



**ORDER TO SHOW CAUSE**  
**CITY OF PORT ST. LUCIE NUISANCE ABATEMENT**

**YOU ARE HEREBY ORDERED TO SHOW CAUSE:**

One or more conditions exist on the property identified which constitute a nuisance pursuant to Chapter 40, Port St. Lucie City Code and constitute a threat to the public health, safety, and general welfare.

**749 NW Cardinal Drive, Port St. Lucie, FL 34983**

LOT 9, BLOCK 61, PORT ST LUCIE SECTION TWENTY-FIVE, Plat Book 25, Page(s) 13, 32A to 32I, of the public records of St. Lucie County, Florida

The conditions at issue violate Port St. Lucie City Code Section(s):

41.10(M)(1)	Storm Shutters on home
41.08(B)	Tall grass and weeds over 12 inches
41.08(E)	Inoperable vehicle
154.05(C)	Responsibility of Overgrowth
158.211	Open Storage of misc. items

A public hearing is set for the **12<sup>th</sup> day of October 2020, at 6:30 P.M.** in the Chambers of the Port St. Lucie City Council, located at City Hall, 121 S.W. Port St. Lucie Boulevard, Port St. Lucie, Florida 34984. A failure to respond or appear at the hearing shall be deemed an admission of the existence of a public nuisance and may result in the removal or abatement of the nuisance by the City and the levy of an assessment against the property pursuant to Chapter 40 of the City's Code of Ordinances. **If you have questions regarding the hearing call the City Attorney's Office of the City of Port St. Lucie at (772) 871-5294. If you want to appear via ZOOM, please notify the City Attorney's Office for access to the meeting.**

At this hearing, the property owner shall have the opportunity to present evidence and argument as to why the property should not be declared a public nuisance and why removal or abatement of the public nuisance should not be required. If good and sufficient cause cannot be shown, the City Council may declare the property a public nuisance and shall require the removal or abatement of the public nuisance by the property owner not later than 21 days after such finding. If the property owner thereafter fails to timely remove or abate the nuisance, the City may do so with City forces or by independent contractors and may levy the cost of the removal or abatement against the property as a special assessment. Such special assessment shall be coequal with the lien of all state, county, district, and municipal taxes and superior in dignity to mortgages and all other liens regardless of the date of recording. **A failure to pay such special assessment may result in a loss of title to the property.**

You have the right to be represented by counsel. You may present witnesses and evidence consistent with the City's quasi-judicial proceedings, as applicable. Requests for continuances will not be considered if not received by the Special Magistrate at least five (5) business days prior to the hearing. You may request a copy of the official file with the City Clerk, City Hall, Bldg. A, 121 SW Port St. Lucie Boulevard., Port St. Lucie, Florida 34984-5099.

**NOTICE:** Anyone who requires a translator, auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City of Port St. Lucie program, service, or activity, should contact the office of Kristina Ciuperger, Human Resources Department, City of Port St. Lucie, City Hall Bldg. A, 121 S.W. Port St. Lucie Boulevard, Port St. Lucie, Florida 34984-5099, as soon as possible but no later than 48 hours before the scheduled event.

**NOTICE:** No stenographic record by a certified court reporter will be made of the foregoing hearing. Accordingly, any person wishing to appeal any decision made by the Special Magistrate with respect to any matter considered at such hearing, will need a record of the proceedings and, for such purpose, that person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

### **Violation Detail**

#### **SEC. 41.10(M)(2) - Exterior Structure - Storm Shutters Closed/secured when Prohibited**

#### **Violation Description**

**(m) Storm shutter regulations.(2) Except during the period from June 1st through November 30th each calendar year, hurricane protective devices are not permitted to be in the closed/secured position, unless there is a hurricane or tropical storm watch outside of the designated hurricane season. Placement of storm shutters during the allowed period shall be as provided in subsection (3), below.(Ord. No. 09-80, § 3, 1-11-10)**

#### **Recommendation**

**Adhere to storm shutter regulations and restrictions.**

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### **Violation Detail**

#### **Sec. 41.08(B) - Exterior Property Areas - High Grass and Weeds Over 12 Inches**

#### **Violation Description**

**(b) Grass and/or weeds. It shall be the duty and responsibility of owners to maintain improved property in a manner so as to prevent the existence of grass or weeds exceeding twelve (12) inches in length.(Ord. No. 09-80, § 3, 1-11-10)**

#### **Recommendation**

**Cut and maintain lawn.**

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### **Violation Detail**

#### **Sec. 41.08(E) - Exterior Property Areas - Inoperative Vehicles**

#### **Violation Description**

**(e) Motor Vehicles. Except as provided for in other regulations, no inoperative motor vehicle shall be parked, kept or stored on any premises, unless in an enclosed structure, and no vehicle or motor vehicle parts shall at any time be in a state of major dis-assembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.(Ord. No. 09-80, § 3, 1-11-10)**

#### **Recommendation**

**Maintain vehicles to be road ready and displaying current registration and license tags.**

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**Violation Detail**  
**SEC 154.05(C) - Responsibility, Overgrowth**

**Violation Description**

**The owner, tenant, and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat, and orderly appearance at all times and shall be kept free from refuse and debris. Maintenance shall include, but is not limited to, trimming, replacement of all dead plant material, removal of all invasive and exotic plant material, and removal of refuse and debris. If vegetation which is required to be planted or preserved dies it shall be replaced with equivalent vegetation.**

**Recommendation**  
**Maintain landscaping.**

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**Violation Detail**  
**Sec. 158.211 - Storage or Accumulation of Materials, Refuse, And Waste Materials Prohibited**

**Violation Description**

**Except as may be expressly permitted within this chapter, no materials, refuse, and waste materials (including inoperable equipment and vehicles) shall be stored or accumulated outside of a fully-enclosed building within any zoning district. This requirement shall not apply to patio furniture, grills, and other household items specifically designed for outdoor use in residential areas or materials stored in an approved open/outside storage area within Industrial or Service Commercial zoning districts. This requirement also shall not apply to materials related to new construction, provided that all required permits have been obtained for that construction, and that all surplus materials and waste products shall be removed from the premises promptly upon completion of that construction. Inoperable vehicles may be parked in parking lots at vehicle repair businesses in the Service Commercial and Warehouse Industrial zoning districts for no longer than two weeks, provided the businesses have a current work order for the vehicle(s).(Ord. No. 98-84, § 1, 3-22-99; Ord. No. 00-11, § 1, 2-14-00)**

**Recommendation**  
**Remove and or store inside fully-enclosed building or structure.**