



The Village of North Palm Beach

Department of Community Development

Code Compliance Division

420 U.S. Highway #1, Suite 21 North Palm Beach, FL 33408

IZQUIERDOS LLC
HENRY D IZQUIERDO, MGR & R.A.
8546 NW 47TH STREET
POMPAÑO BEACH, FL 33067

Case # 5964

Cert Mail RRR# 7018 1830 0001 0894 9667
POSTED AT PROPERTY

NOTICE OF EMERGENCY VIOLATION AND NOTICE OF HEARING

October 9, 2020

Violation Location: 100 US HIGHWAY 1
Parcel Control Number: 68-43-42-16-01-000-2201

Dear Property Owner/Business Owner/Occupant:

To maintain the appearance and property values of the Village, Village staff must enforce the Ordinances and regulations governing the community. These rules were implemented so that residents and businesses within the Village can equally enjoy their properties and surrounding areas. When inspections are conducted on a property, deficiencies are noted and the owner and occupant are notified.

An inspection of the above property has revealed violation(s) of the Village of North Palm Beach Code of Ordinance requiring your prompt attention. Please review the items below and make corrections within the requested time. Should you have any questions, please call the Code Compliance Officer listed at the bottom of this notice.

1. Violation Description/Corrective Action Required:

BUILDING PERMIT REQUIRED FOR ALL BUILDING, ELECTRICAL AND PLUMBING DONE RECENTLY.

THIS IS A REPEAT VIOLATION OF CASE #2020-77

Pertinent Code Section(s):

Article II MINIMUM CONSTRUCTION STANDARDS Sec. 6-17 (FBC 105.1 & FBC 110.3) Permit and Inspections Required

The Florida Building Code, as developed by the Florida Building Commission and adopted by state statute, is hereby adopted and incorporated herein as the minimum construction standards for the Village of North Palm Beach, Florida. The department of community development shall be substituted for building department in the adopted code. Work being done without first obtaining a permit and all mandatory inspections.

2. Violation Description/Corrective Action Required:

POTENTIALLY CONTAMINATED WATER BEING DISCHARGED INTO PUBLIC RIGHT OF WAY

On 10/06/2020, a verbal warning was given with a description of code violations at the above mentioned property. An immediate response to shut off was given to remedy the violations. On 10/7/20 a re-inspection was conducted and found the violations remain in non-compliance. A "Cease & Desist" notice was given.

THIS VIOLATION IS BELIEVED TO BE "IRREPARABLE AND IRREVERSIBLE IN NATURE"

Pertinent Code Section(s):

Article V - Stormwater Management, Sec 21-70 Water Quality (e) Illicit Discharge

(1) General prohibitions. Except as set forth in section 21-70(e)(3) or as in accordance with a valid NPDES permit, any discharge to the stormwater system that is not composed entirely of stormwater is prohibited.

(2) Specific prohibitions. Any discharge to the stormwater system containing any sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal, or other laws, rules, regulations, orders or permits, is prohibited.

(3) Authorized exceptions. Unless the director determines that it is not properly managed or otherwise is not acceptable, the following discharges are exempt from the general prohibition set forth under section 21-70(e)(1): flows from fire fighting, water line flushing and other contributions from potable water sources, landscape irrigation and lawn watering, irrigation water, diverted stream flows, rising groundwaters, direct infiltration to the stormwater system, uncontaminated pumped groundwater, foundation and footing drains, water from crawl space pumps, air conditioning condensation, springs, individual residential car washings, flows from riparian habitats and wetlands, and de-chlorinated swimming pool contributions.

3. Violation Description/Corrective Action Required:

WATER BEING DISCHARGED INTO PUBLIC RIGHT OF WAY

On 10/06/2020, a verbal warning was given with a description of code violations at the above mentioned property. An immediate response to shut off was given to remedy the violations. On 10/7/20 a re-inspection was conducted and found the violations remain in non-compliance. A "Cease & Desist" notice was given.

THIS VIOLATION IS BELIEVED TO BE "IRREPARABLE AND IRREVERSIBLE IN NATURE"

Pertinent Code Section(s):

Article V - Stormwater Management, Sec 21-70 Water Quality (f) Spills and dumping.

(1) General prohibitions. Except as set forth under [section 21-70\(e\)\(3\)](#) or as in accordance with a valid NPDES permit, any discharge to the stormwater system that is not composed entirely of stormwater is prohibited.

(2) Specific prohibitions. Any discharge to the stormwater system containing any sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal, or other laws, rules, regulations, orders or permits, is prohibited.

4. Violation Description/Corrective Action Required:

DUE TO THE DISCHARGE OF WATER THE NEIGHBORING SIDEWALK AND STREET ARE FLOODING CREATING A DANGER TO THE PUBLIC HEALTH & SAFETY

THIS VIOLATION IS BELIEVED TO BE "IRREPARABLE AND IRREVERSIBLE IN NATURE"

Pertinent Code Section(s):

Sec. 19-9. - Smoke, dust, odors, liquids, etc.

No owner or occupant of any building, structure or premises in the village shall cause, allow or permit any smoke, dust, steam, odors, fumes, liquids or other obnoxious matters or things to emanate therefrom over and upon any public street or sidewalk in the village, unless the same shall be so deflected or bona fide attempts made to deflect same away from persons using such streets or sidewalks so as not to annoy, vex, irk or bother persons in the use thereof; provided, however, that water from sprinkler systems may emanate from private property over and upon sidewalks in the village, except from one and one-half (1½) hours before the opening, to one-half hour after the opening, of public schools in the county for kindergarten through twelfth grade, and from one-half hour before the closing, to one and one-half (1½) hours after the closing, of public schools in the county for kindergarten through twelfth grade, during those days that county public schools involving kindergarten through twelfth grade are in session.

Please correct the above noted items so that no further action needs to be taken. We thank you in advance for your understanding and cooperation.

Unless you correct the violation(s) described above on or before the compliance date of N/A and contact the Village of North Palm Beach Code Compliance Division (contact information below) to arrange a re-inspection of the property to verify compliance with the Ordinance cited herein, notice is hereby given pursuant to Chapter 162, Florida Statutes, and Article VI of the Village of North Palm Beach Ordinances, that a hearing will be held regarding the above case before the Village's Code Compliance Special Magistrate on the 19TH day of OCTOBER 2020 at 1:30 pm or as soon thereafter as said matter can be heard in the Village Council Chambers, North Palm Beach Village Hall, 501 U.S. Highway One, North Palm Beach, FL 33408.

The Special Magistrate will receive testimony and evidence at said hearing and shall make findings of fact as are supported by the testimony and evidence pertaining to the matters alleged herein. If you fail to appear, the Special Magistrate may base its findings and act solely on the testimony and evidence presented by the Code Compliance Division.

Should you be found in violation of the Village Ordinances, the Special Magistrate may impose a fine up to \$250.00 per day per violation for each day that the violation(s) continues beyond the compliance date established by the Special Magistrate in the Final Order. In the case of a repeat violation, the Special Magistrate may impose a fine up to \$500.00 per day per violation for each day the violation(s) continues beyond the compliance date established by the Code Compliance Division. If the Special Magistrates finds the violation to be irreparable and irreversible in nature, it may impose a fine not to exceed \$5,000 per violation.

IF THIS IS A REPEAT VIOLATION/VIOLATOR PLEASE BE ADVISED THAT AT THIS HEARING A FINE MAY BE IMPOSED BEGINNING WITH THE DATE THE REPEAT VIOLATION WAS OBSERVED THROUGH THE DATE OF COMPLIANCE.

Gail Johnson
Code Compliance Officer
gjohnson@village-npb.org
561-841-3367