

**CITY OF EVERGLADES CITY  
NOTICE OF HEARING AND AGENDA  
Everglades City Code Enforcement Board**

**Chairman: Geoff Swets**

**Members: Cecil Barker, Tim Moshier, Donald Kim, Steven Lenz**

**City Attorney: Lenore Brakefield City Clerk: Dottie Joiner**

THE CITY OF EVERGLADES CITY WILL HOLD A CODE ENFORCEMENT HEARING ON **TUESDAY, NOVEMBER 19, 2024 AT 6:00 PM** CONDUCTED HYBRID WITH A QUORUM OF BOARD MEMBERS PRESENT IN COUNCIL CHAMBERS AT CITY HALL EVERGLADES CITY, FLORIDA, AND OTHERS PRESENT BY VIDEO CONFERENCE.

**1. CALL TO ORDER**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. APPROVAL, ADDITIONS, OR DELETIONS TO AGENDA**

**5. CONSIDERATION OF COMPLIANCE DEADLINE AND DETERMINING FEES**

**a. Case No: 23-08**

**Owner: Everglades Adventure Center LLC**

**Violations: 2020 Florida Building Code**

**Property Address: 102 Collier Avenue, Everglades City, Florida 34139**

**b. NOTICE OF VIOLATION/Case No. 24-03**

**Owner: Naiara Maria Rementeria & Shane William Freeman**

**Violation: Ordinance 2000-5 2.02.04 A.3.**

**Property Address: 304 Copeland Avenue North, Everglades City, Florida 34139**

**6. APPROVAL OF MINUTES DATED 7-23-24**

**7. REPORT FROM CODE ENFORCEMENT**

**8. ADJOURNMENT**

**APPEAL NOTICE:** ANY PERSON WHO DECIDES TO APPEAL A DECISION BY THIS COMMITTEE WILL NEED A RECORD OF THE PROCEEDINGS PERTAINING THERETO, AND THEREFORE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, UPON WHICH THE APPEAL IS TO BE BASED. THE CITY OF EVERGLADES SHALL NOT BE RESPONSIBLE FOR PROVIDING THIS RECORD. THE VIOLATOR MAY APPEAL THE ORDER OF VIOLATION WITHIN 30 DAYS OF EXECUTION OF THE ORDER 162.11, FLORIDA STATUTE. THIS AGENDA WAS POSTED AT CITY HALL, CITY OF EVERGLADES WEB PAGE AND EVERGLADES CITY STRONG FB PAGE, THIS 14TH DATE OF NOVEMBER 2024 BY DOTTIE JOINER, CITY CLERK.

**PUBLIC COMMENT NOTICE:** ALL PERSONS WISHING TO SPEAK ON ANY AGENDA ITEM MUST REGISTER PRIOR TO THE MEETING. ALL PERSONS WISHING TO SPEAK VIRTUALLY VIA ZOOM ON ANY AGENDA ITEM MUST REGISTER BY EMAILING CITY CLERK DOTTIE JOINER @ [dsmallwood@cityofeverglades.org](mailto:dsmallwood@cityofeverglades.org). ALL REGISTERED PUBLIC SPEAKERS WILL BE LIMITED TO THREE (3) MINUTES, OR IF IN WRITING 400 WORDS.

**INSTRUCTIONS ON HOW TO VIEW AND PARTICIPATE IN MEETING**

The public may attend either electronically or in person on November 19, 2024 which begins at 6:00 p.m.

**1. Watch the meeting online and provide public comment live during the meeting:**

Request to speak instructions:

To request to speak during the virtual meeting, you must send an email to Dottie Joiner, City Clerk @ [dsmallwood@cityofeverglades.org](mailto:dsmallwood@cityofeverglades.org) prior to 5 p.m. on November 19, 2024.

Zoom instructions: For the November 19, 2024 meeting, please use the meeting link

<https://us02web.zoom.us/j/2916297131?pwd=MTJMTlkzMGExUjNlZ2JwQmtnVksRdz09/Password:34139> virtually attend and watch the meeting by computer, tablet, or smartphone. Those who have pre-registered to speak, will be called upon and the appropriate time limits will be enforced. If joining from a tablet or smartphone, you will need to download the free Zoom app from your device's app store. If joining from a computer, your computer will automatically download and install (if needed) the Zoom program. If you currently have Zoom installed on your computer, tablet, or smartphone, you may join the meeting by entering the meeting **ID: 291 629 7131 and Password: 34139.**

**Dial in option: 1 929 205 6099 US**

**Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's office (239-695-4559) 48 hours in advance of the meeting.**

For additional information or assistance please contact the following prior to the meeting:

a. For public comment questions:

Dottie Joiner, City Clerk, [dsmallwood@cityofeverglades.org](mailto:dsmallwood@cityofeverglades.org) or (239) 695-4558

b. For questions on connecting to the meeting:

Karen Cochran, [kcochran@cityofeverglades.org](mailto:kcochran@cityofeverglades.org) (239) 777-6614

**2. Provide public comment in writing:**

To provide public comment in writing to be read during the virtual meeting, you must send an email to Dottie Joiner, City Clerk @ [dsmallwood@cityofeverglades.org](mailto:dsmallwood@cityofeverglades.org) prior to 5 p.m. on November 19, 2024. All submissions will be read into the record, as limited to the first 400 words.



# City of Everglades

P.O. Box 110, Everglades City, Collier County, Florida 34139

City Hall 102 Copeland Avenue N.

Phone (239) 695-3781

Fax (239) 695-3020

AGENDA ITEM  
NUMBER 5-a

CITY OF EVERGLADES CITY  
CODE ENFORCEMENT BOARD

## NOTICE OF VIOLATION

Case Number: 23-08 Date of Violation: September 6, 2023

Location of Violation: 102 Collier Ave. Everglades City, FL 34139

Property Owner: Everglades Adventure Center LLC

Description of Violation: Declaration of Dangerous Building

Code Section Violated: 2020 Florida Building Code;

Chapter 15 Roof Assemblies 1503, 1503.7, 1507.3; Chapter 16 Structural Design Sections 1604.4, 1604.8.3,

1607,1609; Chapter 23 Wood Sections 2303, 2304; FBC 2020 Section 1604.

NFPA 1, 10.14.1 Section 1.15; NFPA 1, 10.2.1; NFPA 1, 10.1.4; NFPA 1, 10.12.1; NFPA 1, 1.7.5

Compliance Date: 30 days from receipt of letter

Remarks: See attached reports

Code Inspector: Terry Smallwood

Code Inspector Contact: Office: 239-695-3514

Failure to correct the violation on or before the above specified "Compliance Date" may result in fines, penalties, and administrative costs being assessed to you. You may be summoned to appear at a hearing before the City of Everglades City Code Enforcement Board, and if found in violation, you may be fined up to \$500.00 per day and up to \$5,000.00 if the violation is irreparable or irreversible. Your cooperation in taking immediate action to correct this violation is appreciated. You may contact the officer listed above with any questions.

Attached are photographs of the violation for your reference.

# Collier County Property Appraiser Property Summary

Parcel No	83840200003	Site Address <small>*Disclaimer</small>	Site City	EVERGLADES CITY	Site Zone <small>*Note</small>	34139
Name / Address	EVERGLADES ADVENTURE CNTR LLC PO BOX 870387					
City	STONE MOUNTAIN	State	GA	Zip	30087	
Map No.	Strap No.	Section	Township	Range	Acres	<small>*Estimated</small>
8E14	733000 58E14	14	53	29	0	
Legal	EVERGLADES CITY CLUB RESTAURANT & MARINA (CONDO) UNIT 5					
Millage Area	15	Millage Rates			<small>*Calculations</small>	
Sub./Condo	733000 - EVERGLADES CITY CLUB RESTAURANT & MARINA A CONDOMINIUM			School	Other	Total
Use Code	407 - COMMERCIAL			4.292	14.3744	18.6664

## Latest Sales History

(Not all Sales are listed due to Confidentiality)

Date	Book-Page	Amount
04/06/15	<u>5138-3833</u>	\$ 445,000
01/12/15	<u>5114-3374</u>	\$ 0
11/25/14	<u>5097-3194</u>	\$ 266,000
11/07/03	<u>3439-1039</u>	\$ 650,000
09/27/93	<u>1868-1599</u>	\$ 0
08/01/93	<u>1860-973</u>	\$ 320,000
10/01/89	<u>1474-1920</u>	\$ 405,000
11/01/85	<u>1166-146</u>	\$ 550,000

## 2023 Preliminary Tax Roll

(Subject to Change)

Land Value	\$ 0
(+) Improved Value	\$ 35,749
(=) Market Value	\$ 35,749
(-) 10% Non-Homestead Cap	\$ 9,796
(=) Assessed Value	\$ 25,953
(=) School Taxable Value	\$ 35,749
(=) Taxable Value	\$ 25,953

If all Values shown above equal 0 this parcel was created after the Final Tax Roll



CITY OF EVERGLADES CITY  
CODE ENFORCEMENT BOARD

City of Everglades City,

v.

Everglades Adventure Center LLC  
Property Owner

Case No.

23-08

**Order of Violation**

Having reviewed the relevant documents, having heard argument, having taken evidence, and being fully apprised of the premises the City of Everglades City Code Enforcement Board makes the following finding fact:

1. The property in question is the property at 102 Collier Ave. Everglades City.
2. The property is allegedly in violation of the following code: 2020 Florida Building Code; Chapter 15 Roof assemblies 1503, 1503.7,1507.3; Chapter 16 Structural Design. Sections 1604.4, 1604.8.3,1607,1609; Chapter 23 Wood Sections 2303,2304; FBC 2020 Section 1604. NFPA 1,10.14.1 Section 1.15; NFPA 1,10.2.1; NFPA 1,10.1.4; NFPA1,10.12.1; NFPA 1,1.7.5
3. Notice of the Violation was provided, in accordance with chapter 162, Florida Statutes.
4. The property was not brought into compliance within the reasonable period of time provided by the Notice of Violation and any written extensions.
5. The Property Owner is / is not a repeat violator, as defined under chapter 162, Florida Statutes.
6. The City incurred \$ \_\_\_\_\_ in costs prosecuting this violation.
7. \_\_\_\_\_
8. The owner shall have 24 days, deadline is 5:00 pm December 15, 2023, to provide a demolition permit. If no permit is given to Terry Smallwood by 5:00 pm Dec. 15, 2023. The owner will be fined \$150. a day until a proper permit has been submitted.

Therefore, it is ordered and adjudged that:

9. The Property is in violation.
10. The Property owner shall have see #8 above days to bring the Violation into full compliance (the "compliance period").
11. If the Property does not bring the Violation into full compliance within the Compliance Period, the Property Owner shall be fined \$ \_\_\_\_\_ per day until the Property is brought into compliance.
12. Property Owner shall pay \$ \_\_\_\_\_ in prosecution costs to the City.

Done and ordered in the City of Everglades City, Collier County, Florida, this date: 11-28-23

  
\_\_\_\_\_  
Chair, Code Enforcement Board

# City of Everglades

P.O. Box 110, Everglades City, Collier County, Florida 34139

City Hall 102 Copeland Avenue N.

Phone (239) 695-3781

Fax (239) 695-3020

CITY OF EVERGLADES CITY  
CODE ENFORCEMENT BOARD

AGENDA ITEM  
NUMBER 5.0

City of Everglades City,

v.

Everglades Adventure Center LLC  
Property Owner

Case No. 23-08

## Notice of Hearing

Date of Violation: September 6, 2023

Location of Violation: 102 Collier Ave. Everglades City

Code Section Violated: 2020 Florida Building Code

Under sections 162.06 and 162.12, Florida Statutes, you are hereby ordered to appear at a public hearing in the above-styled case, pending before the City of Everglades Code Enforcement Board. The Code Enforcement Board shall set compliance deadlines and determine fees. Your failure to appear may result in the Code Enforcement Board proceeding and making a determination in your absence.

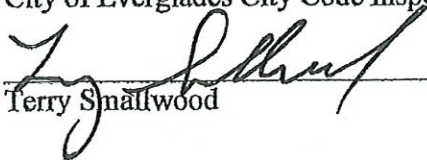
Date of Hearing: November 19, 2024

Time of Hearing: 6:00 PM

If you decide to appeal a decision of the code enforcement board you will need a record of the proceedings pertaining thereto, and therefore may need to ensure proceeding is made, which includes the testimony and evidence. The City of Everglades City shall not be responsible for providing you with a record of the proceedings.

Dated: 11/4/2024

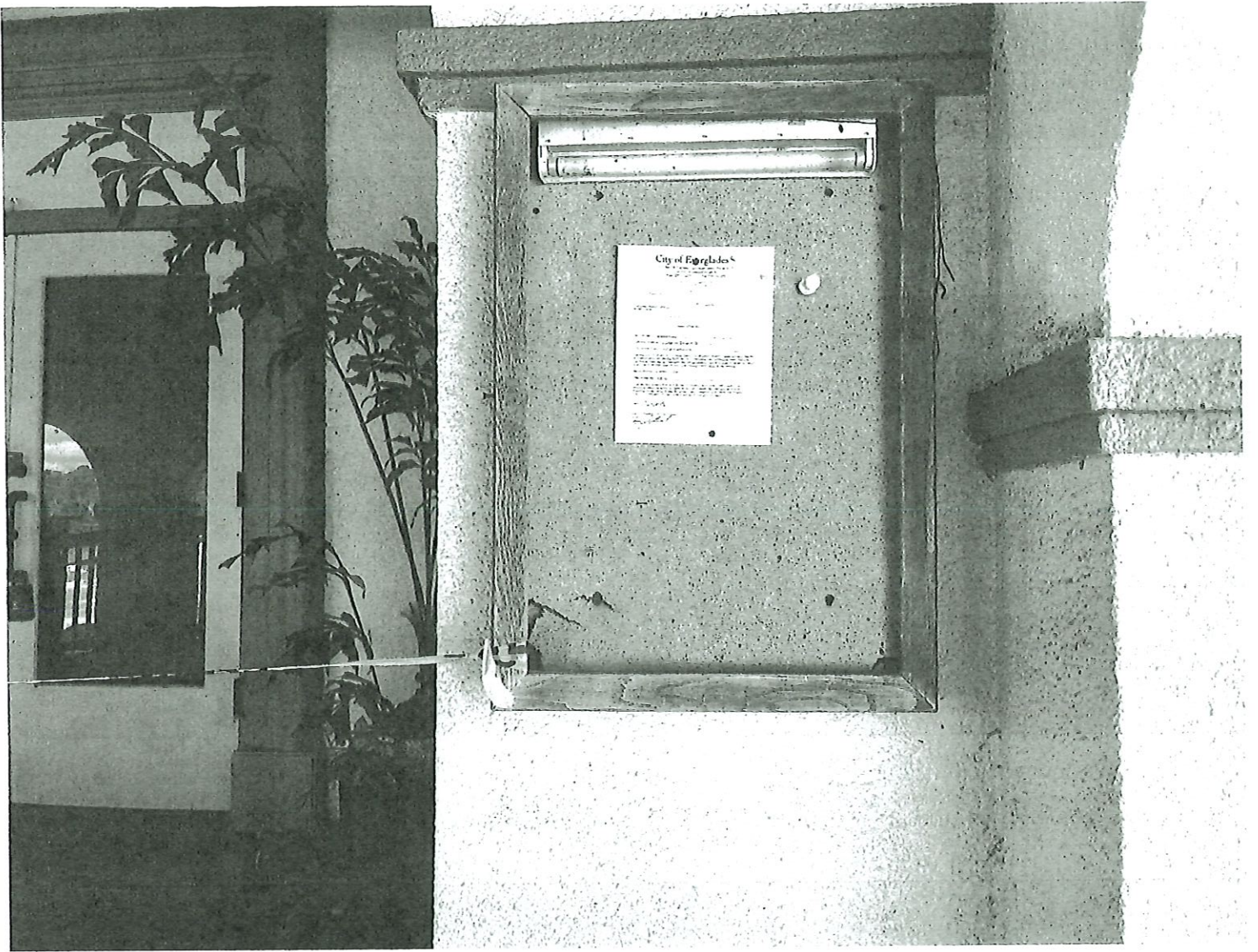
City of Everglades City Code Inspector

  
Terry Smallwood

U.S. Postal Service™ <b>CERTIFIED MAIL® RECEIPT</b> Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Certified Mail Fee	\$ <u>4.85</u>
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ <u>4.10</u>
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$ <u>9.73</u>
Total Postage and Fees	\$ <u>9.68</u>
Sent To	<u>Everglades Adventure Center</u>
Street and Apt. No., or PO Box No.	<u>P.O. Box 232</u>
City, State, ZIP+4®	<u>Chokoloskee, FL 34138</u>

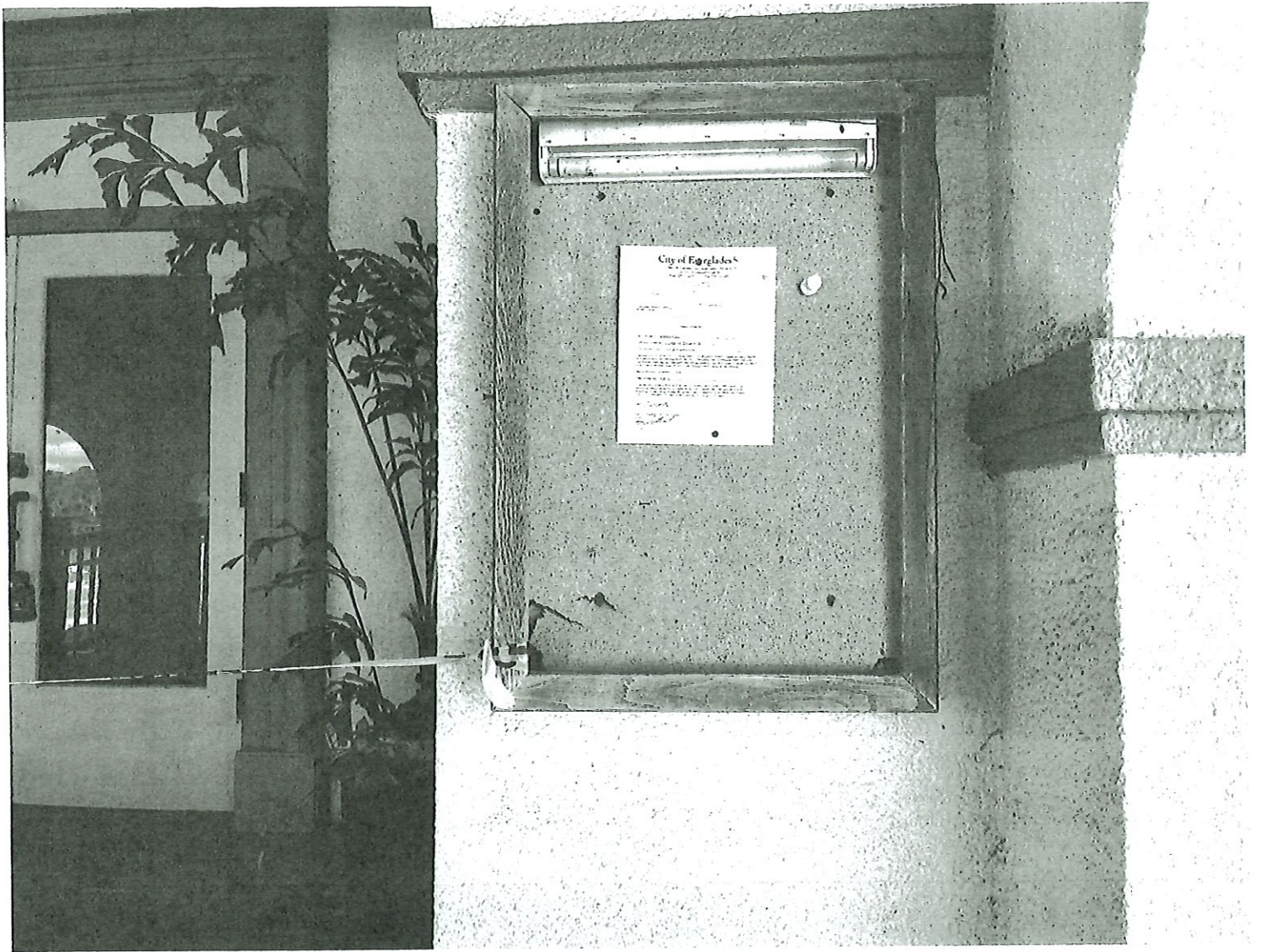
9589 0710 5270 1343 1735 40  
CHOKOLOSKEE  
NOV 5 2024  
USPS





11/4/24





11/4/24

A handwritten signature in black ink, consisting of a vertical line followed by a series of loops and a final downward stroke.



# City of Everglades

P.O. Box 110, Everglades City, Collier County, Florida 34139

City Hall 102 Copeland Avenue N.

Phone (239) 695-3781

Fax (239) 695-3020

AGENDA ITEM  
NUMBER 5.6

CITY OF EVERGLADES CITY  
CODE ENFORCEMENT BOARD

## NOTICE OF VIOLATION

Case Number: 24-03 Date of Violation: April 8, 2024

Location of Violation: 304 Copeland Ave. N Everglades City, FL 34139

Property Owner: Naiara Maria Rementeria and Shane William Freeman

Description of Violation: Storage of vessels / boatyard not allowed in MF zoning

Code Section Violated: Ordinance # 2000-5 2.02.04 A.3

Compliance Date: 30 days from postage date of this mailing

Remarks: \_\_\_\_\_

Code Inspector: Terry Smallwood

Code Inspector Contact: Office: 239-695-3514

Failure to correct the violation on or before the above specified "Compliance Date" may result in fines, penalties, and administrative costs being assessed to you. You may be summoned to appear at a hearing before the City of Everglades City Code Enforcement Board, and if found in violation, you may be fined up to \$500.00 per day and up to \$5,000.00 if the violation is irreparable or irreversible. Your cooperation in taking immediate action to correct this violation is appreciated. You may contact the officer listed above with any questions.

Attached are photographs of the violation for your reference.

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**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 Postage and Fees

Sent To

*Naiara Remen terie & Share Freeman*

Street and Apt. No. or PO Box No.

*PO Box 262*

City, State, ZIP+4®

*Enidades City, FE 34139*

PS Form 3811, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions



**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:

*Naiara Remen terie  
Share Freeman  
PO Box 262  
Enidades City, FE 34139*



9590 9402 8517 3186 5487 23

2. Article Number (Transfer from service label)

*7017 1000 0000 5965 3062*

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

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

- Agent
- Addressee

B. Received by (Printed Name)

*NAIARA REMENTERIE*

C. Date of Delivery

*APR 15 2024*

D. Is delivery address different from item #1?

- Yes
- No

3. Service Type

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

Domestic Return Receipt





Blw/2024  
IS



# Collier County Property Appraiser Property Summary

Parcel No	83494880002	Site Address <small>*Disclaimer</small>	304 COPELAND AVE N	Site City	EVERGLADES CITY	Site Zone <small>*Note</small>	34139
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Name / Address	REMENTERIA, NAIARA MARIA					
	SHANE WILLIAM FREEMAN					
	PO BOX 262					
City	EVERGLADES CITY	State	FL	Zip	34139	

Map No.	Strap No.	Section	Township	Range	Acres	<small>*Estimated</small>
8E11	731200 15 68E11	11	53	29	0.35	

Legal	EVERGLADES, TOWN OF, BLK 15 LOT 6
-------	-----------------------------------

<u>Millage Area</u> ①	15	<u>Millage Rates</u> ① <small>*Calculations</small>		
Sub./Condo	731200 - EVERGLADES, TOWN OF	School	Other	Total
<u>Use Code</u> ①	1 - SINGLE FAMILY RESIDENTIAL	4.292	13.9854	18.2774

## Latest Sales History

(Not all Sales are listed due to Confidentiality)

Date	Book-Page	Amount
03/22/22	<u>6106-2687</u>	\$ 0
10/07/19	<u>6102-1265</u>	\$ 0
08/24/11	<u>4714-1985</u>	\$ 82,300
07/28/11	<u>4709-580</u>	\$ 40,600
12/30/99	<u>2626-1901</u>	\$ 92,000
12/16/99	<u>2622-520</u>	\$ 79,500
10/26/94	<u>1997-241</u>	\$ 51,000
04/01/81	<u>916-766</u>	\$ 0
07/01/79	<u>818-1963</u>	\$ 40,000

## 2023 Certified Tax Roll

(Subject to Change)

Land Value	\$ 103,673
(+) Improved Value	\$ 49,653
(=) Market Value	\$ 153,326
(-) 10% Non-Homestead Cap	\$ 56,167
(=) Assessed Value	\$ 97,159
(=) School Taxable Value	\$ 153,326
(=) Taxable Value	\$ 97,159

If all Values shown above equal 0 this parcel was created after the Final Tax Roll



## 2.02.04 MF - Residential Two-Family and Multi-Family Districts

### A. Uses and Structures

No building or structure, or part thereof, shall be erected or altered which does not comply with the existing Flood Ordinance, and the adopted Fire and Building Codes, or used, or land or water used, in whole or in part, for other than the following:

#### 1. Permitted Principal Uses and Structures:

- a. Multi-family dwellings.
- b. Single-family dwellings
- c. Churches.
- d. Civic, fraternal and social clubs.

#### 2. Permitted Accessory Uses and Structures: (See Section 7.01.01 B. for Yard Requirements)

- a. Customary accessory uses and structures.
- b. Non-commercial docks and launching facilities.
- c. Recreational facilities, accessory to principal use.
- d. Home occupation (See Section 7.02.01).

#### 3. Prohibited Uses and Structures:

Any use or structure not specifically, by reasonable implication, permitted herein.

### 7.01.01 *General Standards And Requirements*

#### A. Any number of different accessory structures may be located on a parcel, provided that the following requirements are met:

1. There shall be a permitted principal development on the parcel, so located in full compliance with all standards and requirements of this Code.
2. All accessory structures shall comply with standards pertaining to the principal use, unless exempted or superseded elsewhere in this Code.
3. Accessory structures shall not be located in a required buffer, landscaped area, or minimum building setback area.
4. Accessory structures shall be included in all calculations of impervious surface area and stormwater run-off.
5. Accessory structures shall be shown on any concept development plan with full supporting documentation as required in Article XII of this Code.

# City of Everglades



P.O. Box 110, Everglades City, Collier County, Florida 34139

City Hall 102 Copeland Avenue N.

Phone (239) 695-3781

Fax (239) 695-3020

received  
3-19-24  
Dg

## COMPLAINT FORM

**Pursuant to new Florida law for Code Enforcement complaints, the complainant's full name, physical address and phone number must be provided.**

### 2021 Florida Statute 166.0415 (1)(b)

A person designated as a code inspector may not initiate an investigation of a potential violation of a duly enacted code or ordinance by way of an anonymous complaint. A person who reports a potential violation of a code or an ordinance must provide his or her name and address to the governing body of the municipality before an investigation occurs. This paragraph does not apply if the person designated as a code inspector has reason to believe that the violation presents an imminent threat to public health, safety, or welfare or imminent destruction of habitat or sensitive resources.

DATE: 3/19/2024

TO: City of Everglades Attn: Terry Smallwood

FROM (NAME): Aaron + Joyce Hatton

ADDRESS: 300 Copeland Ave. N EC, FL 34139

TELEPHONE#: 317-446-5316

### NATURE OF COMPLAINT:

The lot at 304 Copeland Ave. N. which is zoned Multi-Family;  
(not Commercial) has 2 40' (?) boats that are being completely  
gutted + refurbished. There is grinding + cutting of fiberglass,  
which creates odors, dust + noise.

We would like the boats removed + cleaned up + returned  
to a Residential Multi family Lot. Not business or  
Commercial.

SIGNATURE: Aaron Hatton



# City of Everglades

P.O. Box 110, Everglades City, Collier County, Florida 34139

City Hall 102 Copeland Avenue N.

Phone (239) 695-3781

Fax (239) 695-3020

## CITY OF EVERGLADES CITY CODE ENFORCEMENT BOARD

City of Everglades City,

v.

Naiara Rementeria and Shane Freeman  
Property Owner

Case No. 24-03

### Notice of Violation Hearing

Date of Violation: April 8, 2024

Location of Violation: 304 Copeland Ave. N Everglades City, FL 34139

Code Section Violated: Ordinance # 2000-5 2.02.04 A.3

Under sections 162.06 and 162.12, Florida Statutes, you are hereby ordered to appear at a public hearing in the above-styled case, pending before the City of Everglades Code Enforcement Board. The Code Enforcement Board shall make such findings of fact as are supported by the evidence presented at the hearing concerning the violations described above. Your failure to appear may result in the Code Enforcement Board proceeding and making a determination in your absence.

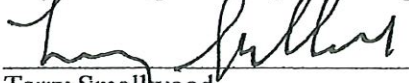
Date of Hearing: July 23, 2024

Time of Hearing: 6:00 PM

If you decide to appeal a decision of the code enforcement board you will need a record of the proceedings pertaining thereto, and therefore may need to ensure that a verbatim record of the proceeding is made, which includes the testimony and evidence which the appeal is to be based. The City of Everglades City shall not be responsible for providing this record.

Dated: 6-20-2024

City of Everglades City Code Inspector

  
Terry Smallwood

7017 1000 0000 5965 3086

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
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OFFICIAL USE

Certified Mail Fee	\$ 4.40
Extra Services & Fees (check box, add fees appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ 3.05
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$ .68
Total Postage and Fees	\$ 0.73



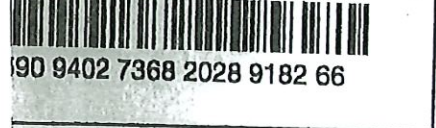
Sent to Naiara Rementeria-S. Freeman  
 Street and Apt. No., or PO Box No. PO Box 262  
 City, State, ZIP+4® Miami Beach FL 33139

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

RECIPIENT: COMPLETE THIS SECTION

Complete items 1, 2, and 3.  
 Write 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,  
 with the front of the card facing forward,  
 if space permits.

Addressed to:  
Naiara Rementeria  
Naiara Freeman  
PO Box 262  
Miami Beach, FL 33139



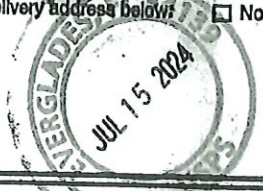
Number (transfer from service label)  
 017 1000 0000 5965 3086

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
 Agent  
 Addressee

B. Received by (Printed Name) Naiara Rementeria  
 C. Date of Delivery

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 type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input 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	

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

Domestic Return Receipt



CITY OF EVERGLADES CITY  
CODE ENFORCEMENT BOARD

City of Everglades City,

v.

Naiara Rementeria and Shane Freeman  
Property Owner

Case No.

24-03

**Affidavit of Posting Notice of Hearing**

STATE OF FLORIDA  
COUNTY OF COLLIER

Terry Smallwood, who personally appeared before the undersigned Notary Public, and, after being duly sworn states:

1. My name is Terry Smallwood and I am over the age of 18 and competent to testify in a court from my own knowledge.
2. I am the Code Inspector in the City of Everglades City.
3. On 6/26/24 while carrying out my duties as the Code Inspector for the City of Everglades City, I posted the attached Notice of Hearing at Property and at City Hall, Everglades City.

FURTHER AFFIANT SAYETH NAUGHT

Affiant:

[Signature]  
Terry Smallwood  
City of Everglades City  
As its Code Inspector

Sworn to (or affirmed) and subscribed before me this 26 day of JUNE, 2024,  
by Terry Smallwood, Code Inspector of the City of Everglades City.

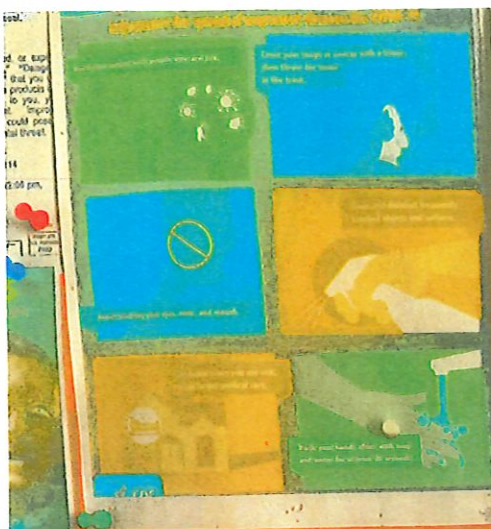
Notary Public:

[Signature]

Print name: Karen Cochran  
 Personally Known OR  Produced Identification

Type of Identification Produced:





**City of Everglades**  
 P.O. Box 118, Everglades City, Collier County, Florida 34110  
 City Hall 118 Copeland Avenue N.  
 Phone (239) 892-5791 Fax (239) 892-5800

**CITY OF EVERGLADES CITY  
 CODE ENFORCEMENT BOARD**

City of Everglades City,  
 Everglades Adventure Center LLC  
 Property Owner

Can No. 24-04

Notice of Violation Hearing

Date of Violation: May 7, 2024  
 Location of Violation: 132 Collier Ave., Everglades City, FL 34110  
 Code Section Violated: Land Development Code, Section 2.01.01 A

Under sections 162.64 and 162.12, Florida Statutes, you are hereby ordered to appear at a public hearing in the above-styled case, pending before the City of Everglades Code Enforcement Board. The Code Enforcement Board shall make such findings of fact as are supported by the evidence presented at the hearing concerning the violation described above. Your failure to appear may result in the Code Enforcement Board proceeding and making a determination in your absence.

Date of Hearing: July 23, 2024  
 Time of Hearing: 6:00 PM

If you decide to appeal a decision of the code enforcement board you will need a record of the proceedings pending a review, and therefore may need to secure such a verbatim record of the proceedings to make, which includes the testimony and evidence which the appeal is to be heard. The City of Everglades City shall not be responsible for providing this record.

Date: 6-20-2024  
 City of Everglades City Code Enforcer  
*[Signature]*

**City of Everglades**  
 P.O. Box 118, Everglades City, Collier County, Florida 34110  
 City Hall 118 Copeland Avenue N.  
 Phone (239) 892-5791 Fax (239) 892-5800

**CITY OF EVERGLADES CITY  
 CODE ENFORCEMENT BOARD**

City of Everglades City,  
 Property Owner

Can No. 24-04

Notice of Violation Hearing

Date of Violation: May 7, 2024  
 Location of Violation: 132 Collier Ave., Everglades City, FL 34110  
 Code Section Violated: Land Development Code, Section 2.01.01 A

Under sections 162.64 and 162.12, Florida Statutes, you are hereby ordered to appear at a public hearing in the above-styled case, pending before the City of Everglades Code Enforcement Board. The Code Enforcement Board shall make such findings of fact as are supported by the evidence presented at the hearing concerning the violation described above. Your failure to appear may result in the Code Enforcement Board proceeding and making a determination in your absence.

Date of Hearing: July 23, 2024  
 Time of Hearing: 6:00 PM

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Date: 6-20-2024  
 City of Everglades City Code Enforcer  
*[Signature]*

Saturday, June 29

**City of Everglades**  
 P.O. Box 118, Everglades City, Collier County, Florida 34110  
 City Hall 118 Copeland Avenue N.  
 Phone (239) 892-5791 Fax (239) 892-5800

**CITY OF EVERGLADES CITY  
 CODE ENFORCEMENT BOARD**

City of Everglades City,  
 Everglades Adventure Center LLC  
 Property Owner

Can No. 24-04

Notice of Violation Hearing

Date of Violation: May 7, 2024  
 Location of Violation: 132 Collier Ave., Everglades City, FL 34110  
 Code Section Violated: Administrative Code, Section 2.01.01 A

Under sections 162.64 and 162.12, Florida Statutes, you are hereby ordered to appear at a public hearing in the above-styled case, pending before the City of Everglades Code Enforcement Board. The Code Enforcement Board shall make such findings of fact as are supported by the evidence presented at the hearing concerning the violation described above. Your failure to appear may result in the Code Enforcement Board proceeding and making a determination in your absence.

Date of Hearing: July 23, 2024  
 Time of Hearing: 6:00 PM

If you decide to appeal a decision of the code enforcement board you will need a record of the proceedings pending a review, and therefore may need to secure such a verbatim record of the proceedings to make, which includes the testimony and evidence which the appeal is to be heard. The City of Everglades City shall not be responsible for providing this record.

Date: 6-20-2024  
 City of Everglades City Code Enforcer  
*[Signature]*

**City of Everglades**  
 P.O. Box 118, Everglades City, Collier County, Florida 34110  
 City Hall 118 Copeland Avenue N.  
 Phone (239) 892-5791 Fax (239) 892-5800

**CITY OF EVERGLADES CITY  
 CODE ENFORCEMENT BOARD**

City of Everglades City,  
 Nature Conservancy and Grand Palms  
 Property Owner

Can No. 24-04

Notice of Violation Hearing

Date of Violation: May 8, 2024  
 Location of Violation: 304 Copeland Ave. N., Everglades City, FL 34110  
 Code Section Violated: Ordinance 9-2012-9, 2.01.01 A, 3

Under sections 162.64 and 162.12, Florida Statutes, you are hereby ordered to appear at a public hearing in the above-styled case, pending before the City of Everglades Code Enforcement Board. The Code Enforcement Board shall make such findings of fact as are supported by the evidence presented at the hearing concerning the violation described above. Your failure to appear may result in the Code Enforcement Board proceeding and making a determination in your absence.

Date of Hearing: July 23, 2024  
 Time of Hearing: 6:00 PM

If you decide to appeal a decision of the code enforcement board you will need a record of the proceedings pending a review, and therefore may need to secure such a verbatim record of the proceedings to make, which includes the testimony and evidence which the appeal is to be heard. The City of Everglades City shall not be responsible for providing this record.

Date: 6-20-2024  
 City of Everglades City Code Enforcer  
*[Signature]*

**City of Everglades**  
 P.O. Box 118, Everglades City, Collier County, Florida 34110  
 City Hall 118 Copeland Avenue N.  
 Phone (239) 892-5791 Fax (239) 892-5800

**CITY OF EVERGLADES CITY  
 CODE ENFORCEMENT BOARD**

City of Everglades City,  
 Property Owner

Can No. 24-04

Notice of Violation Hearing

Date of Violation: January 17, 2024  
 Location of Violation: 304 Collier Ave., Everglades City, FL 34110  
 Code Section Violated: Administrative Code, Section 2.01.01 A

Under sections 162.64 and 162.12, Florida Statutes, you are hereby ordered to appear at a public hearing in the above-styled case, pending before the City of Everglades Code Enforcement Board. The Code Enforcement Board shall make such findings of fact as are supported by the evidence presented at the hearing concerning the violation described above. Your failure to appear may result in the Code Enforcement Board proceeding and making a determination in your absence.

Date of Hearing: July 23, 2024  
 Time of Hearing: 6:00 PM

If you decide to appeal a decision of the code enforcement board you will need a record of the proceedings pending a review, and therefore may need to secure such a verbatim record of the proceedings to make, which includes the testimony and evidence which the appeal is to be heard. The City of Everglades City shall not be responsible for providing this record.

Date: 6-20-2024  
 City of Everglades City Code Enforcer  
*[Signature]*

6-26-2024  
*[Signature]*





6-26-2024

CITY OF EVERGLADES CITY  
CODE ENFORCEMENT BOARD

City of Everglades City,

v.

Naiara Rementeria and Shane Freeman  
Property Owner

Case No.

24-03

**Order of Violation**

Having reviewed the relevant documents, having heard argument, having taken evidence, and being fully apprised of the premises the City of Everglades City Code Enforcement Board makes the following findings fact:

1. The property in question is the property at 304 Copeland Ave. N Everglades City, FL 34139.
2. The property is allegedly in violation of the following code: Ordinance #2000-5 2.02.04 A.3  
Storage of vessels / boatyard not allowed in MF zoning.
3. Notice of the Violation was provided, in accordance with chapter 162, Florida Statutes.
4. The property was not brought into compliance within the reasonable period of time provided by the Notice of Violation and any written extensions.
5. The Property Owner is / is  (not  circle one) a repeat violator, as defined under chapter 162, Florida Statutes.
6. City Council Resolution 2024-9 makes findings and sets forth the minimum administrative costs incurred by the City in prosecuting this matter at \$111.50.
7. \_\_\_\_\_
8. \_\_\_\_\_

Therefore, it is ordered and adjudged that:

9. The Property is in violation.
10. The Property owner shall have 90 days to bring the Violation into full compliance (the "compliance period").
11. If the Property Owner does not bring the Violation into full compliance within the Compliance Period, the Property Owner shall be fined \$ 50.00 per day until the Property is brought into compliance.
12. Property Owner shall pay \$ 111.50 in prosecution costs to the City.

Done and ordered in the City of Everglades City, Collier County, Florida, this date July 23, 2024.

  
Chair, Code Enforcement Board



# City of Everglades

P.O. Box 110, Everglades City, Collier County, Florida 34139

City Hall 102 Copeland Avenue N.

Phone (239) 695-3781

Fax (239) 695-3020

CITY OF EVERGLADES CITY  
CODE ENFORCEMENT BOARD

City of Everglades City,

v.

Naiara Rementeria and Shane Freeman  
Property Owner

Case No. 24-03

## Notice of Violation Hearing

Date of Violation: April 8, 2024

Location of Violation: 304 Copeland Ave. N Everglades City, FL 34139

Code Section Violated: Ordinance # 2000-5 2.02.04 A.3

Under sections 162.06 and 162.12, Florida Statutes, you are hereby ordered to appear at a public hearing in the above-styled case, pending before the City of Everglades Code Enforcement Board. The Code Enforcement Board shall make such findings of fact as are supported by the evidence presented at the hearing concerning the violations described above. Your failure to appear may result in the Code Enforcement Board proceeding and making a determination in your absence.

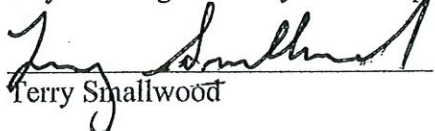
Date of Hearing: November 19, 2024

Time of Hearing: 6:00 PM

If you decide to appeal a decision of the code enforcement board proceedings pertaining thereto, and therefore may need to ensure a proceeding is made, which includes the testimony and evidence with The City of Everglades City shall not be responsible for providing

Dated: 11/4/2024

City of Everglades City Code Inspector

  
Terry Smallwood

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

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL USE

Certified Mail Fee \$ 4.85  
Extra Services & Fees (check box, add fees as appropriate)  
 Return Receipt (hardcopy) \$ 4.10  
 Return Receipt (electronic) \$ \_\_\_\_\_  
 Certified Mail Restricted Delivery \$ \_\_\_\_\_  
 Adult Signature Required \$ \_\_\_\_\_  
 Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ 7.3  
Total Postage and Fees \$ 9.68

Sent To Naiara Rementeria - Shane Freeman  
Street and Apt. No., or PO Box No. PO Box 262  
City, State, ZIP+4® Everglades City, FL 34139



9589 0710 5270 1343 1736 01

CITY OF EVERGLADES CITY  
CODE ENFORCEMENT BOARD

City of Everglades City,

v.

Naiara Rementeria and Shane Freeman  
Property Owner

Case No.

24-03

**Affidavit of Posting Notice of Hearing**

STATE OF FLORIDA  
COUNTY OF COLLIER

Terry Smallwood, who personally appeared before the undersigned Notary Public, and, after being duly sworn states:

1. My name is Terry Smallwood and I am over the age of 18 and competent to testify in a court from my own knowledge.
2. I am the Code Inspector in the City of Everglades City.
3. On November 4, 2024 while carrying out my duties as the Code Inspector for the City of Everglades City, I posted the attached Notice of Hearing at 304 Copeland Ave. N Everglades City, FL 34139 and at City Hall, Everglades City.

FURTHER AFFIANT SAYETH NAUGHT

Affiant:



Terry Smallwood  
City of Everglades City  
As its Code Inspector

Sworn to (or affirmed) and subscribed before me this 4 day of November, 2024  
by Terry Smallwood, Code Inspector of the City of Everglades City.

Notary Public:

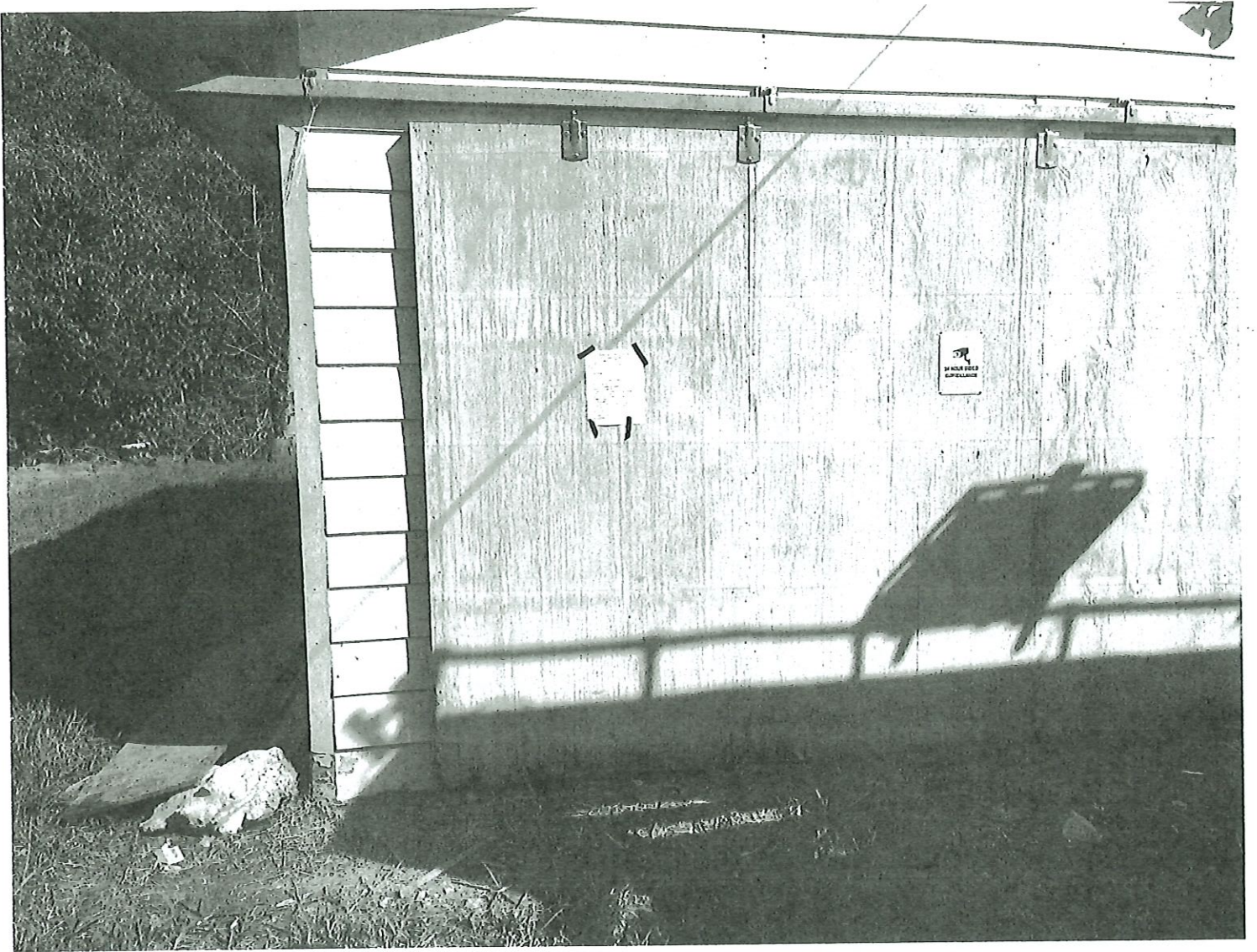


Print name: Karen Cochran  
 Personally Known OR  Produced Identification



Type of Identification Produced:





11/4/24 *[Signature]*







Shane & Naiara Freeman

304 Copeland Evenue

Everglades City Fl 34139

msnaiara1818@gmail.com

239-289-8392

October 21st, 2024

Dear Members of the Code Enforcement Board,

We hope this letter finds you well. We are writing to respectfully request an extension of two to three weeks to move our boat, which is currently in violation of the local code enforcement regulations.

Due to the unfortunate circumstances of two back-to-back hurricanes, our plans to relocate the boat have been significantly delayed. The extreme weather conditions hindered our ability to clear the area on our property where we intend to place the boat. We had initially aimed to have all necessary preparations completed by now, but the impact of the storms has made it challenging to adhere to our timeline.

Additionally, we have explored our options for renting a trailer to facilitate the move, but the estimated cost of \$1,000 to \$2,000 has posed a financial burden that we are currently working to resolve. We are actively seeking ways to generate the necessary funds while simultaneously clearing the hill for the boat's placement.

We understand the importance of adhering to community regulations and assure you that we are fully committed to resolving this matter as promptly as possible. Therefore, we kindly ask for your consideration in granting us a brief extension to allow us the time needed to move our boat to the designated area.

Thank you for your attention to this matter. We greatly appreciate your understanding and support during this difficult time. Please feel free to reach out if you require any further information regarding our situation.

Sincerely,

Shane & Naiara Freeman



AGENDA ITEM  
NUMBER 6

**CITY OF EVERGLADES CITY  
NOTICE OF HEARING AND AGENDA  
Everglades City Code Enforcement Board**

**Chairman: Geoff Swets**

**Members: Cecil Barker, Tim Moshier, Donald Kim, Steven Lenz**

**City Attorney: Lenore Brakefield City Clerk: Dottie Joiner**

THE CITY OF EVERGLADES CITY WILL HOLD A CODE ENFORCEMENT HEARING ON TUESDAY, JULY 23, 2024 AT 6:00 PM CONDUCTED HYBRID WITH A QUORUM OF BOARD MEMBERS PRESENT IN COUNCIL CHAMBERS AT CITY HALL EVERGLADES CITY, FLORIDA, AND OTHERS PRESENT BY VIDEO CONFERENCE.

**1. CALL TO ORDER**

Chairman Swets called the meeting to order at 6:00 pm.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

Chairman Swets led the Pledge of Allegiance.

Bill Odrey gave the Invocation.

**3. ROLL CALL**

Tim Moshier, Donald Kim, Cecil Barker, Steven Lenz, Geoff Swets, City Attorney Lenore Brakefield (zoom), City Clerk Dottie Joiner, Assistant Karen Cochran.

See attached attendance sheets.

**4. APPROVAL, ADDITIONS, OR DELETIONS TO AGENDA**

None.

**5. a. ADMINISTRATIVE FINE/Order Imposing Lien Case No: 23-08**

Owner: Everglades Adventure Center LLC

Violation: 2020 Florida Building Code

Property Address: 102 Collier Avenue, Everglades City, Florida 34139

City Attorney Lenore Brakefield swears in Terry Smallwood and Bill Odrey.

City Attorney Lenore Brakefield-This is an Imposition of Costs Resolution 2024-9 for \$111.50.

Bill Odrey-I would like a breakdown of the cost.

Chairman Swets reads Resolution 2024-9.

City Attorney Lenore Brakefield-The extension is due to expire on August 26-does the owner want to consider the Amended Order of Violation?

Bill Odrey-No I am only talking on this.

*Board Member Moshier made a motion to add the Administrative Fine.*

*Board Member Kim second.*

*Discussion-*

*All in favor.*

- b. ADMINISTRATIVE FINE/Order Imposing Lien Case No: 23-04**  
**Owner: Nathan Everett Terry**  
**Violation: Ordinance 2000-5 12.01.00/12.01.01/12.01.02**  
**Property: 202 Allen Avenue, Everglades City, Florida**  
*Board Member Lenz made a motion to add the Administrative Fines.*  
*Board Member Kim second.*  
*Discussion-*  
*All in favor.*
- 6. a. NOTICE OF VIOLATION/Case No. 24-04**  
**Owner: Everglades Adventure Center LLC**  
**Violation: Land Development Code 2.02.05 A.**  
**Property Address: 102 Collier Avenue, Everglades City, Florida 34139**  
*Chairman Swets made a motion to move all trolleys in 21 days by COB on August 13 at 5 pm or \$150.00 per day until removed.*  
*Board Member Lenz second.*  
*Discussion-*  
*All in favor.*
- b. NOTICE OF VIOLATION/Case No. 24-03**  
**Owner: Naiara Maria Rementeria & Shane William Freeman**  
**Violation: Ordinance 2000-5 2.02.04 A.3.**  
**Property Address: 304 Copeland Avenue North, Everglades City, Florida 34139**  
**Chairman Swets-I will abstain from agenda item 6.b.-my wife works there.**  
**City Attorney Lenore Brakefield swears in Naiara Rementeria.**  
*Board Member Barker made a motion to give 90 days to remove the boat if not removed then a \$50.00 fine per day.*  
*Board Member Lenz second.*  
*Discussion-*  
*Board Members, Barker, Kim & Lenz-Yes.*  
*Board Member Moshier-No.*  
*So passed.*
- 7. APPROVAL OF MINUTES DATED 5-28-24**  
*Board Member Kim made a motion to approve the minutes dated 5-28-24.*  
*Board Member Moshier second.*  
*Discussion-None.*  
*All in favor.*
- 8. ADJOURNMENT**  
*Board Member Barker made a motion to adjourn the meeting at 7:13 pm.*  
*Board Member Kim second.*  
*Discussion-None.*  
*All in favor.*



**ATTEST:**

---

**Dottie Joiner, City Clerk**

---

**Geoff Swets, Chairman**

---

**Tim Moshier, Board Member**

---

**Cecil Barker, Board Member**

---

**Donald Kim, Board Member**

---

**Steven Lenz, Board Member**

Code Enforcement Hearing November 19, 2024

AGENDA ITEM  
NUMBER 7

Terry Smallwood's Report & Presentation to the Board:

**Agenda #5**

**Case #23-08** – 102 Collier Ave. – Everglades Adventure Center

We are requesting the board to set a **firm compliance deadline date** to have the roof completed and approved by the County and determine fees. Staff recommends 60 days to have the roof completed with a final from the County. A \$50.00 fee a day after the 60 days until the roof is complete.

**Agenda #5-a**

**Case #24-03** - 304 Copeland Ave. - Rementeria / Freeman

Order of Violation July 23, 2024 gave 90 days to remedy and then \$50.00 a day fine there after until boat(s) are removed. Fines started on October 23<sup>rd</sup>, as of today, November 19<sup>th</sup>, the fine is \$1,350.00 In your packet is a letter the City received from the owners on October 21, 2024.

**Agenda #7**

Report from Code Enforcement Staff

We have a new mowing ordinance, copies in your file, this will cut down on time and cases for mowing violations. We sent 5 out last week and 3 came into compliance within days. Included in the packet are the two that did not come into compliance and will be mowed by the City and a lien will be placed on the property.



ORDINANCE 2024-4

**AN ORDINANCE REPEALING AND REPLACING ORDINANCES 96-02 AND 93-03 OF THE CITY OF EVERGLADES CITY, FLORIDA; DECLARING NUISANCE VEGETATION, VEGETATION AND DEBRIS PILES, AND VEHICLES AND VESSELS WITH EXPIRED TAGS AND/OR DECALS A NUISANCE; PROVIDING MAXIMUM HEIGHTS OF MOWABLE VEGETATION; PROVIDING FOR GENERAL NOTICE; PROVIDING A METHOD FOR RESPONDING TO COMPLAINTS OF VIOLATION, NOTIFYING OWNERS, AND ACTION BY THE CITY; PROVIDING FOR BUDGETING; MAKING THE CITY'S COST FOR ABATING NUISANCES A LIEN UPON SAID PROPERTY; PROVIDING FOR COLLECTION OF SAID LIEN; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, pursuant to its constitutional home rule powers, the City of Everglades City may perform municipal functions and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law and may regulate, restrain, and abate activities or conditions which are dangerous to the public, health, safety, or welfare;

WHEREAS, Ordinances 96-02 and 93-03 currently regulate lot mowing, vegetation and debris piles, and vehicles and vessels with expired tags and/or decals;

WHEREAS, The City Council desires to update and reimplement its lot mowing, vegetation and debris pile, and vehicles and vessels with expired tags and/or decals ordinance through this Ordinance.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVERGLADES CITY, FLORIDA, AS FOLLOWS:**

**Section 1. RECITALS AND FINDINGS.** The foregoing recitals are true and correct and incorporated herein by reference as the findings of City Council.

**Section 2. TITLE.** This Ordinance shall be known as the "City Lot Mowing, Debris, and Inoperable Vehicle Ordinance."

**Section 3. REPEALER.** Ordinances 96-02 and 93-03 are hereby repealed, declared void and without further effect, except as provided herein. Ordinances 96-02 and 93-03 are replaced by this legislation, however, any violations previously occurring under Ordinances 96-02 and 93-03 and resulting assessment liens will remain in full force and effect until fully paid and released.

- a) Keep mowable vegetation on the real property at or below nine (9) inches in height.
- b) Keep the real property free of piles of vegetation and/or debris.
- c) Maintain parking lots and landscape buffers free of trash and debris.
- d) Protect the public from access to areas which may contain dangerous objects and hazardous materials by means of fences, walls, or structures.
- e) For improved non-residential real property without an active local business tax receipt, remove any vehicles and/or vessels from the real property with expired tags or decals.

**Section 8. UNIMPROVED/VACANT REAL PROPERTY.** The owner(s) of unimproved/vacant real property shall:

- a) Maintain the unimproved/vacant property in a mowable condition.
- b) Keep mowable vegetation on the real property at or below twelve (12) inches in height.
- c) Keep the real property free of piles of vegetation and debris.
- d) Keep the real property free of vehicles and vessels with expired tags and/or decals.

**Section 9. COMPLAINTS, NOTICE OF VIOLATION, AND ACTION BY THE CITY OF EVERGLADES CITY.** The City shall use the following procedure in response to written complaints that owners of real property within the City are in violation of this Ordinance:

- a) Upon receipt of a complaint, or upon personal observation, a City code enforcement officer shall inspect the real property to determine whether a violation of this Ordinance exists.
- b) If a violation exists, the code enforcement officer shall issue a written Notice of Violation by posting at City Hall and by certified mail, return receipt requested, as follows to the owner of record of the real property:

**NOTICE OF VIOLATION OF CITY LOT MOWING, DEBRIS, AND INOPERABLE VEHICLE ORDINANCE /NOTICE OF NUISANCE**

DATE OF MAILING:

TO:

MAILING ADDRESS:

PROPERTY ADDRESS:

As the Owner of the above-described property, you are hereby notified that pursuant to a complaint received on \_\_\_\_\_ and a site inspection made on \_\_\_\_\_, a nuisance exists upon such property, contrary to the City Mowing Ordinance. The nuisance consists of mowable vegetation on [circle all that apply] on improved real estate in excess of nine (9) inches [and/or] on unimproved real estate in excess of twelve (12) inches [and/or] other: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



You are hereby ordered to abate the nuisance by mowing the mowable vegetation within ten (10) days of receipt of this Notice or ten (10) days from the date of mailing if the Notice is undeliverable, if applicable, by: \_\_\_\_\_

\_\_\_\_\_. Upon your failure to abate this nuisance, the Mayor shall order abatement thereof and at that time City employees, agents, or contractors will enter upon your property and abate the nuisance. The cost of such abatement will be levied as an assessment against your property. Thereafter, the Mayor shall prepare an assessment bill for the entire cost of abatement.

If you wish to contest this Notice of Violation, you may appeal to the City Code Enforcement Board. Requests for appeal must be made in writing and should be directed to the Mayor within five (5) days of receipt of this Notice or five (5) days from the date of mailing if the Notice is undeliverable. All decisions of the Code Enforcement Board shall be final.

A second notice will contain an invoice detailing the costs incurred by the City to abate the nuisance on your property along with a request for payment of these costs within thirty (30) days of the date of the notice. **In the event this invoice is not paid in full within thirty (30) days, an assessment lien will be placed against your property.**

Pursuant to the City Lot Mowing, Debris, and Inoperable Vehicle Ordinance, the City is entitled to collect interest on the unpaid balance of the assessment at Florida's judgment interest rate for the life of the lien. A certified copy of the lien will be recorded in the official public records of Collier County, Florida. You should understand that once this lien is recorded it constitutes a special assessment lien against your property that will remain until it is paid. This means that any subsequent transfer, sale or other disposition of the property will be affected or otherwise be encumbered by this lien. Further, you should also be aware that the City has the power to enforce any assessment, together with this accumulated interest thereon, by civil action, including but not limited to, foreclosure of the lien.

All questions and requests for appeals shall be directed to the Mayor, P.O. Box 110, Everglades City, FL 34139.

- c) If the violation is not abated within the time specified in the Notice of Violation, the Mayor or his or her agent is authorized to cut the Nuisance Vegetation and to assess the actual cost or expense of the work against the property along with an administrative fee and otherwise abate the nuisance and assess the actual cost or expense of the work against the property along with an administrative fee.

**Section 10. BUDGET OF FUNDS.** Mowing of lands, removal of vegetation and debris piles, and vehicles and vessels with expired tags and/or decals, as set forth herein is declared to be for a municipal purpose and the Mayor is authorized to budget in order to set up funds for the carrying out of the purposes of this Ordinance.

**Section 11. PAYMENT OF ASSESSMENT; INTEREST.**



a) The work performed to cut Nuisance Vegetation and remove vegetation, debris piles, and vehicles and vessels with expired tags and/or decals on the property will be assessed for the actual cost of service plus an administrative fee. The established administrative fee is \$150.00, which represents the City's time for inspections and notice to the Owner.

b) An invoice to the Owner will include the amount due for the work performed, the administrative fee and state that the Owner has 30 days from the date of the assessment invoice to pay the balance of the invoice. The invoice must state that if the balance is not paid within 30 days, interest on the unpaid balance will accrue at the Florida's judgment interest rate. The invoice will be sent to the Owner at the address designated by the Collier County Property Appraiser via regular first-class mail.

c) For the period of 30 days after the date of the assessment invoice, the outstanding balance may be paid without interest. If the invoice is not paid in full on or before the 30th day, the City will file a lien in the public records. Thereafter, interest will accrue on the balance of the unpaid assessment invoice at Florida's judgment interest rate.

**Section 12. PREPARATION AND RECORDING OF LIEN FOR LOT MOWING PERFORMED BY THE CITY.**

a) Upon expiration of the payment period outlined in Section 11, the Mayor will prepare an assessment lien, showing:

1. The name of the owner(s) of the property upon which the nuisance has been abated.
2. A description of the property proposed to be assessed for the cost or expense of abating such nuisance, including the address of the property.
3. The amount proposed to be assessed against each property.

b) The assessment lien may include a listing of multiple properties that failed to pay the assessment invoice during the time period outlined in Section 10.

c) The lien will be recorded in the Public Records of Collier County, Florida and will constitute notice to the public of the lien against the property so assessed. Execution and recording of the lien may be done electronically, in accordance with the Florida Statutes.

d) No error, omission or mistake in regard to the name of the Owner will be held to invalidate any assessment and/or lien.

**Section 13. PROCEDURE FOR OBJECTIONS; CONDUCT OF HEARING.**

a) The Owner has 5 days of receipt of this Notice or five (5) days from the date of mailing if the Notice is undeliverable to make a written request for hearing to the Mayor to challenge the issuance of the notice and alleged violation.

b) Upon receipt of the written request for hearing; the Mayor will add the case to a regularly scheduled Code Enforcement Board's agenda for code enforcement hearings. The Mayor will



provide notice to the Owner of the date, time and place set for the hearing no less than 10 days before the date of the hearing.

c) The Code Enforcement Board is authorized to hear all objections and protests to a notice of violation of this Ordinance.

d) At such hearing, the Code Enforcement Board will determine whether or not the property is in violation of this Ordinance. If the property is found in violation, then the Code Enforcement Board may set a timeframe for abatement, direct the City to abate the Nuisance Vegetation and assess the Owner accordingly, or any other remedy deemed appropriate.

#### **Section 14. RELEASE OF LIENS.**

Upon payment in full of the outstanding balance of any lien imposed as provided for herein, the Mayor will prepare and execute a release of lien. The release of lien will be recorded in the Public Records of Collier County, Florida.

#### **Section 15. COLLECTION OF DELINQUENT PAYMENTS.**

a) If any payments required as a result of work performed by the City, or its designee, are not paid within 3 months of the date the lien was filed for the work, any unpaid balance may be collected by the City in any manner provided by law including, but not limited to, an action for foreclosure or an action for money judgment. The City is entitled to collect all costs in recording and satisfying a valid lien, along with reasonable attorney's fee and all costs of any necessary action.

b) In the proceeding provided for in this section, the Owner of the property, and any person interested therein, if they can be ascertained, will be defendant(s). If the Owner, or parties interested, cannot be ascertained after diligent inquiry, the proceedings will be against the property on which the lien is claimed without mentioning any party as defendant. In such case, service is by publication as provided by law in other chancery suits.

#### **Section 16. CIVIL REMEDIES.**

The City Council may institute in any court, or before any administrative board of competent jurisdiction, action to prevent, restrain, correct, or abate any violation of this Ordinance or of any order or regulations made in connection with its administration or enforcement, and the court or administrative board shall adjudge to the Plaintiff such relief by way of injunction, as may be proper under all the facts and circumstances of the case in order to fully effectuate the regulations adopted and orders and rulings made pursuant thereto.

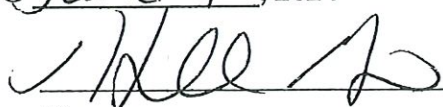
**Section 17. SEVERABILITY.** Each provision of this Ordinance shall be deemed separate and severable and if any section or part thereof is held to be invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

**Section 18. PUBLICATION.** This Ordinance shall be published in accordance with the requirements of law.

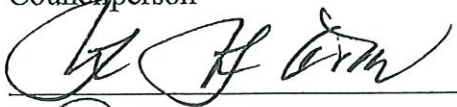
**Section 19. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its passage and adoption (the "Effective Date").

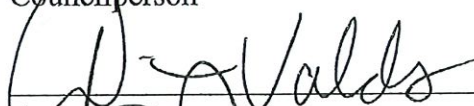
PASSED ON FIRST READING May 7, 2024


PASSED ON SECOND AND FINAL READING June 4, 2024

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Councilperson

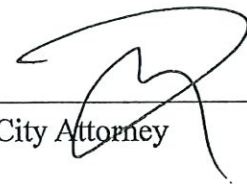
  
\_\_\_\_\_  
Councilperson

  
\_\_\_\_\_  
Councilperson

  
\_\_\_\_\_  
Councilperson

\_\_\_\_\_  
Councilperson

APPROVED AS TO LEGAL FORM:

  
\_\_\_\_\_  
City Attorney

ATTEST:

  
\_\_\_\_\_  
Dottie Joiner, City Clerk



# City of Everglades

P.O. Box 110, Everglades City, Collier County, Florida 34139

City Hall 102 Copeland Avenue N.

Phone (239) 695-3781

Fax (239) 695-3020

## **NOTICE OF VIOLATION OF CITY LOT MOWING, DEBRIS, AND INOPERABLE VEHICLE ORDINANCE / NOTICE OF NUISANCE**

DATE OF MAILING: \_\_\_\_\_

TO: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

As the Owner of the above-described property, you are hereby notified that pursuant to a complaint received on \_\_\_\_\_ and a site inspection made on \_\_\_\_\_, a nuisance exists upon such property, contrary to the City Mowing Ordinance. The nuisance consists of mowable vegetation on [circle all that apply] on improved real estate in excess of nine (9) inches [and/or] on unimproved real estate in excess of twelve (12) inches [and/or] other:

\_\_\_\_\_

You are hereby ordered to abate the nuisance by mowing the mowable vegetation within ten (10) days of receipt of this Notice or ten (10) days from the date of mailing if the Notice is undeliverable, if applicable, by: \_\_\_\_\_

Upon your failure to abate this nuisance, the Mayor shall order abatement thereof and at that time City employees, agents, or contractors will enter upon your property and abate the nuisance. The cost of such abatement will be levied as an assessment against your property.

Thereafter, the Mayor shall prepare an assessment bill for the entire cost of abatement. If you wish to contest this Notice of Violation, you may appeal to the City Code Enforcement Board. Requests for appeal must be made in writing and should be directed to the Mayor within five (5) days of receipt of this Notice or five (5) days from the date of mailing if the Notice is undeliverable. All decisions of the Code Enforcement Board shall be final.

A second notice will contain an invoice detailing the costs incurred by the City to abate the nuisance on your property along with a request for payment of these costs within thirty (30) days of the date of the notice. In the event this invoice is not paid in full within thirty (30) days, an assessment lien will be placed against your property. Pursuant to the City Lot Mowing, Debris, and Inoperable Vehicle Ordinance, the City is entitled to collect interest on the unpaid balance of the assessment at Florida's judgment interest rate for the life of the lien. A certified copy of the lien will be recorded in the official public records of Collier County, Florida. You should understand that once this lien is recorded it constitutes a special assessment lien against your property that will remain until it is paid. This means that any subsequent transfer, sale or other disposition of the property will be affected or otherwise be encumbered by this lien. Further, you should also be aware that the City has the power to enforce any assessment, together with this accumulated interest thereon, by civil action, including but not limited to, foreclosure of the lien.

All questions and requests for appeals shall be directed to the Mayor, P.O. Box 110, Everglades City, FL 34139.



# City of Everglades



P.O. Box 110, Everglades City, Collier County, Florida 34139

City Hall 102 Copeland Avenue N.

Phone (239) 695-3781

Fax (239) 695-3020

AGENDA ITEM  
NUMBER 7

## NOTICE OF VIOLATION OF CITY LOT MOWING, DEBRIS, AND INOPERABLE VEHICLE ORDINANCE / NOTICE OF NUISANCE

DATE OF MAILING: October 28, 2024

TO: Janneke Huber

MAILING ADDRESS: 5721 Lee Williams RD Naples, FL 24117

PROPERTY ADDRESS: BLK 27 LOT 13 Everglades City; FL 34139

As the Owner of the above-described property, you are hereby notified that pursuant to a complaint received on 10/23/2024 and a site inspection made on 10/25/2024, a nuisance exists upon such property, contrary to the City Mowing Ordinance. The nuisance consists of mowable vegetation on [circle all that apply] on improved real estate in excess of nine (9) inches [and/or] of unimproved real estate in excess of twelve (12) inches [and/or] other:

You are hereby ordered to abate the nuisance by mowing the mowable vegetation within ten (10) days of receipt of this Notice or ten (10) days from the date of mailing if the Notice is undeliverable, if applicable, by: \_\_\_\_\_

Upon your failure to abate this nuisance, the Mayor shall order abatement thereof and at that time City employees, agents, or contractors will enter upon your property and abate the nuisance. The cost of such abatement will be levied as an assessment against your property.

Thereafter, the Mayor shall prepare an assessment bill for the entire cost of abatement. If you wish to contest this Notice of Violation, you may appeal to the City Code Enforcement Board. Requests for appeal must be made in writing and should be directed to the Mayor within five (5) days of receipt of this Notice or five (5) days from the date of mailing if the Notice is undeliverable. All decisions of the Code Enforcement Board shall be final.

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All questions and requests for appeals shall be directed to the Mayor, P.O. Box 110, Everglades City, FL 34139.



9589 0710 5270 1343 1735 19

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**OFFICIAL USE**

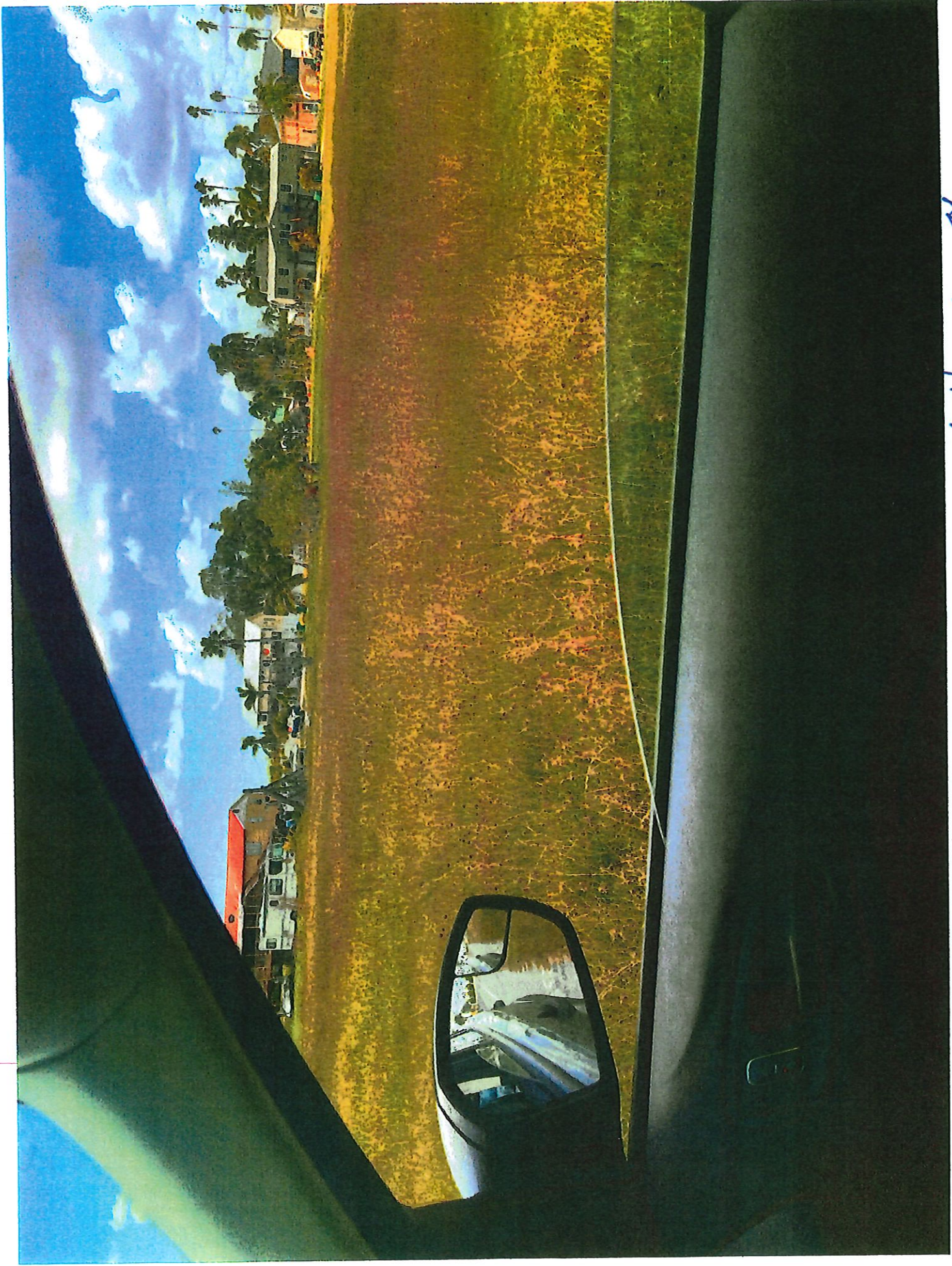
Certified Mail Fee	\$ 4.85
Extra Services & Fees (check box, add fee as appropriate)	\$ 0.00
<input type="checkbox"/> Return Receipt (hardcopy)	
<input type="checkbox"/> Return Receipt (electronic)	
<input type="checkbox"/> Certified Mail Restricted Delivery	
<input type="checkbox"/> Adult Signature Required	
<input type="checkbox"/> Adult Signature Restricted Delivery	
Postage	\$ 0.73
Total Postage and Fees	\$ 5.58



Sent To Janneke Huber  
 Street and Apt. No., or PO Box No. 5721 Lee Williams Rd  
 City, State, ZIP+4® Naples, FL 34117



Q-0-1-Y



10/24/2024

AT



# Collier County Property Appraiser Property Summary

Parcel ID	83741840106	Site Address <small>*Disclaimer</small>	EVERGLADES CITY	Site Zone <small>*Note</small>	34139
-----------	-------------	--	-----------------	-----------------------------------	-------

Name / Address					
HUBER, JANNEKE					
5721 LEE WILLIAMS RD					
City		NAPLES		Zip	
				34117	
		State		FL	

Map No.	8E14	Strap No.	732700 27 138E14	Section	14	Township	53	Range	29	Acres	0.34
<small>*Estimated</small>											

**Legal** EVERGLADS REPLAT OF BLKS 4,5, 10,27,28,32, LOTS 1-7 & 14 IN BLK 31 & BLK 9 EXCEPT LOT 1, TOWN OF, BLK 27 LOT 13

<b>Millage Area</b>	15	<b>Millage Rates</b>		<b>*Calculations</b>	
<b>Sub./Condo</b>	732700 - EVERGLADES REPLAT OF BLKS 4,5, 10,27,28,32, LOTS 1-7 & 14 IN BLK 31 & BLK 9 EXCEPT LOT 1, TOWN OF	<b>School</b>	4.3132	<b>Other</b>	14.3708
<b>Use Code</b>	0 - VACANT RESIDENTIAL	<b>Total</b>	18.684		

## Latest Sales History

(Not all Sales are listed due to Confidentiality)

Date	Book-Page	Amount
03/06/01	2786-282	\$ 55,000

## 2024 Certified Tax Roll

(Subject to Change)

Land Value	Amount
(+) Improved Value	\$ 123,370
(-) Market Value	\$ 0
(-) 10% Non-Homestead Cap	\$ 123,370
(-) Assessed Value	\$ 33,527
(-) School Taxable Value	\$ 89,843
(-) Taxable Value	\$ 123,370
Ad Valorem Taxes	\$ 89,843
(+) Non-Ad Valorem Taxes	\$ 1,823.24
(-) Total Taxes	\$ 0
<b>Total Taxes</b>	<b>\$ 1,823.24</b>



007

# City of Everglades



P.O. Box 110, Everglades City, Collier County, Florida 34139

City Hall, 102 Copeland Avenue N.

Phone (239) 695-3781

Fax (239) 695-3020

AGENDA ITEM

NUMBER

7

## NOTICE OF VIOLATION OF CITY LOT MOWING, DEBRIS, AND INOPERABLE VEHICLE ORDINANCE / NOTICE OF NUISANCE

DATE OF MAILING: October 28, 2024

TO: Jorge Ignacio Canals

MAILING ADDRESS: 365 Pacific Rd Key Biscayne, FL 33149-1609

PROPERTY ADDRESS: 432 Riverside Drive Everglades City, FL 34139

As the Owner of the above-described property, you are hereby notified that pursuant to a complaint received on 10/23/2024 and a site inspection made on 10/25/2024, a nuisance exists upon such property, contrary to the City Mowing Ordinance. The nuisance consists of mowable vegetation on [circle all that apply] on improved real estate in excess of nine (9) inches [and/or] on **unimproved real estate in excess of twelve (12) inches [and/or]** other:

You are hereby ordered to abate the nuisance by mowing the mowable vegetation within ten (10) days of receipt of this Notice or ten (10) days from the date of mailing if the Notice is undeliverable, if applicable, by: \_\_\_\_\_

Upon your failure to abate this nuisance, the Mayor shall order abatement thereof and at that time City employees, agents, or contractors will enter upon your property and abate the nuisance. The cost of such abatement will be levied as an assessment against your property.

Thereafter, the Mayor shall prepare an assessment bill for the entire cost of abatement. If you wish to contest this Notice of Violation, you may appeal to the City Code Enforcement Board. Requests for appeal must be made in writing and should be directed to the Mayor within five (5) days of receipt of this Notice or five (5) days from the date of mailing if the Notice is undeliverable. All decisions of the Code Enforcement Board shall be final.

A second notice will contain an invoice detailing the costs incurred by the City to abate the nuisance on your property along with a request for payment of these costs within thirty (30) days of the date of the notice. In the event this invoice is not paid in full within thirty (30) days, an assessment lien will be placed against your property. Pursuant to the City Lot Mowing, Debris, and Inoperable Vehicle Ordinance, the City is entitled to collect interest on the unpaid balance of the assessment at Florida's judgment interest rate for the life of the lien. A certified copy of the lien will be recorded in the official public records of Collier County, Florida. You should understand that once this lien is recorded it constitutes a special assessment lien against your property that will remain until it is paid. This means that any subsequent transfer, sale or other disposition of the property will be affected or otherwise be encumbered by this lien. Further, you should also be aware that the City has the power to enforce any assessment, together with this accumulated interest thereon, by civil action, including but not limited to, foreclosure of the lien.


All questions and requests for appeals shall be directed to the Mayor, P.O. Box 110, Everglades City, FL 34139.



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Certified Mail Fee \$ <u>4.85</u>	
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ <u>4.10</u>	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ <u>0.73</u>	
Total Postage and Fees \$ <u>9.68</u>	
Sent To <u>Jorge Canals</u>	
Street and Apt. No., or PO Box No. <u>365 Pacific Rd</u>	
City, State, ZIP+4® <u>Key Biscayne FL 33149</u>	

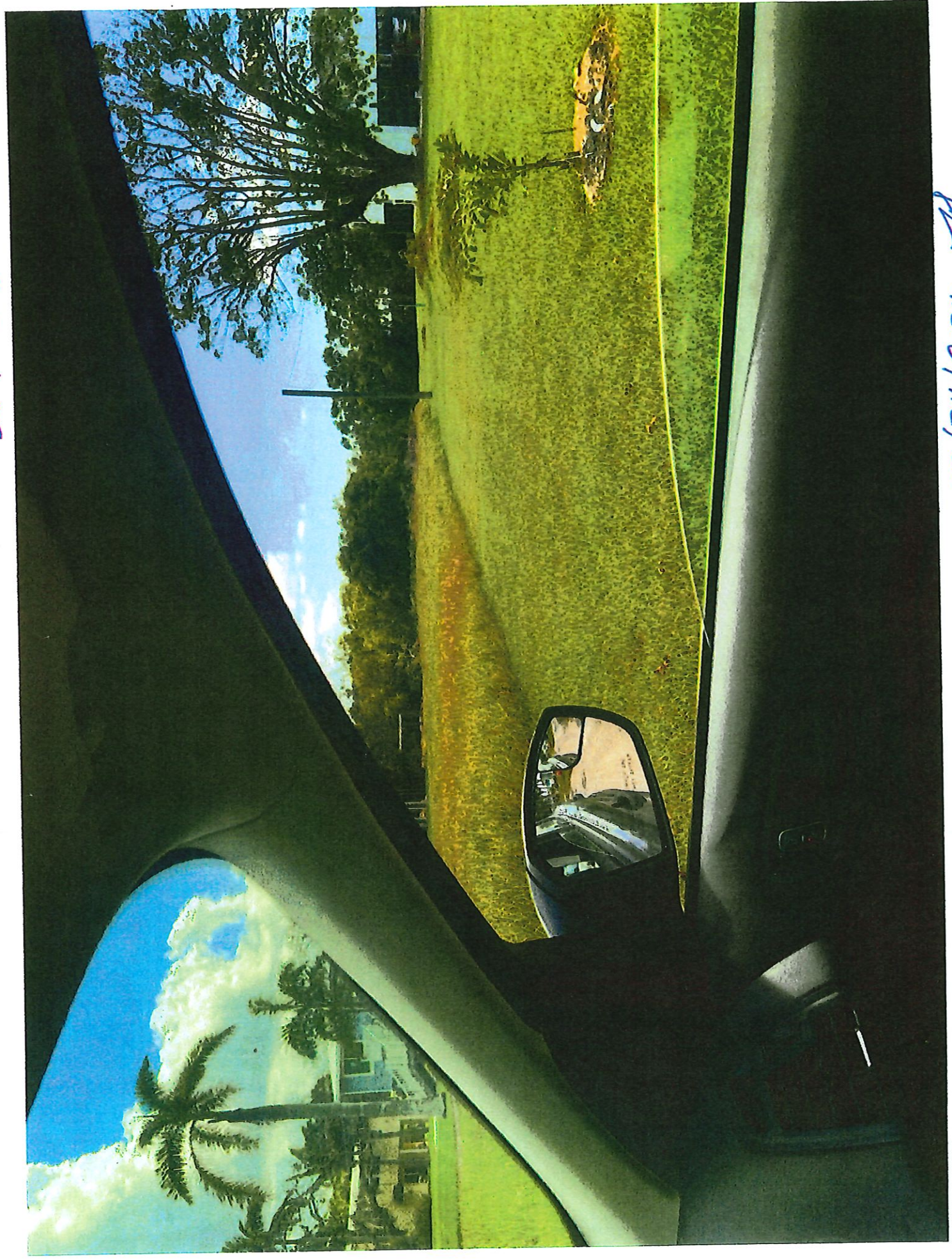
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 1343 1735 26

COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>Complete items 1, 2, and 3.          Print your name and address on the reverse          so we can return the card to you.          Attach this card to the back of the mailpiece          on the front if space permits.</p> <p>Addressed to:  <u>Jorge Canals</u>  <u>365 Pacific Rd</u>  <u>Key Biscayne FL 33149</u></p> <p>9402 8742 3310 6526 89</p>	<p>A. Signature  <input checked="" type="checkbox"/> Agent  <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>[Signature]</u> C. Date of Delivery <u>10-29-24</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>E. Service Type  <input checked="" type="checkbox"/> Adult Signature  <input type="checkbox"/> Adult Signature Restricted Delivery  <input type="checkbox"/> Certified Mail®  <input type="checkbox"/> Certified Mail Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery  <input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
	
PS Form 3800, July 2020 PSN 7530-02-000-9053 (over \$500) Domestic Return Receipt	



104-07



10/24/2024 AA



# Collier County Property Appraiser Property Summary

Parcel ID	84090200247	Site Address <small>*Disclaimer</small>	432 RIVERSIDE DR		Site City	EVERGLADES CITY	Site Zone <small>*Note</small>	34139
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Name / Address	State
CANALS, JORGE IGNACIO	
365 PACIFIC RD	
City	FL
KEY BISCAVNE	Zip
	33149-1609

Map No.	Strap No.	Section	Township	Range	Acres	*Estimated
8E14	735700 052 08E14	14	53	29	0.34	

**Legal** UNPLATTED LANDS EVERGLADES 14-53-29 COMM NE CNR OF SW 1/4 OF SW 1/4 OF SEC, S113.93FT, W 166.14FT, NW ALG CURVE TO RT 225.21FT TO POB, CONT ALG CURVE 55FT, S 33 DEG W 220.72FT, S 66 DEG E 80FT, N 26 DEG E 208.18FT TO POB

*Millage Area	15	*Millage Rates	*Calculations	Total
Sub./Condo	735700 - UNPLATTED LANDS EVERGLADES	School	Other	
Use Code	0 - VACANT RESIDENTIAL	4.3132	14.3708	18.684

## Latest Sales History

(Not all Sales are listed due to Confidentiality)

Date	Book-Page	Amount
04/07/05	<del>3770-1629</del>	\$ 427,000
05/17/00	<del>2677-36</del>	\$ 110,000
04/07/92	<del>1705-2213</del>	\$ 0
02/01/88	<del>1325-1378</del>	\$ 35,000
09/01/87	<del>1295-1206</del>	\$ 0
06/01/77	<del>694-1598</del>	\$ 0

## 2024 Certified Tax Roll

(Subject to Change)

Land Value	Amount
(+) Improved Value	\$ 293,699
(-) Market Value	\$ 0
(-) 10% Non-Homestead Cap	\$ 293,699
(-) Assessed Value	\$ 134,690
(-) School Taxable Value	\$ 159,009
(-) Taxable Value	\$ 293,699
Ad Valorem Taxes	\$ 159,009
(+) Non-Ad Valorem Taxes	\$ 3,551.87
(-) Total Taxes	\$ 0
	\$ 3,551.87





the joy of

h o l i d a y

giving

For years, together, we have brought holiday cheer to the area children. We make sure every child receives a holiday gift card. We hope with your generosity again this year we can continue our tradition of bringing cheer to the all children of the Everglades and surrounding communities. Please open your hearts, your support would be greatly appreciated, any amount, no matter how small, will make a significant difference in our efforts to put a smile on a child's face.

Christmas is the time when blessings multiply, and the simplest gestures of kindness have the power to bring warmth and joy to every heart"

- Garrison Keillor

Thank you for making our Christmas holidays bright & merry.

Wishing you the Happiest Holidays.

*The City of Everglades*

Please post your check to City of Everglades and note "Santa" in the memo. You can drop it off at City Hall or mail it to

PO Box 110 Everglades City, FL 34139