than two axles, or having more than four tires regardless of whether it is otherwise defined as a standard vehicle.

Violation of Sec. 42-24 (c) *Enclosure of restricted vehicles required in R-1 district. No restricted vehicles may be parked, kept, stored or maintained upon a street, road or right-of-way or on private property within any R-1 district of the town unless the vehicle meets one of the following exceptions:*

The restricted vehicle is totally concealed from the view by a fence or wall set behind the front building line, or a hedge, constructed in compliance with section 82-276, of any abutting property (whether occupied or not) or any street or road, whether public or private, right-of-way or easement serving the property on which the restricted vehicle is located. A restricted vehicle not concealed as specified herein is in violation of this section.

2

Action Taken: Hang tag warning was issued for Boat Trailer parked in the front yard.

Documentation: Photocopy of hang tag
Officer Cardarelli's Activity Sheet
Photograph of the violation Officer Cardarelli/Email from Cardarelli for other officers to attempt contact with Bultman

Event: 10/12/21 (Two Violations) Issued and Served 10/12/2021

Code Violated: 1. 42-24(e) Parking of boats

1. (e) Parking of boats. No boat (whether on a trailer or not) may be parked, kept, stored or maintained upon a street, road or right-of-way or on private property within any R-1 district of the town unless it is totally concealed from view (by a fence or wall set behind the front building line, or a hedge, constructed in compliance with section 82-276) from the ground level of any abutting property (whether occupied or not) or any street or road, whether public or private, right-of-way or

**Hearing Date: January 12, 2022 Code Enforcement Board Preparation
42-24 (a) Parking in Non-Designated Area (Front Lawn/ROW)**

private easement serving the property on which the boat is located. A boat not concealed as specified in this section is in violation of this section unless the boat meets one of the following exceptions:

- (1) A boat may be parked temporarily unconcealed, on property in an R-1 district, while being loaded and prepared for use or while being unloaded and cleaned after use, providing the temporary parking does not exceed three daylight hours.
- (2) Boats owned by residents may be unconcealed if moored to owners' docks and seawalls, suspended from davits adjacent to owners' docks and seawalls, or beached upon shorelines of owners' properties not having seawalls. in violation of this section.

2. 42-24(a) Parking in a non-designated area (Front Lawn of the Residence/Right of Way)

Violation of Sec 42-24 Parking Restrictions: (a) Parking of standard vehicles in R-1 district. Any resident may park, keep, store and maintain, without restriction, standard vehicles, whether or not owned by the resident, anywhere on the resident's private property designed for parking vehicles in any R-1 district of the town. The vehicle need not be garaged, walled, enclosed or otherwise concealed from view.

Action Taken: Civil Violation Citation #CE04028 was issued for Boat/Trailer parked unconcealed on the road right of way/lawn in the front of the house. It was observed to be parked there for 2 days by Chief Ciechanowski who took a photograph on the morning of day 2. It should be noted that the boat and trailer were parked on the lawn at the time of violation in addition to another pickup truck.

3

Documentation: Photocopy of Civil Violation Citation #CE04028

Copy of photograph taken by Chief Ciechanowski on 10/12/2021 at 0734 hours.
Ofc. Gonzalez's Activity Sheet

Event: 10/12/21

Chief Ciechanowski spoke with Mr. Jason Bultman by phone. The content of the conversation was memorialized in an email sent to all PD personnel on 10/13/2021. In the conversation with Mr. Bultman I explained that between 6/22 and 10/8 the Police Department had issued 5 parking related hang tags at his home, specifically, two for parking in the road overnight, one for a truck with racks on it, one for parking on the front lawn, and another for a trailer parked in view, also on the front lawn. I impressed upon him that he needed to police his own property and get a handle on chronic problems. Lastly, I explained that going forward, we would be issuing fined citations since the warnings have proven unsuccessful. He indicated that he understood.

Documentation: Photocopy of the email sent to Police Department personnel.

Event: 12/12/2021 **Served:** 12/14/2021

Code Violated: 42-24(a) Parking in a non-designated area (Front Lawn of the Residence/Right of Way) was observed.

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42-24 (a) Parking in Non-Designated Area (Front Lawn/ROW)**

Violation of Sec 42-24 Parking Restrictions: (a) Parking of standard vehicles in R-1 district. Any resident may park, keep, store and maintain, without restriction, standard vehicles, whether or not owned by the resident, anywhere on the resident's private property designed for parking vehicles in any R-1 district of the town. The vehicle need not be garaged, walled, enclosed or otherwise concealed from view.

Two vehicles were observed parked on the lawn, a silver Kia and a white Chevrolet. Photographs are provided.

Action Taken: Civil Violation Citation #CE04131 was issued by Officer Cardarelli and delivered to Mr. Bultman on 12/14/2021 Officer Hodge. The Civil Violation Citation (CVC) was issued for a Class "A" Violation, \$100 fine.

Documentation: Photocopy of Civil Violation Citation #CE04131
Additional case information sheet for CVC #CE04131- Cardarelli
Photographs of the violation taken by Officer Cardarelli

Case Note: On Wednesday, December 15th, 2021, Mr. Bultman contacted Ms. Kathryn Barbera requesting that Civil Violation Citation # CE04131 be added to the docket of his other code enforcement hearing on January 12, 2022. The change was approved by Chief Ciechanowski and an email was sent to Mr. Bultman for confirmation of the hearing change. He confirmed the request via email later that day.

Documentation: Photocopy of email from Barbera to Bultman on 12/15/2021.

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Event: 12/28/2021

Code Violated: 42-24(a) Parking in a non-designated area (Front Lawn of the Residence/Right of Way) was observed.

Violation of Sec 42-24 Parking Restrictions: (a) Parking of standard vehicles in R-1 district. Any resident may park, keep, store and maintain, without restriction, standard vehicles, whether or not owned by the resident, anywhere on the resident's private property designed for parking vehicles in any R-1 district of the town. The vehicle need not be garaged, walled, enclosed or otherwise concealed from view.

While on routine patrol, Officer Cardarelli observed a boat and trailer parked on the lawn at 3 Ridgeview at 0535 hours. It was also observed by Chief Ciechanowski at 0757 hours. Photographs were taken by both officers.

Due to the fact Mr. Bultman was already contesting his prior citation for parking on the lawn Officer Cardarelli was directed to not issue a Civil Violation Citation, but to instead take photos, document it on her activity sheet and complete an additional case information sheet.

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42-24 (a) Parking in Non-Designated Area (Front Lawn/ROW)**

Action Taken: Offense was documented. Photographs were taken and an email was sent to Mr. Bultman requesting his compliance. A Notice of Violation and Corrected Notice of Violation have been lawfully served to the Property Owner: Jason Bultman to appear before the Code Enforcement Board on January 12, 2022.

Documentation: Officer Cardarelli's Daily Activity Sheet for 12/28/2021
Additional Case Information Report
Photographs taken by Officer Cardarelli
Photographs taken by Chief Ciechanowski

Event: 12/28/21

Chief Ciechanowski sent an email to Mr. Bultman in regards to the additional offense. The following is the body of the email:

As you know, as of this morning, your boat and trailer has been parked on the front lawn for at least 2 days. We are not issuing you a Civil Violation Citation today, but photographs have been taken and documented for presentation at the Code Enforcement Board hearing on 1/12/2022 as evidence of continued violations of the ordinance regarding concealment of boats/trailers and parking in non-designated locations (front lawn.)

We are seeking your compliance today.

The trailer and boat was moved the next day to a location where it is still visible from the roadway when driving eastbound, and is still in the front lawn area.

5

He replied to the email on January 2, 2022 with "sincere apologies."

Documentation: Photocopy of the email sent to Mr. Bultman on 12/28/2021
Photographs taken by Chief Ciechanowski of the boat and trailer in its new location.

Introductory Documents:

- Code of Ordinances, Town of Sewall's Point, Chapter 18 Enforcement (areas highlighted related to this case)
- Martin County Property Appraiser Information received via website on 11/16/2021

Chapter 18 ENFORCEMENT¹

ARTICLE I. GENERAL

DIVISION 1. GENERAL PROVISIONS

Sec. 18-100. Purpose and authority.

- (a) The provisions of Chapter 162 Part I, Fla. Stat., regarding the enforcement of the town's Code through the issuance of a notice of violation, are adopted and supplemented as set forth in this chapter, article II, division 1 "notice of violation procedure".
- (b) As an alternative to the enforcement procedures authorized under F.S. ch. 162, pts. I and II, and pursuant to F.S. §§ 162.03(2), 162.13 and 162.22, the town hereby adopts a civil citation procedure as set forth in this chapter, article II, division 2 "civil citation procedure".
- (c) These two methods of enforcing the Code are enacted to promote, protect and improve the health, safety and welfare of the citizens of the town and to provide an equitable, expeditious, effective, and inexpensive method of enforcing the town's Code.
- (d) Nothing in this chapter shall be construed to prohibit the town from enforcing its Code by any other means including, but not limited to, the issuance of a summons or notice to appear in the county court, an arrest, a civil action for injunctive relief, a stop work order, or any other remedy available at law or in equity.

(Ord. No. 386, § 3, 1-28-2014)

Sec. 18-101. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Code* means the Town of Sewall's Point Code of Ordinances and any other ordinances adopted by the town commission and in effect at the time of enforcement.
- (b) *Reasonable cause* means that the code enforcement officer has an objective well founded, reasonable, belief that an individual or entity is committing, has committed, or is attempting to commit, a violation of the Code.
- (c) *Repeat violation* means a violation of a provision of the Code by an individual or entity who has been previously found, through a code enforcement board, special magistrate or any other quasi-judicial or

¹Editor's note(s)—Ord. No. 386, §§ 2—4, adopted Jan. 28, 2014, repealed Ch. 18 in its entirety and enacted a new Ch. 18 to read as set out herein. Former Ch. 18, §§ 18-100—18-102, 18-202—18-206, 18-701, 18-801, pertained to similar subject matter and derived from Ord. No. 318, § 2, adopted Aug. 2, 2005; Ord. No. 325, § 2, adopted Sept. 12, 2006; Ord. No. 335, § 2, adopted April 27, 2007; Ord. No. 336, § 3, adopted April 27, 2007; Ord. No. 362, § 3, adopted Feb. 22, 2011; Ord. No. 378, § 4, adopted Feb. 26, 2013.

judicial process, to have violated or who has admitted violating, the same provision within five years prior to the current violation, notwithstanding that the violations occurred at different locations.

- (d) *Violation* means any act, omission, malfeasance, misfeasance, or nonfeasance that is in opposition to, or in contravention of any of the provisions of the Code.
- (e) *Violator* means any person, individually or otherwise, who has a legal, beneficial, or equitable interest in the facility or instrumentality causing or contributing to the violation, or who has a legal, beneficial, or equitable interest in the real property upon which a violation occurs or exists, or has occurred or existed. This provision shall be construed to impose joint and severable liability, regardless of fault and regardless of knowledge of the violation, upon all such interested persons.

(Ord. No. 386, § 3, 1-28-2014)

Sec. 18-102. Code enforcement officers.

- (a) All Town of Sewall's Point police officers are code enforcement officers.
- (b) The town manager and the town building official or his/her designees are code enforcement officers. Town commissioners and members of other town boards are not code enforcement officers.
- (c) Code enforcement officers shall have the authority to issue a notice of violation, civil citation, or a warning for violations of the town's Code. Code enforcement officers shall also have the authority to issue a notice to appear in county court for such violations and, when done, in the discretion of the officer, such issuance shall be completed in accordance with F.S. § 162.23.

(Ord. No. 386, § 3, 1-28-2014)

Sec. 18-103. Failure to pay code enforcement fines or administrative costs.

If an order finding violation has been issued against a violator or a civil citation has been issued and has not been timely complied with or challenged, and there are outstanding fines or administrative costs owed to the town by this violator, such violator shall not be issued any permits, certificates of occupancy, or licenses by the town until the violator has paid all outstanding sums in full. The town manager, in his or her discretion, may waive this section if the violator is seeking a permit, certificate of occupancy or license for the compliance of existing violations of the Code.

(Ord. No. 386, § 3, 1-28-2014)

Sec. 18-104. Unpaid administrative costs and costs of repair.

- (a) *Unpaid administrative costs and costs of repair to constitute non-ad valorem assessment.* In addition to the procedure set forth elsewhere in this chapter, unpaid administrative costs and the costs of repair or abatement may, upon the adoption of the appropriate ordinance, be levied as a non-ad valorem assessment superior to all other private rights, interests, liens, encumbrances, titles and claims upon the property and equal in rank and dignity with a lien for ad valorem taxes.
- (b) *Collection of unpaid assessments.* Unpaid assessments for outstanding administrative costs and the costs of repair or abatement may be certified to the tax collector for collection pursuant to the uniform method provided in F.S. § 197.3632.

(Ord. No. 386, § 3, 1-28-2014)

Secs. 18-105—18-115. Reserved.

DIVISION 2. CODE ENFORCEMENT ENTITIES

Sec. 18-116. Creation, appointment and organization of code enforcement board.

- (a) There shall be a board known as the Code Enforcement Board of the Town of Sewall's Point, Florida, which shall consist of five full-time members and five alternate members. Members of the code enforcement board shall be residents of the town.
- (b) Each commissioner shall nominate one member and one alternate, whose terms shall run concurrently with the commissioner's term of office unless the member is otherwise removed from the board as set forth herein. The nominations shall be approved by a majority vote of the commissioners present when the vote is taken. Any member may be reappointed for successive terms upon the appropriate nomination and the approval of the town commission. Appointments to fill any vacancy on the code enforcement board shall be for the remainder of the appointing commissioner's unexpired term of office. If any member fails to attend two of three successive meetings without cause and without prior approval of the chairman, the code enforcement board may declare the member(s) office vacant, and the town commission shall promptly fill the vacancy. The members shall serve in accordance with the Code and may be suspended or removed with cause as determined by the town commission.
- (c) The members of the code enforcement board shall elect a chairperson, who shall be a voting member, from among its members. The presence of three or more members shall constitute a quorum. Members shall serve without compensation, but may be reimbursed for travel, mileage and per diem expenses as authorized by the town commission.
- (d) The code enforcement board may be represented by its own legal counsel independent of the town attorney. The town commission shall be responsible for the selection of said attorney in accordance with section 2-34 of the Code.

(Ord. No. 386, § 3, 1-28-2014)

Sec. 18-117. Appointment of special magistrate.

- (a) The town commission may appoint one or more special magistrates for the town. A special magistrate shall have the jurisdiction and authority to hear and to decide alleged violations of all the codes and ordinances of the town. The special magistrate shall have all of the powers and authority of the code enforcement board as provided in this chapter. Wherever reference to the code enforcement board is made herein it shall include the term special magistrate, without the necessity of amending all applicable sections in this Code.
- (b) A special magistrate shall serve at the pleasure of the town commission. A special magistrate shall be compensated as provided by the annual appropriation of the town commission.
- (c) A special magistrate shall be a duly licensed attorney in good standing and a member of the Florida Bar for at least the five consecutive years prior to appointment.

(Ord. No. 386, § 3, 1-28-2014)

Sec. 18-118. Powers of the code enforcement board and special magistrate.

The code enforcement board and special magistrate shall have the power to:

- (1) Adopt rules for the conduct of its hearings.
- (2) Subpoena alleged violators and witnesses to its hearings. Subpoenas shall be served by the police department of the town.
- (3) Subpoena evidence.
- (4) Take testimony under oath.
- (5) Issue orders having the force of law commanding whatever steps are necessary to bring a violation into compliance.
- (6) Impose fines, under this section, not to exceed \$250.00 per day for a first violation and not to exceed \$500.00 per day for a repeat violation, however, if the code enforcement board finds the violation to be irreparable or irreversible by nature, it may impose a fine not to exceed \$5,000.00 per violation.
- (7) Assess the costs of prosecution and the costs of abatement.
- (8) Hear and make decision on appeals of civil citations.
- (9) Hear and make decisions on civil citations where the fine has not been paid and no appeal has been requested.
- (10) Issue orders reducing fines.

(Ord. No. 386, § 3, 1-28-2014)

Sec. 18-119. Scheduling of hearings.

The town manager or designee shall have the discretion to determine whether the hearing shall be before the special magistrate or the code enforcement board unless the town commission, by a majority vote of its members, directs the manager otherwise.

(Ord. No. 386, § 3, 1-28-2014)

ARTICLE II. CODE ENFORCEMENT PROCEDURES

DIVISION 1. NOTICE OF VIOLATION PROCEDURE

Sec. 18-201. Notice of violation enforcement procedure.

- (a) *Initiation of proceeding.* It shall be the duty of the code enforcement officer to initiate enforcement proceedings; neither the special magistrate nor any member of the code enforcement board shall have the power to initiate enforcement proceedings.
- (b) *Notice of violation; notice of hearing.* If a violation of the Code is found, the code enforcement officer shall notify the violator and give the violator a reasonable time to correct the violation. The notice shall also include the notice of hearing should the violation continue beyond the time specified for correction. The combined written notice of violation and hearing shall be delivered to the violator as provided in section 18-207. If the violation is corrected and then reoccurs, or if the violation is not corrected by the time specified for correction by the code enforcement officer, the case may be presented to the code enforcement board or special magistrate even if the violation has been corrected prior to the code enforcement board or special magistrate hearing, and notice to the violator shall so state. The code enforcement officer shall, through the

town manager or designee, notify the code enforcement board or special magistrate, and schedule the hearing.

- (c) *Repeat violation.* If a repeat violation is found, the code enforcement officer shall notify the violator of the finding of a repeat violation, but is not required to give the violator a reasonable time to correct the violation. The code enforcement officer shall, through the town manager or designee, notify the code enforcement board or special magistrate, and schedule a hearing. The notice of the repeat violation shall also include the notice of hearing. The combined notice of repeat violation and notice of hearing shall be delivered to the violator as provided in section 18-207. The case may be presented to the code enforcement board or special magistrate even if the repeat violation has been corrected prior to the hearing, and the notice shall so state.
- (d) *Serious threat; irreversible, irreparable.* If the code enforcement officer has reason to believe a violation, or a condition causing a violation, presents a serious threat to the public health, safety and welfare, or if the violation is irreparable or irreversible in nature, the code enforcement officer shall make a reasonable effort to notify the violator and may, through the town manager or designee, immediately notify the code enforcement board or special magistrate and request a hearing.

(Ord. No. 386, § 4, 1-28-2014)

Sec. 18-202. Conduct of hearing.

- (a) *Generally.* All hearings and proceedings shall be open to the public. The town manager shall provide clerical and administrative support as may be reasonably required for the proper performance of the code enforcement board or special magistrate's duties. Each case before the code enforcement board or special magistrate shall be presented by the town attorney or by a member of the town staff. Minutes shall be kept of all hearings.
- (b) *Testimony; rules of evidence.* The code enforcement board or special magistrate may take testimony from the code enforcement officer and alleged violator and any other witnesses, if available. All testimony shall be under oath and shall be recorded. In accordance with F.S. § 286.0105, if a person decides to appeal any decision made by the code enforcement board or special magistrate, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. Any relevant evidence shall be admitted if it is competent and reliable. Each party shall have the right to call and examine witnesses; to introduce exhibits; and to cross-examine opposing witnesses.
- (c) *Administrative costs.* If the town prevails in prosecuting a case before the code enforcement board or special magistrate, it shall be entitled to recover all costs incurred in prosecuting the case and such costs, if not timely paid, may be included in the town's lien. If the violator is found in violation under this section and costs are assessed, but a fine is not imposed, a code enforcement lien may be recorded against the property owned by the violator for the amount of the unpaid costs.
- (d) *Findings of fact; order for compliance.*
 - (1) At the conclusion of the hearing, the code enforcement board or special magistrate shall issue findings of fact, based on the evidence of record and conclusions of law, and shall issue an order affording the proper relief consistent with the powers granted herein. If the code enforcement board issues a final order, the finding shall be made by motion approved by a majority of those present and voting. The order may include a notice that it must be complied with by a specified date and that if the order is not complied with by said date, the following may be imposed: a daily accruing fine and the assessment of

the costs of repair (as set forth in section 18-304), if any. The order may also include the administrative costs of the hearing and these costs may be included in the total amount of the fine. A certified copy of the order may be recorded in the public records of Martin County, and shall constitute notice to any subsequent purchasers, successors-in-interest, or assigns, if the violation concerns real property, and the findings thereon shall be binding upon the violator, and, if the violation concerns real property, any subsequent purchaser, successor-in-interest or assigns. If an order is recorded in the public records in accordance with this division, and the order is complied with by the date specified in the order, the code enforcement board or special magistrate shall issue an order acknowledging compliance and that order shall be recorded in the public records. A hearing is not required to issue the order acknowledging compliance.

- (2) Further, if a violation is found, the violator shall be given a time period equal to the time set for compliance within which to deliver to the town a request for hearing to challenge the fine to be imposed under the order. Such a request does not continue, extend or postpone the time set for compliance. If such a hearing is not timely requested and if the violation is not corrected by the time established in the order and/or all administrative costs are not timely paid, the town may record a certified copy of the order in the public records of Martin County and thereafter the order shall constitute a lien under F.S. § 162.09. The request for hearing shall be requested in writing and shall be received by the town manager on or before the set time period expires. If the request is timely received, the town manager shall schedule a hearing before the code enforcement board or the special magistrate. The town shall send a notice of hearing to the violator in accordance with section 18-207. Said hearing shall be limited to a consideration of only those new findings necessary to impose a fine. The violator shall bear the burden of proof at such hearing to show cause why the fine imposed in the order is not appropriate. At this hearing, any order entered by the code enforcement board or special magistrate which imposes a fine and/or administrative costs may be recorded in the public records of Martin County and thereafter such order shall constitute a lien under F.S. § 162.09.

(Ord. No. 386, § 4, 1-28-2014)

Sec. 18-203. Fines.

- (a) The code enforcement board or special magistrate may order the violator to pay a fine for each day the violation continues past the date set for compliance. In the case of a repeat violation, the code enforcement board may order the violator to pay a fine for each day the repeat violation continues, beginning with the date the repeat violation is found to have occurred by the code enforcement officer.
- (b) If the violation is a violation described in subsection 18-201(d) (i.e., serious threat, irreversible, or irreparable), the code enforcement board or special magistrate may notify the town, which may make all reasonable repairs or corrections which are required to bring the property into compliance and charge the violator the reasonable cost of the repairs or correction, along with the fine imposed. Making such repairs or corrections to maintain the property does not create a continuing obligation on the part of the town to make further repairs or to maintain the property and does not create any liability against the town for any damages to the property, if the work was completed in good faith.
- (c) In determining the amount of the fine, if any, the code enforcement board and the special magistrate shall consider the following factors:
- (1) The gravity of the violation;
 - (2) Any action taken by the violator to correct the violation; and
 - (3) Any previous violations committed by the violator.

(Ord. No. 386, § 4, 1-28-2014)

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(Supp. No. 25)

Sec. 18-204. Filing of lien; foreclosure.

A certified copy of an order imposing a fine, which may include outstanding administrative costs and repair or abatement costs, may be recorded in the public records of Martin County, and thereafter, shall constitute a lien against the land on which the violation exists, and upon any other real and personal property owned by the violator. Such lien shall bear interest at the highest rate permitted by law, from the date of the order entered by the code enforcement board or special magistrate. Upon petition to the circuit court, such order may be enforced in the same manner as a court judgment by a sheriff of this state, including levy against the personal property, but such order shall not be deemed to be a court judgment except for enforcement purposes. A fine imposed pursuant to this section shall continue to accrue daily until the violation comes into compliance, or until judgment is rendered in a suit to foreclose the lien filed, whichever occurs first. A lien arising from the fine imposed pursuant to this section, runs in favor of the town. Upon payment of the fine and costs, the town manager may execute a satisfaction or release of lien. After three months from filing any lien which remains unpaid, the town commission may authorize the town attorney to foreclose the lien or to sue to recover a money judgment for the amount of the lien plus interest. No lien created, pursuant to the provisions of this section, may be foreclosed on real property which is a homestead, under Section 4, Article X of the State Constitution. No lien provided for hereunder, and pursuant to F.S. ch. 162, shall continue for a period longer than 20 years after the certified copy of the order imposing the fine has been recorded, unless within that time an action to foreclose on the lien is commenced in a court of competent jurisdiction. In any action to foreclose on a lien or collect sums due under an order pursuant to this chapter, the town shall be entitled to recover from the violator, all costs, including reasonable attorney's fees, that it incurs in the action whether at trial, or on appeal.

(Ord. No. 386, § 4, 1-28-2014)

Sec. 18-205. Reduction of lien.

- (a) Once a lien has been imposed under this division, the violator ("petitioner") may submit a written petition to the town manager to request a lien reduction hearing. The reduction hearing will be limited solely to the issue of whether the lien assessed should be reduced and the hearing shall not be a hearing de novo of the original case. The burden of proof will be on the petitioner to show cause for reducing the lien.
- (b) The petition must be submitted to the town manager on the form provided by the town and the nonrefundable petition fee (as established by resolution of the town commission) shall be paid prior to the town's review of the petition.
- (c) If the following criteria are satisfied, as determined by the town manager, the petition will be set for a hearing:
 - (1) If the violation concerned real property, the real property in question must be in compliance with the town's Code and an affidavit of compliance must be on file for the real property.
 - (2) If the violation concerned a matter not directly related to real property, an affidavit of compliance must be issued for the violation.
 - (3) All real property owned by the petitioner in the town must be in compliance with the town's Code and not the subject of another code enforcement case.
 - (4) The petitioner must not have any overdue or delinquent accounts with the town including, but not limited to, taxes, special assessments or administrative costs.

If the above criteria are not satisfied, the petition will be denied and notice of denial will be sent to the petitioner by regular U.S. Mail to the address provided on the petition.

-
- (d) If the criteria are satisfied and a hearing for lien reduction is set, a notice of the hearing will be sent by regular U.S. Mail to the address provided on the petition at least five days prior to the hearing date. Failure of the petitioner to attend the hearing, without the prior consent of the town manager, will result in the petition being denied.
 - (e) The code enforcement board or special magistrate shall make one of the following determinations: The lien may be reduced to a specified amount, or the request for lien reduction may be denied.
 - (f) Any lien reduction made pursuant to this section is not applicable to any administrative costs assessed at any prior hearing.

(Ord. No. 386, § 4, 1-28-2014)

Sec. 18-206. Appeal.

The violator or the town, may appeal a final administrative order of the code enforcement board or special magistrate to the circuit court. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the code enforcement board or special magistrate. An appeal shall be filed within 30 days of the execution of the order to be appealed.

(Ord. No. 386, § 4, 1-28-2014)

Sec. 18-207. Notices.

- (a) All notices required by this division shall be provided to the alleged violator by:
 - (1) Certified mail, return receipt requested, to the address listed in the tax collector's office for tax notices or to the address listed in the county property appraiser's database. The town may also provide an additional notice to any other address it may find for the property owner. For property owned by a corporation, notices may be provided by certified mail to the registered agent of the corporation. If any notice sent by certified mail is not signed as received, within 30 days after the postmarked date of mailing, notice may be provided by posting as described in subsection (b)(1) below;
 - (2) Hand delivery by a sheriff or other law enforcement officer, code enforcement officer, or other person designated by the town commission;
 - (3) Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice; or
 - (4) In the case of commercial premises, leaving the notice with the manager or other person in charge.
- (b) In addition to providing notice as set forth in subsection (a), at the option of the code enforcement board, special magistrate, town manager or code enforcement officer, notice may be served by posting or publication, as follows:
 - (1) Posting. Notice may be posted at least ten days prior to the hearing, or prior to the expiration of any deadline contained in the notice, in at least two locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be at Town Hall. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.
 - (2) Publication. In lieu of posting, notice may be published once during each week for four consecutive weeks in a newspaper of general circulation in Martin County. The newspaper shall meet such requirements as are prescribed under F.S. ch. 50 for legal and official advertisements. Proof of publication shall be made as provided in F.S. §§ 50.041 and 50.051;

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(Supp. No. 25)

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- (3) Notice by posting or publication may run concurrently with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail as required under subsection (a).
 - (c) Evidence that an attempt has been made to hand deliver or mail notice as provided in subsection (a), together with proof of posting or publication as provided in subsection (b), shall be sufficient to show that the notice requirements of this division have been met, without regard to whether or not the alleged violator actually received such notice.

(Ord. No. 386, § 4, 1-28-2014)

Sec. 18-208. Disclosure requirements when transfer of ownership.

- (a) If the owner of property that is subject to an enforcement proceeding before the code enforcement board or special magistrate transfers ownership of such property between the time the notice of violation was served and the time of the hearing, such owner shall:
 - (1) Disclose, in writing, the existence and the nature of the proceeding to the prospective transferee.
 - (2) Deliver to the prospective transferee a copy of the notices and other materials relating to the code enforcement proceeding received by the transferor.
 - (3) Disclose, in writing, to the prospective transferee that the new owner will be responsible for compliance with the applicable code and with orders issued in the code enforcement proceeding.
 - (4) File a notice with the town manager of the transfer of the property, with the identity and address of the new owner and copies of the disclosures made to the new owner, within five days after the date of the transfer.
- (b) A failure to make the disclosures described in paragraphs (1), (2) and (3) above before the transfer, creates a rebuttable presumption of fraud. If the property is transferred before the hearing, the proceeding shall not be dismissed, but the new owner shall be provided a reasonable period of time to correct the violation before the hearing is held.

(Ord. No. 386, § 4, 1-28-2014)

Secs. 18-209—18-225. Reserved.

DIVISION 2. CIVIL CITATION PROCEDURE

Sec. 18-226. Civil citation enforcement procedure.

- (a) If a violation of the town's Code, for which the town has set specific fines, is believed to have occurred or to exist, a code enforcement officer may issue the violator a courtesy warning notice or a civil citation (hereinafter "citation"). In the alternative, the code enforcement officer may choose to enforce the violation through division 1, "notice of violation", in which case, the procedures set forth in this division shall not apply.
- (b) A code enforcement officer is authorized to issue a citation to an individual or entity (hereinafter "person") when based upon personal investigation, the officer has reasonable cause to believe that the person has committed a violation of the Code for which the town has set a specific fine.
- (c) A citation issued by a code enforcement officer shall contain:

(Supp. No. 25)

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- (1) The date and time of issuance.
 - (2) The name and address of the person to whom the citation is issued.
 - (3) The date and time the civil infraction was committed, if known.
 - (4) The facts constituting reasonable cause.
 - (5) The number or section of the Code violated.
 - (6) The name of the code enforcement officer.
 - (7) The procedure for the person to follow in order to pay the civil penalty or to contest the citation.
 - (8) The date, time and location of the hearing to be held if the citation fine is not paid or if the violation is not timely complied.
 - (9) The applicable penalty if the person elects to contest the citation.
 - (10) The applicable penalty if the person elects not to contest the citation.
 - (11) The time set for compliance with the Code and for payment of the fine.
- (d) The citation shall be delivered to the violator in accordance with section 18-207 of this chapter.
- (e) A violator who has received a citation shall either:
- (1) Comply with the code section cited, if applicable, and pay the fine, on or before the time set forth in the citation; or
 - (2) Appear at the hearing, as scheduled on the citation, and contest the violation cited. If the alleged violator elects to appear at the hearing and contest the violation, he or she shall bring any witnesses or evidence to the hearing.
- (f) If the alleged violator fails to appear at the hearing, the alleged violator shall have waived all rights to a hearing and to otherwise contest the citation.
- (g) The code enforcement board or special magistrate, after a hearing on the citation, shall make a determination whether or not a violation of the Code has been committed. The hearing shall be conducted in accordance with section 18-202. If a violation is found to have occurred, the code enforcement board or special magistrate may enter an order requiring the payment of the citation fine and the administrative costs of the hearing and the compliance of the violation by a date certain and the accrual of a daily fine if such compliance date is not met, as set forth in section 18-202. In the alternative, the town may forego the pursuit of a daily fine and request an order be entered assessing the citation fine and administrative costs of the hearing. A certified order assessing fines and/or administrative costs may be recorded as a lien against the subject property as set forth in section 18-204 or as otherwise provided by law.
- (h) Payment of a citation shall constitute admission of a violation for purposes of finding a repeat violation.**

(Ord. No. 386, § 4, 1-28-2014)

Sec. 18-227. Schedule of fines.

The following is the schedule of fines for the Town of Sewall's Point:

- (1) *Class A violations.* All class A violations shall be a civil offense punishable by a fine of \$100.00.
- (2) *Class B violations.* All class B violations shall be a civil offense punishable by a fine of \$150.00.

(3) *Class C violations.* All class C violations shall be a civil offense punishable by a fine of \$250.00.

(4) *Class D violations.* All class D violations shall be a civil offense punishable by a fine of \$500.00.

(5) *Class E violations.* All class E violations shall be a civil offense punishable by a fine of \$50.00.

(Ord. No. 386, § 4, 1-28-2014)



Basic Info

PIN 01-38-41-006-005-00030-9	AIN 17671	Situs Address 3 S RIDGEVIEW RD SEWALLS POINT FL	Website Updated 11/16/21
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General Information

Property Owners BULTMAN JASON BALFOORT MICHELLE	Parcel ID 01-38-41-006-005-00030-9	Use Code/Property Class 0100 - 0100 Single Family
Mailing Address 3 RIDGEVIEW RD S STUART FL 34996	Account Number 17671	Neighborhood 120200 South Sewall's Point
Tax District SEWALL'S POINT	Property Address 3 S RIDGEVIEW RD SEWALLS POINT FL	Legal Acres .4240
	Legal Description HOMEWOOD, A PORTION OF LOT 3: BEG NELY C...	Ag Use Acres N/A

Current Value

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	Total County Exemptions	County Taxable Value
2021	\$ 275,000	\$ 300,430	\$ 575,430	\$ 5,228	\$ 570,202	\$ 50,000	\$ 520,202

Market values shown on the website reflect market conditions as of January 1st, the statutory assessment date. We are prohibited by law from relying on sales that occur after the January 1 assessment date. Therefore, market values shown on the website do not reflect today's market conditions, but rather the market conditions last year. In addition, the statutes require the county Property Appraiser to deduct for typical costs of sale (which include expenses such as commissions, title insurance, appraisals, inspection fees, etc.) when arriving at market value for tax purposes. That is why the market value for tax purposes is different from what a property would sell for today.

Current Sale

Sale Date
1/4/18

Grantor (Seller)
JOHN & SUZANNE SMITH HOLDINGS LLC

Doc Num
2672843

Sale Price
\$ 705,000

Deed Type
Wd Full Covenant and Warranty Deed

Book & Page
2968 2975

Legal Description

HOMEWOOD, A PORTION OF LOT 3: BEG NELY COR LOT 3, SWLY ALG N/LN 168.18' TO NW COR, SELY ALG W/LN 129.17', NELY 137.90' TO E/LN & NWLY 130.06' TO POB

The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the uses or interpretations of the legal description.

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06/22/2021 Documents:

- Photocopy of hang tags related to parking on undesignated area (lawn)
- Officer Garcia's Daily Activity Sheet for 06/22/2021

Date issued: 6-22-2021 Time: 0330
Location: 3 S. Ridgeway Rd.
Violation Description: Truck parked on
undesignated area (on grass)
PL TAG # RMY329
Location where notice was left: Truck Door
Officer: GARCIA ID# 060

Date Issued: 6-22-2021 Time: 0330
Location: 3 S. Ridgeway Rd.
Violation Description: Truck w/ metal Railings
attached to bed of truck.
plain view on property. (SEE BACK)
Location where notice was left: Driver Door
Officer: GARCIA ID# 060

FL TAG # RMY329

SEWALL'S POINT POLICE DEPARTMENT ACTIVITY REPORT

NAME & ID: OFFICER GARCIA #060 DATE: 06/22/2021

DAY: TUESDAY SHIFT: 2300-0700 CAR: 300

OT HOURS: _____ REASON: _____

MILEAGE ON: 85,077 MILEAGE OFF: 85,107 TOTAL MILES: 30

UTC: 1 WRITTEN WARNINGS: _____ VERBAL WARNINGS: _____

ARRESTS: _____ CRASHES: _____ CV CITED: _____ CV WARNED: 5

CODE / SIGNAL	ARRIVED	CLEARED	REMARKS
			CURRENT CASE # 21-075
10-8	2300	---	ON DUTY
TE	2330	---	SR A1A .
10-50	2355	0003	# AETGKJE . LEE SIMPSON . FL TAG # LGTG58 . ST LUCIE / OCEAN . PC - UNLAWFUL SPEED . PC LOC - SR A1A . CITATION - UNLAWFUL SPEED .
XPAT	0035	0040	52 SSPRD . ALL SEEMS OKAY .
XPAT	0100	0105	1 FIELDWAY DR . ALL SEEMS OKAY .
84	0125	0140	TOWN PARK . NO ONE AT PARK . ALL SEEMS OKAY .
10-40	0215	0245	PD . DINNER .
CODE V	0300	0305	6 W HIGH POINT RD . TRUCK [FL TAG # EHHZ14] WITH TOOL BOX IN BED OF TRUCK [NOT PERMITTED] . ORANGE HANG TAG ISSUED . LEFT ON DRIVER DOOR .
48	0306	0310	181 S RIVER RD . REF TO GARAGE DOOR LEFT OPEN . LEFT CRIME PREVENTION SLIP , ALL SEEMS OKAY .
CODE V	0311	0315	160 S RIVER RD [ON MARGUERITA] VEHICLE [FL TAG # HIGM55] PARKED ON STREET BETWEEN 2A AND 6A . LEFT ORANGE CODE TAG ON DRIVER DOOR .
CODE V	0318	0323	113 HENRY SEWALL WAY . VEHICLE [FL TAG # CYSU16] PARKED ON STREET BETWEEN 2A AND 6A . LEFT ORANGE CODE TAG ON DRIVER DOOR .
CODE V [X2]	0330	---	3 S RIDGEVIEW RD . VEHICLE [FL TAG # RMY329] PARKED IN UNDESIGNATED AREA (ON GRASS) . LEFT ORANGE CODE TAG ON DRIVER DOOR .
---	----	0337	TRUCK HAS METAL RACKS ATTACHED TO BED OF TRUCK ('COMMERCIAL VEHICLE') . LEFT ORANGE CODE TAG ON DRIVER DOOR
84	0439	0452	HARBOR BAY PLAZA . NO ONE AT PLAZA . ALL OKAY .
10-119	0555	0605	MOBIL . GAS . [\$13.08]
10-7	---	0700	OFF DUTY .

OFFICER SIGNATURE: *off Garcia #060* DATE: 06/22/2021

PAGE 1 OF 1 REVIEWING OFFICER: _____

09/20/2021 Documents:

- Photocopy of hang tag
- Officer Cardarelli's Activity Sheet
- Photograph of the violation Officer Cardarelli/Email from Cardarelli for other officers to attempt contact with Bultman

Date Issued: 9/20/21 Time: 1015

Location: 3. S. Ridgeview

Violation Description: TRAILER (unit) PARKED
IN FRONT YARD - IN PLAIN VIEW.

Location where notice was left: FRONT DOOR

Officer: CASARELLI ID# 0107

MAGIC TILT TRAILER
FL 76
433-ITV

SEWALL'S POINT POLICE DEPARTMENT ACTIVITY REPORT

NAME & ID: C.CARDARELLI #067 DATE: 09/20/21

DAY: SUNDAY SHIFT: 0700-1500 CAR: 600

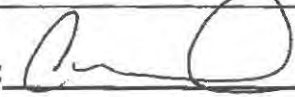
OT HOURS: _____ REASON: _____

MILEAGE ON: 143814 MILEAGE OFF: 143846 TOTAL MILES: 32

UTC: _____ WRITTEN WARNINGS: 1 VERBAL WARNINGS: _____

ARRESTS: _____ CRASHES: _____ CV CITED: _____ CV WARNED: 4

CODE / SIGNAL	ARRIVED	CLEARED	REMARKS	CURRENT CASE #
				21 - 117
10-8	0700			IN SERVICE
131	0720	0736	RIDGEVIEW/SSPRD - REF SIL TOYO FL TAG KYXR60 WITH H/M SLEEPING - 10-25 W/ ANGEL /VAN RUIZ FONSECA - EMPL W/ JOHNSON-DAVIS INC STATING HE WAS WAITING FOR HIS BOSS, DUE TO IT BEING HIS FIRST TIME IN TOWN. - ADVISED OF ORDINANCE - LEFT W/O INCIDENT.	
CV	0742	0748	52 SSPRD - SEC 42-24 - EARLY WRK HRS/COMMER VEHICLE PARKED DURING PROHIBITED HRS. (CFS GARAGE DOORS); HANG TAG ISSUED.	
CV	0758	0804	2 BAKU - SEC 42-24 - EARLY WRK HRS/COMMER VEHICLE PARKED DURING PROHIBITED HRS. (H2O PERFECTION INC); HANG TAG ISSUED.	
15(2X)	0826	0848		BUS DETAIL. #1711 & #1706.
XPAT	0851	0859		21 EMARITA WY - REF PAST 13(I) - AREA 10-4.
XPAT	0901	0907		5 SUMMER LN - REF PAST 13(I) - AREA 10-4.
VHC	0915	0925		66 SSPRD - HOME SECURE.
VHC	0934	0945		76 SSPRD - HOME SECURE.
VHC	0950	1001		78 SSPRD - HOME SECURE.
CV	1013	1022	3 S. RIDGEVIEW - REF SEC 42-24 - MAGIC TILT BOAT TRAILER PARKED IN FRONT YARD IN PLAIN VIEW (FL TAG 433ITV) - HANG TAG ISSUED.	
VHC	1033	1043		61 SRRD - HOME SECURE.
XPAT	1046	1050		1 TUSCAN LN - REF PAST VRB THRTS - AREA 10-4.
XPAT	1055	1104		30 CASTLE HILL WY - REF PAST 13(I) - AREA 10-4.
68	1123	1128	ASSISTED MOTORIST WITH FLAT TIRE/ GUIDED HIM OFF SE OCEAN INTO THE PARKING LOT OF 3727 SE OCEAN BLVD- JOHN GOUGH: BLK KIA FL TAG HNZJ10	
VHC	1131	1141		103 SSPRD - HOME SECURE.

OFFICER SIGNATURE:  DATE: 09/20/21

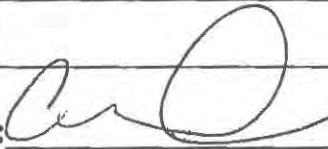
PAGE 1 OF _____ REVIEWING OFFICER: _____

**SEWALL'S POINT POLICE DEPARTMENT ACTIVITY REPORT
(CONTINUATION)**

NAME & ID: C.CARDARELLI #067

DATE: 09/20/21

CODE / SIGNAL	ARRIVED	CLEARED	REMARKS
			CURRENT CASE # 21 - 117
TE	1159	1222	3700 BLK SE OCEAN BLVD. (HBP)
XPAT	1225	1235	1 FIELDWAY DR - REF VACANT - AREA 10-4.
10-40	1245	1315	SPPD.
84	1321	1341	HBP - REF POLICE PRESENCE.
TE	1345	1405	114 NSPRD - TRAFFIC/SPEED
10-50	1356	1405	WRT WRNING: PC LOC: FRENCHLN/NSPRD - SIL FRD FL TAG X8491C - JACOB STANLEY TOBACK - PC: SPEED.
15	1412	1428	BUS DETAIL
10-7		1500	OUT OF SERVICE.

OFFICER SIGNATURE:  DATE: 09/20/21

PAGE 2 OF 2 REVIEWING OFFICER: _____

Kathryn Barbera

From: Cara Cardarelli
Sent: Monday, September 20, 2021 10:34 AM
To: Juan A. Garcia; Christopher Wade; Kimberly Thompson; William Hodge; Robert Quaglia; Sebastien Gonzalez; Kathryn Barbera; Tina Ciechanowski
Subject: 3 S. Ridgeview

I attempted to make contact with H/O at 3 S. Ridgeview to speak to them about the boat trailer parked in their front yard - (I noticed it there yesterday towards the end of my shift) - I was unable to make contact and issued a hang tag warning - if anyone would like to follow this up in the days to come - Be my guest ... I will try to make contact again later to see and give them a timeframe for removal. (I.E ASAP)

Thank you.



Sent from my iPhone

10/12/2021 Documents:

- Photocopy of Civil Violation Citation #CE04028
- Copy of photograph taken by Chief Ciechanowski on 10/12/2021 at 0734 hours.
- Ofc. Gonzalez's Activity Sheet

Town of Sewall's Point
One South Sewall's Point Road, Sewall's Point, FL 34996
Civil Violation Citation

CE 04028

This Civil Citation is issued pursuant to Chap. 18, Sec. 18-226 of the Town of Sewall's Point's Code of Ordinances. In addition to the citation fine set forth below, the violation(s) charged hereby could subject you to a civil penalty of \$250 per violation per day and up to \$500 per day for a repeat violation, plus administrative costs.

This citation is issued on the 12th day of October, 2021 by the undersigned Code Enforcement Officer to:

Builtman (Last name) Jason (First name) (M.I.)
3 Ridgerview Rd S Sewall's Pt Fl (Street address) (City) (State) (Zip code) 801-793-3835 (Phone number—home) (Phone number—other)

For violation of the following Town Ordinance (Ordinance Number & Description) in the Town of Sewall's Point, Florida:

42.24(e)(1); Boat/Trailer Parked Unconcealed

By virtue of the following (Summary of Violation): Sail boat on trailer parked on front lawn since 0730hrs (1st observation)

Location of Violation: 3 S. Ridgerview (Front Lawn)

If vehicle related: Year _____ Make _____ Model _____ Tag# _____ State _____ Description _____

YOU ARE HEREBY ORDERED TO CORRECT THE VIOLATION(S) CITED ABOVE AND TO PAY THE FINE SET FORTH, OR APPEAR ON THE HEARING DATE.

Written Warning No Fine

Class A Violation FINE \$100.00

Class B Violation FINE \$150.00

Class C Violation FINE \$250.00

Class D Violation FINE \$500.00

(Or a repeat violation which may be fined at \$500 per day per violation)

Class E Violation FINE \$50.00

VIOLATION CORRECTION DEADLINE: 5p on 10/12/21

FINES MUST BE PAID BY 4:00 P.M. ON THE 10TH DAY FOLLOWING THE DATE OF ISSUANCE OF THIS CITATION.

HEARING DATE (IF APPLICABLE): _____

Failure to correct the violation by the deadline set forth above may result in additional citations.

You may avoid daily fines and additional costs by complying with the code section(s) cited, if applicable, and paying the citation fine by either cash or a check, made payable to the Town of Sewall's Point received at the above address by 4:00 p.m. on the 10th day following the date of issuance. Cash payments MUST be hand delivered to the above address by the date due.

If you fail to correct the violation and pay the penalty in accordance with this citation, or if your check fails to clear, or if you wish to contest the citation, you are hereby commanded and summoned to appear at a hearing on the violation(s) charged, on the Hearing Date cited above in the Commission Chambers at Town Hall, located at 1 S. Sewall's Point Road, Sewall's Point, Florida.

If you fail to appear at the hearing to contest the Civil Violation Citation, you shall be deemed to have waived your right to a hearing and right to contest the citation, an order may be entered against you for an amount up to the maximum daily civil penalty, together with the citation fine and administrative costs, and a lien may be imposed. Overdue fines and costs or outstanding violations may result in the Town withholding permits, licenses and/or certificates of occupancy, by any department, governing body, or agent of the Town until the violator comes into compliance, and pays the Civil Violation Citation, including any administrative costs; or complies with the requirements in the order issued by the code enforcement board or special magistrate, or in the case of an appeal, by the court. Failure to respond to this Civil Violation Citation may result in the imposition of a lien or special assessment, if applicable, against the property of the violator. If you disagree with a decision of the Code Enforcement Board/Special Magistrate, you may appeal to the Circuit Court of Martin County within 30 days after the order is entered. If you decide to appeal any such order, with respect to any matter considered at the subject hearing, you will need a record of the proceedings, and for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based (sec. 286.0105, Fla. Stat.).

S. Gonzalez
Signature of Citing Code Enforcement Officer

[Signature]
Name of the Receiving Party (if hand-delivered)
(any person over 15 years of age)

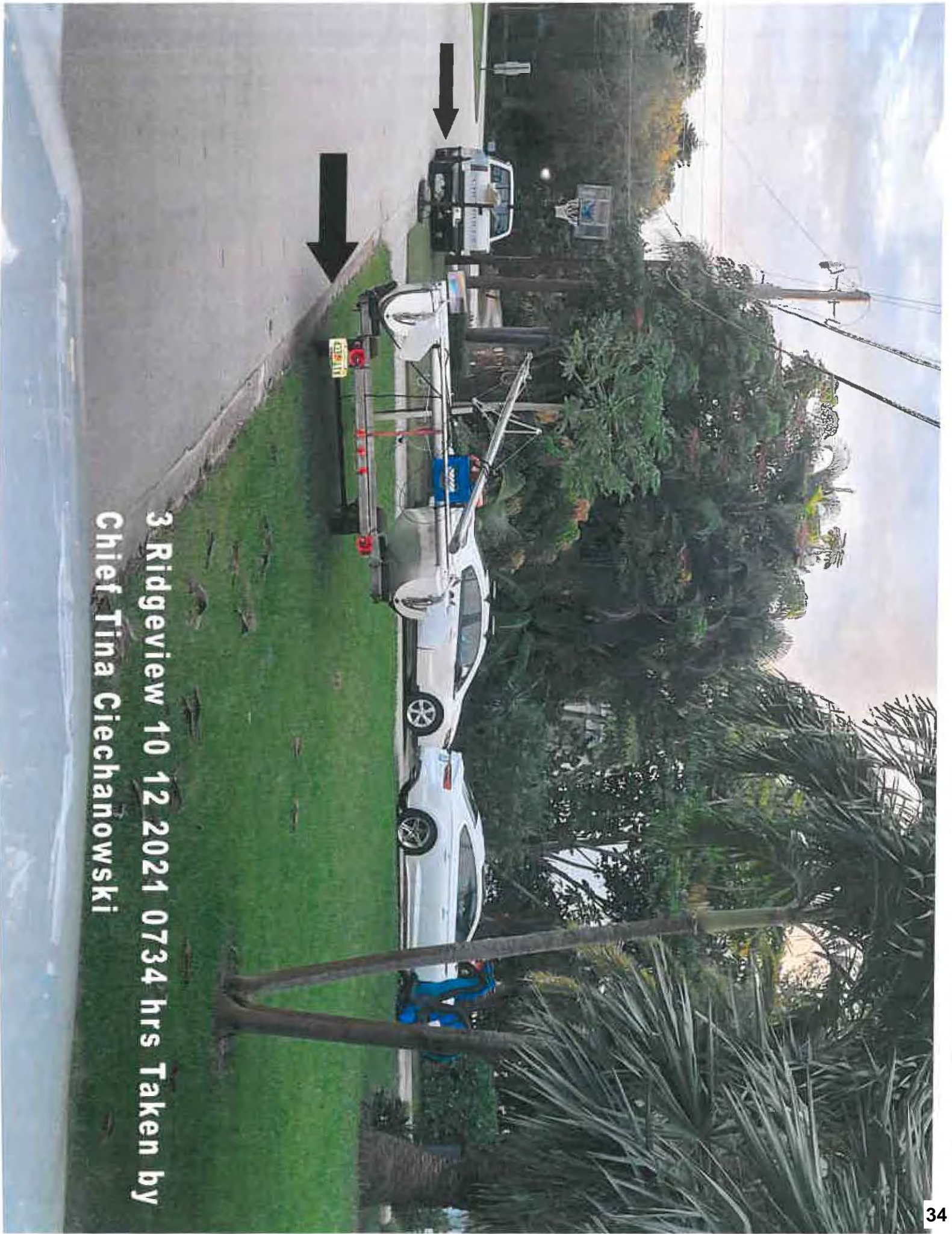
Date and Time of Issuance: 10/12/21 - 1307 hrs

Issued by CE Officer: S. Gonzalez

White Copy—Police Clerk

Yellow Copy—Defendant

Pink Copy—Town Clerk



3 Ridgeview 10 12 2021 0734 hrs Taken by
Chief Tina Ciechanowski

SEWALL'S POINT POLICE DEPARTMENT ACTIVITY REPORT

NAME & ID: OFDR. S. GONZALEZ - 065 DATE: 10/12/21

DAY: TUESDAY SHIFT: 0700 - 1500 CAR: 300

OT HOURS: _____ REASON: _____

MILEAGE ON: 91023 MILEAGE OFF: 91076 TOTAL MILES: 53

UTC: 2 WRITTEN WARNINGS: _____ VERBAL WARNINGS: _____

ARRESTS: _____ CRASHES: _____ CV CITED: _____ CV WARNED: 1

CODE / SIGNAL	ARRIVED	CLEARED	REMARKS	CURRENT CASE #
10-8	0700			IN SERVICE
068	0735	0739		BUS DETAIL - ESCORT BUS 1909
10-50	0739	0750	#AETGVOE; OCEAN & NSPR; ANTHONY ZOE W/M; WHITE FORD TK DQGP97; PC LOC: S/B NSPR @ INDIALUCIE; FAIL TO STOP FOR SCHOOL BUS	
94	0840	0854		BUS DETAIL; ESCORT SCHOOL BUS 1611
TE	0929	0942		NSPR
10-50	0950	1001	AETGVPE; PERRWINKLE LN / NSPR; NUBILA ZAAYAD O/F; WHITE CHEVY UT IUUF09; PC LOC: SB NSPR @ 101 NSPR; SEAT BELT VIOLATION	
VHC	1006	1010		51 SSPR
VHC	1012	1016		61 S. RIVER
VHC	1020	1023		8 N RIDGEVIEW
VHC	10-26	1031		9 RIVERVIEW
94	1037	1103	HBP; BACK UP OFC. CARDARELLI REF TRAFFIC STOP	
10-40	1156	1229		STATION
CVW	1300	1310	3 S. RIDGEVIEW; WRITTEN WARNING REF SAILBOAT ON TRAILER PARKED ON LAWN IN FRONT OF RESIDENCE SINCE 10/11/21	
10-86	1320	1331		PANTRY
68	1412	1430		BUS DETAIL - ESCORT BUS 1715
10-7		1500		OFF DUTY

OFFICER SIGNATURE: S. Gonzalez DATE: 10/12/21

PAGE 1 OF 1 REVIEWING OFFICER: _____

10/12/2021 Documents:

- Photocopy of the email sent to Police Department personnel

Tina Ciechanowski

From: Tina Ciechanowski
Sent: Wednesday, October 13, 2021 8:34 AM
To: Kathryn Barbera; Cara Cardarelli; Christopher Wade; Juan A. Garcia; Kimberly Thompson; Peter Trubish; Robert Quaglia; Sebastien Gonzalez; Tina Ciechanowski; William Hodge
Subject: Code Violations at 3 S. Ridgeview

All Officers,

There has been five parking related hang tags issued at 3 S. Ridgeview between 6/22 and 10/8: two for parking in the road overnight, one for a truck with racks on it, one for parking on the front lawn and another for a trailer parked in view, also on the front lawn.

Yesterday, when I drove by at 7:15 there was a boat on the trailer parked on the front lawn that had been there overnight according to the owner.

I spoke with Mr. Jason Bultman yesterday. He was issued a full page CVC warning and explained that going forward, we will have to issue his fined CVCs as we seem to have been unsuccessful with our warnings.

He understood.

Tina Ciechanowski, Chief of Police
Sewall's Point Police Department
1 S. Sewall's Point Road
Sewall's Point, FL 34996
Telephone: 772-781-3378
Email: tciechanowski@sewallspoint.org

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PUBLIC RECORDS REQUESTS - Contact Information for the Town of Sewall's Point Records

Custodian Please provide all public records requests to the Town Clerk's Office: Town Clerk, 1 S. Sewall's Point Road, Sewall's Point, FL 34996 Email: townclerk@sewallspoint.org Telephone: (772) 287-2455 X. 14

12/12/2021 Documents:

- Photocopy of Civil Violation Citation #CE04131
- Additional case information sheet for CVC #CE04131-Cardarelli
- Photographs of the violation taken by Officer Cardarelli

Town of Sewall's Point
One South Sewall's Point Road, Sewall's Point, FL 34996
Civil Violation Citation

CE 04131

This Civil Citation is issued pursuant to Chap. 18, Sec. 18-226 of the Town of Sewall's Point's Code of Ordinances. In addition to the citation fine set forth below, the violation(s) charged hereby could subject you to a civil penalty of \$250 per violation per day and up to \$500 per day for a repeat violation, plus administrative costs.

This citation is issued on the 12 day of December, 2021 by the undersigned Code Enforcement Officer to:

BULTMAN JASON
(Last name) (First name) (M.I.)
3 S. Ridgewood Rd Sewalls Point FL 34996
(Street address) (City) (State) (Zip code) (Phone number—home) (Phone number—other)

For violation of the following Town Ordinance (Ordinance Number & Description) in the Town of Sewall's Point, Florida:

42-24(A) PARKING IN AREA NOT DESIGNED FOR PARKING (FRONT LAWN)

By virtue of the following (Summary of Violation): SILVER KIA / WHT CHEVY PARKED ON FRONT LAWN OVERNIGHT. - MULTIPLE WARNINGS ISSUED PREVIOUSLY.

Location of Violation: 3 S. Ridgewood Rd, Sewalls Point

If vehicle related: Year 2014 Make KIA Model SOUL Tag# 418 RRN State FL Description SILVER
2013 CHEVY BALT 02KJ4 FL WHITE

**YOU ARE HEREBY ORDERED TO CORRECT THE VIOLATION(S) CITED ABOVE AND TO PAY THE FINE SET FORTH,
OR APPEAR ON THE HEARING DATE.**

Written Warning No Fine

Class A Violation FINE \$100.00

Class B Violation FINE \$150.00

Class C Violation FINE \$250.00

Class D Violation FINE \$500.00

(Or a repeat violation which may be fined at \$500 per day per violation)

Class E Violation FINE \$50.00

VIOLATION CORRECTION DEADLINE: IMMEDIATELY

FINES MUST BE PAID BY 4:00 P.M. ON THE 10TH DAY FOLLOWING THE DATE OF ISSUANCE OF THIS CITATION.

HEARING DATE (IF APPLICABLE): 2-9-21 10:00 AM

Failure to correct the violation by the deadline set forth above may result in additional citations.

You may avoid daily fines and additional costs by complying with the code section(s) cited, if applicable, and paying the citation fine by either cash or a check, made payable to the Town of Sewall's Point received at the above address by 4:00 p.m. on the 10th day following the date of issuance. Cash payments MUST be hand delivered to the above address by the date due.

If you fail to correct the violation and pay the penalty in accordance with this citation, or if your check fails to clear, or if you wish to contest the citation, you are hereby commanded and summoned to appear at a hearing on the violation(s) charged, on the Hearing Date cited above in the Commission Chambers at Town Hall, located at 1 S. Sewall's Point Road, Sewall's Point, Florida.

If you fail to appear at the hearing to contest the Civil Violation Citation, you shall be deemed to have waived your right to a hearing and right to contest the citation, an order may be entered against you for an amount up to the maximum daily civil penalty, together with the citation fine and administrative costs, and a lien may be imposed. Overdue fines and costs or outstanding violations may result in the Town withholding permits, licenses and/or certificates of occupancy, by any department, governing body, or agent of the Town until the violator comes into compliance, and pays the Civil Violation Citation, including any administrative costs; or complies with the requirements in the order issued by the code enforcement board or special magistrate, or in the case of an appeal, by the court. Failure to respond to this Civil Violation Citation may result in the imposition of a lien or special assessment, if applicable, against the property of the violator. If you disagree with a decision of the Code Enforcement Board/Special Magistrate, you may appeal to the Circuit Court of Martin County within 30 days after the order is entered. If you decide to appeal any such order, with respect to any matter considered at the subject hearing, you will need a record of the proceedings, and for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based (sec. 286.0105, Fla. Stat.).

[Signature] #067
Signature of Citing Code Enforcement Officer

[Signature]
Name of the Receiving Party (if hand-delivered)
(any person over 15 years of age)

Date and Time of Issuance: 12-14-21 0905

Issued by CE Officer: WM HODGE 066

White Copy—Police Clerk

Yellow Copy—Defendant

Pink Copy—Town Clerk

Additional Case Information

Date: 12/12/2021

Time: 03:50 HRS

CVC Number: 04131

Location: 3 S. RIDGEVIEW RD, SEWALLS POINT

ON SUNDAY DECEMBER 12, 2021, WHILE CONDUCTING ROUTINE PATROL IN THE TOWN OF SEWALL'S POINT. I OBSERVED AT APPROXIMATELY 03:50 HRS, 2 VEHICLES PARKED ON THE FRONT LAWN/GRASS AREA, AN AREA WHICH IS NOT DESIGNATED FOR PARKING. VEHICLES ARE AS FOLLOVED:

-SILVER KIA - FL TAG 418RRN
-WHITE CHEVY - FL TAG 01KJY

THE AFOREMENTIONED RESIDENCE HAS BEEN ISSUED MULTIPLE HANG TAG WARNING'S AND CVC'S REGARDING MULTIPLE VIOLATIONS PERTAINING TO TOWN ORDINANCE, SECTION 42-24 - PARKING RESTRICTIONS.

HOMEOWNER, JASON BULTMAN SPOKE WITH THE CHIEF DIRECTLY ON 10/12/2021 REGARDING THE MULTIPLE VIOLATIONS AT THIS ADDRESS AND WAS ADVISED THAT GOING FORWARD, WE WILL HAVE TO ISSUE FINED CVC'S AS WE HAVE BEEN UNSUCCESSFUL WITH OUR WARNINGS.

HANG TAG WARNING AND CVC DATES ARE AS FOLLOVED FOR VIOLATIONS IN RELATION TO SECTION 42-24 PARKING RESTRICTIONS:

10/08/2021 - Vehicle parked in road after hours. (FL TAG 54ECC) - Hang tag
10/15/2021 - White Chevy truck parked in roadway. (FL TAG Z64FD) - Hang tag
10/02/2021 - White Mustang parked on roadway. (FL TAG NACJ32) - Hang tag
09/20/2021 - Trailer parked in front yard. - Hang Tag
06/22/2021 - Truck parked with metal railings (com veh) (FL TAG RMY329) - Hang tag
06/22/2021 - Truck parked on non-designated area.(grass) - (FL TAG RMY329) - Hangtag
10/12/2021 - Boat trailer parked on front lawn. - CVC Warning.
11/04/2021 - White truck with metal railings (com veh) FL TAG RMY329 - CVC Warning.
11/16/2021 - White truck with metal railings (com veh) FL TAG RMY329 - CVC Fine.

I FIND RESIDENTS AT ABOVE ADDRESS IN DIRECT VIOLATION OF TOWN ORDINANCE 42-24(A) - PARKING RESTRICTIONS/PARKING OF STANDARD VEHICLES IN R-1 DISTRICT. (PARKING IN AREA NOT DESIGNED FOR PARKING VEHICLES)

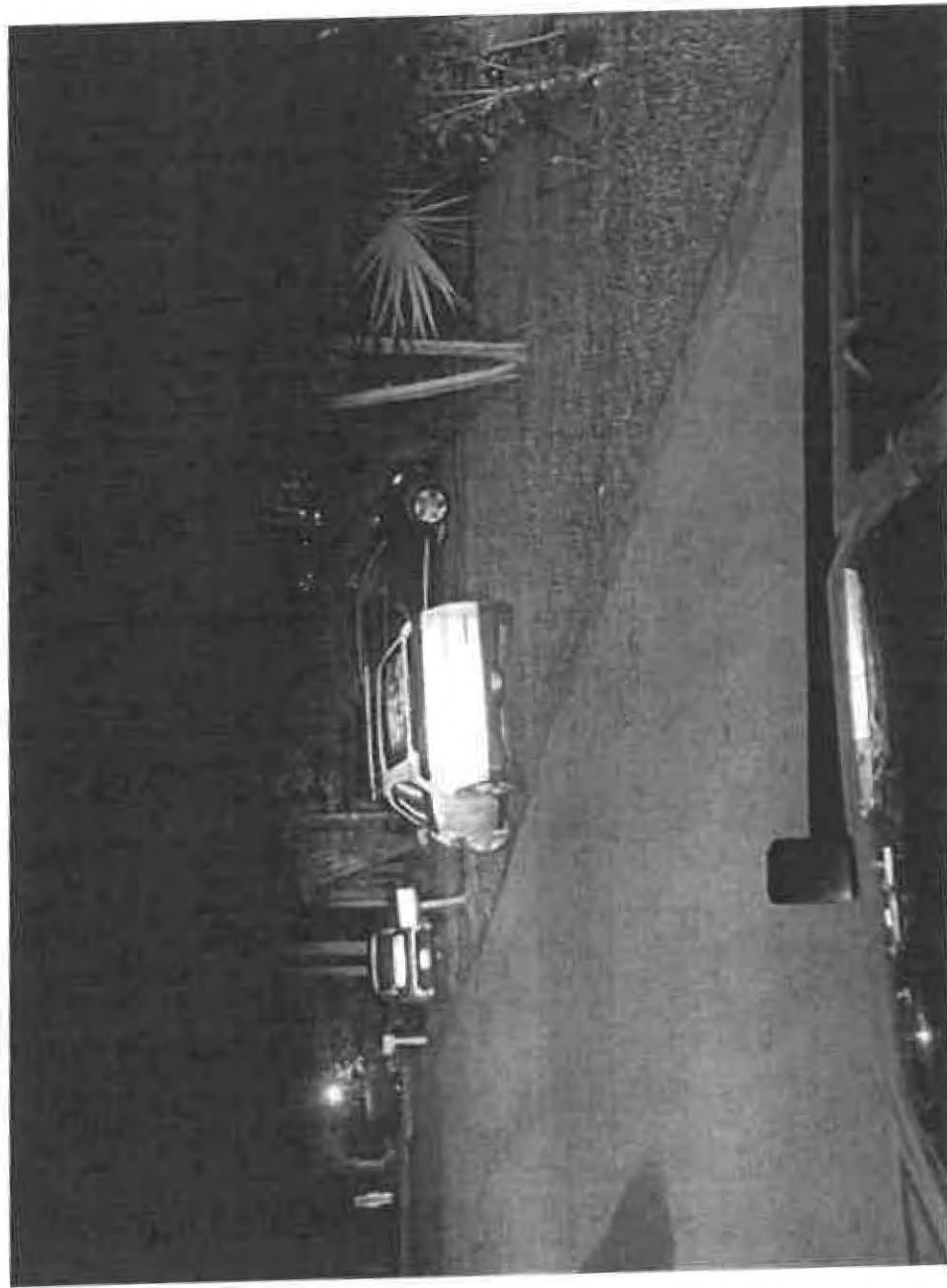
NOTHING FURTHER.

Officer's Name & ID Number

C. CARDARELLI #067

12/12/21 CVC - 04131

3. S. Ridgeway Rd



12/12/21 CVC - 04131

3. S. Ridgerview Rd.



Case Note 12/15/2021 Documents:

- Photocopy of email from Barbera to Bultman on 12/15/2021

Kathryn Barbera

From: Jason Bultman <jason.bultman@gmail.com>
Sent: Wednesday, December 15, 2021 4:59 PM
To: Kathryn Barbera
Subject: Re: Civil Violation Citation 04131

Confirmed. Thank you Kathryn.

On Wed, Dec 15, 2021 at 8:46 AM Kathryn Barbera <KBarbera@sewallspoint.org> wrote:

Good morning, Mr. Bultman.

This email is in follow up to our phone conversation this morning, wherein you expressed your wish to address Civil Violation Citation 04131 at the January 12th, 2022 Code Enforcement Board meeting.

Kindly reply to this email to confirm this information so that we may add this item to the meeting agenda.

Thank you.

Kathi

Kathryn Barbera

Police Administrative Assistant

Sewall's Point Police Department

1 S. Sewall's Point Road

Sewall's Point, FL 34996

772-781-3378

kbarbera@sewallspoint.org

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12/28/2021 Documents:

- Officer Cardarelli's Daily Activity Sheet for 12/28/2021
- Additional Case Information Report
- Photographs taken by Officer Cardarelli
- Photographs taken by Chief Ciechanowski

SEWALL'S POINT POLICE DEPARTMENT ACTIVITY REPORT

NAME & ID: C.CARDARELLI #067 DATE: 12/28/21

DAY: TUESDAY SHIFT: 2300-0700 CAR: 100

OT HOURS: _____ REASON: _____

MILEAGE ON: 3257 MILEAGE OFF: 3285 TOTAL MILES: 28

UTC: _____ WRITTEN WARNINGS: _____ VERBAL WARNINGS: 1

ARRESTS: _____ CRASHES: _____ CV CITED: 1 CV WARNED: 3

CODE / SIGNAL	ARRIVED	CLEARED	REMARKS	CURRENT CASE #
				*** **
10-8	2300			IN SERVICE
10-6	2330	2340		SPPD - UPLOADING BODYCAM FOOTAGE.
84	0045	0105		TOWN PARK - AREA CHECKED (10-108), ALL 10-4.
PAT	0106	0210**		ROVING PATROL OF N. END/CONSTRUCTION SITES/STREETS/HOMES/XPATS/CV'S ETC.
84	0116	0121		30 CASTLE HILL WY - REF PAST S13(I) - AREA OBSERVED AND 10-4.
84	0125	0130		102 NSPRD - PER REQ. DUE TO S13(I) - AREA OBSERVED AND 10-4.
68	0141	0145		13 KNOWLES RD - REF OPEN GARAGE DOOR - CRIME PREVENTION SLIP COMPLETED AND ISSUED.
CV	0147	0151		13 KNOWLES RD - REF SEC 22-2 - (MULTIPLE) GARBAGE CANS OUT PAST MIDNIGHT AFTER SCHEDULED PICK UP - HANG TAG WARNING ISSUED.
84	0159	0209		1 & 7 FIELDWAY DR - REF PAST S13(I) & OUT OF TOWN - AREAS OBSERVED AND 10-4.
PAT	0220	0330**		ROVING PATROL OF S. END/BRIDGES/CONSTRUCTION SITES/STREETS/HOMES/XPATS/CV'S -
84	0214	0219		22 E. HIGH POINT RD - PER REQ. REF VRB THREATS - AREA OBSERVED, ALL 10-4.
CV	0227	0232		18 PALM RD - REF SEC 42-24(C) RED HONDA FL TAG WBY354 - PARKED IN AREA NOT DESIGNATED FOR PARKING (I.E GRASS)
84	0235	0240		9 RIO VISTA DR - REF PAST 13(I) - AREA OBSERVED AND 10-4.
84	0245	0250		6 HERONS NEST - REF PAST S49'S - AREA CHECKED, ALL 10-4
84	0255	0300		112 SSPRD - PER REQUEST REF S13(I)(V) - AREA OBSERVED, ALL APPEARS 10-4.
84	0430	0511**		HBP / BENIHANA / PREMIER REALTY / 3601 / 3727 /3725 SE OCEAN BLVD - ALL AREAS OBSERVED AND CHECKED. ALL 10-4.

OFFICER SIGNATURE:  DATE: 12/28/21

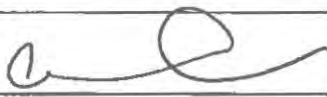
PAGE 1 OF 2 REVIEWING OFFICER: _____

**SEWALL'S POINT POLICE DEPARTMENT ACTIVITY REPORT
(CONTINUATION)**

NAME & ID: C.CARDARELLI #067

DATE: 12/28/21

CODE / SIGNAL	ARRIVED	CLEARED	REMARKS	CURRENT CASE #	*** **
10-50	0455	0500	PC LOC: 3700 SE OCEAN BLVD - BLK TOYO IL TAG CV83736 - AHMED MOHAMMED AHMED ELAMIN - PC: SPEED - VERBAL WARNING.		
84	0519	0525	21 EMARITA WY - REF PAST S13(I) - AREA CHECKED, ALL 10-4.		
CV	0526	0530	25 N. RIDGEVIEW - REF SEC 42-24 - GRY FORD FL TAG CLQA43 - PARKED ON ROADWAY O/N DURING PROHIBITED HRS (0200 - 0600) HANG TAG WARNING ISSUED.		
CV	0535	0538	3 S. RIDGEVIEW - REF SEC 42-24 - BOAT AND TRAILER PARKED IN THE FRONT YARD, IN PLAIN VIEW. CVC TO BE COMPLETED AND ISSUED.		
10-6	0600	0700		10-44 W/ CV #0413	
10-7		0700		OUT OF SERVICE.	

OFFICER SIGNATURE:  DATE: 12/28/21

PAGE 2 OF 2 REVIEWING OFFICER: _____

Additional Case Information

Date: 12/28/2021

Time: 05:30 HRS

CVC Number: 04134

Location: 3 S. RIDGEVIEW RD, SEWALLS POINT

ON TUESDAY DECEMBER 28, 2021, WHILE CONDUCTING ROUTINE PATROL IN THE TOWN OF SEWALL'S POINT. I OBSERVED AT APPROXIMATELY 05:30 HRS, A BOAT AND TRAILER PARKED IN THE FRONT YARD OF AFOREMENTIONED ADDRESS, THE BOAT/TRAILER WERE NOT CONCEALED AND IN PLAIN VIEW FROM THE ROADWAY. (PHOTO OBTAINED)

THE AFOREMENTIONED RESIDENCE WAS ISSUED A WRITTEN CVC WARNING FOR THIS SPECIFIC VIOLATION FROM SECTION 42-24(e) FOR PARKING OF BOATS AND HAS BEEN ISSUED MULTIPLE HANG TAG WARNINGS AND CV CITATIONS PERTAINING TO SECTION 42-24 "PARKING RESTRICTIONS."

DATES OF WARNINGS AND CITATIONS ARE AS FOLLOWED:

6/22/21: Hang tag warning for truck parked in grass.
6/22/21: Hang tag warning for truck with metal railings (Comm) parked in view.
9/20/21: Hang tag warning for trailer parked in front yard in plain view.
10/2/21: Hang tag warning for White Mustang parked on roadway overnight.
10/8/21: Hang tag warning for vehicle parked in roadway overnight.
10/12/21: Written CVC warning for boat/trailer parked on front lawn in plain view.
10/15/21: Hang tag warning for white Chevy truck parked on roadway overnight.
11/4/21: CVC issued for wht Comm. truck with metal railings parked overnight plain view.
11/16/21: CVC issued for wht Comm. truck with metal railings parked overnight plain view.
12/14/21: CVC issued for 2 vehicles parked in area not designated for parking (i.e. grass/front lawn) overnight.

IT SHOULD BE NOTED THAT MR. BULTMAN SPOKE WITH SPPD CHIEF CIECHANOWSKI ON 10/13/2021, REGARDING THE MULTIPLE VIOLATIONS AND WARNINGS AND HAS BEEN ADVISED THAT GOING FORWARD, WE WOULD HAVE TO ISSUE FINED CVC'S AS WE HAVE BEEN UNSUCCESSFUL WITH GAINING COMPLIANCE WITH WARNINGS.

I FIND RESIDENTS AT ABOVE ADDRESS IN DIRECT VIOLATION OF TOWN ORDINANCE 42-24(e) - PARKING RESTRICTIONS/PARKING OF BOATS, WHICH READS AS: NO BOAT (WETHER ON TRAILER OR NOT) MAY BE PARKED, KEPT, STORED OR MAINTAINED UPON A STREET, ROAD, RIGHT OF WAY OR PRIVATE PROPERTY UNLESS ITS IS TOTALLY CONCEALED FROM VIEW.

NOTHING FURTHER.

Officer's Name & ID Number

C. CARDARELLI #067

Incident Details

Agency: Sewall's Point Police Department
Agency #: FL0430300

Print Date/Time: 01/03/2022 11:27

General Information

Incident #: 2021-00198538	Incident Type: Police Service Call	Call Date/Time: 12/28/2021 05:35
Location: 3 S RIDGEVIEW RD, SEWALLS POINT, FL 34996	Status: In Progress	Priority: Low
Primary Caller:	Caller Contact #:	Originating Call #:
Case Number:	Nature of Call:	Source: Field Initiated

Units/Personnel

Unit #	Unit Type	Personnel	Time on Call
046	08 Road Patrol - Sewall's Point	9075 - Cardarelli, Cara	12/28/2021 05:35

Vehicles

Role	Type	Year	Make	Model	Color	License	State	VIN
------	------	------	------	-------	-------	---------	-------	-----

Subjects

Role	Name	Address	Contact Information	Race	Sex	DOB
------	------	---------	---------------------	------	-----	-----

Disposition

Disposition	Count	Unit	Date/Time
21 - All Other Calls	1	046	12/28/2021 05:37

Evidence

Counter	Evidence Type	Codes	Description	Current Location	Received Date	Make/Model
---------	---------------	-------	-------------	------------------	---------------	------------

Report Narratives

Narratives

Entered By: ccardarelli **Date Entered:** 12/28/2021 05:35
 CV REF 42-24 BOAT W/ TRAILER (UNABLE TO GET TAG) CVC TO BE COMPLETED AND ISSUED ON A LATER DATE.

Call Log

Date/Time	User	Action	Description
12/28/2021 05:35	ccardarelli	Agency Context Added	Police Call Type Added. Call Type: 68 - Police Service Call, Status: In Progress, Priority: Low
12/28/2021 05:35	ccardarelli	Call Created	New call created. Call Type: 68 - Police Service Call, Location: 3 S RIDGEVIEW RD Performed by Mobile Unit 046
12/28/2021 05:35	ccardarelli	Narrative Added	CV REF 42-24 BOAT W/ TRAILER (UNABLE TO GET TAG) CVC TO BE COMPLETED AND ISSUED ON A LATER DATE.
12/28/2021 05:35	ccardarelli	Incident Created	Added Incident Number, ORI: FL0430300, Number: 2021-00198538
12/28/2021 05:35	ccardarelli	Call Ready for Dispatch	Call marked ready for dispatch
12/28/2021 05:35	ccardarelli	Unit Status Action	Unit 046 10-97
12/28/2021 05:35	ccardarelli	Unit Location	Unit 046 Secondary Location: Secondary Location Cleared Performed by Mobile Unit 046

Incident Details

Agency: Sewall's Point Police Department
Agency #: FL0430300

Print Date/Time: 01/03/2022 11:27

Call Log			
Date/Time	User	Action	Description
12/28/2021 05:35	testing, cad - system	Alerts Retrieval	Alerts Were Successfully Gathered For Location At Address 3 S RIDGEVIEW RD
12/28/2021 05:35	ccardarelli	Location	Cross streets updated, No Cross Streets Found
12/28/2021 05:37	ccardarelli	Unit Status Action	Unit 046 10-8 / 10-98
12/28/2021 05:37	ccardarelli	Call Cleared	Close Call

Unit Log			
Date/Time	Unit Number	Action	Description
12/28/2021 05:35	046	Unit Status Change	Dispatched Call Number: 87, Assigned Location: 3 S RIDGEVIEW RD, SEWALLS POINT, Call Type: 68 - Police Service Call Performed by Mobile Unit 046
12/28/2021 05:35	046	Unit Status Change	10-97
12/28/2021 05:35	046	Unit Location	Secondary Location Cleared Performed by Mobile Unit 046
12/28/2021 05:37	046	Disposition Added	Added: 21 - All Other Calls Count 1
12/28/2021 05:37	046	Unit Cleared	Unit Cleared From Call
12/28/2021 05:37	046	Unit Status Change	10-8 / 10-98

Contributing Officers				
Officer	Supervisor	Report Date/Time	Report Type	Approving User

12/28/21 CVC 04134

3. S. Ridgeway

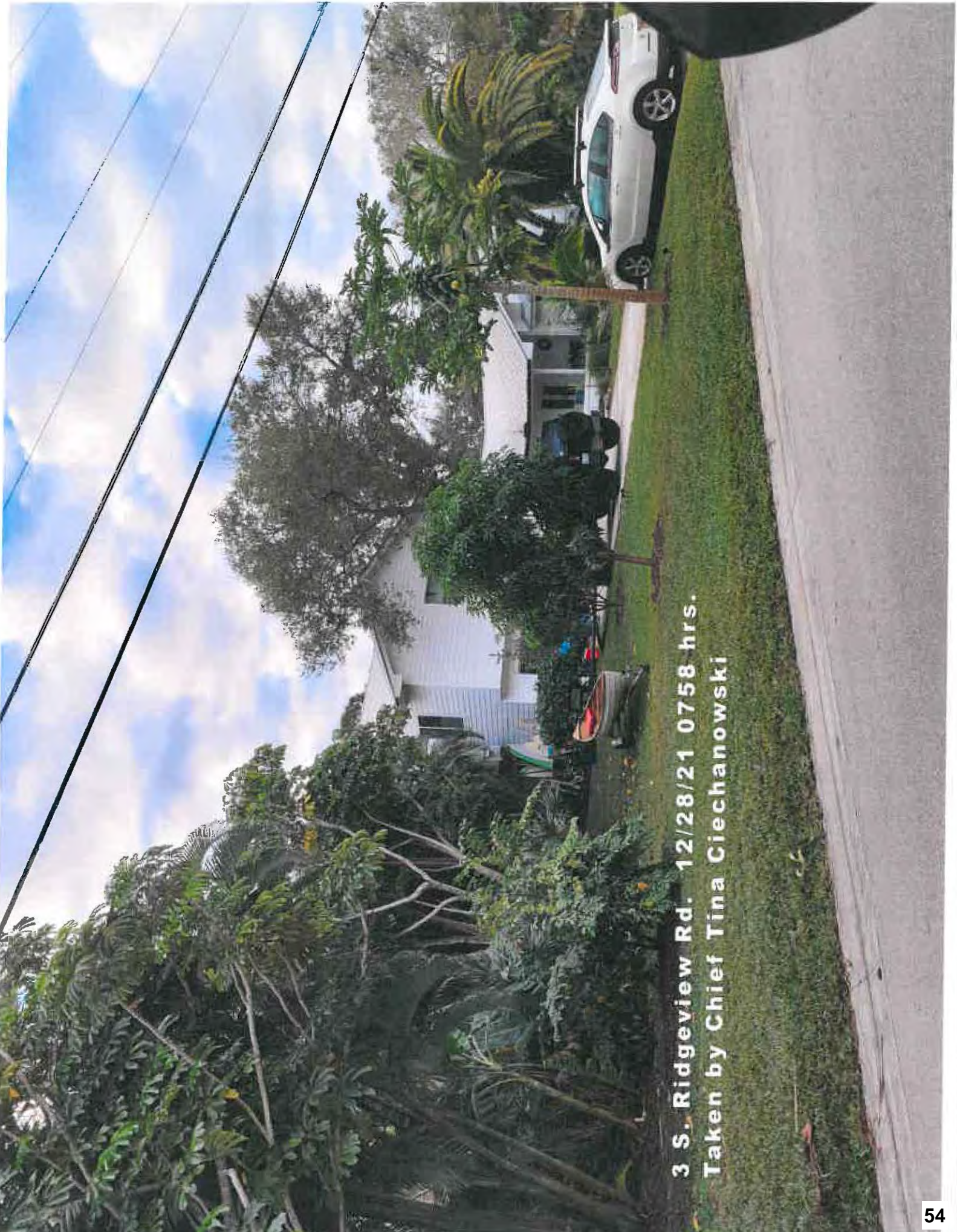


12/28/21

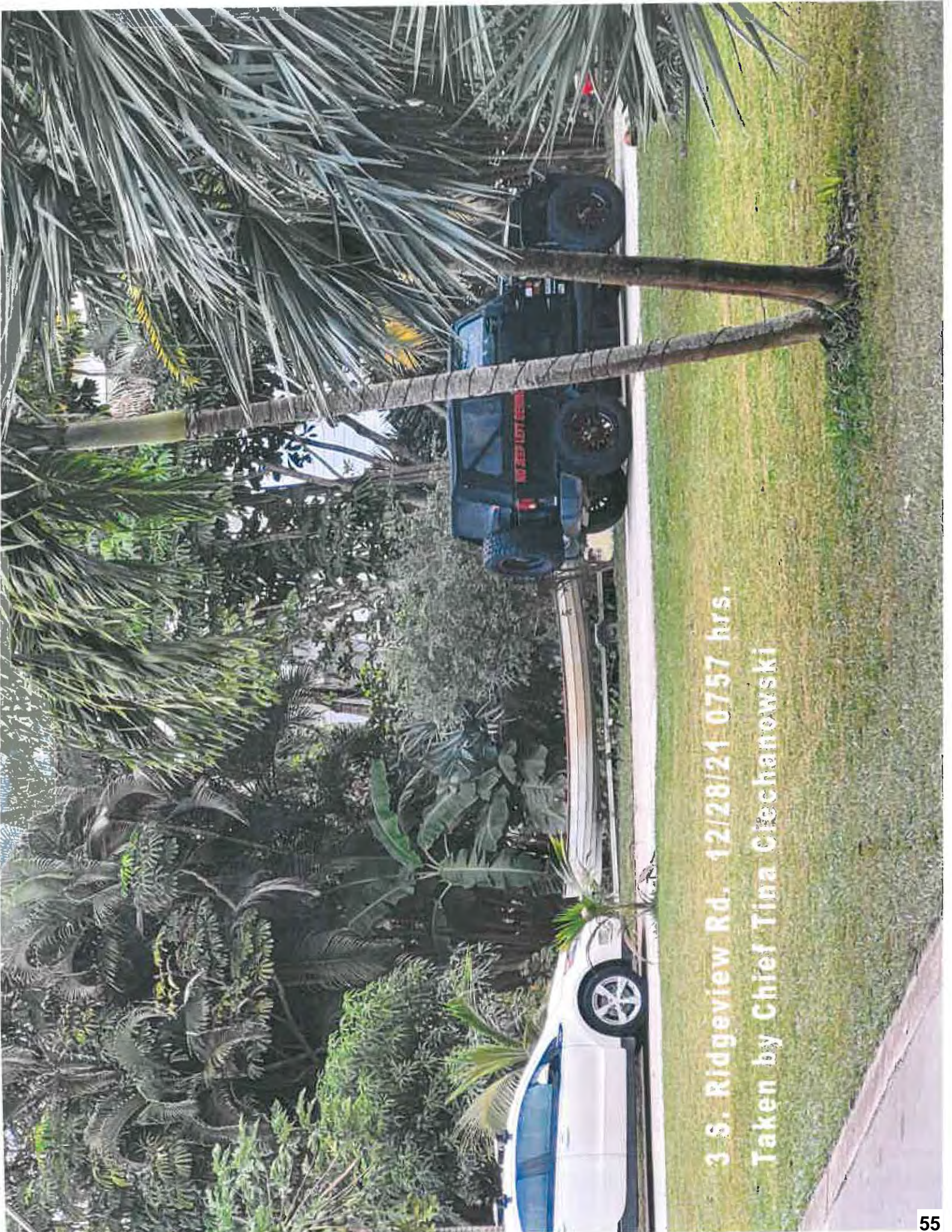
CVC 04134

3.5 Ridgerview





**3 S. Ridgeview Rd. 12/28/21 0758 hrs.
Taken by Chief Tina Ciechanowski**



3 S. Ridgeview Rd. 12/28/21 0757 hrs.
Taken by Chief Tina Ciechanowski

12/28/2021 Documents:

- Photocopy of the email sent to Mr. Bultman on 12/28/2021
- Photographs taken by Chief Ciechanowski of the boat and trailer in its new location.

Tina Ciechanowski

From: Tina Ciechanowski
Sent: Tuesday, December 28, 2021 8:42 AM
To: 'jason.bultman@gmail.com'
Cc: Cara Cardarelli; Kathryn Barbera (KBarbera@sewallspoint.org)
Subject: Boat and Trailer on the Lawn

Importance: High

Tracking:	Recipient	Delivery
	'jason.bultman@gmail.com'	
	Cara Cardarelli	Delivered: 12/28/2021 8:42 AM
	Kathryn Barbera (KBarbera@sewallspoint.org)	Delivered: 12/28/2021 8:42 AM
	Michelle Berger	Delivered: 12/28/2021 8:42 AM

Good Morning Mr. Bultman,

As you know, as of this morning, your boat and trailer has been parked on the front lawn for at least 2 days. We are not issuing you a Civil Violation Citation today, but photographs have been taken and documented for presentation at the Code Enforcement Board hearing on 1/12/2022 as evidence of continued violations of the ordinance regarding concealment of boats/trailers and parking in non-designated locations (front lawn.)

We are seeking your compliance today.

Tina Ciechanowski, Chief of Police
Sewall's Point Police Department
1 S. Sewall's Point Road
Sewall's Point, FL 34996
Telephone: 772-781-3378
Email: tciechanowski@sewallspoint.org

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Tina Ciechanowski

From: Jason Bultman <jason.bultman@gmail.com>
Sent: Sunday, January 2, 2022 9:16 AM
To: Tina Ciechanowski
Cc: Cara Cardarelli; Kathryn Barbera
Subject: Re: Boat and Trailer on the Lawn

Sincere apologies!

On Tue, Dec 28, 2021 at 8:42 AM Tina Ciechanowski <TCiechanowski@sewallspoint.org> wrote:

Good Morning Mr. Bultman,

As you know, as of this morning, your boat and trailer has been parked on the front lawn for at least 2 days. We are not issuing you a Civil Violation Citation today, but photographs have been taken and documented for presentation at the Code Enforcement Board hearing on 1/12/2022 as evidence of continued violations of the ordinance regarding concealment of boats/trailers and parking in non-designated locations (front lawn.)

We are seeking your compliance today.

Tina Ciechanowski, Chief of Police

Sewall's Point Police Department

1 S. Sewall's Point Road

Sewall's Point, FL 34996

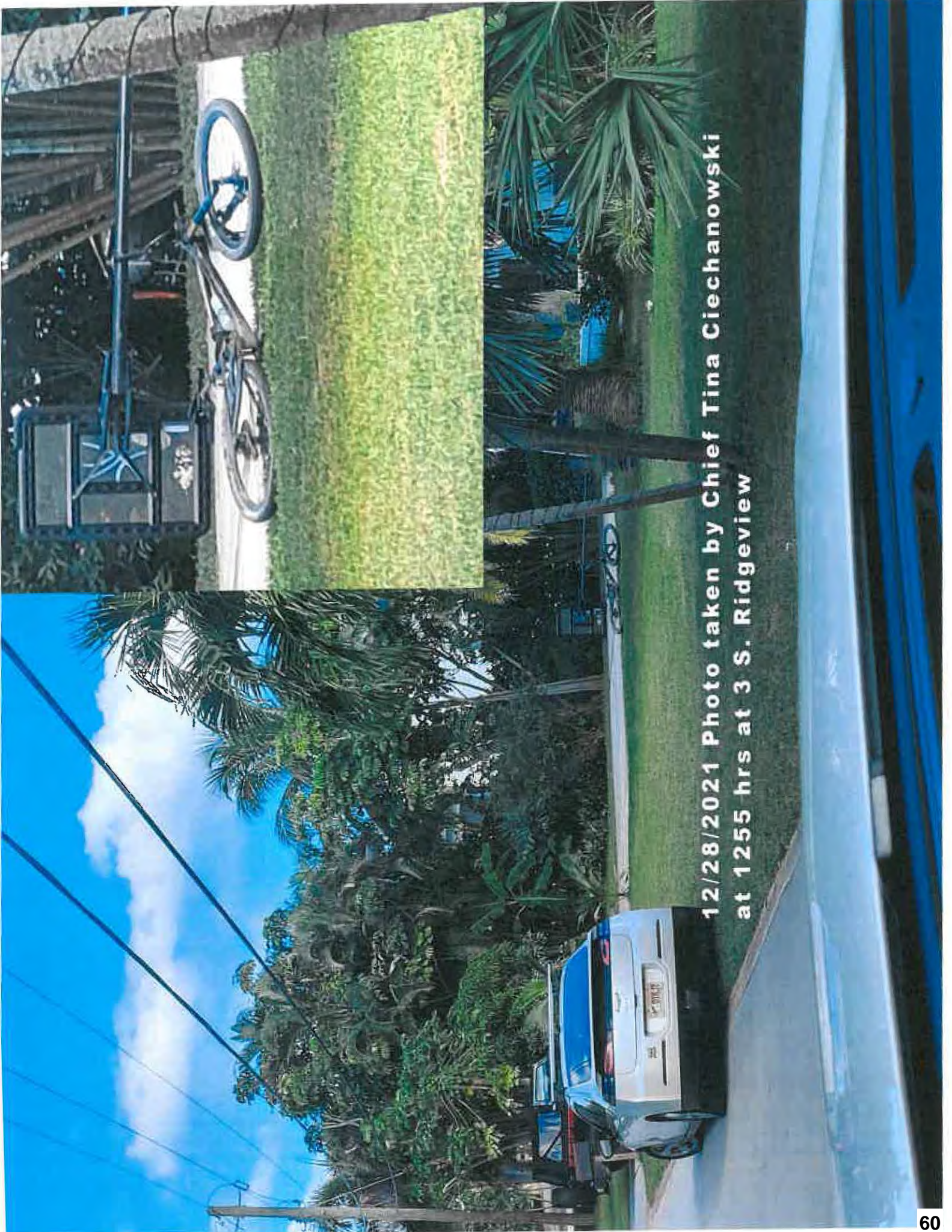
Telephone: 772-781-3378

Email: tciechanowski@sewallspoint.org

NOTE: Florida has a very broad public records law. Most written communications to or from Town of Sewall's Point's officials and employees regarding public business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity.

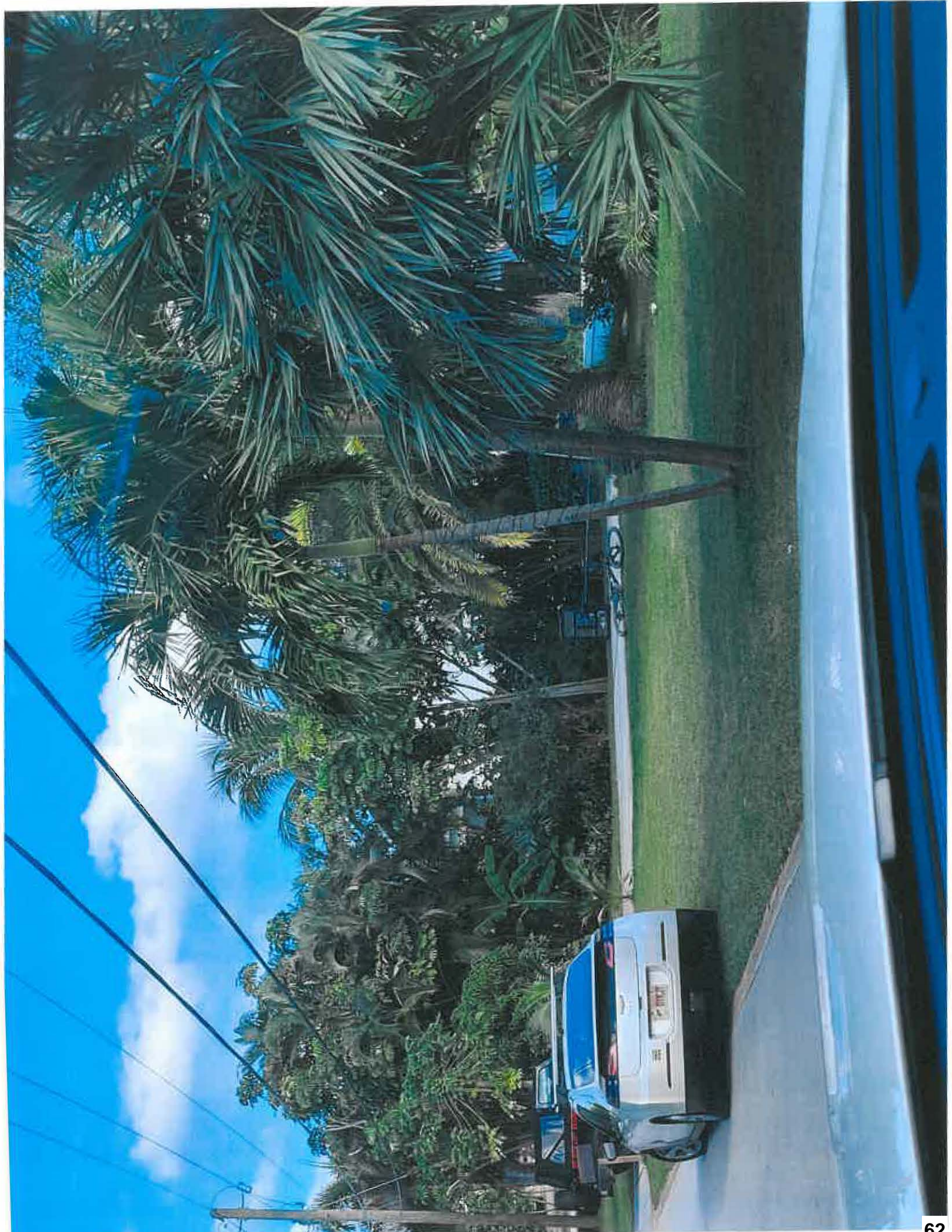
PUBLIC RECORDS REQUESTS - Contact Information for the Town of Sewall's Point Records

Custodian Please provide all public records requests to the Town Clerk's Office: Town Clerk, 1 S. Sewall's Point Road, Sewall's Point, FL 34996 Email: townclerk@sewallspoint.org Telephone: (772) 287-2455 X. 14



**12/28/2021 Photo taken by Chief Tina Ciechanowski
at 1255 hrs at 3 S. Ridgeview**





Tina Ciechanowski

From: Tina Ciechanowski
Sent: Wednesday, January 5, 2022 11:37 AM
To: Kathryn Barbera; Cara Cardarelli; Christopher Wade; Kimberly Thompson; Robert Quaglia; Sebastien Gonzalez; Tina Ciechanowski; William Hodge
Subject: 3 S. Ridgeview

Good Morning,

The CEB Hearing for 3 Ridgeview has been rescheduled until February. If you observe a code violation related to CMVs parked at the house, parking on the lawn, boats, trailers, etc., log it into the CAD, log it on your activity sheet, take photos (color) for submission signed and dated by you, and complete a field report with full details. They offenses will be added to the case presented in February.

Tina Ciechanowski, Chief of Police
Sewall's Point Police Department
1 S. Sewall's Point Road
Sewall's Point, FL 34996
Telephone: 772-781-3378
Email: tciechanowski@sewallspoint.org

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PUBLIC RECORDS REQUESTS - Contact Information for the Town of Sewall's Point Records Custodian Please provide all public records requests to the Town Clerk's Office: Town Clerk, 1 S. Sewall's Point Road, Sewall's Point, FL 34996 Email: townclerk@sewallspoint.org Telephone: (772) 287-2455 X. 14

AFFIDAVIT CONFIRMING HAND DELIVERY OF NOTICE

Street Address: 3 S Ridegview Rd

PCN: 01-38-41-006-005-00030-9

Case No.: B21-0074

Signature of recipient of a Letter dated 01/05/2021 from Chief Tina Ciechanowski noting a change to the date of the Code Enforcement Board Hearing from January 12th, 2022 to February 9th, 2022.

Signature Jason Bultman

Print Name Jason Bultman

Respondent accepted notice but refused to sign.

Posted Property and took photo, no answer at residence.

STATE OF FLORIDA)
COUNTY OF MARTIN)

I, Kimberly Thompson, being duly sworn, depose and say that:

1. I am a Code Enforcement Officer for the Town of Sewall's Point.

2. I hand delivered the Notice of Violation and Notice of Hearing to JASON BULTMAN at 3 S. RIDGEVIEW ROAD, Sewall's Point, Florida, on the 6th day of JANUARY, 2022.

I understand that I am swearing or affirming under oath to the truthfulness of the claims made above.

Sgt [Signature] # 061 / Sgt [Signature]
Signature

1/6/22 / 1/7/22
Date

The foregoing instrument was acknowledged before me this 7 day of January, 2022, by Kimberly Thompson. He/She is personally known to me or has produced _____ as identification.



KATHRYN A BARBERA
Commission # GG 197809
Expires April 26, 2022
Bonded Thru Budget Notary Services

Kathryn A Barbera
Notary Public, State of Florida
My Commission Expires:

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jason Bultman
 3 S. Ridgeview Rd
 Sewall's Point, FL 34996



9590 9402 6948 1104 4023 33

2. Article Number (Transfer from service label)

7020 3160 0001 3978 3220

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Address

B. Received by (Printed Name)

C. Date of Delivery

1/8/22

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Restricted Delivery

Domestic Return Receipt

CERTIFIED MAIL

TOWN OF SEWALL'S POINT
1 S SEWALL'S POINT ROAD
SEWALL'S POINT, FL 34996



7020 3160 0001 3978 3190

WEST PALM BCH FL 334

16 DEC 2021 PM 3:12



UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 007.33⁰
0004716624 DEC 16 2021
MAILED FROM ZIP CODE 34996

Jason Bultman
3 S. Ridgeview Rd
Sewall's Point, FL 34996

Handwritten signature and date: [Signature] 12-16-21

NIXIE 331 DE 1 0001/17/22

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

.. 93050000000388159

UNC

BC: 34996673601 *0475-11010-16-44

349966645006

JOHN TOMPECK
Mayor

DAVID KURZMAN
Vice Mayor

JAMES W. CAMPO, CFP
Commissioner

FRANK FENDER
Commissioner

KAJA MAYFIELD
Commissioner

TOWN OF SEWALL'S POINT



MICHELLE LEE BERGER
Town Manager

APRIL STONCIUS, CMC
Town Clerk

TINA CIECHANOWSKI
Chief of Police

JACK REISINGER, CBO
Building Official

CHERYL DEMPSEY, CGFO
Finance Director

January 5, 2022

Mr. Jason Bultman
3 S. Ridgeview Road
Sewall's Point, FL 34996

Dear Mr. Bultman,

You had two matters scheduled before the Code Enforcement Board to be heard on January 12th, 2022 related to the failure to enclose or conceal a restricted vehicle and parking in a non-designated area.

Unfortunately, the hearing before the Code Enforcement Board has been postponed due to unforeseeable illness involving a witness related to your cases.

The Hearing is now scheduled for February 9th, 2022 at 10 a.m.

If you have any questions concerning this matter, please feel free to contact me at 772-781-3378.

Best Regards,



Tina Ciechanowski
Chief of Police



Town Hall
(772) 287-2455

One South Sewall's Point Road
townhall@sewallspoint.org

Sewall's Point, FL 34996
www.sewallspoint.org



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jason Bultman
 3 S. Ridgeview Rd
 Sewall's Point, FL 34996



9590 9402 6948 1104 4023 33

2. Article Number (Transfer from service label)

7020 3160 0001 3978 3220

COMPLETE THIS SECTION ON DELIVERY**A. Signature****X**

-
- Agent
-
-
- Addressr

B. Received by (Printed Name)**C. Date of Deliver**

1/8/22

- D. Is delivery address different from item 1?** Yes
 If YES, enter delivery address below: No

3. Service Type

- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input checked="" type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input checked="" type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | |
| <input type="checkbox"/> Insured Mail | |

Restricted Delivery

68

7020 3160 0001 3978 3220

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$ _____

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ _____
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postmark
Here

Postage

\$ _____

Total F

\$ _____

Sent To

Street

City, S

Jason Bultman

3 S. Ridgeview Rd

Sewall's Point, FL 34996

69

Code Enforcement

Case# B21-0074

**Hearing Date: January 12, 2022 Code Enforcement Board Preparation
42-24 (c) Failure to Enclose/Conceal Restricted Vehicle January 12, 2022**

The Martin County Property Appraiser identifies the owner of 3 S. Ridgeview Road as Jason Bultman and Michelle Balfourt. The parcel identification number is 01-38-41-006-005-00030-9.

The Town of Sewall's Point Code of Ordinances Chapter 18 identifies a "violator" as follows:

Violator means any person, individually or otherwise, who has a legal, beneficial, or equitable interest in the facility or instrumentality causing or contributing to the violation, or who has a legal, beneficial, or equitable interest in the real property upon which a violation occurs or exists, or has occurred or existed. This provision shall be construed to impose joint and severable liability, regardless of fault and regardless of knowledge of the violation, upon all such interested persons.

Mr. Bultman has a legal, beneficial, or equitable interest in the real property upon which these violations occur or exist, or have occurred or existed.

Documentation: Code of Ordinances, Town of Sewall's Point, Chapter 18 Enforcement
Martin County Property Appraiser Information received via website on 11/16/2021

Event: 06/22/21 (Two Violations)

Code Violated: 1. 42-24(a) Parking in a non-designated area (front Lawn)

Violation of Sec 42-24 Parking Restrictions: (a) *Parking of standard vehicles in R-1 district.* Any resident may park, keep, store and maintain, without restriction, standard vehicles, whether or not owned by the resident, anywhere on the resident's private property designed for parking vehicles in any R-1 district of the town. The vehicle need not be garaged, walled, enclosed or otherwise concealed from view.

2. 42-24 (c) Failure to enclose/conceal restricted vehicle.

Violation of Sec. 42-24 (c) *Enclosure of restricted vehicles required in R-1 district.* No restricted vehicles may be parked, kept, stored or maintained upon a street, road or right-of-way or on private property within any R-1 district of the town unless the vehicle meets one of the following exceptions:

- (1) The restricted vehicle is totally concealed from the view by a fence or wall set behind the front building line, or a hedge, constructed in compliance with section 82-276, of any abutting property (whether occupied or not) or any street or road, whether public or private, right-of-way or easement serving the property on which the restricted vehicle is located. A restricted vehicle not concealed as specified herein is in violation of this section.

This is a restricted vehicle because it displays evidence of non-personal use (racks). See definitions from the ordinance below:

Private passenger van or private passenger pickup truck. Any private passenger van, or private passenger pickup truck having a net weight of 8,000 pounds or less, and used solely for personal activities; however, any such vehicle with commercial

**Hearing Date: January 12, 2022 Code Enforcement Board Preparation
42-24 (c) Failure to Enclose/Conceal Restricted Vehicle January 12, 2022**

lettering or which otherwise displays evidence of a commercial or non-personal use, including, but not limited to, racks; cabinet boxes; tools and/or cargo, visible from the street or abutting property or which exceeds the height of the bed of a truck or which exceeds beyond or above the tailgate, for the purpose of this article, shall be determined to be a commercial vehicle regardless of the vehicle weight.

Restricted vehicles. All vehicles that are not defined as standard passenger vehicles, including but not limited to, commercial vehicles, nonstandard vehicles, and inoperable vehicles. Restricted vehicles also include vehicles greater than seven feet in height, having more than two axles, or having more than four tires regardless of whether it is otherwise defined as a standard vehicle.

Action Taken: Two "hang tag" warnings were issued.

Documentation: Photocopy of two hang tags.
Officer Garcia's Daily Activity sheet

Event: 10/12/21 (Two Violations) Issued and Served 10/12/2021

Code Violated: 1. 42-24(e) Parking of boats

1. (e) Parking of boats. No boat (whether on a trailer or not) may be parked, kept, stored or maintained upon a street, road or right-of-way or on private property within any R-1 district of the town unless it is totally concealed from view (by a fence or wall set behind the front building line, or a hedge, constructed in compliance with section 82-276) from the ground level of any abutting property (whether occupied or not) or any street or road, whether public or private, right-of-way or private easement serving the property on which the boat is located. A boat not concealed as specified in this section is in violation of this section unless the boat meets one of the following exceptions:

(1) A boat may be parked temporarily unconcealed, on property in an R-1 district, while being loaded and prepared for use or while being unloaded and cleaned after use, providing the temporary parking does not exceed three daylight hours.

(2) Boats owned by residents may be unconcealed if moored to owners' docks and seawalls, suspended from davits adjacent to owners' docks and seawalls, or beached upon shorelines of owners' properties not having seawalls. in violation of this section.

2. 42-24(a) Parking in a non-designated area (Front Lawn of the Residence/Right of Way)

Violation of Sec 42-24 Parking Restrictions: (a) Parking of standard vehicles in R-1 district. Any resident may park, keep, store and maintain, without restriction, standard vehicles, whether or not owned by the resident, anywhere on the resident's private property designed for parking vehicles in any R-1 district of the town. The vehicle need not be garaged, walled, enclosed or otherwise concealed from view.

**Hearing Date: January 12, 2022 Code Enforcement Board Preparation
42-24 (c) Failure to Enclose/Conceal Restricted Vehicle January 12, 2022**

Action Taken: Civil Violation Citation #CE04028 was issued for Boat/Trailer parked unconcealed on the road right of way/lawn in the front of the house. It was observed to be parked there for 2 days by Chief Ciechanowski who took a photograph on the morning of day 2. It should be noted that the boat and trailer were parked on the lawn at the time of violation in addition to another pickup truck.

Documentation: Photocopy of Civil Violation Citation #CE04028
Copy of photograph taken by Chief Ciechanowski on 10/12/2021 at 0734 hours.
Ofc. Gonzalez's Activity Sheet

Event: 10/12/21

Chief Ciechanowski spoke with Mr. Jason Bultman by phone. The content of the conversation was memorialized in an email sent to all PD personnel on 10/13/2021. In the conversation with Mr. Bultman I explained that between 6/22 and 10/8 the Police Department had issued 5 parking related hang tags at his home, specifically, two for parking in the road overnight, one for a truck with racks on it, one for parking on the front lawn, and another for a trailer parked in view, also on the front lawn. I impressed upon him that he needed to police his own property and get a handle on chronic problems. Lastly, I explained that going forward, we would be issuing fined citations since the warnings have proven unsuccessful. He indicated that he understood.

Documentation: Photocopy of the email sent to Police Department personnel.

Event: 11/04/21 Served: 11/06/21

Code Violated: Sec 42-24 Parking Restrictions: (c) Enclosure of restricted vehicles required in R-1 district

Violation of Sec 42-24 Parking Restrictions: (c) Enclosure of restricted vehicles required in R-1 district. On November 4th 2021, Officer Juan Garcia issued Civil Violation Citation #CE04108 to Mr. Jason Bultman for parking a truck with racks (FL TAG RMY329) in plain view from the road. Additionally, plainly visible, exceeding the height of the bed of the truck, are traffic cones. The truck is classified as a commercial vehicle by ordinance are a result of either circumstance, the racks or the cargo in the bed. Officer Garcia took photos of the violation.

Action Taken: Mr. Bultman received the citation on 11/6/2021 which was delivered by Sergeant Thompson. The Civil Violation Citation (CVC) was issued for a Class "A" Violation, \$100 fine CVC #04108.

Documentation: Photocopy of Civil Violation Citation #CE04108
Additional case information sheet for CVC #CE04108
Officer Garcia's Daily Activity Sheet
Sergeant Thompson's Daily Activity Sheet
Photograph of the violation taken by Officer Garcia

Event: 11/15/21 Served: 11/16/2021

Code Violated: Sec 42-24 Parking Restrictions: (c) Enclosure of restricted vehicles required in R-1 district

**Hearing Date: January 12, 2022 Code Enforcement Board Preparation
42-24 (c) Failure to Enclose/Conceal Restricted Vehicle January 12, 2022**

Violation of Sec 42-24 Parking Restrictions: (c) Enclosure of restricted vehicles required in R-1 district. On November 15, 2021, Officer Garcia issued Civil Violation Citation #CE04109 to Mr. Jason Bultman for parking a truck with racks in plain view from the road. Additionally, there are traffic cones in the back of the truck visible in the bed.

Coincidentally, while Chief Ciechanowski was on patrol on November 15th, 2021, at approximately 7:30 am, she also observed the pickup truck with racks parked in the driveway at 3 S. Ridgeview. She took two photographs of the truck unaware that overnight Ofc. Garcia had already written the Civil Violation Citation. The truck clearly shows metal racks that extend over the bed of the truck and go over the cab. Additionally, traffic cones can be seen in the bed of the truck extending over the top of the bed. Officer Cardarelli delivered the citation to Mr. Bultman.

Action Taken: Mr. Bultman received the citation 11/16/2021 which was delivered by Officer Cardarelli. The Civil Violation Citation (CVC) was issued for a Class "A" Violation, \$100 fine CE#04109.

Documentation: Photocopy of Civil Violation Citation #04109
Additional case information sheet for CVC #CE04109-Garcia
Additional case information sheet for CVC #CE04109-Cardarelli
Officer Garcia's Daily Activity Sheet
Officer Cardarelli's Daily Activity Sheet
Photograph of the violation taken by Officer Garcia
Photographs of the violation taken by Chief Ciechanowski

Case Note: As of November 16th, 2021 the CVC #CE04108 and CVC #CE04109 had remained unpaid.

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Case Note: On November 16th, Mr. Bultman met with Chief Ciechanowski at the Sewall's Point Police Department.

I told Mr. Bultman that during our conversation in mid-October we discussed him policing his own property to resolve the regular parking violations and that we have no choice at this point, but to issue fined citations. Mr. Bultman indicated that he understood and that he wished to contest the civil violation citations. His plan was to check with the neighbors and see if they had a problem with the truck and if not, proceed from there. I told him that he was more than within his rights to contest the citations, but to keep in mind that the over the counter fines may or may not apply if he is found in violation at the board hearing. I further explained that the ordinances applied to everyone and we, the Town, are the complainant. It is our duty to enforce the ordinances to avoid neighbors needing to turn on neighbors or feeling pressured to agree to their violations.

I also explained that the simple solution is to just remove the racks and take the cargo out of the bed or lay the cargo down or park the truck in the garage. Bultman advised it fits in the garage but they don't want to do that, nor does he wish to remove the racks.

I provided Mr. Bultman with a copy of the ordinance in relation to trucks with the applicable areas highlighted to fully explain why the truck is considered commercial under the Town's ordinances. I also explained to him that the Town Commission recently changed the weight limit for resident

**Hearing Date: January 12, 2022 Code Enforcement Board Preparation
42-24 (c) Failure to Enclose/Conceal Restricted Vehicle January 12, 2022**

owned trucks. I encouraged him to listen to the discussion during those meetings as the Commissioners were clear about not wanting trucks with racks and cargo.

I told Mr. Bultman that the hearing would be on Jan. 12, 2022.

A few hours later Mr. Bultman returned to the Police Department. He met with his son and they now realize that the truck needed to be concealed. He said they would comply. Mr. Bultman was given until 11/23/2021 to conceal the truck even though he did not request additional time for compliance. Mr. Bultman indicated they would either park it behind the fence or put it in the garage. He also said his son wanted to try and plea his case to the CEB for a reduced or removed fine.

As a gesture of good will, and after discussion between the Town Manager and Chief Ciechanowski, it was agreed that Mr. Bultman could pay for one of the Civil Violation Citations and the second would be changed to a warning.

Chief Ciechanowski told Mr. Bultman that further violations would be direct filed with the CEB. He said he understood and appreciated the mitigation.

Action Taken: The Civil Violation Citation #CE 04108 was changed to a warning, and the fine for Civil Violation Citation # CE04109 was paid on 11/17/2021 in the amount of \$100.00.

Documentation: Sec. 42-23 & Sec. 42-24 highlighted as presented to Mr. Bultman
Copy of memorandum to file from Chief Ciechanowski concerning the meeting with Mr. Bultman
Copy of receipt for payment of CVC #CE04109

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Event: 12/03/2021

Code Violated: 42-24 Parking Restrictions: (c) Enclosure of restricted vehicles required in R-1 district.

Violation of sec 42-24 parking restrictions: (c) enclosure of restricted vehicles required in R-1 district. On December 3, 2021 Officer Cardarelli observed the white Ford Truck bearing FL Tag RMY329 with racks in plain view from the roadway unconcealed. Officer Cardarelli took a photograph of the truck in violation and completed a case report. She was advised by Chief Ciechanowski that it would be referred to the Code Enforcement Board as a "Repeat Violation."

This violation is referred to the Code Enforcement Board as a "repeat violation" because the violator has paid for a citation for the same offense, specifically Civil Violation Citation #CE04109. Pursuant to sec. 18-26(h) Sewall's Point Code of Ordinances, payment of a citation shall constitute admission of a violation for purposes of finding a repeat violation.

Based upon previous code enforcement action taken by the Police Department, Jack Reisinger, the Town's Building Official and lead for Code Enforcement issued a Notice of Violation and Notice of Hearing bearing internal case number #B21-0074. The notice was hand delivered on 12/6/2021 by Mr. Reisinger as evidenced by Mr. Reisinger's Affidavit Confirming Hand Delivery of Notice. It was also sent by certified mail via the USPS. The receipt shows it was received on 12/8/2021.

**Hearing Date: January 12, 2022 Code Enforcement Board Preparation
42-24 (c) Failure to Enclose/Conceal Restricted Vehicle January 12, 2022**

At the time of issuance, Mr. Reisinger was unaware of the violations status as a "Repeat Violation" and a corrected Notice of Violation was issued on 12/14/2021. It was hand delivered by Mr. Reisinger on 12/16/2021 as evidenced by Mr. Reisinger's Affidavit Confirming Hand Delivery of Notice.

Action Taken: Code Enforcement Case # B21-0074 has been generated. A Notice of Violation and Corrected Notice of Violation have been lawfully served to the Property Owner: Jason Bultman to appear before the Code Enforcement Board on January 12, 2022.

Documentation: Officer Cardarelli's Daily Activity Sheet for 12/3/2021

Case Report # 2021-00197757

Additional Case Information Report

Photograph taken by Officer Cardarelli

Notice of Violation Case # B21-0074

Corrected Notice of Violation # B21-0074

Affidavit Confirming Hand Delivery of Notice - Original Notice of Violation

Affidavit Confirming Hand Delivery of Notice - Corrected Notice of Violation

USPS Return Receipt #70203160000139783183 for Original Notice of Violation

Event: 12/30/2021

6

Code Violated: 42-24 Parking Restrictions: (c) Enclosure of restricted vehicles required in R-1 district.

Violation of sec 42-24 parking restrictions: (c) enclosure of restricted vehicles required in R-1 district. On December 3, 2021 Officer Cardarelli observed the white Ford Truck bearing FL Tag RMY329 with racks in plain view from the roadway unconcealed. Officer Cardarelli took a photograph of the truck in violation and completed a case report.

This matter is already docketed for the Code Enforcement Board on 01/12/2022, as such, a Civil Violation Citation was not issued. The matter was fully documented by Officer Cardarelli on her activity sheet, field report and photographed.

Action Taken: Offense has been documented for presentation at the Code Enforcement Board.

Documentation: Officer Cardarelli's Daily Activity Sheet for 12/30/2021

Case Report # 2021-00198619

Additional Case Information Report

Photograph taken by Officer Cardarelli

Introductory Documents:

- Code of Ordinances, Town of Sewall's Point, Chapter 18 Enforcement (areas highlighted related to this case)
- Martin County Property Appraiser Information received via website on 11/16/2021

Chapter 18 ENFORCEMENT¹

ARTICLE I. GENERAL

DIVISION 1. GENERAL PROVISIONS

Sec. 18-100. Purpose and authority.

- (a) The provisions of Chapter 162 Part I, Fla. Stat., regarding the enforcement of the town's Code through the issuance of a notice of violation, are adopted and supplemented as set forth in this chapter, article II, division 1 "notice of violation procedure".
- (b) As an alternative to the enforcement procedures authorized under F.S. ch. 162, pts. I and II, and pursuant to F.S. §§ 162.03(2), 162.13 and 162.22, the town hereby adopts a civil citation procedure as set forth in this chapter, article II, division 2 "civil citation procedure".
- (c) These two methods of enforcing the Code are enacted to promote, protect and improve the health, safety and welfare of the citizens of the town and to provide an equitable, expeditious, effective, and inexpensive method of enforcing the town's Code.
- (d) Nothing in this chapter shall be construed to prohibit the town from enforcing its Code by any other means including, but not limited to, the issuance of a summons or notice to appear in the county court, an arrest, a civil action for injunctive relief, a stop work order, or any other remedy available at law or in equity.

(Ord. No. 386, § 3, 1-28-2014)

Sec. 18-101. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Code* means the Town of Sewall's Point Code of Ordinances and any other ordinances adopted by the town commission and in effect at the time of enforcement.
- (b) *Reasonable cause* means that the code enforcement officer has an objective well founded, reasonable, belief that an individual or entity is committing, has committed, or is attempting to commit, a violation of the Code.
- (c) *Repeat violation* means a violation of a provision of the Code by an individual or entity who has been previously found, through a code enforcement board, special magistrate or any other quasi-judicial or

¹Editor's note(s)—Ord. No. 386, §§ 2—4, adopted Jan. 28, 2014, repealed Ch. 18 in its entirety and enacted a new Ch. 18 to read as set out herein. Former Ch. 18, §§ 18-100—18-102, 18-202—18-206, 18-701, 18-801, pertained to similar subject matter and derived from Ord. No. 318, § 2, adopted Aug. 2, 2005; Ord. No. 325, § 2, adopted Sept. 12, 2006; Ord. No. 335, § 2, adopted April 27, 2007; Ord. No. 336, § 3, adopted April 27, 2007; Ord. No. 362, § 3, adopted Feb. 22, 2011; Ord. No. 378, § 4, adopted Feb. 26, 2013.

judicial process, to have violated or who has admitted violating, the same provision within five years prior to the current violation, notwithstanding that the violations occurred at different locations.

- (d) *Violation* means any act, omission, malfeasance, misfeasance, or nonfeasance that is in opposition to, or in contravention of any of the provisions of the Code.
- (e) *Violator* means any person, individually or otherwise, who has a legal, beneficial, or equitable interest in the facility or instrumentality causing or contributing to the violation, or who has a legal, beneficial, or equitable interest in the real property upon which a violation occurs or exists, or has occurred or existed. This provision shall be construed to impose joint and severable liability, regardless of fault and regardless of knowledge of the violation, upon all such interested persons.

(Ord. No. 386, § 3, 1-28-2014)

Sec. 18-102. Code enforcement officers.

- (a) All Town of Sewall's Point police officers are code enforcement officers.
- (b) The town manager and the town building official or his/her designees are code enforcement officers. Town commissioners and members of other town boards are not code enforcement officers.
- (c) Code enforcement officers shall have the authority to issue a notice of violation, civil citation, or a warning for violations of the town's Code. Code enforcement officers shall also have the authority to issue a notice to appear in county court for such violations and, when done, in the discretion of the officer, such issuance shall be completed in accordance with F.S. § 162.23.

(Ord. No. 386, § 3, 1-28-2014)

Sec. 18-103. Failure to pay code enforcement fines or administrative costs.

If an order finding violation has been issued against a violator or a civil citation has been issued and has not been timely complied with or challenged, and there are outstanding fines or administrative costs owed to the town by this violator, such violator shall not be issued any permits, certificates of occupancy, or licenses by the town until the violator has paid all outstanding sums in full. The town manager, in his or her discretion, may waive this section if the violator is seeking a permit, certificate of occupancy or license for the compliance of existing violations of the Code.

(Ord. No. 386, § 3, 1-28-2014)

Sec. 18-104. Unpaid administrative costs and costs of repair.

- (a) *Unpaid administrative costs and costs of repair to constitute non-ad valorem assessment.* In addition to the procedure set forth elsewhere in this chapter, unpaid administrative costs and the costs of repair or abatement may, upon the adoption of the appropriate ordinance, be levied as a non-ad valorem assessment superior to all other private rights, interests, liens, encumbrances, titles and claims upon the property and equal in rank and dignity with a lien for ad valorem taxes.
- (b) *Collection of unpaid assessments.* Unpaid assessments for outstanding administrative costs and the costs of repair or abatement may be certified to the tax collector for collection pursuant to the uniform method provided in F.S. § 197.3632.

(Ord. No. 386, § 3, 1-28-2014)

Secs. 18-105—18-115. Reserved.

DIVISION 2. CODE ENFORCEMENT ENTITIES

Sec. 18-116. Creation, appointment and organization of code enforcement board.

- (a) There shall be a board known as the Code Enforcement Board of the Town of Sewall's Point, Florida, which shall consist of five full-time members and five alternate members. Members of the code enforcement board shall be residents of the town.
- (b) Each commissioner shall nominate one member and one alternate, whose terms shall run concurrently with the commissioner's term of office unless the member is otherwise removed from the board as set forth herein. The nominations shall be approved by a majority vote of the commissioners present when the vote is taken. Any member may be reappointed for successive terms upon the appropriate nomination and the approval of the town commission. Appointments to fill any vacancy on the code enforcement board shall be for the remainder of the appointing commissioner's unexpired term of office. If any member fails to attend two of three successive meetings without cause and without prior approval of the chairman, the code enforcement board may declare the member(s) office vacant, and the town commission shall promptly fill the vacancy. The members shall serve in accordance with the Code and may be suspended or removed with cause as determined by the town commission.
- (c) The members of the code enforcement board shall elect a chairperson, who shall be a voting member, from among its members. The presence of three or more members shall constitute a quorum. Members shall serve without compensation, but may be reimbursed for travel, mileage and per diem expenses as authorized by the town commission.
- (d) The code enforcement board may be represented by its own legal counsel independent of the town attorney. The town commission shall be responsible for the selection of said attorney in accordance with section 2-34 of the Code.

(Ord. No. 386, § 3, 1-28-2014)

Sec. 18-117. Appointment of special magistrate.

- (a) The town commission may appoint one or more special magistrates for the town. A special magistrate shall have the jurisdiction and authority to hear and to decide alleged violations of all the codes and ordinances of the town. The special magistrate shall have all of the powers and authority of the code enforcement board as provided in this chapter. Wherever reference to the code enforcement board is made herein it shall include the term special magistrate, without the necessity of amending all applicable sections in this Code.
- (b) A special magistrate shall serve at the pleasure of the town commission. A special magistrate shall be compensated as provided by the annual appropriation of the town commission.
- (c) A special magistrate shall be a duly licensed attorney in good standing and a member of the Florida Bar for at least the five consecutive years prior to appointment.

(Ord. No. 386, § 3, 1-28-2014)

Sec. 18-118. Powers of the code enforcement board and special magistrate.

The code enforcement board and special magistrate shall have the power to:

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- (1) Adopt rules for the conduct of its hearings.
 - (2) Subpoena alleged violators and witnesses to its hearings. Subpoenas shall be served by the police department of the town.
 - (3) Subpoena evidence.
 - (4) Take testimony under oath.
 - (5) Issue orders having the force of law commanding whatever steps are necessary to bring a violation into compliance.
 - (6) Impose fines, under this section, not to exceed \$250.00 per day for a first violation and not to exceed \$500.00 per day for a repeat violation, however, if the code enforcement board finds the violation to be irreparable or irreversible by nature, it may impose a fine not to exceed \$5,000.00 per violation.
 - (7) Assess the costs of prosecution and the costs of abatement.
 - (8) Hear and make decision on appeals of civil citations.
 - (9) Hear and make decisions on civil citations where the fine has not been paid and no appeal has been requested.
 - (10) Issue orders reducing fines.

(Ord. No. 386, § 3, 1-28-2014)

Sec. 18-119. Scheduling of hearings.

The town manager or designee shall have the discretion to determine whether the hearing shall be before the special magistrate or the code enforcement board unless the town commission, by a majority vote of its members, directs the manager otherwise.

(Ord. No. 386, § 3, 1-28-2014)

ARTICLE II. CODE ENFORCEMENT PROCEDURES

DIVISION 1. NOTICE OF VIOLATION PROCEDURE

Sec. 18-201. Notice of violation enforcement procedure.

- (a) *Initiation of proceeding.* It shall be the duty of the code enforcement officer to initiate enforcement proceedings; neither the special magistrate nor any member of the code enforcement board shall have the power to initiate enforcement proceedings.
- (b) *Notice of violation; notice of hearing.* If a violation of the Code is found, the code enforcement officer shall notify the violator and give the violator a reasonable time to correct the violation. The notice shall also include the notice of hearing should the violation continue beyond the time specified for correction. The combined written notice of violation and hearing shall be delivered to the violator as provided in section 18-207. If the violation is corrected and then reoccurs, or if the violation is not corrected by the time specified for correction by the code enforcement officer, the case may be presented to the code enforcement board or special magistrate even if the violation has been corrected prior to the code enforcement board or special magistrate hearing, and notice to the violator shall so state. The code enforcement officer shall, through the

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town manager or designee, notify the code enforcement board or special magistrate, and schedule the hearing.

- (c) **Repeat violation.** If a repeat violation is found, the code enforcement officer shall notify the violator of the finding of a repeat violation, but is not required to give the violator a reasonable time to correct the violation. The code enforcement officer shall, through the town manager or designee, notify the code enforcement board or special magistrate, and schedule a hearing. The notice of the repeat violation shall also include the notice of hearing. The combined notice of repeat violation and notice of hearing shall be delivered to the violator as provided in section 18-207. The case may be presented to the code enforcement board or special magistrate even if the repeat violation has been corrected prior to the hearing, and the notice shall so state.
- (d) **Serious threat; irreversible, irreparable.** If the code enforcement officer has reason to believe a violation, or a condition causing a violation, presents a serious threat to the public health, safety and welfare, or if the violation is irreparable or irreversible in nature, the code enforcement officer shall make a reasonable effort to notify the violator and may, through the town manager or designee, immediately notify the code enforcement board or special magistrate and request a hearing.

(Ord. No. 386, § 4, 1-28-2014)

Sec. 18-202. Conduct of hearing.

- (a) **Generally.** All hearings and proceedings shall be open to the public. The town manager shall provide clerical and administrative support as may be reasonably required for the proper performance of the code enforcement board or special magistrate's duties. Each case before the code enforcement board or special magistrate shall be presented by the town attorney or by a member of the town staff. Minutes shall be kept of all hearings.
- (b) **Testimony; rules of evidence.** The code enforcement board or special magistrate may take testimony from the code enforcement officer and alleged violator and any other witnesses, if available. All testimony shall be under oath and shall be recorded. In accordance with F.S. § 286.0105, if a person decides to appeal any decision made by the code enforcement board or special magistrate, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. Any relevant evidence shall be admitted if it is competent and reliable. Each party shall have the right to call and examine witnesses; to introduce exhibits; and to cross-examine opposing witnesses.
- (c) **Administrative costs.** If the town prevails in prosecuting a case before the code enforcement board or special magistrate, it shall be entitled to recover all costs incurred in prosecuting the case and such costs, if not timely paid, may be included in the town's lien. If the violator is found in violation under this section and costs are assessed, but a fine is not imposed, a code enforcement lien may be recorded against the property owned by the violator for the amount of the unpaid costs.
- (d) **Findings of fact; order for compliance.**
 - (1) At the conclusion of the hearing, the code enforcement board or special magistrate shall issue findings of fact, based on the evidence of record and conclusions of law, and shall issue an order affording the proper relief consistent with the powers granted herein. If the code enforcement board issues a final order, the finding shall be made by motion approved by a majority of those present and voting. The order may include a notice that it must be complied with by a specified date and that if the order is not complied with by said date, the following may be imposed: a daily accruing fine and the assessment of

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the costs of repair (as set forth in section 18-304), if any. The order may also include the administrative costs of the hearing and these costs may be included in the total amount of the fine. A certified copy of the order may be recorded in the public records of Martin County, and shall constitute notice to any subsequent purchasers, successors-in-interest, or assigns, if the violation concerns real property, and the findings thereon shall be binding upon the violator, and, if the violation concerns real property, any subsequent purchaser, successor-in-interest or assigns. If an order is recorded in the public records in accordance with this division, and the order is complied with by the date specified in the order, the code enforcement board or special magistrate shall issue an order acknowledging compliance and that order shall be recorded in the public records. A hearing is not required to issue the order acknowledging compliance.

- (2) Further, if a violation is found, the violator shall be given a time period equal to the time set for compliance within which to deliver to the town a request for hearing to challenge the fine to be imposed under the order. Such a request does not continue, extend or postpone the time set for compliance. If such a hearing is not timely requested and if the violation is not corrected by the time established in the order and/or all administrative costs are not timely paid, the town may record a certified copy of the order in the public records of Martin County and thereafter the order shall constitute a lien under F.S. § 162.09. The request for hearing shall be requested in writing and shall be received by the town manager on or before the set time period expires. If the request is timely received, the town manager shall schedule a hearing before the code enforcement board or the special magistrate. The town shall send a notice of hearing to the violator in accordance with section 18-207. Said hearing shall be limited to a consideration of only those new findings necessary to impose a fine. The violator shall bear the burden of proof at such hearing to show cause why the fine imposed in the order is not appropriate. At this hearing, any order entered by the code enforcement board or special magistrate which imposes a fine and/or administrative costs may be recorded in the public records of Martin County and thereafter such order shall constitute a lien under F.S. § 162.09.

(Ord. No. 386, § 4, 1-28-2014)

Sec. 18-203. Fines.

- (a) The code enforcement board or special magistrate may order the violator to pay a fine for each day the violation continues past the date set for compliance. In the case of a repeat violation, the code enforcement board may order the violator to pay a fine for each day the repeat violation continues, beginning with the date the repeat violation is found to have occurred by the code enforcement officer.
- (b) If the violation is a violation described in subsection 18-201(d) (i.e., serious threat, irreversible, or irreparable), the code enforcement board or special magistrate may notify the town, which may make all reasonable repairs or corrections which are required to bring the property into compliance and charge the violator the reasonable cost of the repairs or correction, along with the fine imposed. Making such repairs or corrections to maintain the property does not create a continuing obligation on the part of the town to make further repairs or to maintain the property and does not create any liability against the town for any damages to the property, if the work was completed in good faith.
- (c) In determining the amount of the fine, if any, the code enforcement board and the special magistrate shall consider the following factors:
- (1) The gravity of the violation;
 - (2) Any action taken by the violator to correct the violation; and
 - (3) Any previous violations committed by the violator.

(Ord. No. 386, § 4, 1-28-2014)

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Sec. 18-204. Filing of lien; foreclosure.

A certified copy of an order imposing a fine, which may include outstanding administrative costs and repair or abatement costs, may be recorded in the public records of Martin County, and thereafter, shall constitute a lien against the land on which the violation exists, and upon any other real and personal property owned by the violator. Such lien shall bear interest at the highest rate permitted by law, from the date of the order entered by the code enforcement board or special magistrate. Upon petition to the circuit court, such order may be enforced in the same manner as a court judgment by a sheriff of this state, including levy against the personal property, but such order shall not be deemed to be a court judgment except for enforcement purposes. A fine imposed pursuant to this section shall continue to accrue daily until the violation comes into compliance, or until judgment is rendered in a suit to foreclose the lien filed, whichever occurs first. A lien arising from the fine imposed pursuant to this section, runs in favor of the town. Upon payment of the fine and costs, the town manager may execute a satisfaction or release of lien. After three months from filing any lien which remains unpaid, the town commission may authorize the town attorney to foreclose the lien or to sue to recover a money judgment for the amount of the lien plus interest. No lien created, pursuant to the provisions of this section, may be foreclosed on real property which is a homestead, under Section 4, Article X of the State Constitution. No lien provided for hereunder, and pursuant to F.S. ch. 162, shall continue for a period longer than 20 years after the certified copy of the order imposing the fine has been recorded, unless within that time an action to foreclose on the lien is commenced in a court of competent jurisdiction. In any action to foreclose on a lien or collect sums due under an order pursuant to this chapter, the town shall be entitled to recover from the violator, all costs, including reasonable attorney's fees, that it incurs in the action whether at trial, or on appeal.

(Ord. No. 386, § 4, 1-28-2014)

Sec. 18-205. Reduction of lien.

- (a) Once a lien has been imposed under this division, the violator ("petitioner") may submit a written petition to the town manager to request a lien reduction hearing. The reduction hearing will be limited solely to the issue of whether the lien assessed should be reduced and the hearing shall not be a hearing de novo of the original case. The burden of proof will be on the petitioner to show cause for reducing the lien.
- (b) The petition must be submitted to the town manager on the form provided by the town and the nonrefundable petition fee (as established by resolution of the town commission) shall be paid prior to the town's review of the petition.
- (c) If the following criteria are satisfied, as determined by the town manager, the petition will be set for a hearing:
 - (1) If the violation concerned real property, the real property in question must be in compliance with the town's Code and an affidavit of compliance must be on file for the real property.
 - (2) If the violation concerned a matter not directly related to real property, an affidavit of compliance must be issued for the violation.
 - (3) All real property owned by the petitioner in the town must be in compliance with the town's Code and not the subject of another code enforcement case.
 - (4) The petitioner must not have any overdue or delinquent accounts with the town including, but not limited to, taxes, special assessments or administrative costs.

If the above criteria are not satisfied, the petition will be denied and notice of denial will be sent to the petitioner by regular U.S. Mail to the address provided on the petition.

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- (d) If the criteria are satisfied and a hearing for lien reduction is set, a notice of the hearing will be sent by regular U.S. Mail to the address provided on the petition at least five days prior to the hearing date. Failure of the petitioner to attend the hearing, without the prior consent of the town manager, will result in the petition being denied.
 - (e) The code enforcement board or special magistrate shall make one of the following determinations: The lien may be reduced to a specified amount, or the request for lien reduction may be denied.
 - (f) Any lien reduction made pursuant to this section is not applicable to any administrative costs assessed at any prior hearing.

(Ord. No. 386, § 4, 1-28-2014)

Sec. 18-206. Appeal.

The violator or the town, may appeal a final administrative order of the code enforcement board or special magistrate to the circuit court. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the code enforcement board or special magistrate. An appeal shall be filed within 30 days of the execution of the order to be appealed.

(Ord. No. 386, § 4, 1-28-2014)

Sec. 18-207. Notices.

- (a) All notices required by this division shall be provided to the alleged violator by:
 - (1) Certified mail, return receipt requested, to the address listed in the tax collector's office for tax notices or to the address listed in the county property appraiser's database. The town may also provide an additional notice to any other address it may find for the property owner. For property owned by a corporation, notices may be provided by certified mail to the registered agent of the corporation. If any notice sent by certified mail is not signed as received, within 30 days after the postmarked date of mailing, notice may be provided by posting as described in subsection (b)(1) below;
 - (2) Hand delivery by a sheriff or other law enforcement officer, code enforcement officer, or other person designated by the town commission;
 - (3) Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice; or
 - (4) In the case of commercial premises, leaving the notice with the manager or other person in charge.
- (b) In addition to providing notice as set forth in subsection (a), at the option of the code enforcement board, special magistrate, town manager or code enforcement officer, notice may be served by posting or publication, as follows:
 - (1) Posting. Notice may be posted at least ten days prior to the hearing, or prior to the expiration of any deadline contained in the notice, in at least two locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be at Town Hall. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.
 - (2) Publication. In lieu of posting, notice may be published once during each week for four consecutive weeks in a newspaper of general circulation in Martin County. The newspaper shall meet such requirements as are prescribed under F.S. ch. 50 for legal and official advertisements. Proof of publication shall be made as provided in F.S. §§ 50.041 and 50.051;

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- (3) Notice by posting or publication may run concurrently with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail as required under subsection (a).
 - (c) Evidence that an attempt has been made to hand deliver or mail notice as provided in subsection (a), together with proof of posting or publication as provided in subsection (b), shall be sufficient to show that the notice requirements of this division have been met, without regard to whether or not the alleged violator actually received such notice.
- (Ord. No. 386, § 4, 1-28-2014)

Sec. 18-208. Disclosure requirements when transfer of ownership.

- (a) If the owner of property that is subject to an enforcement proceeding before the code enforcement board or special magistrate transfers ownership of such property between the time the notice of violation was served and the time of the hearing, such owner shall:
 - (1) Disclose, in writing, the existence and the nature of the proceeding to the prospective transferee.
 - (2) Deliver to the prospective transferee a copy of the notices and other materials relating to the code enforcement proceeding received by the transferor.
 - (3) Disclose, in writing, to the prospective transferee that the new owner will be responsible for compliance with the applicable code and with orders issued in the code enforcement proceeding.
 - (4) File a notice with the town manager of the transfer of the property, with the identity and address of the new owner and copies of the disclosures made to the new owner, within five days after the date of the transfer.
- (b) A failure to make the disclosures described in paragraphs (1), (2) and (3) above before the transfer, creates a rebuttable presumption of fraud. If the property is transferred before the hearing, the proceeding shall not be dismissed, but the new owner shall be provided a reasonable period of time to correct the violation before the hearing is held.

(Ord. No. 386, § 4, 1-28-2014)

Secs. 18-209—18-225. Reserved.

DIVISION 2. CIVIL CITATION PROCEDURE

Sec. 18-226. Civil citation enforcement procedure.

- (a) If a violation of the town's Code, for which the town has set specific fines, is believed to have occurred or to exist, a code enforcement officer may issue the violator a courtesy warning notice or a civil citation (hereinafter "citation"). In the alternative, the code enforcement officer may choose to enforce the violation through division 1, "notice of violation", in which case, the procedures set forth in this division shall not apply.
- (b) A code enforcement officer is authorized to issue a citation to an individual or entity (hereinafter "person") when based upon personal investigation, the officer has reasonable cause to believe that the person has committed a violation of the Code for which the town has set a specific fine.
- (c) A citation issued by a code enforcement officer shall contain:

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- (1) The date and time of issuance.
 - (2) The name and address of the person to whom the citation is issued.
 - (3) The date and time the civil infraction was committed, if known.
 - (4) The facts constituting reasonable cause.
 - (5) The number or section of the Code violated.
 - (6) The name of the code enforcement officer.
 - (7) The procedure for the person to follow in order to pay the civil penalty or to contest the citation.
 - (8) The date, time and location of the hearing to be held if the citation fine is not paid or if the violation is not timely complied.
 - (9) The applicable penalty if the person elects to contest the citation.
 - (10) The applicable penalty if the person elects not to contest the citation.
 - (11) The time set for compliance with the Code and for payment of the fine.
- (d) The citation shall be delivered to the violator in accordance with section 18-207 of this chapter.
- (e) A violator who has received a citation shall either:
- (1) Comply with the code section cited, if applicable, and pay the fine, on or before the time set forth in the citation; or
 - (2) Appear at the hearing, as scheduled on the citation, and contest the violation cited. If the alleged violator elects to appear at the hearing and contest the violation, he or she shall bring any witnesses or evidence to the hearing.
- (f) If the alleged violator fails to appear at the hearing, the alleged violator shall have waived all rights to a hearing and to otherwise contest the citation.
- (g) The code enforcement board or special magistrate, after a hearing on the citation, shall make a determination whether or not a violation of the Code has been committed. The hearing shall be conducted in accordance with section 18-202. If a violation is found to have occurred, the code enforcement board or special magistrate may enter an order requiring the payment of the citation fine and the administrative costs of the hearing and the compliance of the violation by a date certain and the accrual of a daily fine if such compliance date is not met, as set forth in section 18-202. In the alternative, the town may forego the pursuit of a daily fine and request an order be entered assessing the citation fine and administrative costs of the hearing. A certified order assessing fines and/or administrative costs may be recorded as a lien against the subject property as set forth in section 18-204 or as otherwise provided by law.
- (h) Payment of a citation shall constitute admission of a violation for purposes of finding a repeat violation.**

(Ord. No. 386, § 4, 1-28-2014)

Sec. 18-227. Schedule of fines.

The following is the schedule of fines for the Town of Sewall's Point:

- (1) *Class A violations.* All class A violations shall be a civil offense punishable by a fine of \$100.00.
- (2) *Class B violations.* All class B violations shall be a civil offense punishable by a fine of \$150.00.

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- (3) *Class C violations.* All class C violations shall be a civil offense punishable by a fine of \$250.00.
 - (4) *Class D violations.* All class D violations shall be a civil offense punishable by a fine of \$500.00.
 - (5) *Class E violations.* All class E violations shall be a civil offense punishable by a fine of \$50.00.

(Ord. No. 386, § 4, 1-28-2014)



Basic Info

PIN 01-38-41-006-005-00030-9	AIN 17671	Situs Address 3 S RIDGEVIEW RD SEWALLS POINT FL	Website Updated 11/16/21
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General Information

Property Owners BULTMAN JASON BALFOORT MICHELLE	Parcel ID 01-38-41-006-005-00030-9	Use Code/Property Class 0100 - 0100 Single Family
Mailing Address 3 RIDGEVIEW RD S STUART FL 34996	Account Number 17671	Neighborhood 120200 South Sewall's Point
Tax District SEWALL'S POINT	Property Address 3 S RIDGEVIEW RD SEWALLS POINT FL	Legal Acres .4240
	Legal Description HOMWOOD, A PORTION OF LOT 3: BEG NELY C...	Ag Use Acres N/A

Current Value

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	Total County Exemptions	County Taxable Value
2021	\$ 275,000	\$ 300,430	\$ 575,430	\$ 5,228	\$ 570,202	\$ 50,000	\$ 520,202

Market values shown on the website reflect market conditions as of January 1st, the statutory assessment date. We are prohibited by law from relying on sales that occur after the January 1 assessment date. Therefore, market values shown on the website do not reflect today's market conditions, but rather the market conditions last year. In addition, the statutes require the county Property Appraiser to deduct for typical costs of sale (which include expenses such as commissions, title insurance, appraisals, inspection fees, etc.) when arriving at market value for tax purposes. That is why the market value for tax purposes is different from what a property would sell for today.

Current Sale

Sale Date

1/4/18

Grantor (Seller)

JOHN & SUZANNE SMITH HOLDINGS LLC

Doc Num

2672843

Sale Price

\$ 705,000

Deed Type

Wd Full Covenant and Warranty Deed

Book & Page2968 2975

Legal Description

HOMEWOOD, A PORTION OF LOT 3: BEG NELY COR LOT 3, SWLY ALG N/LN 168.18' TO NW COR, SELY ALG W/LN 129.17', NELY 137.90' TO E/LN & NWLY 130.06' TO POB

The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the uses or interpretations of the legal description.

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06/22/2021 Documents:

- Photocopy of hang tags related to parking on undesignated area (lawn)
- Officer Garcia's Daily Activity Sheet for 06/22/2021

Date issued: 6-22-2021 Time: 0330

Location: 3 S. Ridgeview Rd.

Violation Description: Truck parked on
undesignated area (on grass)
FL TAG # RMY329

Location where notice was left: Truck Door

Officer: GARCIA ID# 060

Date Issued: 6-22-2021 Time: 0330
Location: 3 S. Ridgerview Rd.
Violation Description: Truck w/ metal Railings
attached to bed of truck.
plain view on property. (SEE BACK)
Location where notice was left: Driver Door
Officer: GARCIA ID# 0600

FL TAG # RMY329

SEWALL'S POINT POLICE DEPARTMENT ACTIVITY REPORT

NAME & ID: OFFICER GARCIA #060 DATE: 06/22/2021

DAY: TUESDAY SHIFT: 2300-0700 CAR: 300

OT HOURS: _____ REASON: _____

MILEAGE ON: 85,077 MILEAGE OFF: 85,107 TOTAL MILES: 30

UTC: 1 WRITTEN WARNINGS: _____ VERBAL WARNINGS: _____

ARRESTS: _____ CRASHES: _____ CV CITED: _____ CV WARNED: 5

CODE / SIGNAL	ARRIVED	CLEARED	REMARKS	CURRENT CASE # 21-075
10-8	2300	---		ON DUTY
TE	2330	---		SR A1A .
10-50	2355	0003	# AETGKJE . LEE SIMPSON . FL TAG # LGTG58 . ST LUCIE / OCEAN . PC - UNLAWFUL SPEED . PC LOC - SR A1A . CITATION - UNLAWFUL SPEED .	
XPAT	0035	0040		52 SSPRD . ALL SEEMS OKAY .
XPAT	0100	0105		1 FIELDWAY DR . ALL SEEMS OKAY .
84	0125	0140		TOWN PARK . NO ONE AT PARK . ALL SEEMS OKAY .
10-40	0215	0245		PD . DINNER .
CODE V	0300	0305	6 W HIGH POINT RD . TRUCK [FL TAG # EHZ14] WITH TOOL BOX IN BED OF TRUCK [NOT PERMITTED] . ORANGE HANG TAG ISSUED LEFT ON DRIVER DOOR .	
48	0306	0310	181 S RIVER RD . REF TO GARAGE DOOR LEFT OPEN . LEFT CRIME PREVENTION SLIP . ALL SEEMS OKAY .	
CODE V	0311	0315	160 S RIVER RD [ON MARGUERITA] . VEHICLE [FL TAG # HIGM55] PARKED ON STREET BETWEEN 2A AND 6A . LEFT ORANGE CODE TAG ON DRIVER DOOR .	
CODE V	0318	0323	113 HENRY SEWALL WAY . VEHICLE [FL TAG # CYSU16] PARKED ON STREET BETWEEN 2A AND 6A . LEFT ORANGE CODE TAG ON DRIVER DOOR .	
CODE V [X2]	0330	---	3 S RIDGEVIEW RD . VEHICLE [FL TAG # RMY329] PARKED IN UNDESIGNATED AREA (ON GRASS) . LEFT ORANGE CODE TAG ON DRIVER DOOR .	
---	---	0337	TRUCK HAS METAL RACKS ATTACHED TO BED OF TRUCK ('COMMERCIAL VEHICLE') . LEFT ORANGE CODE TAG ON DRIVER DOOR	
84	0439	0452		HARBOR BAY PLAZA . NO ONE AT PLAZA . ALL OKAY .
10-119	0555	0605		MOBIL . GAS . [\$13.08]
10-7	---	0700		OFF DUTY .

OFFICER SIGNATURE: *[Signature]* #060 DATE: 06/22/2021

PAGE 1 OF 1 REVIEWING OFFICER: _____

10/12/2021 Documents:

- Photocopy of Civil Violation Citation #CE04028
- Copy of photograph taken by Chief Ciechanowski on 10/12/2021 at 0734 hours.
- Ofc. Gonzalez's Activity Sheet

Town of Sewall's Point
One South Sewall's Point Road, Sewall's Point, FL 34996
Civil Violation Citation

CE 04028

This Civil Citation is issued pursuant to Chap. 18, Sec. 18-226 of the Town of Sewall's Point's Code of Ordinances. In addition to the citation fine set forth below, the violation(s) charged hereby could subject you to a civil penalty of \$250 per violation per day and up to \$500 per day for a repeat violation, plus administrative costs.

This citation is issued on the 12th day of October, 2021 by the undersigned Code Enforcement Officer to:

Builtman Jason
(Last name) (First name) (M.I.)
3 Ridgerview Rd S Sewall's Pt Fl 34996 801-793-3835
(Street address) (City) (State) (Zip code) (Phone number—home) (Phone number—other)

For violation of the following Town Ordinance (Ordinance Number & Description) in the Town of Sewall's Point, Florida:

42.24(e)(1); Boat/Trailer Parked (Unconcealed)

By virtue of the following (Summary of Violation): Sail boat on trailer parked on front lawn since 0730hrs (1st observation).

Location of Violation: 3 S. Ridgerview (Front Lawn)

If vehicle related: Year _____ Make _____ Model _____ Tag# _____ State _____ Description _____

YOU ARE HEREBY ORDERED TO CORRECT THE VIOLATION(S) CITED ABOVE AND TO PAY THE FINE SET FORTH, OR APPEAR ON THE HEARING DATE.

Written Warning No Fine

- Class A Violation FINE \$100.00
- Class B Violation FINE \$150.00
- Class C Violation FINE \$250.00
- Class D Violation FINE \$500.00
(Or a repeat violation which may be fined at \$500 per day per violation)
- Class E Violation FINE \$50.00

VIOLATION CORRECTION DEADLINE: 5p on 10/12/21

FINES MUST BE PAID BY 4:00 P.M. ON THE 10th DAY FOLLOWING THE DATE OF ISSUANCE OF THIS CITATION.

HEARING DATE (IF APPLICABLE): _____

Failure to correct the violation by the deadline set forth above may result in additional citations.

You may avoid daily fines and additional costs by complying with the code section(s) cited, if applicable, and paying the citation fine by either cash or a check, made payable to the Town of Sewall's Point received at the above address by 4:00 p.m. on the 10th day following the date of issuance. Cash payments MUST be hand delivered to the above address by the date due.

If you fail to correct the violation and pay the penalty in accordance with this citation, or if your check fails to clear, or if you wish to contest the citation, you are hereby commanded and summoned to appear at a hearing on the violation(s) charged, on the Hearing Date cited above in the Commission Chambers at Town Hall, located at 1 S. Sewall's Point Road, Sewall's Point, Florida.

If you fail to appear at the hearing to contest the Civil Violation Citation, you shall be deemed to have waived your right to a hearing and right to contest the citation, an order may be entered against you for an amount up to the maximum daily civil penalty, together with the citation fine and administrative costs, and a lien may be imposed. Overdue fines and costs or outstanding violations may result in the Town withholding permits, licenses and/or certificates of occupancy, by any department, governing body, or agent of the Town until the violator comes into compliance, and pays the Civil Violation Citation, including any administrative costs; or complies with the requirements in the order issued by the code enforcement board or special magistrate, or in the case of an appeal, by the court. Failure to respond to this Civil Violation Citation may result in the imposition of a lien or special assessment, if applicable, against the property of the violator. If you disagree with a decision of the Code Enforcement Board/Special Magistrate, you may appeal to the Circuit Court of Martin County within 30 days after the order is entered. If you decide to appeal any such order, with respect to any matter considered at the subject hearing, you will need a record of the proceedings, and for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based (sec. 286.0105, Fla. Stat.).

S. Gonzalez
Signature of Citing Code Enforcement Officer

X Jason Builtman
Name of the Receiving Party (if hand-delivered)
(any person over 15 years of age)

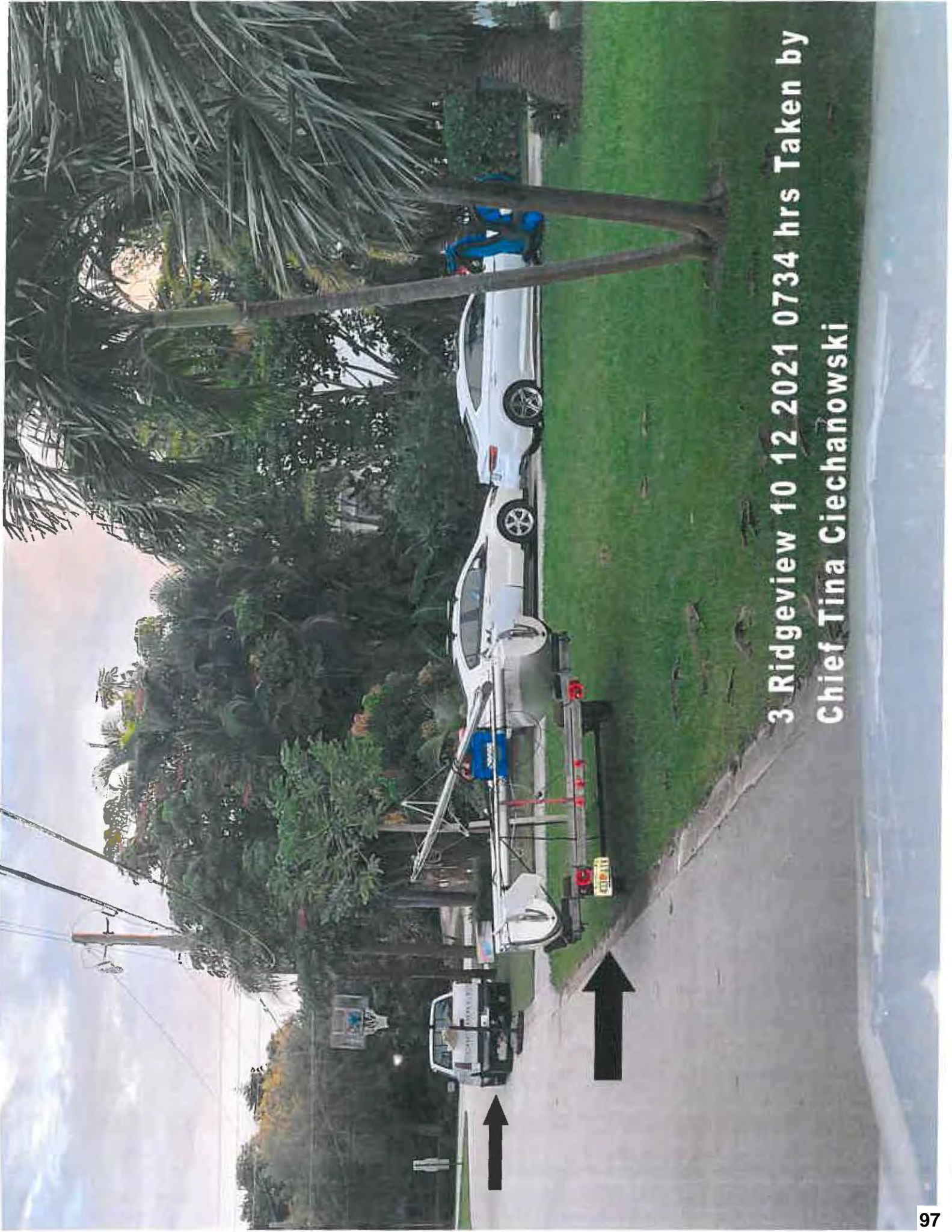
Date and Time of Issuance: 10/12/21 - 1307 hrs

Issued by CE Officer: S. Gonzalez

White Copy—Police Clerk

Yellow Copy—Defendant

Pink Copy—Town Clerk



3 Ridgeview 10 12 2021 0734 hrs Taken by
Chief Tina Ciechanowski

SEWALL'S POINT POLICE DEPARTMENT ACTIVITY REPORT

NAME & ID: OF CR. S. GONZALEZ - 065 DATE: 10/12/21

DAY: TUESDAY SHIFT: 0700 - 1500 CAR: 300

OT HOURS: _____ REASON: _____

MILEAGE ON: 91023 MILEAGE OFF: 91076 TOTAL MILES: 53

UTC: 2 WRITTEN WARNINGS: _____ VERBAL WARNINGS: _____

ARRESTS: _____ CRASHES: _____ CV CITED: _____ CV WARNED: 1

CODE / SIGNAL	ARRIVED	CLEARED	REMARKS	CURRENT CASE #
10-8	0700			IN SERVICE
068	0735	0739		BUS DETAIL - ESCORT BUS 1909
10-50	0739	0750	#AETGVOE, OCEAN & NSPR; ANTHONY ZOE W/M; WHITE FORD TK DQGP97; PC LOC: S/B NSPR @ INDIALUCIE; FAIL TO STOP FOR SCHOOL BUS	
94	0840	0854		BUS DETAIL; ESCORT SCHOOL BUS 1611
TE	0929	0942		NSPR
10-50	0950	1001	AETGVPE; PERRWMNKLE LN / NSPR; NUBILA ZAAYAD O/F; WHITE CHEVY UT IUUF09; PC LOC: SB NSPR @ 101 NSPR; SEAT BELT VIOLATION	
VHC	1006	1010		51 SSPR
VHC	1012	1016		61 S. RIVER
VHC	1020	1023		8 N RIDGEVIEW
VHC	10-26	1031		9 RIVERVIEW
94	1037	1103	HBP; BACK UP OFC. CARDARELLI REF TRAFFIC STOP	
10-40	1156	1229		STATION
CVW	1300	1310	3 S. RIDGEVIEW; WRITTEN WARNING REF SAILBOAT ON TRAILER PARKED ON LAWN IN FRONT OF RESIDENCE SINCE 10/11/21	
10-86	1320	1331		PANTRY
68	1412	1430		BUS DETAIL - ESCORT BUS 1715
10-7		1500		OFF DUTY

OFFICER SIGNATURE: S. Gonzalez DATE: 10/12/21

PAGE 1 OF 1 REVIEWING OFFICER: _____

10/12/2021 Documents:

- Photocopy of the email sent to Police Department personnel.

Tina Ciechanowski

From: Tina Ciechanowski
Sent: Wednesday, October 13, 2021 8:34 AM
To: Kathryn Barbera; Cara Cardarelli; Christopher Wade; Juan A. Garcia; Kimberly Thompson; Peter Trubish; Robert Quaglia; Sebastien Gonzalez; Tina Ciechanowski; William Hodge
Subject: Code Violations at 3 S. Ridgeview

All Officers,

There has been five parking related hang tags issued at 3 S. Ridgeview between 6/22 and 10/8: two for parking in the road overnight, one for a truck with racks on it, one for parking on the front lawn and another for a trailer parked in view, also on the front lawn.

Yesterday, when I drove by at 7:15 there was a boat on the trailer parked on the front lawn that had been there overnight according to the owner.

I spoke with Mr. Jason Bultman yesterday. He was issued a full page CVC warning and explained that going forward, we will have to issue his fined CVCs as we seem to have been unsuccessful with our warnings.

He understood.

Tina Ciechanowski, Chief of Police
Sewall's Point Police Department
1 S. Sewall's Point Road
Sewall's Point, FL 34996
Telephone: 772-781-3378
Email: tciechanowski@sewallspoint.org

NOTE: Florida has a very broad public records law. Most written communications to or from Town of Sewall's Point's officials and employees regarding public business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity.

PUBLIC RECORDS REQUESTS - Contact Information for the Town of Sewall's Point Records Custodian Please provide all public records requests to the Town Clerk's Office: Town Clerk, 1 S. Sewall's Point Road, Sewall's Point, FL 34996 Email: townclerk@sewallspoint.org Telephone: (772) 287-2455 X. 14

11/04/2021 Documents:

- Photocopy of Civil Violation Citation #CE04108
- Additional case information sheet for CVC #CE04108
- Officer Garcia's Daily Activity Sheet
- Sergeant Thompson's Daily Activity Sheet
- Photograph of the violation taken by Officer Garcia

Town of Sewall's Point
One South Sewall's Point Road, Sewall's Point, FL 34996
Civil Violation Citation

CE 04108

This Civil Citation is issued pursuant to Chap. 18, Sec. 18-226 of the Town of Sewall's Point's Code of Ordinances. In addition to the citation fine set forth below, the violation(s) charged hereby could subject you to a civil penalty of \$250 per violation per day and up to \$500 per day for a repeat violation, plus administrative costs.

This citation is issued on the 04 day of November, 2021 by the undersigned Code Enforcement Officer to:

BULTMAN (Last name) JASON (First name) (M.I.)
3 S. Bridgview Rd. Sewall's Point, FL 34996 (Street address) (City) (State) (Zip code) (Phone number-home) (Phone number-other)

For violation of the following Town Ordinance (Ordinance Number & Description) in the Town of Sewall's Point, Florida:

SEC. 42-24: Parking Restrictions - Parking of Commercial Vehicles

By virtue of the following (Summary of Violation): white pickup truck w/ Racks in plain view from road. Multiple parking violations previously warned.

Location of Violation: 3. S. Bridgview Rd. Sewall's Point, FL 34996

If vehicle related: Year 2002 Make Ford Model Tag# RM4329 State FL Description Pickup truck w/ racks.

YOU ARE HEREBY ORDERED TO CORRECT THE VIOLATION(S) CITED ABOVE AND TO PAY THE FINE SET FORTH, OR APPEAR ON THE HEARING DATE.

- Written Warning No Fine
Class A Violation FINE \$100.00
Class B Violation FINE \$150.00
Class C Violation FINE \$250.00
Class D Violation FINE \$500.00
Class E Violation FINE \$50.00

Warning

VIOLATION CORRECTION DEADLINE: Immediately
FINES MUST BE PAID BY 4:00 P.M. ON THE 10TH DAY FOLLOWING THE DATE OF ISSUANCE OF THIS CITATION.
HEARING DATE (IF APPLICABLE): 12/08/2021

Failure to correct the violation by the deadline set forth above may result in additional citations.

You may avoid daily fines and additional costs by complying with the code section(s) cited, if applicable, and paying the citation fine by either cash or a check, made payable to the Town of Sewall's Point received at the above address by 4:00 p.m. on the 10th day following the date of issuance. Cash payments MUST be hand delivered to the above address by the date due.

If you fail to correct the violation and pay the penalty in accordance with this citation, or if your check fails to clear, or if you wish to contest the citation, you are hereby commanded and summoned to appear at a hearing on the violation(s) charged, on the Hearing Date cited above in the Commission Chambers at Town Hall, located at 1 S. Sewall's Point Road, Sewall's Point, Florida.

If you fail to appear at the hearing to contest the Civil Violation Citation, you shall be deemed to have waived your right to a hearing and right to contest the citation, an order may be entered against you for an amount up to the maximum daily civil penalty, together with the citation fine and administrative costs, and a lien may be imposed. Overdue fines and costs or outstanding violations may result in the Town withholding permits, licenses and/or certificates of occupancy, by any department, governing body, or agent of the Town until the violator comes into compliance, and pays the Civil Violation Citation, including any administrative costs; or complies with the requirements in the order issued by the code enforcement board or special magistrate, or in the case of an appeal, by the court. Failure to respond to this Civil Violation Citation may result in the imposition of a lien or special assessment, if applicable, against the property of the violator. If you disagree with a decision of the Code Enforcement Board/Special Magistrate, you may appeal to the Circuit Court of Martin County within 30 days after the order is entered. If you decide to appeal any such order, with respect to any matter considered at the subject hearing, you will need a record of the proceedings, and for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based (sec. 286.0105, Fla. Stat.).

Signature of Citing Code Enforcement Officer #0600 11/4/2021

Name of the Receiving Party (if hand-delivered) (any person over 15 years of age)

Date and Time of Issuance: 11/6/21 @ 1748
Issued by CE Officer: [Signature]

White Copy—Police Clerk

Yellow Copy—Defendant

Pink Copy—Town Clerk

Additional Case Information

Date: 11 / 04 / 2021

Time: 0430 HRS

CVC Number: 04108

Location: 3 SOUTH RIDGEVIEW ROAD , SEWALL'S POINT, FL 34996

WHILE ON PATROL, I, OFFICER GARCIA, OBSERVED A TWO DOOR WHITE TRUCK WITH METAL RAILS/RACK ATTACHED TO THE REAR BED OF THE TRUCK, WITH FLORIDA TAG #RMY329, PARKED AT THE DRIVEWAY OF ABOVE ADDRESS.

UPON FURTHER REVIEW I LOCATED MULTIPLE WARNINGS TO THIS RESIDENCE FOR CODE VIOLATIONS :

THE FOLLOWING IS WHAT I LOCATED:

10/15/2021 - VEHICLE PARKED ON STREET BETWEEN 2A & 6A

10/12/2021 - SAILBOAT ON TRAILER ON FRONT LAWN

10/08/2021 - VEHICLE PARKED ON STREET BETWEEN 2A & 6A

10/02/2021 - VEHICLE PARKED ON STREET BETWEEN 2A & 6A

09/20/2021 - TRAILER ON FRONT YARD, NOT CONCEALED.

06/22/2021 - TRUCK WITH METAL RAILINGS IN PLAIN VIEW

06/22/2021 - TRUCK PARKED IN UNDESIGNED AREA

I FIND THE RESIDENTS AT ABOVE ADDRESS IN VIOLATION OF TOWN ORDINANCE 42-24 : PARKING RESTRICTIONS - PARKING OF COMMERCIAL VEHICLES .

NO FURTHER.

Officer's Name & ID Number

J. GARCIA #060

SEWALL'S POINT POLICE DEPARTMENT ACTIVITY REPORT

NAME & ID: OFFICER GARCIA #060 DATE: 11/04/2021

DAY: THURSDAY SHIFT: 2300-0700 CAR: 500

OT HOURS: _____ REASON: _____

MILEAGE ON: 1,123 MILEAGE OFF: 1,145 TOTAL MILES: 22

UTC: _____ WRITTEN WARNINGS: _____ VERBAL WARNINGS: _____

ARRESTS: _____ CRASHES: _____ CV CITED: 1 CV WARNED: 2

CODE / SIGNAL	ARRIVED	CLEARED	REMARKS	CURRENT CASE #
10-8	2300	---		ON DUTY
TE	2330	0000		SR A1A .
XPAT	0026	0030		1 FIELDWAY DR . ALL SEEMS OKAY .
14	0030	0032		31 FIELDWAY DR . BOAT ON TRAILER IN PLAIN VIEW FROM ROAD . START OF 3 HR PERMITTED PERIOD AT 0030 HRS .
10-10	0032	0200		PD . ONLINE MANDATORY TRAINING [HUMAN TRAFFICKING]
10-40	0230	0330		PD . DINNER .
CVC	0402	0416		3 S RIDGEVIEW RD . REF TO TRUCK WITH RACKS PARKED IN DRIVEWAY AFTER WORK HOURS . FL TAG # RMY329 . CVC # 04108 - FINE ISSUED
CODE V	0420	0428		11 ISLAND RD . REF TO VAN [NJ TAG # S71KYT] PARKED ON STREET BETWEEN 2A & 6A . ORANGE CODE TAG ISSUED , LEFT ON DRIVER DOOR .
CODE V	0434	0438		31 FIELDWAY DR . REF BOAT ON TRAILER IN PLAIN VIEW , PARKED IN DRIVEWAY . ORANGE CODE TAG ISSUED , LEFT ON VEHICLE'S DOOR THATS PARKED IN DRIVEWAY .
10-7	---	0700		OFF DUTY .

OFFICER SIGNATURE: *off - Garcia* #060 DATE: 11/04/2021

PAGE 1 OF 1 REVIEWING OFFICER: _____

SEWALL'S POINT POLICE DEPARTMENT ACTIVITY REPORT

NAME & ID: K. THOMPSON #061 DATE: 11/06/21

DAY: SATURDAY SHIFT: 1500-2300 CAR: 400

OT HOURS: _____ REASON: _____

MILEAGE ON: 97766 MILEAGE OFF: 97789 TOTAL MILES: 23

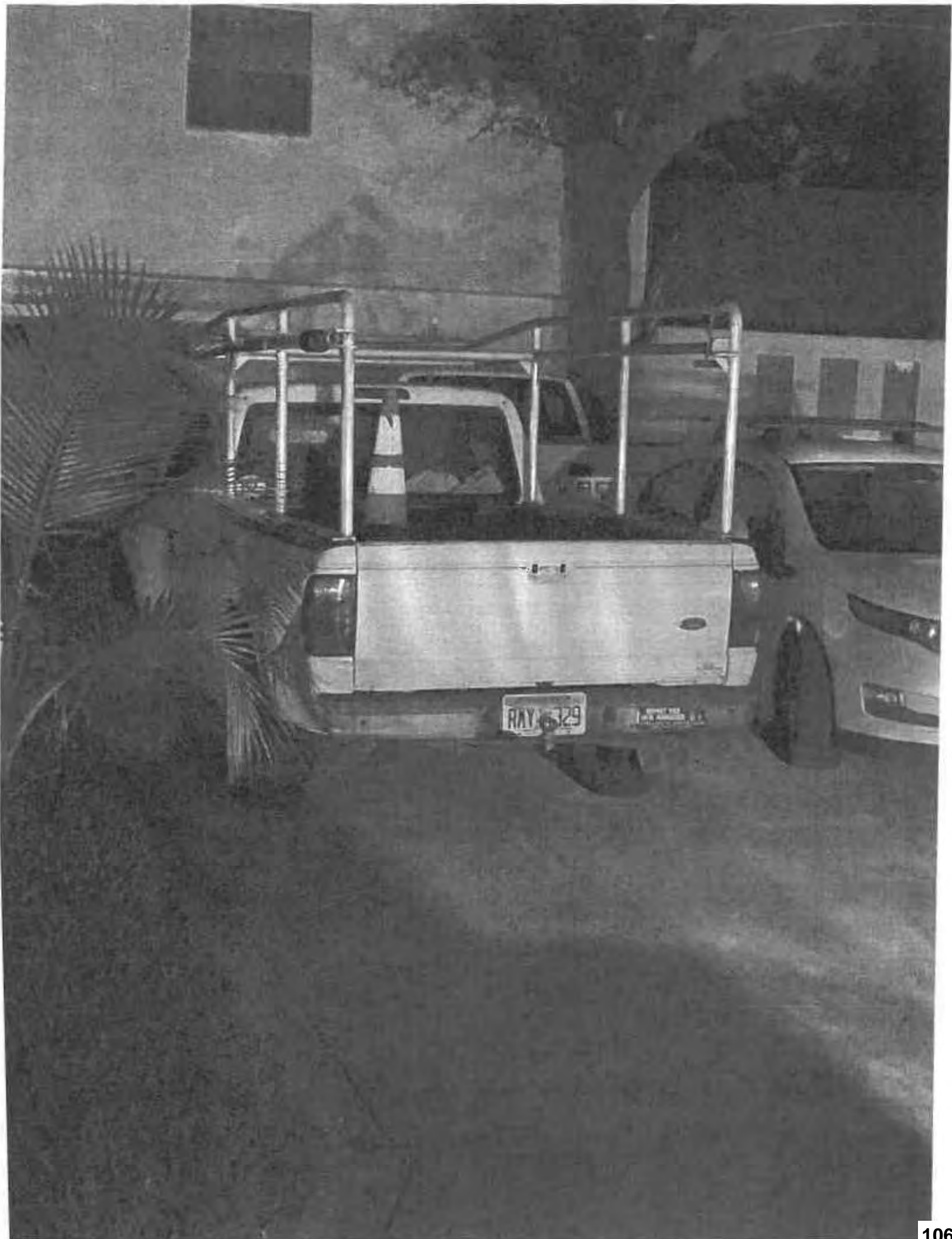
UTC: 1 WRITTEN WARNINGS: _____ VERBAL WARNINGS: 1

ARRESTS: _____ CRASHES: _____ CV CITED: _____ CV WARNED: _____

CODE / SIGNAL	ARRIVED	CLEARED	REMARKS	CURRENT CASE #
10-8		1500		IN SERVICE
10-10	1500	1730		OFFICE
CVF	1745	1751		3 N RIDGEVIEW, ISSUED CVC
10-40	1815	1845		PD
XPAT	1903	1905		30 CASTLE HILL WY
TE	1951	1954		SEACOAST BANK
10-50	1954	2007	#AFA22PE:DISPLAY FLASHING BLUE/RED LIGHTS, INDIALUCIE/NSPRD, FL TAG: NYTP84, WHITE JEEP	
10-50	2042	2056	VERBAL:SPEED, 2 NSPRD, FL TAG:KYYS11, WHI KIA	
10-94	2104	2120		STUART CAUSEWAY, FOR #044, 10-50
10-7		2300		OUT-SERVICE

OFFICER SIGNATURE: _____ DATE: 11/06/21

PAGE 1 OF _____ REVIEWING OFFICER: _____



11/15/2021 Documents:

- Photocopy of Civil Violation Citation #04109
- Additional case information sheet for CVC #CE04109-Garcia
- Additional case information sheet for CVC #CE04109-Cardarelli
- Officer Garcia's Daily Activity Sheet
- Officer Cardarelli's Daily Activity Sheet
- Photograph of the violation taken by Officer Garcia
- Photographs of the violation taken by Chief Ciechanowski

Town of Sewall's Point
 One South Sewall's Point Road, Sewall's Point, FL 34996
Civil Violation Citation

CE 04109

This Civil Citation is issued pursuant to Chap. 18, Sec. 18-226 of the Town of Sewall's Point's Code of Ordinances. In addition to the citation fine set forth below, the violation(s) charged hereby could subject you to a civil penalty of \$250 per violation per day and up to \$500 per day for a repeat violation, plus administrative costs.

This citation is issued on the 15 day of November, 2021 by the undersigned Code Enforcement Officer to:
Bultman Jason
(Last name) (First name) (M.I.)
3 S. Ridgerview Rd. Sewall's Point FL 34996
(Street address) (City) (State) (Zip code) (Phone number—home) (Phone number—other)

For violation of the following Town Ordinance (Ordinance Number & Description) in the Town of Sewall's Point, Florida:

42-24 : Parking Restrictions - Parking of Commercial Vehicles

By virtue of the following (Summary of Violation): White two door pick-up truck with Railings attached to bed of truck (making it commercial) in plain view from road after work hours. Second Fine.

Location of Violation: 3. South Ridgerview Rd. Sewall's Point, FL 34996

If vehicle related: Year 2002 Make Ford Model PK Tag# BM4329 State FL Description White Truck w/ Railings

YOU ARE HEREBY ORDERED TO CORRECT THE VIOLATION(S) CITED ABOVE AND TO PAY THE FINE SET FORTH, OR APPEAR ON THE HEARING DATE.

- Written Warning No Fine
- Class A Violation FINE \$100.00
- Class B Violation FINE \$150.00
- Class C Violation FINE \$250.00
- Class D Violation FINE \$500.00
- (Or a repeat violation which may be fined at \$500 per day per violation)
- Class E Violation FINE \$50.00

VIOLATION CORRECTION DEADLINE: Immediately
 FINES MUST BE PAID BY 4:00 P.M. ON THE 10TH DAY FOLLOWING THE DATE OF ISSUANCE OF THIS CITATION.
 HEARING DATE (IF APPLICABLE): 12/05/2021 01/12/2022 ce

Failure to correct the violation by the deadline set forth above may result in additional citations.

You may avoid daily fines and additional costs by complying with the code section(s) cited, if applicable, and paying the citation fine by either cash or a check, made payable to the Town of Sewall's Point received at the above address by 4:00 p.m. on the 10th day following the date of issuance. Cash payments MUST be hand delivered to the above address by the date due.

If you fail to correct the violation and pay the penalty in accordance with this citation, or if your check fails to clear, or if you wish to contest the citation, you are hereby commanded and summoned to appear at a hearing on the violation(s) charged, on the Hearing Date cited above in the Commission Chambers at Town Hall, located at 1 S. Sewall's Point Road, Sewall's Point, Florida.

If you fail to appear at the hearing to contest the Civil Violation Citation, you shall be deemed to have waived your right to a hearing and right to contest the citation, an order may be entered against you for an amount up to the maximum daily civil penalty, together with the citation fine and administrative costs, and a lien may be imposed. Overdue fines and costs or outstanding violations may result in the Town withholding permits, licenses and/or certificates of occupancy, by any department, governing body, or agent of the Town until the violator comes into compliance, and pays the Civil Violation Citation, including any administrative costs; or complies with the requirements in the order issued by the code enforcement board or special magistrate, or in the case of an appeal, by the court. Failure to respond to this Civil Violation Citation may result in the imposition of a lien or special assessment, if applicable, against the property of the violator. If you disagree with a decision of the Code Enforcement Board/Special Magistrate, you may appeal to the Circuit Court of Martin County within 30 days after the order is entered. If you decide to appeal any such order, with respect to any matter considered at the subject hearing, you will need a record of the proceedings, and for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based (sec. 286.0105, Fla. Stat.).

cec- J. Garcia #060
 Signature of Citing Code Enforcement Officer

X Jason Bultman
 Name of the Receiving Party (if hand-delivered)
 (any person over 15 years of age)

Date and Time of Issuance: 11/16/21 0952
 Issued by CE Officer: [Signature] #067

White Copy—Police Clerk Yellow Copy—Defendant Pink Copy—Town Clerk

Additional Case Information

Date: 11 / 15 / 2021

Time: 0405 HRS

CVC Number: 04109

Location: 3 SOUTH RIDGEVIEW ROAD , SEWALL'S POINT, FL 34996

WHILE ON PATROL, I, OFFICER GARCIA, OBSERVED A TWO DOOR WHITE TRUCK WITH METAL RAILS/RACK ATTACHED TO THE REAR BED OF THE TRUCK, WITH FLORIDA TAG #RMY329, PARKED AT THE DRIVEWAY OF ABOVE ADDRESS.

UPON FURTHER REVIEW I LOCATED MULTIPLE WARNINGS AND ONE (1) CVC FINE TO THIS RESIDENCE FOR CODE VIOLATIONS :

THE FOLLOWING IS WHAT I LOCATED:

11/04/2021 - TRUCK WITH METAL RAILINGS IN PLAIN VIEW (\$100 FINE)
10/15/2021 - VEHICLE PARKED ON STREET BETWEEN 2A & 6A
10/12/2021 - SAILBOAT ON TRAILER ON FRONT LAWN
10/08/2021 - VEHICLE PARKED ON STREET BETWEEN 2A & 6A
10/02/2021 - VEHICLE PARKED ON STREET BETWEEN 2A & 6A
09/20/2021 - TRAILER ON FRONT YARD, NOT CONCEALED.
06/22/2021 - TRUCK WITH METAL RAILINGS IN PLAIN VIEW
06/22/2021 - TRUCK PARKED IN UNDESIGNED AREA

I FIND THE RESIDENTS AT ABOVE ADDRESS IN VIOLATION OF TOWN ORDINANCE 42-24 : PARKING RESTRICTIONS - PARKING OF COMMERCIAL VEHICLES .

NO FURTHER.

Officer's Name & ID Number


J. GARCIA #060

Additional Case Information

Date: 11/16/2021

Time: 0952 HRS

CVC Number: 04109

Location: 3 S. RIDGEVIEW RD

ON TUESDAY, NOVEMBER 16, 2021 AT APPROXIMATELY 0940 HRS, I RESPONDED TO 3 S. RIDGEVIEW RD, SEWALLS POINT, FL IN ORDER TO SERVE A CVC (CE 04109) COMPLETED BY OFC. GARCIA ON 11/15/2021, TO THE HOMEOWNER, JASON BULTMAN.

I MADE CONTACT WITH BULTMAN AND ADVISED HIM OF WHY HE WAS BEING ISSUED THE CVC. AFTER I EXPLAINED THE REASON FOR THE CVC, BULTMAN ADVISED THAT HE WAS ISSUED A CITATION FOR THE SAME VIOLATION AND HIM AND HIS SON WERE TRYING TO THINK OF A BETTER SOLUTION FOR CONCEALMENT OF THE VEHICLE AND TRYING TO UNDERSTAND EXACTLY WHAT THE EXACT PROBLEM WAS REGARDING THE TRUCK. BULTMAN STATED HIS SON USES THE RACKS ON THE TRUCK FOR HIS BICYCLES AND SURF BOARDS ETC FOR HIS OWN PERSONAL USE. I FURTHER ADVISED BULTMAN OF THE CVC REASON AND RECITED VERBATIM WHAT OFC. GARCIA WROTE FOR THE REASON, STATING THE RACKS MADE THE VEHICLE "COMMERICAL." I THEN ELABORATED THE DIFFERENCE BETWEEN COMMERICAL VEHICLES TO PERSONAL VEHICLES AND BRIEFLY REFERENCED THE RACKS BEING OVER THE BED OF THE TRUCK.

AFTER BULTMAN STATED THE AFOREMENTIONED INFORMATION AND I COULD SEE THAT I WAS NOT HELPING BULTMAN UNDERSTAND THE SITUATION ANY BETTER. I ADVISED BULTMAN ON OPTIONS ON HOW HE COULD ATTEST/DISPUTE THE CITATION AND ALSO PROVIDED HIM WITH ANOTHER OPTION; HE COULD GO TO THE TOWN HALL AND MAKE CONTACT WITH THE CHIEF OR TOWN MANAGER SO THEY COULD BETTER ADVISE/EDUCATE BULTMAN ON THE TOWN ORDINANCE AND HOPEFULLY FIND A RESOLUTION WITH THE END RESULT OF GAINING COMPLIANCE.

IT SHOULD BE NOTED THAT BULTMAN DID ASK FOR MY OPINION ON A IDEA HE HAD WHICH WAS; IF HE WENT DOOR TO DOOR ASKING FOR HIS NEIGHBORS TO SIGN A PETITION - STATING IF THE TRUCK WAS A PROBLEM I.E A EYE SORE FOR THEM? I ADVISED BULTMAN THAT IT HAD NOTHING TO DO WITH HIS NEIGHBORS, AS THEY WERE NOT THE ONES COMPLAINING AND THAT IT WAS SIMPLY A TOWN OF SEWALL'S POINT ORDINANCE/CODE VIOLATON. BULTMAN ADVISED HE WOULD FOLLOW UP AND MEET WITH THE CHIEF TO BETTER INFORM HIMSELF OF THE MATTER.

Officer's Name & ID Number

C. CARDARELLI #067

cc

SEWALL'S POINT POLICE DEPARTMENT ACTIVITY REPORT

NAME & ID: OFFICER GARCIA #060 DATE: 11/15/2021

DAY: MONDAY SHIFT: 2300-0700 CAR: 500

OT HOURS: _____ REASON: _____

MILEAGE ON: 1,686 MILEAGE OFF: 1,718 TOTAL MILES: 32

UTC: _____ WRITTEN WARNINGS: _____ VERBAL WARNINGS: _____

ARRESTS: _____ CRASHES: _____ CV CITED: 1 CV WARNED: _____

CODE / SIGNAL	ARRIVED	CLEARED	REMARKS	CURRENT CASE #
10-8	2300	---		ON DUTY
49	2320	2335	21 PALM RD . REF TO GARAGE DOOR ALARM . RESIDENT HOME, NO GATE CODE IN SYSTEM . RESIDENT ADVISED ALL WAS OKAY .	
84	0106	0118	TOWN PARK . NO ONE AT PARK . ALL OKAY .	
XPAT	0130	0137	143 S RIVER RD . ALL SEEMS OKAY .	
XPAT	0150	0154	1 FIELDWAY DR . ALL SEEMS OKAY .	
10-40	0230	0300	PD . DINNER .	
CVC	0403	0435	3 S RIDGEVIEW RD . REF TO WHITE TRUCK [FL TAG # RMY329] WITH METAL RACKS IN PLAINVIEW FROM ROAD . CVC # 04109 - FINE ISSUED . DAYSHIFT WILL DELIVER .	
10-119	0544	0555	MOBIL . GAS . [\$30.06]	
68	0630	0646	NSPRD & SSPRD . FOLLOWED SCHOOL BUS .	
10-7	---	0700	OFF DUTY .	

OFFICER SIGNATURE: *OFC. JG #060* DATE: 11/15/2021

PAGE 1 OF 1 REVIEWING OFFICER: _____

SEWALL'S POINT POLICE DEPARTMENT ACTIVITY REPORT

NAME & ID: C. CARDARELLI #067 DATE: 11/16/21

DAY: TUESDAY SHIFT: 0700-1500 CAR: 100

OT HOURS: _____ REASON: _____

MILEAGE ON: 1544 MILEAGE OFF: 1572 TOTAL MILES: 28

UTC: _____ WRITTEN WARNINGS: _____ VERBAL WARNINGS: 1

ARRESTS: _____ CRASHES: _____ CV CITED: _____ CV WARNED: 2

CODE / SIGNAL	ARRIVED	CLEARED	REMARKS	CURRENT CASE #
10-8		0700		IN SERVICE
CV	0734	0746	114 SRRD, REF 50-183(b)-CONSTR HRS, WHI RAM FL-114RKA, JAMES DORMAN, ADVISED REF TOWN ORD, HANG TAG ISSUED.	
CV	0747	0754	109 SRRD-REF 42-24-PARKING, BLK FORD FL-Z87DLV, ANTHONY M RABONI-ADVISED REF TOWN ORD, VERBAL WARNING	
CVF	0803	0807	3 S RIDGEVIEW RD, DELIVERING OFC GARCIA'S CVC (CE04109), MADE CONTACT W/ RELATIVE VISITING-SUBJ STATED H/O JASON WILL BE HOME AFTER TAKING KIDS TO SCHOOL. WILL ATTEMPT LATER.	
68B	0837	0842		BUS ESCORT #1706
TE	0850	0917		SSPRD-REF SPEED COMPLAINTS
10-50	0901	0905	VRB WARNING: PC SPEED, SPPRD, SIL TOYO, FL TAG: JTYS48-VICTORIA A MAURIZZIO-DE JESUS	
XPAT	0919	0934	1 TUSCAN LN-REF PAST VERBAL THREATS-AREA SECURE	
CVF	0939	0955	REF OFC GARCIA'S CVC (CE04109)-ISSUED AND SIGNED BY H/O JASON BULTMAN@ 0952 HRS	
68	1027	1043		146 SSPRD-REF VIN VERIFICATION (X3)
XPAT	1044	1048	9 OAKWOOD DR-REF PAST SUSP INCIDENT-AREA SECURE	
VHC	1050	1055		8 KINGSTON CT-HOMEOWNER PRESENT
VHC	1100	1110		165 SSPRD-HOME SECURE
13P	1123	1134	1 MINDORO ST, REF VEH PARKED ON ROADWAY. (BLK GMC FL TAG:38AGIP), LOCATED VEH OWNER- WM WHITNEY WISEMAN WHO WAS WORKING ON MINDORO AND LOOKING AT THE WATER. CHECKED IN ELVIS. CLR. LEFT THE AREA	
VHC	1143	1153		1 MINDORO ST-HOME SECURE
VHC	1202	1212		106 SRRD-HOME SECURE

OFFICER SIGNATURE: _____ DATE: 11/16/21

PAGE 1 OF _____ REVIEWING OFFICER: 

SEWALL'S POINT POLICE DEPARTMENT ACTIVITY REPORT

NAME & ID: C.CARDARELLI #067 DATE: 11/16/21

DAY: TUESDAY SHIFT: 0700-1500 CAR: 100

OT HOURS: _____ REASON: _____

MILEAGE ON: 1544 MILEAGE OFF: 1572 TOTAL MILES: 28

UTC: _____ WRITTEN WARNINGS: _____ VERBAL WARNINGS: 1

ARRESTS: _____ CRASHES: _____ CV CITED: _____ CV WARNED: 2

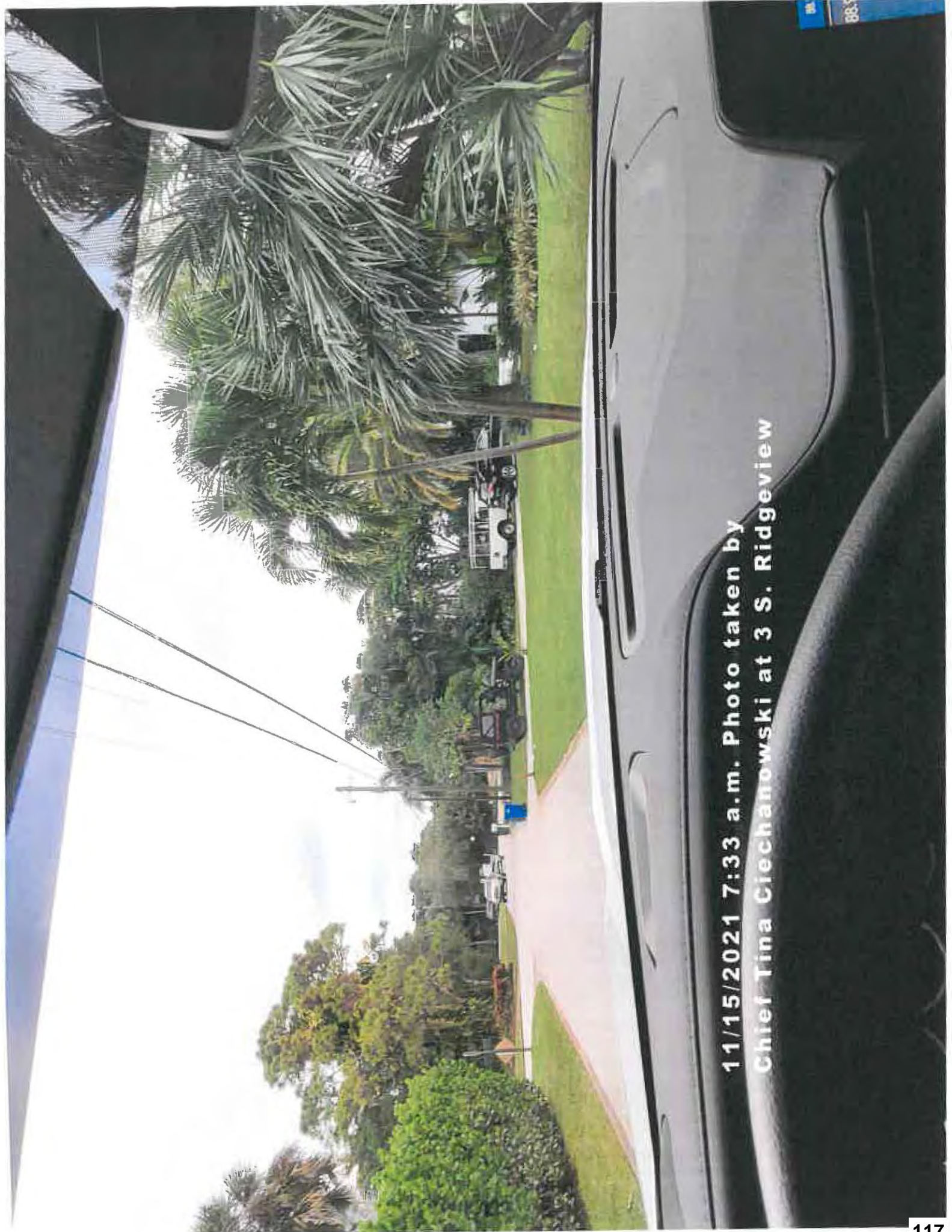
CODE / SIGNAL	ARRIVED	CLEARED	REMARKS	CURRENT CASE #	*** **
10-8	0700			IN SERVICE	
CV	0734	0746	114 SRRD - REF SEC 50-183(b) - WHT RAM FL TAG 114RKA - JAMES DORMAN - ADVISED HE WAS NEVER TOLD BY BOSS - ADVISED HIM OF TOWN ORD. HANG TAG WARNING ISSUE.		
CV	0747	0754	109 SRRD - REF SEC 42-24 - BLK FRD TRK FL TAG 287DLV - ANTHONY MICHAEL RABONI - FIRST TIME IN THE TOWN - ADVISED HIM OF TOWN ORDINANCE - VERBAL WARNING ADMINISTERED.		
- CVF FOL	0803	0807	3 S. RIDGEVIEW RD - REF FOLLOW UP DELIVERING OFC. GARCIA'S CVC (CE04109) - MADE CONTACT WITH A RELATIVE VISITING, STATED H/O JASON WILL BE HOME AFTER DROPPING KIDS OFF AT SCHOOL. WILL ATTEMPT AT A LATER TIME.		
- 68B	0837	0842		BUS ESCORT #1706	
- TE	0850	0917		SSPRD - REF SPEED COMPLAINTS.	
10-50	0901	0905	VRB WRNING: PC LOC: SSPRD - SIL TOYT FL TAG JTYS48 - VICTORIA ALEXIS MAURIZZIO-DE JESUS - PC: SPEED.		
- 84(XPAT)	0919	0934	1 TUSCAN LN - REF PAST VRB THREATS - AREA 10-4.		
- CVF FOL	0939	0955	REF OFC. GARCIA'S CVC (CE 04109) - ISSUED AND SIGNED BY H/O JASON BULTMAN @ 0952 HRS.		
68	1027	1043		146 SSPRD - REF VIN VERIFICATION (3X)	
- 84(XPAT)	1044	1048	9 OAKWOOD DR - REF PAST S13(I) - AREA 10-4.		
- 84(VHC)	1050	1055	8 KINGSTON CT - HOMEOWNERS PRESENT.		
- 84(VHC)	1100	1110		165 SSPRD - HOME SECURE.	
13P 68	1123	1134	1 SIMARA ST - REF BLK GMC FL TAG 28AGIF PARKED (ILLEGALLY) ON GRASS NEAR 1 MINDORO ST - OBSERVED UNK W/M ON BRIDGE POSSIBLY FISHING - MADE CONTACT W/ WHITNEY WISEMAN WHO ADVISED HE WAS WORKING AT A SITE ON MINDORO ST AND WAS OBSERVING ALL THE FISH IN THE AREA BEFORE HE LEFT FOR LUNCH. RAN SUBJECT VIA ELVIS 54-28, SUBJECT LEFT W/O INCIDENT.		
84(VHC)	1143	1153		1 MINDORO ST - HOME SECURE.	
- 84(VHC)	1202	1212		106 SRRD - HOME SECURE.	

*Hours
PARKING*

OFFICER SIGNATURE:  DATE: 11/16/21

PAGE 1 OF _____ REVIEWING OFFICER: _____





11/15/2021 7:33 a.m. Photo taken by
Chief Tina Ciechanowski at 3 S. Ridgeview



11/15/2021 7:33 a.m. Photo taken by
Chief Tina Ciechanowski at 3 S. Ridgeview

Case Note 11/16/2021 Documents:

- Sec. 42-23 & Sec. 42-24 highlighted as presented to Mr. Bultman
- Copy of memorandum to file from Chief Ciechanowski concerning the meeting with Mr. Bultman
- Copy of receipt for payment of CVC #CE04109

Sec. 42-23. Definitions.

For purposes of this section, the following definitions shall apply:

Boats. Watercraft of any size, description and method of propulsion.

Hauling trailers. Devices designed to be pulled by a motor vehicle for the purpose of hauling or towing items. Hauling trailers are usually constructed in the manner of open framework, carts, wagons or vans, and their common purpose is to pull, haul or tow.

Inoperable motor vehicles. Vehicles which for any reason are inoperable shall be considered inoperable motor vehicles. Lack of current registration and mechanical failure or disability of the vehicle render a vehicle inoperable for purposes of this chapter.

Commercial lettering. Letters, numbers, symbols or combinations thereof which advertise a trade, business, industry or other activity for profit, or a product, commodity or service, whether or not for profit or other nonpersonal use of any kind. The term shall not include bumper stickers, decals required for parking or other regulated activity, personalized license plates or vanity plates.

Commercial vehicles. Any vehicle which either has commercial lettering or which otherwise displays evidence of a commercial or nonpersonal use, including, but not limited to, racks; cabinet boxes; tools and/or cargo, visible from the street or abutting property or which exceeds the height of the bed of a truck or which extends beyond or above the tailgate. Commercial vehicles may include, but are not limited to, automobiles, vans, trucks, pickups, box trucks, tractor trucks, panel trucks, delivery wagons/trucks, agricultural vehicles, dump trucks, wreckers, semitrailers, trailers, tractor cranes, power shovels, buses, taxis, limousines, non-emergency ambulances, and hearses.

Nonstandard vehicles. All passenger vehicles not defined as standard vehicles shall be considered nonstandard vehicles. Nonstandard vehicles include those that have been manufactured or altered for a purpose other than, or in addition to, private conveyance of drivers and passengers on roadways and those that have been individually designed, individually manufactured or individually altered to feature nonstandard bodies, seats, windows, sides or other characteristics. Nonstandard vehicles also include those that provide plumbing, cooking, refrigerator, living, conduct of business or trade, recreation, towing, hauling, trailering, delivering, camping or sleeping facilities. Nonstandard vehicles include commercial vehicles, recreational vehicles or RVs, trailers, campers, travel trailers, mobile homes, travel cars, dune buggies, swamp buggies, agricultural vehicles, tractors, or vehicles with passenger-conveying forward cabs and open or enclosed rear compartments, flatbeds, or areas intended or used for purposes other than conveying passengers. An otherwise standard vehicle that has been modified or altered to display commercial lettering shall be considered and classified as a nonstandard vehicle.

Private passenger van or private passenger pickup truck. Any private passenger van, or private passenger pickup truck having a net weight of 8,000 pounds or less, and used solely for personal activities; however, any such vehicle with commercial lettering or which otherwise displays evidence of a commercial or nonpersonal use, including, but not limited to, racks; cabinet boxes; tools and/or cargo, visible from the street or abutting property or which exceeds the height of the bed of a truck or which exceeds beyond or above the tailgate, for the purpose of this article, shall be determined to be a commercial vehicle regardless of the vehicle weight.

Restricted vehicles. All vehicles that are not defined as standard passenger vehicles, including but not limited to, commercial vehicles, nonstandard vehicles, and inoperable vehicles. Restricted vehicles also include vehicles greater than seven feet in height, having more than two axles, or having more than four tires regardless of whether it is otherwise defined as a standard vehicle.

Standard vehicles. Only those motor vehicles whose function is private conveyance of drivers and passengers on roadways and only those that are complete, bona fide, factory-designed vehicles with complete, bona fide, factory-designed bodies, seats, windows and standard windowed sides shall be considered standard vehicles. Standard vehicles are commonly known as sedans, coupes, convertibles, sport utility vehicles (SUVs), mini-vans, and station wagons and are manufactured in size classes standard, semi-compact, compact and sub-compact. Standard vehicles include private passenger vans and private passenger pickup trucks as defined above.

(Ord. No. 296, 3-18-2003; Ord. No. 346, § 2, 11-5-2008; Ord. No. 423, § 2, 5-26-2020)

Sec. 42-24. Parking restrictions.

- (a) *Parking of standard vehicles in R-1 district.* Any resident may park, keep, store and maintain, without restriction, standard vehicles, whether or not owned by the resident, anywhere on the resident's private property designed for parking vehicles in any R-1 district of the town. The vehicle need not be garaged, walled, enclosed or otherwise concealed from view.
- (b) *Overnight parking on the street.* No parking shall be permitted on streets, roads or rights-of-way in the town anytime between 2:00 a.m. and 6:00 a.m.
- (c) *Enclosure of restricted vehicles required in R-1 district.* No restricted vehicles may be parked, kept, stored or maintained upon a street, road or right-of-way or on private property within any R-1 district of the town unless the vehicle meets one of the following exceptions:
 - (1) The restricted vehicle is totally concealed from the view by a fence or wall set behind the front building line, or a hedge, constructed in compliance with section 82-276, of any abutting property (whether occupied or not) or any street or road, whether public or private, right-of-way or easement serving the property on which the restricted vehicle is located. A restricted vehicle not concealed as specified herein is in violation of this section.
 - (2) The restricted vehicle is engaged in temporary work or service on the premises between the hours of 8:00 a.m. and 5:00 p.m.
 - (3) The restricted vehicle is construction equipment which cannot reasonably be removed until termination of construction or current usage.
- (d) *Parking of travel trailers and campers.* Resident-owned, rented or leased travel trailers and campers may be temporarily parked in the residents' driveways while being loaded and prepared for use or while being unloaded after use, provided that:
 - (1) The temporary parking does not exceed 24 hours;
 - (2) No resident temporarily parks a travel trailer or camper more than one time in any consecutive seven days. The term "one time" shall be construed to allow the resident to load, leave the residence, return and unload;
 - (3) During temporary parking, the travel trailer or camper is not used for any purpose other than loading or unloading; and sleeping or other occupancy and/or the habitation thereof, is strictly prohibited.
- (e) *Parking of boats.* No boat (whether on a trailer or not) may be parked, kept, stored or maintained upon a street, road or right-of-way or on private property within any R-1 district of the town unless it is totally concealed from view (by a fence or wall set behind the front building line, or a hedge, constructed in compliance with section 82-276) from the ground level of any abutting property (whether occupied or not) or any street or road, whether public or private, right-of-way or private easement serving the property on

which the boat is located. A boat not concealed as specified in this section is in violation of this section unless the boat meets one of the following exceptions:

- (1) A boat may be parked temporarily unconcealed, on property in an R-1 district, while being loaded and prepared for use or while being unloaded and cleaned after use, providing the temporary parking does not exceed three daylight hours.
 - (2) Boats owned by residents may be unconcealed if moored to owners' docks and seawalls, suspended from davits adjacent to owners' docks and seawalls, or beached upon shorelines of owners' properties not having seawalls.
- (f) *Exemption for nonresidents.* Persons residing outside the town who are traveling in or with any restricted vehicle or boat, other than inoperable motor vehicles, shall be exempt from the provisions of subsections (c), (d), and (e) if they are visiting a resident of the town and they spend no more than 72 hours in any consecutive ten-day period.
- (g) *Parking of commercial vehicles in nonresidential districts.*
- (1) No parking shall be permitted on streets, roads or rights-of-way in the town anytime between 2:00 a.m. and 6:00 a.m.
 - (2) Commercial vehicles shall not be parked in nonresidential districts except when:
 - a. In use for commercial purposes, or
 - b. When the driver or occupants are visiting the nonresidential premises.
- (h) *Tarps prohibited.* The use of a tarp to cover any vehicle or boat is prohibited.

(Ord. No. 296, 3-18-2003; Ord. No. 315, § 2, 10-18-2005; Ord. No. 346, § 3, 11-5-2008; Ord. No. 377, § 2, 1-22-2013; Ord. No. 399, § 2, 5-27-2014)



TOWN OF SEWALL'S POINT POLICE DEPARTMENT

INTERDEPARTMENTAL MEMORANDUM

TO: Code Enforcement File
FROM: Tina Ciechanowski, Chief of Police
DATE: November 16th, 2021
RE: Restricted/CMV Parked at 3 Ridgeview

On the morning of October 12th, I observed a boat on a trailer on the front lawn of 3 S. Ridgeview. I took a photo of the violation at this location seemed to be receiving a high volume of CVC hangtag warnings.

A review of the CE Log shows that between June 22nd and October 8th, warnings were issued for parking in the street overnight, a truck with racks parked at the residence, parking on the front lawn and a trailer parking in view, also on the front lawn at this location.

On October 12, 2021 I spoke with Mr. Jason Bultman by phone concerning the high number of warnings issued to vehicles, trucks and trailers at his home. I explained to him during that conversation that going forward, we would no longer issue warnings. Fined citations would be issued and it was his responsibility to police his property; he acknowledged that he understood.

On November 4th, Ofc. Juan Garcia issued CVC CE04108 to Mr. Jason Bultman for parking a truck with racks in plain view from the road. You can also plainly see traffic cones in the back of the truck. He took photos of the violation. Mr. Bultman received the citation on 11/6/2021 which was delivered by Sgt. Thompson. As of November 16th, 2021 the CVC has remain unpaid.

On November 15th, Ofc. Juan Garcia issued CVC CE04109 to Mr. Jason Bultman for parking a truck with racks in plain view from the road and with cones in the back of the truck visible in the bed. The citation was delivered to Mr. Bultman by Ofc. Cardarelli on November 16th.

Coincidentally, while I was on patrol on November 15th, 2021, at approximately 7:30 am, I also observed the pickup truck with racks parked in the driveway at 3 S. Ridgeview. I took two photographs of the truck unaware that overnight Ofc. Garcia had already written the CVC. The truck clearly shows metal racks that extend over the bed of the truck and go over the can. Additionally, traffic cones can be seen in the bed of the truck extending over the top of the bed.

Mr. Bultman met with me today, November 16th, at the Sewall's Point Police Department. I provided him with a copy of the ordinance in relation to trucks with the applicable areas highlighted. He said that the truck was his sons and that it was going to be parked at the house. I explained all of the reasons that the truck was in violation and made suggestions to park it in the garage, or remove the rack. He did not feel that was an option. They requested to plea their case at a CEB hearing. I told him the hearing would be on Jan. 12, 2022.

A few hours later Mr. Bultman returned to the office. He met with his son and realized that it needed to be concealed. He said they would comply. I gave him until 11/23 to conceal the vehicle. Mr. Bultman indicated they would either park it behind the fence or put it in the garage. He said his son wanted to try and plea his case to the CEB for a reduced or removed fine. As a gesture of good will, and after discussion between the Town Manager and me, it was agreed that he would pay the first CVC and the second would be changed to a warning. Mr. Bultman was advised that further violations would be direct filed with the CEB.

TOWN OF SEWALL'S POINT

1 S SEWALL'S POINT RD
SEWALLS POINT, FL 34996
7722872455

ORDER: C04109

17-Nov-2021 12:07:58P

1 CODE ENFORCEMENT \$100.00

Total \$100.00

CHECK SALE \$100.00

Online: <https://clover.com/p/5BC4WE94Q1H8M>



5BC4WE94Q1H8M

*** REPRINT ***

Order T803S41GJ1MJW
Payment 5BC4WE94Q1H8M

Clover Privacy Policy
<https://clover.com/privacy>

12/03/2021 Documents:

- Officer Cardarelli's Daily Activity Sheet for 12/3/2021
- Case Report # 2021-00197757
- Additional Case Information Report
- Photograph taken by Officer Cardarelli
- Notice of Violation Case # B21-0074
- Corrected Notice of Violation # B21-0074
- Affidavit Confirming Hand Delivery of Notice - Original Notice of Violation
- Affidavit Confirming Hand Delivery of Notice - Corrected Notice of Violation
- USPS Return Receipt #70203160000139783183 for Original Notice of Violation

SEWALL'S POINT POLICE DEPARTMENT ACTIVITY REPORT

NAME & ID: C.CARDARELLI #067 DATE: 12/03/21

DAY: FRIDAY SHIFT: 2300-0800 CAR: 100


OT HOURS: _____ REASON: _____

MILEAGE ON: 2153 MILEAGE OFF: 2179 TOTAL MILES: 26

UTC: _____ WRITTEN WARNINGS: _____ VERBAL WARNINGS: _____

ARRESTS: _____ CRASHES: _____ CV CITED: _____ CV WARNED: 1

CODE / SIGNAL	ARRIVED	CLEARED	REMARKS	CURRENT CASE #	*** **
10-8	2300				*** **
				IN SERVICE	
84	0036	0103		TOWN PARK - AREA CHK - ALL 10-4.	
76M	0113	0138	1 MICHEAL RD - REF 88 Y/O W/F GABRIELLA AUNE WOKE UP WITH SHORTNESS OF BREATH - STUART (R1) TRANSPORTED TO MARTIN NORTH. (PRECAUTIONARY)		
84	0211	0226	3727 SE OCEAN BLVD / 3725 SE OCEAN BLVD - BUILDING CHK / AREA 10-4.		
84	0251	0315	HBP - PERIMETER CHK / AREA CHK - OBSERVED S13V (SEE BELOW) MADE CONTACT - REST OF AREA 10-4.		
13V	0300	0306	HBP - BLU FRD FL TAG QISS33 - W/F RACHEL URBAN (07/04/1997) IMPROPERLY PARKED SITTING IN BACK SEAT OF VEHICLE - MADE CONTACT, URBAN STATED SHE WAS ARGUING WITH HER B/F AND DIDNT WANT TO DRIVE WHILE ARGUING - RAN SUBJ. TELETYPE 10-54/10-29 - LEFT W/O INCIDENT.		
84	0331	0341	1 FIELDWAY DR - REF PAST S13(I) - AREA 10-4.		
84	0348	0355	9 RIO VISTA DR - REF PAST S13(I) - AREA 10-4.		
CV	0400	0416	3 S. RIDGEVIEW - REF WHT TRK W/ RACKS (FL TAG RMY329) PRIOR CVC'S ISSUED - CE CASE REPORT TO BE COMPLETED - REF CALL(2021-00197757)		
10-6	0420	0435	COMPLETED CASE ADDT. INFORMATION ON ABOVE VIOLATION.		
10-40	0500	0530	SPPD.		
84	0604	0612	160 SRRD - REF PAST S40 - AREA 10-4.		
84	0614	0621	9 OAKWOOD DR - REF PAST S13(I) - AREA 10-4.		
68B	0630	0645	BUS ESCORT #1715		
68B	0730	0739	BUS ESCORT #1614		
CV	0739	0743	96 SPPRD - REF SEC 42-24/50-183(B) - COM. VEH PARKED AND DELIVERING FURNITURE - ROOMS TO GO TRUCK FL TAG C2319T - H/O'S & WORKERS EDUCATED ON TWN ORDINANCE - VERBAL WARNING ISSUED.		

OFFICER SIGNATURE:  DATE: 12/03/21

PAGE 1 OF 2 REVIEWING OFFICER: 



SEWALL'S POINT POLICE DEPARTMENT, FL

FIELD CASE REPORT

CASE#
2021-00197757

EVENT	REPORTED DATE/TIME 12/3/2021 04:00	OCCURRED INCIDENT TYPE Local Ordinance	CASE STATUS Closed
	OCCURRED FROM DATE/TIME 12/03/2021 04:00	OCCURRED THRU DATE/TIME 12/03/2021 04:15	LOCATION OF OCCURRENCE Sewalls Point 3 S RIDGEVIEW RD SEWALLS POINT, FL

	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT
OFFENSES	01 Sec. 42-24 Class A Parking of CMV. Over 7' or 8000 lb, no comm. markings, tool boxes, construction racks visible or over the bed of t	1	Completed

SUBJECT	JACKET/SUBJECT TYPE Adult Suspect	NAME (LAST, FIRST, MIDDLE SUFFIX) BULTMAN, JASON ARTHUR					
	DOB 10/06/1972	AGE or AGE RANGE 49	ADDRESS (STREET, CITY, STATE, ZIP) 3 S RIDGEVIEW RD RD Sewalls Point, FL 34996				
	RACE White	SEX Male	HEIGHT or RANGE 6'4"	WEIGHT or RANGE	HAIR BRO	EYE BLU	
	DL NUMBER/STATE B435421723660 / FL	PRIMARY PHONE	PHONE #2	PHONE #3			

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FIRST, MIDDLE SUFFIX)					
	DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)				
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
	DL NUMBER/STATE	PRIMARY PHONE	PHONE #2	PHONE #3			

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FIRST, MIDDLE SUFFIX)					
	DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)				
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
	DL NUMBER/STATE	PRIMARY PHONE	PHONE #2	PHONE #3			

REPORTING OFFICER Cardarelli, Cara	DATE 12/3/2021	REVIEWED BY	DATE
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SEWALL'S POINT POLICE DEPARTMENT, FL
FIELD CASE REPORT
CASE#
2021-00197757

VEHICLES as INVOLVED

INVOLVED VEHICLE	VEHICLE ROLE			
	Suspect Vehicle			
	VEH YR	TYPE/MAKE/MODEL	STYLE	
	2002	Ford	Pickup	CUSTOM
	PLATE / STATE	VIN	TOP COLOR	BOTTOM COLOR
RMY329 / FL	1FTYR10U12PA12279	WHI	WHI	
ADDITIONAL DESCRIPTIVE INFORMATION				
White pickup truck 2002 with metal racks.				

INVOLVED VEHICLE	VEHICLE ROLE			
	VEH YR	TYPE/MAKE/MODEL	STYLE	
	PLATE / STATE	VIN	TOP COLOR	BOTTOM COLOR
	ADDITIONAL DESCRIPTIVE INFORMATION			

VEHICLES as PROPERTY

PROPERTY VEHICLE	PROPERTY CODE		NCC/PCIC NUMBER	VALUE
	VEH YR	TYPE/MAKE/MODEL	STYLE	
	PLATE / STATE	VIN	TOP COLOR	BOTTOM COLOR
	ADDITIONAL DESCRIPTIVE INFORMATION			

PROPERTY VEHICLE	PROPERTY CODE		NCC/PCIC NUMBER	VALUE
	VEH YR	TYPE/MAKE/MODEL	STYLE	
	PLATE / STATE	VIN	TOP COLOR	BOTTOM COLOR
	ADDITIONAL DESCRIPTIVE INFORMATION			

PROPERTY VEHICLE	PROPERTY CODE		NCC/PCIC NUMBER	VALUE
	VEH YR	TYPE/MAKE/MODEL	STYLE	
	PLATE / STATE	VIN	TOP COLOR	BOTTOM COLOR
	ADDITIONAL DESCRIPTIVE INFORMATION			

REPORTING OFFICER	DATE	REVIEWED BY	DATE
Cardarelli, Cara	12/3/2021		



SEWALL'S POINT POLICE DEPARTMENT, FL

FIELD CASE REPORT

CASE#

2021-00197757

On Friday, December 03, 2021, while conducting routine patrol in the Town of Sewall's Point, I Ofc. Cardarelli #067 observed at approximately 04:00 hours a commercial white Ford truck (FL tag RMY329) with metal racks connected to the bed of the truck, parked in the driveway of 3 S. Ridgeview Dr. I observed the commercial vehicle in plain view from roadway, not concealed.

The aforementioned residence and vehicle have been warned and cited on numerous occasions with this vehicle being in direct violation of Town Ordinance, section 42-24.

Warning/citation dates are as followed:

Commercial vehicle with metal racks parked in plain view.

-06/22/2021 - Hang tag warning

-11/04/2021 - CVC warning issued (#04108)

-11/16/2021 - CVC fine class A fine \$100 issued (#04109)

Homeowner, Jason Bultman met with the Chief of Sewall's Point Police Department on 11/16/2021 regarding this matter. Bultman was thoroughly educated/advised on the town ordinance and was giving a date of 11/23/2021 to have this matter corrected and gain compliance.

REPORTING OFFICER	DATE	REVIEWED BY	DATE
Cardarelli, Cara	12/3/2021		

3 OF 4



SEWALL'S POINT POLICE DEPARTMENT, FL

FIELD CASE REPORT

CASE#

2021-00197757

(continuation)

I find the residents at the above address in direct violation of Town Ordinance 42-24 - Parking restrictions/parking of commercial vehicles.

Nothing further.

REPORTING OFFICER	DATE	REVIEWED BY	DATE
Cardarelli, Cara	12/3/2021		

Case Report

Detail

Agency: Sewall's Point Police
Department
Agency #: FL0430300

Print Date/Time: 12/14/2021 15:38

General Information

Case Number:	2021-00197757	Reporting Officer:	9075 - Cardarelli, Cara
Occurred Location:	3 S RIDGEVIEW RD/No Cross Streets Found, SEWALLS POINT, FL 34996	Reported Date:	12/03/2021 04:00
Status:	Closed	Incident Type:	Local Ordinance
Status Date:	12/03/2021	Occurred From:	12/03/2021 04:00
Disposition:	Civil Matter	Occurred Through:	12/03/2021 04:15
Disposition Date:	12/04/2021	Exceptional Clearance:	
Scene Processed By:		Exceptional Clearance Date:	
Campus Code:		Significant Event	
		County:	Martin County

Assignments

Solvability Factors

Description: Weight:

Modus Operandi

Offenses

#	Statute Group	Group Agency	Crime Code	Statute	Description	Offense Date
1	Local	FL0430300	90Z - All Other Offenses (Except Traffic or Warrants)	Sec. 42-24 Class A	Parking of CMV. Over 7' or 8000 lb, no comm. markings, tool boxes, construction racks visible or over the bed of the truck, over	12/03/2021

Subjects

Number	Type	Name	Address	Contact Information	Race	Sex	DOB
1	Suspect	BULTMAN, JASON A.	3 S RIDGEVIEW RD RD, Sewalls Point, FL 34996		White	Male	10/06/1972

Properties

#	Date	Type	Property Loss Type	Description	Name	Subject Role
---	------	------	--------------------	-------------	------	--------------

Vehicles

Number	Role	Type	Make/Model	Color	Plate/Registration	Year	State
1	Suspect Vehicle	Automobile	Ford-CUSTOM	WHI	RMY329	2002	FL

Contributing Officers

Number	Report Date/Time	Officer	Supervisor	Approving User	Report Type
1	12/05/2021 08:17	9075 - Cardarelli, Cara	9044 - Wade, Christopher	KBarbera	Case Report

Evidence

Counter	Evidence Type	Code	Description	Current Location	Date Received	Make/Model
---------	---------------	------	-------------	------------------	---------------	------------

Status History

Case Status	Status Date	Changed By	Date/Time Changed
In Field	12/03/2021	System	12/04/2021 00:48
Closed	12/03/2021	KBarbera	12/14/2021 15:37

Login Id: KBarbera

Page 1 of 3

Case Report

Detail

Agency: Sewall's Point Police
Department
Agency #: FL0430300

Print Date/Time: 12/14/2021 15:38

Disposition History			
Disposition	Disposition Date	Changed By	Date/Time Changed
Civil Matter	12/04/2021	System	12/04/2021 00:48

Supplemental Information				
Actions Taken	Reasons For No Arrest	Purge Type	Purge Date	Purge Review Date

Narratives				
Name: Original Narrative	Author: 9075 - Cardarelli, Cara	Supervisor: 9044 - Wade, Christopher	Date Created: 12/04/2021 00:33	

Description:

On Friday, December 03, 2021, while conducting routine patrol in the Town of Sewall's Point, I Ofc. Cardarelli #067 observed at approximately 04:00 hours a commercial white Ford truck (FL tag RMY329) with metal racks connected to the bed of the truck, parked in the driveway of 3 S. Ridgeview Dr. I observed the commercial vehicle in plain view from roadway, not concealed.

The aforementioned residence and vehicle have been warned and cited on numerous occasions with this vehicle being in direct violation of Town Ordinance, section 42-24.

Warning/citation dates are as followed:

Commercial vehicle with metal racks parked in plain view.

-06/22/2021 - Hang tag warning

-11/04/2021 - CVC warning issued (#04108)

-11/16/2021 - CVC fine class A fine \$100 issued (#04109)

Homeowner, Jason Bultman met with the Chief of Sewall's Point

Case Report

Detail

Agency: Sewall's Point Police
Department
Agency #: FL0430300

Print Date/Time: 12/14/2021 15:38

Police Department on 11/16/2021 regarding this matter. Bultman was thoroughly educated/advised on the town ordinance and was giving a date of 11/23/2021 to have this matter corrected and gain compliance.

I find the residents at the above address in direct violation of Town Ordinance 42-24 - Parking restrictions/parking of commercial vehicles.

Nothing further.

Additional Case Information

Date: 12/03/2021

Time: 0400 HRS

CVC Number:

Location: 3 S. RIDGEVIEW RD

ON FRIDAY DECEMBER 03, 2021, WHILE CONDUCTING ROUTINE PATROL IN THE TOWN OF SEWALL'S POINT. I OBSERVED AT APPROXIMATELY 0400 HRS, A COMMERCIAL WHITE TRUCK WITH RACKS BEARING FL TAG RMY329 PARKED IN THE DRIVEWAY OF 3 S. RIDGEVIEW DR IN PLAIN VIEW FROM ROADWAY, NOT CONCEALED.

THE AFOREMENTIONED RESIDENCE AND VEHICLE HAVE BEEN WARNED AND CITED ON NUMEROUS OCCASSIONS REGARDING THIS VEHICLE AND IT BEING IN VIOLATION OF THE TOWN ORDINANCE SEC.42-24.

WARNING/CITED DATES ARE AS FOLLOWED:

COM.TRUCK WITH METAL RACKS PARKED IN PLAIN VIEW-

06/22/2021 - HANG TAG WARNING.

11/04/2021 - CVC WARNING ISSUED (04108)

11/16/2021 - CVC FINE \$100 ISSUED (04109)

HOMEOWNER, JASON BULTMAN MET WITH THE CHIEF ON 11/16/2021 REGARDING THIS MATTER AND WAS THOROUGHLY EDUCATED ON THE TOWN ORDINANCE AND WAS GIVING A DATE OF 11/23/2021 TO HAVE THIS MATTER RESOLVED AND GAIN COMPLIANCE.

I FIND RESIDENTS AT ABOVE ADDRESS IN DIRECT VIOLATION OF TOWN ORDINANCE 42-24 - PARKING RESTRICTIONS/PARKING OF COMMERCIAL VEHICLES.

NOTHING FURTHER.

Officer's Name & ID Number

C. CARDARELLI #067

12/3/2021

- 0400 HRS



12/3/2021

0400 HRS





Town of Sewall's Point

BUILDING DEPARTMENT

Notice of Violation and Notice of Hearing*

CASE #B21-0074

Property Owner: Jason Bultman
Owner Address: 3 S Ridgeview Rd
Sewall's Point, FL 34996

DATE: December 6, 2021

VIOLATION ADDRESS: 3 S Ridgeview Rd
PARCEL ID #: 01-38-41-006-005-00030-9

The Town of Sewall's Point works to ensure that the Town is a great place to live and visit and to keep its neighborhoods safe and well maintained. Sometimes this requires Town staff to issue a code enforcement violation that may result in fines, administrative costs and liens. In an attempt to prevent that from occurring, we would like to make you aware that your property is in violation of the following Town of Sewall's Point Code of Ordinances and/or the Florida Building Code:

Sec. 42-24- Parking Restrictions.

(g) *Parking of commercial vehicles in nonresidential districts.*

- (1) No parking shall be permitted on streets, roads or rights-of-way in the town anytime between 2:00 a.m. and 6:00 a.m.
- (2) Commercial vehicles shall not be parked in nonresidential districts except when:
 - a. In use for commercial purposes, or
 - b. When the driver or occupants are visiting the nonresidential premises.

F.S.S 162.06 (3) Code Enforcement Board Repeat Violations.

If a repeat violation is found, the code inspector shall notify the violator but is not required to give the violator a reasonable time to correct the violation. The code inspector, upon notifying the violator of a repeat violation, shall notify an enforcement board and request a hearing. The code enforcement board, through its clerical staff, shall schedule a hearing and shall provide notice pursuant to s. 162.12. The case may be presented to the enforcement board even if the repeat violation has been corrected prior to the board hearing, and the notice shall so state. If the repeat violation has been corrected, the code enforcement board retains the right to schedule a hearing to determine costs and impose the payment of reasonable enforcement fees upon the repeat violator. The repeat violator may choose to waive his or her rights to this hearing and pay said costs as determined by the code enforcement board.

To avoid the need to go to a hearing and the possibility of any fines, please comply the violation(s) on or before **December 10, 2021**, and contact the undersigned Code Enforcement Officer to verify compliance on or before that date. If you do not understand what is required to come into compliance or if you have any other questions regarding the violation, please contact the Code Enforcement Officer at the number below. We strive to work with our residents to resolve all code enforcement issues without the need for a hearing. However, if the violation remains after the time set for compliance above, the Code provides that the Town will hold a **public hearing before the Code Enforcement Board/Special Magistrate. This hearing will be held on January 12, 2022 at 10 a.m.** in the Town Commission Chambers, 1 S. Sewall's Point Road, Sewall's Point, Florida. The Code provides that the hearing may be held if the violation is not complied prior to the date given for compliance, even if the violation has been corrected prior to the hearing. These provisions also provide that if the violation is corrected and then re-occurs, the hearing may go forward. If you do not attend the hearing, the Code Enforcement Board/Special

Magistrate may base the findings solely upon the testimony of the code enforcement officer and that of any other witness present and upon any evidence presented. Therefore, it is important that you are present at the hearing to share your perspective, testimony and evidence regarding the alleged violation.

If the Code Enforcement Board/Special Magistrate finds that the alleged violation exists on your property, Florida law makes the property owner responsible for the administrative costs incurred by the Town in pursuing the enforcement of the violation. These costs may be included with any fines imposed by the Code Enforcement

Board/Special Magistrate or may be collected as otherwise authorized by ordinance and/or law. The Code Enforcement Board/Special Magistrate has the authority to levy fines of up to \$250.00 per day, per violation and up to \$500.00 per day, per repeat violation, for each and every day that each violation continues.

Florida law provides that once ordered and recorded, the administrative costs (and all other costs incurred) and any fines imposed by the Code Enforcement Board/Special Magistrate will constitute a lien on the property described above and upon any other real or personal property owned by the property owner(s). The Town encourages all property owners who receive a notice of violation to contact the Town so that we may work together towards compliance so that these legal remedies are unnecessary.

The Town is required by law to advise you that if you disagree with a decision of the Code Enforcement Board/Special Magistrate, you may appeal to the Circuit Court of Martin County within 30 days after the order is entered. If a person decides to appeal any such order, with respect to any matter considered at subject hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based (sec. 286.0105, Fla. Stat.).

If you require further information or otherwise wish to discuss the violation, please contact Michelle Berger, Town Manager, at 772-287-2455. Please be sure to have your case number available so we may promptly assist you.

Thank you and we look forward to working with you to resolve this matter.



Jack Reisinger, C.B.O. Town Building Official

*This Notice was X sent certified mail, return receipt requested and first class mail.



Town of Sewall's Point

BUILDING DEPARTMENT

Corrected Notice of Violation/ Notice of Hearing

CASE #B21-0074

Property Owner: Jason Bultman
Owner Address: 3 S. Ridgeview Rd
Sewall's Point, FL 34996

DATE: December 16, 2021

VIOLATION ADDRESS: 3 S Ridgeview Rd
PARCEL ID #: 01-38-41-006-005-00030-9

Pursuant to the provisions of the Town of Sewall's Point, you are hereby notified that the property described above was found in violation of the Town of Sewall's Point Code of Ordinances, as follows:

Sec. 42-24 Parking Restrictions: (c) Enclosure of restricted vehicles required in R-1 district Pickup truck was parked in view from the street. The pickup truck has metal racks that extend several feet over the bed and cab of the truck which makes its classification a "commercial vehicle" and a restricted vehicle. Restricted vehicles must be totally concealed from view.

Sec. 42-23 Definitions:

Commercial vehicles. Any vehicle which either has commercial lettering or which otherwise displays evidence of a commercial or nonpersonal use, including, but not limited to, racks; cabinet boxes; tools and/or cargo, visible from the street or abutting property or which exceeds the height of the bed of a truck or which extends beyond or above the tailgate. Commercial vehicles may include, but are not limited to, automobiles, vans, trucks, pickups, box trucks, tractor trucks, panel trucks, delivery wagons/trucks, agricultural vehicles, dump trucks, wreckers, semitrailers, trailers, tractor cranes, power shovels, buses, taxis, limousines, non-emergency ambulances, and hearses.

Private passenger van or private passenger pickup truck. Any private passenger van, or private passenger pickup truck having a net weight of 8,000 pounds or less, and used solely for personal activities; however, any such vehicle with commercial lettering or which otherwise displays evidence of a commercial or nonpersonal use, including, but not limited to, racks; cabinet boxes; tools and/or cargo, visible from the street or abutting property or which exceeds the height of the bed of a truck or which exceeds beyond or above the tailgate, for the purpose of this article, shall be determined to be a commercial vehicle regardless of the vehicle weight.

Restricted vehicles. All vehicles that are not defined as standard passenger vehicles, including but not limited to, commercial vehicles, nonstandard vehicles, and inoperable vehicles. Restricted vehicles also include vehicles greater than seven feet in height, having more than two axles, or having more than four tires regardless of whether it is otherwise defined as a standard vehicle.

Sec. 42-24 Parking Restrictions.

(c) Enclosure of restricted vehicles required in R-1 district. No restricted vehicles may be parked, kept, stored or maintained upon a street, road or right-of-way or on private property within any R-1 district of the town unless the vehicle meets one of the following exceptions:

- (1) The restricted vehicle is totally concealed from the view by a fence or wall set behind the front building line, or a hedge, constructed in compliance with section 82-276, of any abutting property (whether occupied or not) or any street or road, whether public or private, right-of-way or easement serving the property on which the restricted vehicle is located. A restricted vehicle not concealed as specified herein is in violation of this section.

The violations occurred on the following dates:

06/22/21: Violation of Sec 42-24 Parking Restrictions: (c) Enclosure of restricted vehicles required in R-1 district. A "hang tag" warning was issued.

11/04/21: Violation of Sec 42-24 Parking Restrictions: (c) Enclosure of restricted vehicles required in R-1 district was observed. A Civil Violation Citation (CVC) was issued for a Class "A" Violation, \$100 fine (#04108). This violation was reduced to a "Written Warning" as a gesture of good will upon meeting with the violator on 11/16/2021. He agreed to pay the fine for the violation that occurred on 11/15/2021.

11/15/21: Violation Sec. 42-24 Parking Restrictions: (c) Enclosure of restricted vehicles required in R-1 district. A Civil Violation Citation (CVC) was issued for a Class "A" Violation, \$100 fine (#04109). The fine was paid on 11/17/2021.

12/03/21: Violation Sec. 42-24 Parking Restrictions: (c) Enclosure of restricted vehicles required in R-1 district. THIS VIOLATION IS REFERRED TO THE CODE ENFORCEMENT BOARD AS A "REPEAT VIOLATION" BECAUSE THE VIOLATOR HAS PAID FOR A CITATION FOR THE SAME OFFENSE. PURSUANT TO SEC. 18-26(H), PAYMENT OF A CITATION SHALL CONSTITUTE ADMISSION OF A VIOLATION FOR PURPOSES OF FINDING A REPEAT VIOLATION.

The Town will hold a public hearing before the Code Enforcement Board/Special Magistrate. This hearing will be held on January 12, 2022 at 10 a.m. in the Town Commission Chambers, 1 S. Sewall's Point Road, Sewall's Point, Florida. If you do not attend the hearing, the Code Enforcement Board/Special Magistrate may base the findings solely upon the testimony of the code enforcement officer and that of any other witness present and upon any evidence presented. Therefore, it is important that you are present at the hearing to share your perspective, testimony and evidence regarding the alleged violation.

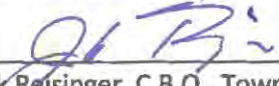
If the Code Enforcement Board/Special Magistrate finds that the alleged violation did in fact occur on your property, Florida law makes the property owner responsible for the administrative costs incurred by the Town in pursuing the enforcement of the violation. These costs may be included with any fines imposed by the Code Enforcement Board/Special Magistrate or may be collected as otherwise authorized by ordinance and/or law. The Code Enforcement Board/Special Magistrate has the authority to levy fines of up to \$250.00 for a first violation and up to \$500.00 for a repeat violation, for each and every day that each violation continues.

Florida law provides that once ordered and recorded, the administrative costs (and all other costs incurred) and any fines imposed by the Code Enforcement Board/Special Magistrate will constitute a lien on the property described above and upon any other real or personal property owned by the property owner(s). The Town encourages all property owners who receive a notice of violation to contact the Town so that we may work together towards compliance so that these legal remedies are unnecessary.

The Town is required by law to advise you that if you disagree with a decision of the Code Enforcement Board/Special Magistrate, you may appeal to the Circuit Court of Martin County within 30 days after the order is entered. If a person decides to appeal any such order, with respect to any matter considered at subject hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based (sec. 286.0105, Fla. Stat.).

If you require further information or otherwise wish to discuss the violation, please contact Jack Reisinger, Town Building Official, at **772-287-2455**. Please be sure to have your case number available so we may promptly assist you.

Thank you and we look forward to working with you to resolve this matter.



Jack Reisinger, C.B.O., Town Building Official

*This Notice was _____ sent certified mail, return receipt requested and first class mail.

AFFIDAVIT CONFIRMING HAND DELIVERY OF NOTICE

Street Address: **3 S Ridegview Rd**

PCN: **01-38-41-006-005-00030-9**

Case No.: **B21-0074**

Signature of recipient of Notice of Violation and Notice of Hearing

Signature

Print Name

Respondent accepted notice but ~~refused~~ to sign.

Posted Property and took photo, no answer at residence.

STATE OF FLORIDA)
COUNTY OF MARTIN)

I, Jack Reisinger, being duly sworn, depose and say that:

1. I am a Code Enforcement Officer for the Town of Sewall's Point.
2. I hand delivered the Notice of Violation and Notice of Hearing to

wife at 3 S. Ridgeview Rd,
Sewall's Point, Florida, on the 6 day of December, 2021. 9:21 A.M.

I understand that I am swearing or affirming under oath to the truthfulness of the claims made above.

Signature Jh Rj

Date 12-6-21

The foregoing instrument was acknowledged before me this 6th day of December, 2021, by Jack Reisinger. He/She ~~is personally known to me or has~~ produced _____ as identification.



CHRISTAL GOMEZ
Commission # GG 269550
Expires February 24, 2023
Bonded Thru Budget Notary Services

Notary Public, State of Florida
My Commission Expires: [Signature]

AFFIDAVIT CONFIRMING HAND DELIVERY OF NOTICE

Street Address: **3 S Ridegview Rd**

PCN: **01-38-41-006-005-00030-9**

Case No.: **B21-0074**

Signature of recipient of Notice of Violation and Notice of Hearing

[Handwritten Signature]

Signature

WALTERE BURNARD

Print Name

 Respondent accepted notice but refused to sign.

 Posted Property and took photo, no answer at residence.

STATE OF FLORIDA)
COUNTY OF MARTIN)

I, Jack Reisinger, being duly sworn, depose and say that:

- 1. I am a Code Enforcement Officer for the Town of Sewall's Point.
- 2. I hand delivered the Notice of Violation and Notice of Hearing to

Homeowner at 3 S. Ridgeview Rd @ 11:31,
Sewall's Point, Florida, on the 16 day of December, 2021.

I understand that I am swearing or affirming under oath to the truthfulness of the claims made above.

[Handwritten Signature]
Signature

12.16.21
Date

The foregoing instrument was acknowledged before me this 16th day of December, 2021, by Jack Reisinger. He/She is personally known to me or has produced _____ as identification.



[Handwritten Signature]
Notary Public, State of Florida
My Commission Expires:

7020 3160 0001 3978 3183

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee \$ _____

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Total \$ _____

Sent _____

Street _____

City _____

JASON BULTMAN
3 S RIDGEVIEW RD
SEWALL'S POINT, FL 34996

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark
Here

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Jason Bultman</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Adult</p> <p>B. Received by (Printed Name) JASON BULTMAN</p> <p>C. Date of Delivery 12-8-21</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>JASON BULTMAN 3 S RIDGEVIEW RD SEWALL'S POINT, FL 34996</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Mail Restricted Delivery (00)</p>
<p>2. Article Number (Transfer from service label)</p> <p>9590 9402 6948 1104 4023 88</p> <p>7020 3160 0001 3978 3183</p>	

Track Another Package +

Tracking Number: 70203160000139783190

[Remove X](#)

This is a reminder to arrange for redelivery of your item or your item will be returned to sender.

Reminder to Schedule Redelivery of your item

Feedback

Text & Email Updates



Select what types of updates you'd like to receive and how. Send me a notification for:

Text

Email

All Below Updates

Expected Delivery Updates ⓘ

Day of Delivery Updates ⓘ

Package Delivered ⓘ

Available for Pickup ⓘ



Delivery Exception Updates ⓘ



Package In-Transit Updates ⓘ

Tracking History ^

Reminder to Schedule Redelivery of your item

This is a reminder to arrange for redelivery of your item or your item will be returned to sender.

December 18, 2021, 6:21 pm

Available for Redelivery or Pickup

STUART, FL 34994

December 18, 2021, 6:21 pm

Available for Pickup

STUART, FL 34994

December 18, 2021, 2:29 pm

Notice Left (No Authorized Recipient Available)

STUART, FL 34996

December 18, 2021, 12:05 am

Departed USPS Regional Facility

WEST PALM BEACH FL DISTRIBUTION CENTER

December 16, 2021, 10:23 pm

Arrived at USPS Regional Facility

WEST PALM BEACH FL DISTRIBUTION CENTER

Feedback

Product Information v

See Less ^

Can't find what you're looking for?

Go to our [FAQs](#) section to find answers to your tracking questions.

FAQs

Feedback

12/30/2021 Documents:

- Officer Cardarelli's Daily Activity Sheet for 12/30/2021
- Case Report # 2021-00198619
- Additional Case Information Report
- Photograph taken by Officer Cardarelli

SEWALL'S POINT POLICE DEPARTMENT ACTIVITY REPORT

NAME & ID: C.CARDARELLI #067 DATE: 12/30/21

DAY: THURSDAY SHIFT: 2300-0700 CAR: 100

OT HOURS: _____ REASON: _____

MILEAGE ON: 3345 MILEAGE OFF: 3378 TOTAL MILES: 33

UTC: _____ WRITTEN WARNINGS: _____ VERBAL WARNINGS: _____

ARRESTS: _____ CRASHES: _____ CV CITED: _____ CV WARNED: 4

CODE / SIGNAL	ARRIVED	CLEARED	REMARKS	CURRENT CASE #	*** **
10-8	2300			IN SERVICE	
84	0058	0120		TOWN PARK - AREA CHECKED, ALL 10-4.	
PAT	0130	0235		ROVING PATROL OF ENTIRE TOWN (N & S END/CONSTRUCTION SITES/STREETS/HOMES/BRIDGES/CV'S ETC) - FEW CV'S OBSERVED, HANG TAGS TO BE ISSUED.	
84	0239	0312		BUILDING AND AREA CHECKS FOR HBP/3602/3601/3727/3725 SE OCEAN BLVD - AREAS CHECKED - ALL 10-4.	
CV	0319	0325		27 FIELDWAY DR - REF SEC 42-24 - GRY MAZD FL TAG 903ZVC W/ COMMERCIAL MARKINGS (I.E MAGNET) PARKED IN DRIVEWAY AFTER WORK HRS. HANG TAG WARNING ISSUED.	
CV	0328	0332		1 BANYAN RD - REF SEC 42-24 - BGE MITS FL TAG Z50BMF - PARKED IN ROADWAY DURING PROHIBITED HRS (0200-0600) - HANG TAG WARNING ISSUED.	
84	0333	0340		1&7 FIELDWAY DR - REF PAST S13(I)/OUT OF TOWN - AREAS CHECKED, BOTH APPEAR 10-4.	
CV	0344	0348		8 ST LUCIE CT - REF SEC 42-24 BRO CADI FL TAG JTZM86 PARKED ON ROADWAY O/N (B/W 0200 - 0600 HRS) - HANG TAG WARNING ISSUED.	
CV	0351	0356		2 ST LUCIE CT - REF SEC 42-24 RED KIA FL TAG QSKN15 W/ COMMERCIAL MARKINGS AND PARKED ON ROADWAY O/N DURING PROHIBITED HRS (0200-0600 HRS) - HANG TAG WARNING ISSUED.	
84	0358	0403		21 EMARITA WY - REF PAST S13(I) - AREA 10-4.	
84	0410	0420		E. HIGH POINT RD/SSPRD - REF TOWNS XMAS DECOR BEING TAMPERED WITH - AREA OBSERVED, ALL CLEAR AND 10-4.	
CV	0430	0450		3 S RIDGEVIEW - REF SEC 42-24 - WHT FRD TRK WITH METAL RAILINGS (COMMERICAL) FL TAG RMY329 PARKED IN DRIVEWAY IN PLAIN VIEW AND AFTER WORK HRS - REFER TO CASE# 2021-00198619	
84	0500	0514		22 E. HIGHPOINT - REF PAST VRB THREATS - AREA 10-4.	
10-6	0515	0615		SPPD: 10-40 AND 10-44 REFER TO CASE # 2021-00198619 (CV)	
10-86	0625	0631		ISLAND PANTRY - REFUELED.	
10-7		0700		OUT OF SERVICE.	

OFFICER SIGNATURE:  DATE: 12/30/21

PAGE 1 OF 1 REVIEWING OFFICER: _____



SEWALL'S POINT POLICE DEPARTMENT, FL

FIELD CASE REPORT

**CASE#
2021-00198619**

EVENT	REPORTED DATE/TIME 12/30/2021 04:30	OCCURRED INCIDENT TYPE Local Ordinance	CASE STATUS Closed
	OCCURRED FROM DATE/TIME 12/30/2021 02:00	OCCURRED THRU DATE/TIME 12/30/2021 04:30	LOCATION OF OCCURRENCE Sewalls Point 3 S RIDGEVIEW RD SEWALLS POINT, FL

	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT
OFFENSES	01 Sec. 42-24 Class A Parking of CMV. Over 7' or 8000 lb, no comm. markings, tool boxes, construction racks visible or over the bed of ti	1	Completed

SUBJECT	JACKET/SUBJECT TYPE Adult Suspect	NAME (LAST, FIRST, MIDDLE SUFFIX) Bultman, Jason Arthur					
	DOB 10/06/1972	AGE or AGE RANGE 49	ADDRESS (STREET, CITY, STATE, ZIP) 3 S RIDGEVIEW RD SEWALLS POINT, FL 34996				
	RACE White	SEX Male	HEIGHT or RANGE 6'2"	WEIGHT or RANGE	HAIR BLN	EYE BLU	
	DL NUMBER/STATE B435421723660 / FL	PRIMARY PHONE	PHONE #2	PHONE #3			

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FIRST, MIDDLE SUFFIX)					
	DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)				
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
	DL NUMBER/STATE	PRIMARY PHONE	PHONE #2	PHONE #3			

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FIRST, MIDDLE SUFFIX)					
	DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)				
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
	DL NUMBER/STATE	PRIMARY PHONE	PHONE #2	PHONE #3			

REPORTING OFFICER Cardarelli, Cara	DATE 12/30/2021	REVIEWED BY	DATE
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SEWALL'S POINT POLICE DEPARTMENT, FL
FIELD CASE REPORT
CASE#
2021-00198619

VEHICLES as INVOLVED

INVOLVED VEHICLE	VEHICLE ROLE Suspect Vehicle				
	VEH YR 2002	TYPE/MAKE/MODEL Ford RANGER		STYLE Pickup	
	PLATE / STATE RMY329 / FL		VIN 1FTYR10U12PA12279	TOP COLOR WHI	BOTTOM COLOR WHI
	ADDITIONAL DESCRIPTIVE INFORMATION white ford truck with metal railings				

INVOLVED VEHICLE	VEHICLE ROLE				
	VEH YR	TYPE/MAKE/MODEL		STYLE	
	PLATE / STATE		VIN	TOP COLOR	BOTTOM COLOR
	ADDITIONAL DESCRIPTIVE INFORMATION				

VEHICLES as PROPERTY

PROPERTY VEHICLE	PROPERTY CODE		NCC/PCIC NUMBER	VALUE	
	VEH YR	TYPE/MAKE/MODEL		STYLE	
	PLATE / STATE		VIN	TOP COLOR	BOTTOM COLOR
	ADDITIONAL DESCRIPTIVE INFORMATION				

PROPERTY VEHICLE	PROPERTY CODE		NCC/PCIC NUMBER	VALUE	
	VEH YR	TYPE/MAKE/MODEL		STYLE	
	PLATE / STATE		VIN	TOP COLOR	BOTTOM COLOR
	ADDITIONAL DESCRIPTIVE INFORMATION				

PROPERTY VEHICLE	PROPERTY CODE		NCC/PCIC NUMBER	VALUE	
	VEH YR	TYPE/MAKE/MODEL		STYLE	
	PLATE / STATE		VIN	TOP COLOR	BOTTOM COLOR
	ADDITIONAL DESCRIPTIVE INFORMATION				

REPORTING OFFICER Cardarelli, Cara	DATE 12/30/2021	REVIEWED BY	DATE
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SEWALL'S POINT POLICE DEPARTMENT, FL

FIELD CASE REPORT

CASE#

2021-00198619

On Thursday December 30, 2021, while conducting routine patrol in the Town of Sewall's Point, I Ofc. Cardarelli observed at approximately 04:30 hrs a white Ford truck with metal railings (commercial veh) parked in the driveway at 3 S. Ridgeview Rd in plain view with no attempt of concealment.

The aforementioned residence has been issued multiple hang tag warnings, CV written warnings and CV citations pertaining to section 42-24 "Parking Restrictions"

DATES OF WARNINGS AND CITATIONS ARE AS FOLLOVED:

6/22/21: Hang tag warning for truck parked in grass.

6/22/21: Hang tag warning for truck with metal railings (Commercial) parked in view.

9/20/21: Hang tag warning for trailer parked in front yard in plain view.

10/2/21: Hang tag warning for White Mustang parked on roadway overnight.

10/8/21: Hang tag warning for vehicle parked in roadway overnight.

10/12/21: Written CVC warning for boat/trailer parked on front lawn in plain view.

10/15/21: Hang tag warning for white Chevy truck parked on roadway overnight.

11/4/21: CVC issued for white comm. truck with metal railings parked overnight plain view.

11/16/21: CVC issued for white comm. truck with metal railings parked overnight plain view.

12/14/21: CVC issued for 2 vehicles parked in area not designated for parking (i.e. grass/front lawn) overnight.

It should be noted that Mr. Bultman has spoken with SPPD Chief Ciechanowski on numerous occasions regarding the multiple violations and warnings. Bultman was advised that going forward, we would have to issued fined CVC's as we have been unsuccessful with gaining compliance with warnings.

I find the residents at above address in violation of Town of Sewalls Point ordinance 42-24: "Parking

REPORTING OFFICER Cardarelli, Cara	DATE 12/30/2021	REVIEWED BY	DATE
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SEWALL'S POINT POLICE DEPARTMENT, FL

FIELD CASE REPORT

CASE#

2021-00198619

(continuation)

Restrictions? Parking of commercial vehicles.

REPORTING OFFICER Cardarelli, Cara	DATE 12/30/2021	REVIEWED BY	DATE
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Tina Ciechanowski

From: Tina Ciechanowski
Sent: Wednesday, January 5, 2022 11:37 AM
To: Kathryn Barbera; Cara Cardarelli; Christopher Wade; Kimberly Thompson; Robert Quaglia; Sebastien Gonzalez; Tina Ciechanowski; William Hodge
Subject: 3 S. Ridgeview

Good Morning,

The CEB Hearing for 3 Ridgeview has been rescheduled until February. If you observe a code violation related to CMVs parked at the house, parking on the lawn, boats, trailers, etc., log it into the CAD, log it on your activity sheet, take photos (color) for submission signed and dated by you, and complete a field report with full details. They offenses will be added to the case presented in February.

Tina Ciechanowski, Chief of Police
Sewall's Point Police Department
1 S. Sewall's Point Road
Sewall's Point, FL 34996
Telephone: 772-781-3378
Email: tciechanowski@sewallspoint.org

NOTE: Florida has a very broad public records law. Most written communications to or from Town of Sewall's Point's officials and employees regarding public business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity.

PUBLIC RECORDS REQUESTS - Contact Information for the Town of Sewall's Point Records Custodian Please provide all public records requests to the Town Clerk's Office: Town Clerk, 1 S. Sewall's Point Road, Sewall's Point, FL 34996 Email: townclerk@sewallspoint.org Telephone: (772) 287-2455 X. 14

AFFIDAVIT CONFIRMING HAND DELIVERY OF NOTICE

Street Address: 3 S Ridegview Rd

PCN: 01-38-41-006-005-00030-9

Case No.: B21-0074

Signature of recipient of a Letter dated 01/05/2021 from Chief Tina Ciechanowski noting a change to the date of the Code Enforcement Board Hearing from January 12th, 2022 to February 9th, 2022.

Signature Jason Bultman

Print Name Jason Bultman

Respondent accepted notice but refused to sign.

Posted Property and took photo, no answer at residence.

STATE OF FLORIDA)
COUNTY OF MARTIN)

I, Kimberly Thompson, being duly sworn, depose and say that:

1. I am a Code Enforcement Officer for the Town of Sewall's Point.

2. I hand delivered the Notice of Violation and Notice of Hearing to JASON BULTMAN at 3 S. RIDGEVIEW ROAD, Sewall's Point, Florida, on the 6th day of JANUARY, 2022.

I understand that I am swearing or affirming under oath to the truthfulness of the claims made above.

Sgt [Signature] # 061 / Sgt [Signature]
Signature

1/6/22 / 1/7/22
Date

The foregoing instrument was acknowledged before me this 7 day of January, 2022, by Kimberly Thompson. He/She is personally known to me or has produced _____ as identification.



KATHRYN A BARBERA
Commission # GG 197809
Expires April 26, 2022
Bonded Thru Budget Notary Services

Kathryn A. Barbera
Notary Public, State of Florida
My Commission Expires:

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jason Bultman
 3 S. Ridgeview Rd
 Sewall's Point, FL 34996



9590 9402 6948 1104 4023 33

2. Article Number (Transfer from service label)

7020 3160 0001 3978 3220

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Address
 X

B. Received by (Printed Name) C. Date of Delivery
 1/8/22

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input checked="" type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input checked="" type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | |
| <input type="checkbox"/> Insured Mail | |
- Restricted Delivery

Domestic Return Receipt

CERTIFIED MAIL

TOWN OF SEWALL'S POINT
1 S SEWALL'S POINT ROAD
SEWALL'S POINT, FL 34996



7020 3160 0001 3978 3190

WEST PALM BCH FL 334

16 DEC 2021 PM 3:12



UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 007.33⁰
0004716624 DEC 16 2021
MAILED FROM ZIP CODE 34996

Jason Bultman
3 S. Ridgeview Rd
Sewall's Point, FL 34996

Handwritten initials and date: NB 12-16-21

NIXIE 331 DE 1 0001/17/22

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

.. 93050000000388159

UNC

BC: 34996673601 *0475-11010-16-44

349966645006

