



## CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MONDAY  
March 23, 2026 - 9:30 AM

TOWN COUNCIL CHAMBERS  
4300 S. ATLANTIC AVE., PONCE INLET, FL

SUNSHINE LAW NOTICE: – Notice is hereby provided that one or more members of the Town Council or other Town Boards may attend and speak at this meeting.

1. CALL TO ORDER. – Special Magistrate Taylor Simonds
2. APPROVAL OF MINUTES:
  - A. February 23, 2026
3. ADMINISTERING THE OATH TO WITNESSES.
4. OLD BUSINESS:
  - A. **Case # 2026-052**  
Edward & Linda Kossa  
39 Marie Drive  
Alleged Violation: Work requiring permits
5. NEW BUSINESS:
  - A. **Case # 2025-1923**  
Salvatore Carollo  
4932 South Peninsula Drive  
Alleged Violation: Work requiring permit
  - B. **Case # 2026-088**  
Thomas & Nichole Tomlinson  
115 Beach Street  
Alleged Violation: Maintenance of right of way
  - C. **Case # 2026-065**  
Josh Gale  
4641 South Atlantic Avenue # 5070  
Alleged Violation: rental permit
  - D. **Case # 2026-058**  
Barry & Amy Brooks  
4453 South Atlantic Avenue #209  
Alleged Violation: rental permit
6. ADJOURNMENT.

Next hearing date: Monday, April 27, 2026

*If a person decides to appeal any decision made by the Special Magistrate with respect to any matter considered at a hearing, he/she will need a record of the proceedings and that for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons who require accommodation to attend this hearing should contact the Ponce Inlet Town Hall at 386-236-2150 **at least 48 hours prior to the meeting** to request such assistance.*



**Meeting Date:** March 23, 2026

**Agenda Item:** 2-A

## **Report to Code Enforcement Special Magistrate**

**Topic:** Approval of Meeting Minutes

**Summary:** Staff has prepared the attached set of hearing minutes for the Magistrate's review and approval.

**Suggested motion:** Approval of the February 23, 2026 meeting minutes.

**Requested by:** Ms. Gjessing, Deputy Town Clerk

**Approved by:** Mr. Disher, Town Manager



**Town of Ponce Inlet  
Code Enforcement Special Magistrate  
Meeting Minutes  
February 23, 2026**

1 **1. CALL TO ORDER:** The meeting was called to order at 9:30 a.m. in the Council  
2 Chambers, 4300 S. Atlantic Avenue, Ponce Inlet, Florida. Special Magistrate Berryman introduced  
3 herself, provided her credentials and reviewed the rules for the hearing.  
4

5 **Staff Members Present:**  
6 Special Magistrate Berryman  
7 Ms. Hawkins, Administrative Assistant  
8 Mr. Hooker, Code Compliance Manager  
9 Mr. Lear, Planning & Development Director  
10 Attorney Smith, Town Attorney  
11 Ms. Stewart, Assistant Deputy Clerk  
12

13 **2. APPROVAL OF THE MINUTES:**  
14

15 **A. January 26, 2026 - Special Magistrate Berryman approved the January 26, 2026,**  
16 **meeting minutes as presented.**  
17

18 **3. ADMINISTERING THE OATH TO WITNESSES: Assistant Deputy Clerk Stewart**  
19 **administered the Oath to those intending to provide testimony.**  
20

21 **4. OLD BUSINESS:** None.  
22

23 **5. NEW BUSINESS:**  
24

25 **A. Case # 2025-1923**  
26 Salvatore Carollo  
27 4932 South Peninsula Drive  
28 Alleged Violation: Work requiring permits  
29

30 Special Magistrate Berryman confirmed that the violator was not present and inquired how notice  
31 had been served. Mr. Hooker responded that notice was sent via certified mail. He further advised  
32 that the property owner, Mr. Carollo, had emailed him earlier, stating he was unable to attend the  
33 hearing and requesting a continuance until next month.  
34

35 **Special Magistrate Berryman agreed to continue this case until the March 23, 2026, hearing at**  
36 **the property owner's request.**  
37

38 **B. Case # 2025-1973**  
39 William Edwards  
40 4328 South Atlantic Avenue

41 Alleged Violation: Work requiring permits  
42

43 Mr. Hooker presented testimony and evidence regarding violations for work performed without  
44 required permits. He stated the Code Enforcement Division received a complaint through the  
45 Police Department about an unsecured vacant residence, where officers had observed construction  
46 activity. Staff confirmed that two permits had been issued but additional unpermitted work was  
47 observed, including the removal of the overhead garage door and interior drywall. Additionally,  
48 bathroom remodeling materials in the garage, new electrical work, and other interior renovations  
49 were observed by staff. A stop work order was posted on January 9, 2026, and a notice of violation  
50 and notice of hearing was issued with a compliance deadline of January 22, 2026. A permit  
51 application was submitted on January 28, 2026; however, it did not reflect the full scope of work  
52 observed. A revised, complete application was then submitted on February 3, 2026; the permit is  
53 now ready for the contractor to pick up. Mr. Hooker noted the property is non-homesteaded, and  
54 notice was sent to both the S. Atlantic address and the Marietta, Georgia address in accordance  
55 with Florida Statute 162, as well as posted on the property. Staff requested the property be found  
56 in non-compliance as of December 18, 2025, but in compliance as of January 22, 2026; impose  
57 the \$250 administrative fee per the Town's fee schedule; and, because this is a non-homesteaded  
58 parcel, staff would further recommend the imposed lien be satisfied within three months of the  
59 recording. Should the lien remain unpaid, the Town would be authorized to initiate foreclosure  
60 proceedings. Upon payment, the case may be dismissed.  
61

62 The Special Magistrate confirmed that neither the property owner nor a representative was present  
63 and that no contact had been received from the owner.  
64

65 Special Magistrate Berryman found the property to be in non-compliance, is now in compliance,  
66 and assessed the \$250 administrative fee.  
67

68 **C. Case # 2026-052**

69 Edward & Linda Kossa

70 39 Marie Drive

71 Alleged Violation: Work requiring permits  
72

73 Mr. Hooker provided testimony and evidence regarding violations for performing work without  
74 permits. On January 29, 2026, staff observed Total Comfort Heat and Air removing approximately  
75 200 feet of ductwork from the attic and placing it in the front yard. Permit research confirmed that  
76 no permit had been issued or applied for at the time the work was being performed. Staff advised  
77 both the contractor and the homeowner that a permit was required and explained the permitting  
78 process and applicable timeframes. As of February 4, 2026, no permit application had been  
79 submitted; therefore, a formal notice of violation and notice of hearing were issued, establishing a  
80 compliance deadline of February 15, 2026. Staff spoke with the owner on February 10, 2026 and  
81 confirmed that no application had yet been received. Total Comfort submitted a permit application  
82 on February 18, 2026; the permit is now ready for pickup. The property is a non-homesteaded  
83 parcel, and notice was sent via certified mail to the owner's address in Annapolis, Maryland.  
84 Delivery was confirmed, and the contractor was also notified. Photographic evidence documenting  
85 the removal and replacement of ductwork was entered into the record. Staff requested that the  
86 property be found in non-compliance as of January 29, 2026, impose the \$250 administrative fee

87 pursuant to the Town's fee schedule and require that any lien be satisfied within three months of  
88 recording. Should the lien remain unpaid, the Town would be authorized to initiate foreclosure  
89 proceedings. Upon payment, the case may be dismissed.  
90

91 Special Magistrate Berryman found the property to be in non-compliance; ordered a compliance  
92 date of March 20, 2026, or be brought back for further adjudication at the March 23, 2026,  
93 hearing; and assessed the \$250 administrative fee.  
94

95 **6. ADJOURNMENT:** The hearing was adjourned at 9:52 a.m.

96 Next hearing date: Monday, March 23, 2026

97 Respectfully submitted by,  
98  
99

100 Draft

101 Special Magistrate, Chloe Berryman

102  
103 Prepared by: Debbie Stewart, Assistant Deputy Clerk

DRAFT



**Meeting Date:** March 23, 2026

**Agenda Item:** 4-A

## **Report to Code Enforcement Special Magistrate**

**Topic:** Case # 2026-052  
Edward & Linda Kossa  
39 Marie Drive  
Alleged Violation: Work requiring permits

**Summary:** Staff will provide testimony and evidence regarding the following case.

**Suggested motion:** To be determined by the Magistrate after testimony and evidence has been provided on the case.

**Requested by:** Mr. Hooker, Code Compliance Manager

**Approved by:** Mr. Disher, Town Manager



**MEMORANDUM**

**TOWN OF PONCE INLET – PLANNING & DEVELOPMENT DEPARTMENT**

*THE TOWN OF PONCE INLET STAFF SHALL BE PROFESSIONAL, CARING, AND FAIR IN DELIVERING COMMUNITY EXCELLENCE WHILE ENSURING PONCE INLET CITIZENS OBTAIN THE GREATEST VALUE FOR THEIR TAX DOLLAR.*

**TO:** Taylor Simonds, Special Magistrate  
**FROM:** David Hooker, Code Compliance Manager  
**DATE:** March 9, 2026

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**DATE OF MEETING:** March 23, 2026

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**Case Number:** 2026-052  
**Address:** 39 Marie Drive  
**Alleged Violation:** Work without permit  
**Property Owner(s):** Edward & Linda Kossa

**Synopsis of Violation:**

On January 29, 2026, staff observed Total Comfort Air and Heat engaged in the replacement of approximately 200 linear feet of ductwork at the residence. Staff initiated contact with the on-site technician, who indicated that his supervisor was on the way to the site.

Upon verification that no permit application had been submitted for the work being performed, staff informed the Total Comfort Air and Heat supervisor and the homeowner that a permit was required and that no permit application had been filed for the subject work.

Case presented to the Special Magistrate on February 23, 2026. The owner was found to be in violation of the cited section of code. The owners were granted until March 20, 2026 to obtain final inspection and to pay the \$250 administrative fee.

**Timeline of Events:**

- **January 29, 2026** – Staff noticed approximately 200 feet of duct work being replaced in home by Total Comfort Air and Heat; staff spoke with homeowner and job supervisor that permits were required.
- **February 4, 2026** – No permit application has been submitted for the work performed. A formal notice of violation/hearing issued to the homeowner and air conditioning company with a compliance date of February 15, 2026. Later that day, staff received a phone call from homeowner advising that a permit application would be submitted in the next few days
- **February 18, 2026** – Permit application for duct work submitted (MECR-160-2026)
- **February 18, 2026** – Permit MECR-160-2026 is issued by the Town
- **February 23, 2026** – Case presented to the Special Magistrate. Owners are found to be in violation of the cited sections of adopted code. Additional time is granted (March 20, 2026), to obtain final inspection. This case is to be brought back for a status hearing on March 23, 2026.

**Recommendation:**

The property owner has secured the required building permit; however, the final inspection, as previously ordered by the Special Magistrate, has not yet been conducted. Pursuant to the Florida Building Code, a building permit remains active for a period of six (6) months. If no approved inspection activity occurs within that timeframe, the permit is subject to expiration.

The violation presented to the Special Magistrate was for work performed without a permit. That deficiency has since been cured through issuance of the required permit.

Accordingly, Staff recommends that the case be dismissed upon payment of the \$250 administrative fee, consistent with established enforcement procedures.

**BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE  
OF THE TOWN OF PONCE INLET, FLORIDA**

TOWN OF PONCE INLET, FLORIDA,  
a municipal corporation,

Petitioner,

vs.

CASE NO.: 2025-052

EDWARD KOSSA and LINDA KOSSA,

Respondents.

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**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

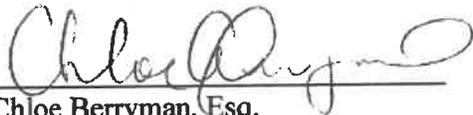
This cause was heard on the 23rd day of February 2026 by the Code Enforcement Special Magistrate of the Town of Ponce Inlet after due notice to Respondents and a public hearing, and the Code Enforcement Special Magistrate, having heard testimony and argument thereon, and being otherwise duly advised in the premises, makes the following FINDINGS OF FACT:

1. Respondents are the owners of real property located at 39 Marie Drive, Ponce Inlet, Florida 32127, with Volusia County Parcel ID 66419-25-00-0080 (the "Subject Property").
2. A Notice of Violation was issued to Respondents, citing Respondents and the Subject Property for violation of Section 105.1 of the Building Officials Association of Florida (BOAF) Model Administrative Code (2023) for the Florida Building Code, 8<sup>th</sup> Edition (2023), as adopted by Section 18-31 of the Town of Ponce Inlet Code of Ordinances for replacement of air ducts without a permit. The Notice of Violation required Respondents to bring the Subject Property into compliance with said Code provision by applying for a permit for duct replacement and obtaining final inspections on or before February 15, 2026. Respondents were properly served with the Notice of Violation as specified in Section 162.12, Florida Statutes.
3. Respondents and the Subject Property are in violation of Section 105.1 of the Building Officials Association of Florida (BOAF) Model Administrative Code (2023) for the Florida Building Code, 8<sup>th</sup> Edition (2023), as adopted by Section 18-31 of the Town of Ponce Inlet Code of Ordinances.
4. Respondents and the Subject Property have remained in violation of the cited provision past the compliance date set forth in the Notice of Violation.

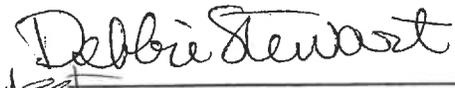
Based on the foregoing, it is hereby ORDERED AND ADJUDGED that:

5. Respondents shall bring the Subject Property into compliance with the cited provision of the Town of Ponce Inlet Code of Ordinances on or before March 20, 2026, by taking the corrective actions specified in the Notice of Violation, including scheduling and obtaining a final inspection of the work.
6. Failure to bring the Subject Property into compliance as ordered herein shall result in this case being brought before the Special Magistrate for a status hearing on March 23, 2026, at 9:30 A.M.
7. Respondents shall pay to the Town of Ponce Inlet the administrative costs incurred by the Town in prosecuting this case in the amount of \$250.00.
8. Any violation of any of the same code provisions by Respondents within five years of the date of this Order may be prosecuted as a repeat violation pursuant to Chapter 162, Florida Statutes.

DONE AND ORDERED at the Town of Ponce Inlet, Volusia County, Florida on this 24<sup>th</sup> day of February 2026.

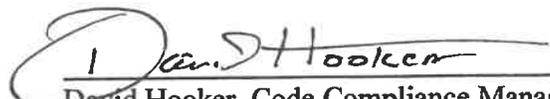
  
Chloe Berryman, Esq.  
Town of Ponce Inlet Special Magistrate

ATTEST:

  
Debbie Stewart  
Deputy Clerk

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon the Respondent by U.S. Mail, First Class, the 25 day of February 2026.

  
David Hooker, Code Compliance Manager

In accordance with Fla. Stat. §162.11, an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the rendition of the order to be appealed.

De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tai apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.



**Meeting Date:** March 23, 2026

**Agenda Item:** 5-A

## **Report to Code Enforcement Special Magistrate**

**Topic:** Case # 2025-1923  
Salvatore Carollo  
4932 South Peninsula Drive  
Alleged Violation: Work requiring permits

**Summary:** Staff will provide testimony and evidence regarding the following case.

**Suggested motion:** To be determined by the Magistrate after testimony and evidence has been provided on the case.

**Requested by:** Mr. Hooker, Code Compliance Manager

**Approved by:** Mr. Disher, Town Manager



**MEMORANDUM**

**TOWN OF PONCE INLET – PLANNING & DEVELOPMENT DEPARTMENT**

*THE TOWN OF PONCE INLET STAFF SHALL BE PROFESSIONAL, CARING, AND FAIR IN DELIVERING COMMUNITY EXCELLENCE WHILE ENSURING PONCE INLET CITIZENS OBTAIN THE GREATEST VALUE FOR THEIR TAX DOLLAR.*

**TO:** Taylor Simonds, Special Magistrate  
**FROM:** David Hooker, Code Compliance Manager  
**DATE:** March 9, 2026

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**DATE OF MEETING:** March 23, 2026

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**Case Number:** 2025-1923  
**Address:** 4932 South Peninsula Drive  
**Alleged Violation:** Work without permit  
**Property Owner(s):** Salvatore Carollo

**Synopsis of Violation:**

On December 2, 2025, staff observed the presence of what appeared to be a tiki-style structure constructed within the rear yard of the subject property without a permit. Staff communicated with the owner on the same date and advised that appropriate permits were required for the structure. Mr. Carollo stated that he would coordinate with the contractors and secure the required permits.

**Timeline of Events:**

- **December 2, 2025** – Case established for tiki-style hut constructed on property without permits. Later the same day, staff spoke with owner about the structure and he agreed to obtain required permits.
- **December 18, 2025** – Staff received an email from the owner acknowledging receipt of the email from staff regarding the conversation on December 2, 2026; however, the owner advised that he could not open the link sent to the permit application.
- **January 2026** - Mr. Carollo stopped by the office to discuss his permit application. Staff advised him that if the contractor was filing based on Florida Statute

exemption, proper paperwork was required. Mr. Carollo was advised to reach out to contractor for information and have them apply for permit.

- **February 23, 2026** – Case presented to the Special Magistrate. Owner requested a continuance until the next scheduled hearing date of March 23, 2026. Continuance granted by Special Magistrate
- **February 27, 2026** – Permit application submitted for the chickee hut (permit # 222-2026)
- **March 4, 2026** – permit application ready to be issued. Owner required to pick up permit

**Recommendation:**

Staff recommends that the property be found in non-compliance. Grant the owner 10 days (on or before April 2, 2026) to have secured the required building permit for the work performed. Furthermore, an administrative fee of \$250 shall be applied per the Town's adopted fee schedule.

Failure to comply by April 2, 2026, this case shall be brought back at the next scheduled hearing date of April 27, 2026, for further adjudication.

BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE  
OF THE TOWN OF PONCE INLET, FLORIDA

TOWN OF PONCE INLET, FLORIDA,  
a municipal corporation,

Petitioner,

vs.

CASE NO.: 2025-1923

SALVATORE CAROLLO,

Respondent.

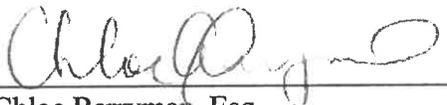
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**ORDER OF CONTINUANCE**

NOTICE IS HEREBY GIVEN THAT THE SPECIAL MAGISTRATE CONTINUES THE ABOVE ACTION, THE ORIGINAL HEARING DATE OF WHICH WAS SCHEDULED FOR FEBRUARY 23, 2026, WITHOUT ENTERING FINDINGS OF FACT. FURTHER PROCEEDINGS IN THIS MATTER WILL BE HELD ON: **MONDAY, MARCH 23, 2026, at 9:30 A.M.**

The hearing will be held at the Town of Ponce Inlet Town Hall, 4300 South Atlantic Avenue, Ponce Inlet, Florida, and the Respondent is urged to be present if the violation has not been abated by that date.

DONE AND ORDERED at the Town of Ponce Inlet, Volusia County, Florida on this 24th day of February 2026.

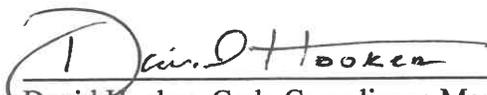
  
Chloe Berryman, Esq.  
Town of Ponce Inlet Special Magistrate

ATTEST:

  
Debbie Stewart  
Deputy Clerk

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon the Respondent by U.S. Mail, First Class, the 25 day of February 2026.

  
David Hooker, Code Compliance Manager



**Meeting Date:** March 23, 2026

**Agenda Item:** 5-B

## **Report to Code Enforcement Special Magistrate**

**Topic:** Case # 2026-088  
Thomas & Nichole Tomlinson  
115 Beach Street  
Alleged Violation: Maintenance of right of way.

**Summary:** Staff will provide testimony and evidence regarding the following case.

**Suggested motion:** To be determined by the Magistrate after testimony and evidence has been provided on the case.

**Requested by:** Mr. Hooker, Code Compliance Manager

**Approved by:** Mr. Disher, Town Manager



**MEMORANDUM**

**TOWN OF PONCE INLET – PLANNING & DEVELOPMENT DEPARTMENT**

*THE TOWN OF PONCE INLET STAFF SHALL BE PROFESSIONAL, CARING, AND FAIR IN DELIVERING COMMUNITY EXCELLENCE WHILE ENSURING PONCE INLET CITIZENS OBTAIN THE GREATEST VALUE FOR THEIR TAX DOLLAR.*

**TO:** Taylor Simonds, Special Magistrate  
**FROM:** David Hooker, Code Compliance Manager  
**DATE:** March 9, 2026

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**DATE OF MEETING:** March 23, 2026

---

**Case Number:** 2026-088  
**Address:** 115 Beach Street  
**Alleged Violation:** Maintenance of right of way  
**Property Owner(s):** Thomas & Nichole Tomlinson

**Synopsis of Violation:**

On February 10, 2026, staff observed that vegetation was obstructing the public sidewalk adjacent to the residence, thereby impeding its intended use. Attempts to contact the property owner were unsuccessful. Thus, a courtesy letter was issued, providing the owners ten (10) days to remove the vegetation.

**Timeline of Events:**

- **February 10, 2026** – Staff observed vegetation obstructing the public sidewalk, impeding its intended use. A courtesy notice was issued to the property owners.
- **February 23, 2026** – A reinspection of the property confirmed that the violation remained uncorrected. A formal notice of violation and notice of hearing were issued via certified mail.
- **March 2, 2026** – The property owners received the certified mailing and contacted staff, advising that they will contact their lawn service company to ensure that all vegetation is removed from impeding the sidewalk.

**Recommendation:**

Staff recommends that the property be found in non-compliance. Grant the owner 10 days (on or before April 2, 2026) to remove the vegetation hindering the sidewalk. Furthermore, an administrative fee of \$250 shall be applied per the Town's adopted fee schedule.

Failure to comply by April 2, 2026, this case shall be brought back at the next scheduled hearing date of April 27, 2026, for further adjudication.



**Town of Ponce Inlet**

4300 S. Atlantic Avenue  
Ponce Inlet, FL 32127

(386) 236-2182

Case Number: **CODE2026-000088**

Case Type: **Code Enforcement**

Date Case Established: **02/5/2026**

Compliance Deadline: **03/3/2026**

# Violation Notice

**Owner:** Thomas & Nichole Tomlinson

**Mailing Address**

W3798 Lakeview Park Drive  
Lake Geneva, WI 53147

**Notice of Violation for the following location:**

**Address**

115 BEACH STREET  
PONCE INLET, FL 32127

**Parcel**

6430-00-04-0066

This letter of violation is to inform you that staff has observed a violation at the property, which according to the Volusia County Property Appraisers Office, this property is owned by you located in Ponce Inlet, Florida.

**The violation and how to correct are as follows:**

1 – Vegetation growth over sidewalk impeding pedestrian usage.

**How to correct:**

1 – Vegetation including any soil must be removed from the sidewalk in its entirety, to allow a clear path for pedestrian use.

You are here by cited with the following sections of adopted Town code:

**Code of Ordinance**

**Section 70-6 Maintenance of Right-of-way by owners of abutting improved property.**

(a) Except as otherwise provided in this section, or in a development order or condition of plat approval, the town is responsible for maintaining its rights-of-way. This includes sodding, cutting grass and weeds, and trimming trees and vegetation.

(b) It shall be the duty of all owners of improved real property to properly maintain the unpaved portions of the rights-of-way, including the buffer strips, defined in section 70-81, which abut their property. Grass, weeds, flowers, vines, shrubbery, and any foliage in the buffer strip and unpaved right-of-way abutting the improved real property shall be cut, mowed, and trimmed pursuant to the applicable requirements of the Tree and Native Vegetation Preservation, Buffers and Landscape Requirements of the Land Use and Development Code. Property owners shall trim and maintain the bottom six feet of the trees in the rights-of-way abutting their improved property, measured from the trees' bases at actual grade. Planting of trees and vegetation other than grass is prohibited unless authorized by the town manager or his or her designee pursuant to sections 70-91 and 70-92.

(c) Owners of improved corner lots shall maintain such lots in a manner which prevents obstructions to visibility as described in section 5.6.6. of the Land Use and Development Code.

(d) Every owner of improved property shall remove any refuse or other debris existing within the adjacent



**Town of Ponce Inlet**

4300 S. Atlantic Avenue  
Ponce Inlet, FL 32127

(386) 236-2182

Case Number: **CODE2026-000088**

Case Type: **Code Enforcement**

Date Case Established: **02/5/2026**

Compliance Deadline: **03/3/2026**

# Violation Notice

right-of-way and buffer strip, but the placement of refuse for collection in a manner and in a container as specified by other provisions of this Code is not prohibited.

(e) No person shall remove any tree from any buffers strips or the public right-of-way unless written permission is requested from and approval granted by the town manager or his or her designee.

**Compliance Date:** 03/3/2026

**If you are unable to meet the required compliance date, this case will be referred to the Town's Special Magistrate for a hearing scheduled for March 23, 2026, at 9:30 A.M., located at 4300 South Atlantic Avenue, Ponce Inlet, Florida 32127.**

**If you are found to be in violation of the cited sections of Town code, a daily fine of up to \$250 per day may be imposed. Furthermore, an administrative fee of \$250 shall also be imposed.**

**Both these charges will be recorded into the public records of Volusia County and will constitute a lien of your property, as well as any other property that you own in the state of Florida in accordance with Florida Statutes 162.09(3).**

If you have any questions related to this matter, please feel free to contact my office

Kindest Regards,

David Hooker, CEP  
Code Compliance Manager

Certified Mail

9589-0710-5270-2728-0919-54 – Beach Street, Ponce Inlet, Florida  
9589-0710-5270-2728-0919-61 – Lakeview Park Drive, Lake Geneva, Wisconsin



**Meeting Date:** March 23, 2026

**Agenda Item:** 5-C

## **Report to Code Enforcement Special Magistrate**

**Topic:** Case # 2026-065  
Josh Gale  
4641 South Atlantic Avenue #5070  
Alleged Violation: Failure to renew town issued rental permit.

**Summary:** Staff will provide testimony and evidence regarding the following case.

**Suggested motion:** To be determined by the Magistrate after testimony and evidence has been provided on the case.

**Requested by:** Mr. Mincey, Rental Housing Inspector

**Approved by:** Mr. Disher, Town Manager



**MEMORANDUM**

**TOWN OF PONCE INLET – PLANNING & DEVELOPMENT DEPARTMENT**

*THE TOWN OF PONCE INLET STAFF SHALL BE PROFESSIONAL, CARING, AND FAIR IN DELIVERING COMMUNITY EXCELLENCE WHILE ENSURING PONCE INLET CITIZENS OBTAIN THE GREATEST VALUE FOR THEIR TAX DOLLAR.*

**TO:** Taylor Simonds, Special Magistrate  
**FROM:** Travis Mincey, Rental Housing Inspector  
**DATE:** March 9, 2026

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**DATE OF MEETING:** March 23, 2026

---

**Case Number:** 2026-065  
**Address:** 4641 S Atlantic Ave #5070  
**Alleged Violation:** Failure to renew town issued rental permit  
**Property Owner(s):** Josh Gale

**Synopsis of Violation:**

On October 15, 2025, the town sent a Rental Renewal notice and application via first class mail for renewal of the rental permit issued to Mr. Josh Gale at 4641 S. Atlantic Ave. #5070. An accompanying email was sent the same day advising that renewal documentation was recently mailed out. Attempts to contact the property owner have been unsuccessful resulting in a Notice of Violation/Hearing being sent, providing Mr. Gale with fourteen (14) days to obtain the necessary permit or advise the town the property is no longer being rented.

**Timeline of Events:**

- **October 15, 2025** – Staff mailed the renewal documentation via first-class mail. A follow-up email was sent indicating that the renewal documentation had been mailed, with a deadline of December 12, 2025.
- **January 7, 2026** – A second email was sent noting that the application had not yet been received by the Town.

- **January 28, 2026** – Reminder email sent advising that no application had been received. The Rental Application was attached.
- **February 4, 2026** – A Notice of Violation/Hearing was sent, indicating a compliance date of February 18, 2026.
- **February 24, 2026** – Staff posted the property with a Notice of Violation/Hearing. An affidavit of posting and photographs were taken and placed into the case file.
- **February 12, 2026** – staff left voice mail for owners to call staff to discuss their property being rented.

**Recommendation:**

Staff recommends that the property be found in non-compliance. Grant the owner 10 days (on or before April 2, 2026) to submit a Rental Application to the town or advise the town the property is no longer being rented. Furthermore, an administrative fee of \$250 shall be applied per the Town's adopted fee schedule.

Failure to comply by April 2, 2026, date shall cause this case to be brought back at the next scheduled hearing date of April 27, 2026, for further adjudication.



**Town of Ponce Inlet**

4300 S. Atlantic Avenue  
Ponce Inlet, FL 32127

(386) 267-6676

Case Number: **CODE2026-000065**

Case Type: **Code Enforcement**

Date Case Established: **01/29/2026**

Compliance Deadline: **02/18/2026**

# Violation Notice

**Owner:** Josh Gale

**Mailing Address**

101 N Woodland BLVD #600  
Deland, FL 32720

**Notice of Violation for the following location:**

**Address**

4641 S ATLANTIC AVE #5070  
PONCE INLET, FL 32127

**Parcel**

6419-26-00-5070

This violation letter is to inform you that staff has observed a violation at that the property in which according to the Volusia County Property Appraiser's Office, the property is owned by you located in Ponce Inlet, Florida.

**The violation and how to correct are as follows:**

**Violation:**

1.Failure to renew town issued rental permit.

**How to correct:**

- 1.Apply for and secure the Town's rental permit through the required paperwork, fees and inspections.
- 2.Advise the town that your property is no longer being rented.

You are hereby cited with the following adopted sections of the Town Code.

**Code of Ordinance**

**Section 18-211 – Scope and Applicability**

This article creates a registration and inspection program for all existing and newly constructed residential and nonresidential structures and premises that are held out or offered for rent or lease regardless of whether such property has a current tenant; all owners and occupants of such structures and premises and all property managers and rental agents for such structures and premises shall be subject to this article. The purpose of the registration and inspection program is to ensure properties that are held out for rent to tenants comply with applicable building and life safety codes that apply broadly to properties and structures regardless of rental status. While through this article the town does provide for inspections of property held out for rent or lease to be inspected on a regular basis, the Town has not adopted and does not enforce maintenance standards that are specific to rental properties, and all maintenance codes applied are general in nature and are applicable equally to owner-occupied structures. The town recognizes that the State has expressly preempted local governments in the regulation of "residential tenancies, the landlord tenant relationship, and all other matters regulated by [Chapter 83, Part II, Florida Statutes]." The Town also recognizes that Chapter 83, Part II, Florida Statutes, does not regulate or create standards for the maintenance or inspection of rental properties.

**Code of Ordinance**

**Section 18-213 – Inspections**

All inspections shall be performed according to applicable building, housing, health, and property maintenance codes for which the Town is responsible for enforcement. Existing structures and premises that do not comply with



**Town of Ponce Inlet**

4300 S. Atlantic Avenue  
Ponce Inlet, FL 32127

(386) 267-6676

Case Number: **CODE2026-000065**

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Compliance Deadline: **02/18/2026**

# Violation Notice

applicable provisions of these codes shall be required to be brought into compliance. Inspections shall be performed as follows:

(a). The code compliance manager or designee shall establish a uniform scheduled of inspections of rental properties in a manner consistent with the following parameters.

1. All rental properties shall be inspected on an annual basis, subject to availability of departmental resources and the number of properties requiring inspection;
2. The town shall not take any enforcement action for failure to obtain an annual inspection if such failure is a result of the unavailability of town resources to conduct an annual inspection;
3. At any time, the tenant with lawful possession of an occupied property may request and allow an inspection of such property pursuant to this article; such inspections shall be conducted as expediently as possible based upon the gravity of the complained-of conditions and available resources;
4. The town may require inspections of a property more frequently than annually if the code compliance manager or designee identifies and documents serious threats to the health, safety or welfare of the public and/or occupants of such property;
5. The town may require inspections of a property more frequently than annually if three or more violations of the International Property Maintenance Code, as adopted by the town, or Article XI of this Code of Ordinances are observed and documented by the code compliance manager or designee during any inspection;
6. The town may require inspection of a property more frequently than annually in order to address well-founded, non-anonymous complaints related to building maintenance issues received by the town from the public;
7. When inspections are required more frequently than annually, the code compliance manager or designee shall determine the frequency of necessary inspections based upon the severity of the conditions observed and the actions necessary to cure such conditions; once said conditions are cured, the required inspection period shall return to annual;
8. When inspections are required more frequently than annually, the code compliance manager or designee shall provide written notice to the owner and occupant of the property of the requirement for more frequent inspections and shall include in such notice the reasons for more frequent inspections; and
9. The determination by the code compliance manager or designee that a property requires inspections more frequently than annually may be appealed to the town council upon a written request stating the basis of the appeal mailed or hand-delivered to the attention of the town clerk; in order for such appeal to be timely it must be received by the town within 20 calendar days of the date the code compliance manager or designee issues written notice of the requirement for more frequent inspections.
10. The code compliance manager or designee shall use reasonable efforts to coordinate inspections with the owner and, if an occupied property, the tenant; however, either the owner or tenant of a property is authorized to allow entry of the code compliance manager to perform an inspection;
11. In the event the code compliance manager or designee is unable to coordinate an inspection as set forth



**Town of Ponce Inlet**

4300 S. Atlantic Avenue  
Ponce Inlet, FL 32127

(386) 267-6676

Case Number: **CODE2026-000065**

Case Type: **Code Enforcement**

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Compliance Deadline: **02/18/2026**

# Violation Notice

above, the code compliance manager shall issue a notice to the property owner and, if an occupied property, the tenant providing a reasonable time within which an inspection must be scheduled; if no

inspection is scheduled within the time allowed, the code compliance manager or designee may initiate a code enforcement case related to the failure to allow an inspection pursuant to this article;

(b) Residential rental dwelling units subject to periodic inspection for compliance with state or federal housing standards shall be exempt from the periodic inspection provisions of this article; in order to claim this exemption, the property owner must provide the town with a copy of each current state and/or federal certificate of inspection; notwithstanding this exemption related to routine periodic inspections, nothing herein shall prohibit the town from requiring an inspection based on a well-founded, non-anonymous complaint or upon the inspector's own lawful observation of conditions that establish probable cause of a violation of any applicable safety or maintenance code;

(c) properties upon which no habitable structure exists shall be exempt from the provisions of this article;

(d) Nothing in this article shall be interpreted to authorize the town to enter a property for the purpose of conducting an inspection without obtaining consent for such entry from a person having lawful possession and control of the premises or, otherwise obtaining a warrant for an administrative inspection.

(e) Nothing in this article shall be interpreted to authorize the town to regulate or conduct inspections where authority for such activities has been preempted to the State.

## Code of Ordinance

### Section 18.215 – Violations related to act or omission of tenant

If a notice of violation arises due to acts or omissions of a tenant, and the tenant fails to make the necessary correction, the property owner or agent shall remain responsible for curing such conditions; provided, however, no enforcement action shall be taken against a property owner or agent by the town for failure to remedy a condition caused by a tenant when the tenancy is the subject of a bona fide eviction proceeding against the tenant; the owner or agent of the property which is the subject of an eviction shall be responsible for providing the town with proof of the bona fide eviction proceeding.

## Land Use and Development Code

### Section 3.18.1 – Applicability

(a) Definitions

**(1) Dwelling, Rental.** A residential building leased by its owner to one or more tenants for their use and occupancy on a temporary basis.

**(2) Rental, Rent, rented, or renting.** Includes the arranging of, contracting or advertising for, or the making available of the use of a dwelling unit for a finite period of time for any legal consideration. A rental arrangement is evidence by the existence of a financial, business, barter, or employee / employer relationship between the legal or equitable owner of a dwelling unit and temporary occupant(s). Rental does not include the use of a dwelling unit by family members, friends or house sitters, unless legal consideration is provided to the owner or usual occupant.

## Land Use and Development Code

### Section 3.18.2 – Applicability



**Town of Ponce Inlet**

4300 S. Atlantic Avenue  
Ponce Inlet, FL 32127

(386) 267-6676

Case Number: **CODE2026-000065**

Case Type: **Code Enforcement**

Date Case Established: **01/29/2026**

Compliance Deadline: **02/18/2026**

# Violation Notice

Rental of a dwelling is prohibited unless the owner of a rented dwelling holds a rental permit and fully satisfies all

other requirements of this code. A rental permit allows the rental of a dwelling consistent with the requirements of this section.

## Land Use and Development Code

### Section 3.18.3 – Rental permit application process

- A. A rental permit application is filed with the director, and must include the information required by article 10.
- B. Within five business days, the director shall:
  - 1. Issue the rental permit if it complies with this section, or
  - 2. Return the application as incomplete if it does not include the required information, or
  - 3. Deny the application if it does not comply with this section.

## Land Use and Development Code

### Section 3.18.5 – Fees and application schedule

- A. A person or entity who is applying for or holds a rental permit shall pay an annual rental permit fee in an amount as established from time to time by resolution of the town council upon the filing of the rental permit application.
- B. The fee shall be calculated on the expected cost to the Town of conducting the rental permit program and may include the cost of Town staff and resources assigned to the rental permit program
- C. All holders of a rental permit who continue to rent the subject dwelling shall submit a renewal application containing all the information required for the original rental permit application and pay the required rental permit fee by no later than October 1 of each year, or shall be subject to a late fee to be established by the resolution of the town council.
- D. The rental permit application shall be filed with the Town prior to rental of the subject property.



**Town of Ponce Inlet**

4300 S. Atlantic Avenue  
Ponce Inlet, FL 32127

(386) 267-6676

Case Number: **CODE2026-000065**

Case Type: **Code Enforcement**

Date Case Established: **01/29/2026**

Compliance Deadline: **02/18/2026**

## Violation Notice

Compliance Date: 02/18/2026

**This case has been referred over to the Town's Special Magistrate per Town code for a hearing that is scheduled for March 23, 2026 at 9:30 a.m. located at 4300 South Atlantic Avenue, Ponce Inlet, Florida.**

**If you are found to be in violation of the cited section of code, a daily fine of up to \$250 per day per violation may be imposed, Furthermore, an administrative fee of \$250 shall also be imposed.**

**Both these charges will be recorded into the public records of Volusia County and will constitute a lien of your property, as well as any other property that is owned by you in the state of Florida in accordance with Florida Statutes 162.09(3).**

If you have any questions related to this matter, please do not hesitate to contact my office.

Kind Regards,

Travis Mincey  
Rental Housing Inspector

**Certified Mail**

7022-2410-0002-8689-9228 4641 S Atlantic Ave #507 Ponce Inlet, FL 32127  
7022-2410-0002-8689-9235 101 N Woodland Blvd #600 Deland, FL 32720



**Meeting Date:** March 23, 2026

**Agenda Item:** 5-D

## **Report to Code Enforcement Special Magistrate**

**Topic:** Case # 2026-058  
Barry & Amy Brooks  
4453 South Atlantic Avenue #209  
Alleged Violation: Failure to renew town issued rental permit.

**Summary:** Staff will provide testimony and evidence regarding the following case.

**Suggested motion:** To be determined by the Magistrate after testimony and evidence has been provided on the case.

**Requested by:** Mr. Mincey, Rental Housing Inspector

**Approved by:** Mr. Disher, Town Manager



**MEMORANDUM**

**TOWN OF PONCE INLET – PLANNING & DEVELOPMENT DEPARTMENT**

*THE TOWN OF PONCE INLET STAFF SHALL BE PROFESSIONAL, CARING, AND FAIR IN DELIVERING COMMUNITY EXCELLENCE WHILE ENSURING PONCE INLET CITIZENS OBTAIN THE GREATEST VALUE FOR THEIR TAX DOLLAR.*

**TO:** Taylor Simonds, Special Magistrate  
**FROM:** Travis Mincey, Rental Housing Inspector  
**DATE:** March 9, 2026

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**DATE OF MEETING:** March 23, 2026

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**Case Number:** 2026-058  
**Address:** 4453 S Atlantic Ave #209  
**Alleged Violation:** Failure to renew town issued rental permit  
**Property Owner(s):** Barry & Amy Brooks

**Synopsis of Violation:**

On October 15, 2025, the Town mailed a Rental Permit Renewal Notice and Application via first-class mail to Barry and Amy Brooks for the property located at 4453 S. Atlantic Ave., Unit 209. An accompanying email was sent the same day advising that the renewal documentation had been mailed.

Initial attempts to obtain the completed renewal application were unsuccessful. As a result, a Notice of Violation/Hearing was issued providing Barry and Amy Brooks fourteen (14) days to obtain the required rental permit or notify the Town that the property was no longer being rented.

Subsequent contact was established via email, during which Mr. Brooks advised that the condominium had been listed for sale; however, the sale later fell through. Additional contact was made via telephone, during which Mr. Brooks indicated his intent to reapply for a rental permit for the residence. Mr. Brooks was advised of the pending code enforcement action and the compliance deadline outlined in the Notice of Violation/Hearing.

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**Timeline of Events:**

- **October 15, 2025** – Staff mailed rental permit renewal documentation via first-class mail to the property owners. A follow-up email was sent advising that the renewal documentation had been mailed. The email indicated a renewal deadline of December 12, 2025.
- **January 7, 2026** – Staff sent a second email advising that the Town had not yet received the completed renewal application.
- **January 28, 2026** – An additional email reminder was sent, which included a copy of the Rental Permit Application.
- **February 4, 2026** – A Notice of Violation/Hearing was issued indicating a compliance deadline of February 18, 2026.
- **February 24, 2026** – Staff received an email from Mr. Brooks indicating that the condominium was scheduled to be sold with a closing date of April 30, 2026. Staff sent a follow-up email requesting clarification regarding the property's rental status.
- **March 3, 2026** – Staff spoke with Mr. Brooks via telephone. During the conversation, Mr. Brooks advised that the sale of the property had fallen through and that he intended to again obtain a rental permit for the property. Mr. Brooks stated that he would submit the application by Wednesday, March 4, 2026.

**Recommendation:**

Staff recommends that the property be found in non-compliance. Grant the owner 10 days (on or before April 2, 2026) to submit a Rental Application to the town or advise the town the property is no longer being rented. Furthermore, an administrative fee of \$250 shall be applied per the Town's adopted fee schedule.

Failure to comply by April 2, 2026, date shall cause this case to be brought back at the next scheduled hearing date of April 27, 2026, for further adjudication.



**Town of Ponce Inlet**  
4300 S. Atlantic Avenue  
Ponce Inlet, FL 32127

(386) 267-6676

Case Number: **CODE2026-000058**

Case Type: **Code Enforcement**

Date Case Established: **01/29/2026**

Compliance Deadline: **02/18/2026**

# Violation Notice

**Owner:** Barry & Amy Brooks

**Mailing Address**

1460 Oneco Ave  
Winter Park, FL 32789

**Notice of Violation for the following location:**

**Address**

4453 S ATLANTIC AVE #209  
PONCE INLET, FL 32127

**Parcel**

6313-17-00-2090

This violation letter is to inform you that staff has observed a violation at that the property in which according to the Volusia County Property Appraiser's Office, the property is owned by you located in Ponce Inlet, Florida.

**The violation and how to correct are as follows:**

**Violation:**

1.Failure to renew town issued rental permit.

**How to correct:**

- 1.Apply for and secure the Town's rental permit through the required paperwork, fees and inspections.
- 2.Advise the town that your property is no longer being rented.

You are hereby cited with the following adopted sections of the Town Code.

**Code of Ordinance**

**Section 18-211 – Scope and Applicability**

This article creates a registration and inspection program for all existing and newly constructed residential and nonresidential structures and premises that are held out or offered for rent or lease regardless of whether such property has a current tenant; all owners and occupants of such structures and premises and all property managers and rental agents for such structures and premises shall be subject to this article. The purpose of the registration and inspection program is to ensure properties that are held out for rent to tenants comply with applicable building and life safety codes that apply broadly to properties and structures regardless of rental status. While through this article the town does provide for inspections of property held out for rent or lease to be inspected on a regular basis, the Town has not adopted and does not enforce maintenance standards that are specific to rental properties, and all maintenance codes applied are general in nature and are applicable equally to owner-occupied structures. The town recognizes that the State has expressly preempted local governments in the regulation of "residential tenancies, the landlord tenant relationship, and all other matters regulated by [Chapter 83, Part II, Florida Statutes]." The Town also recognizes that Chapter 83, Part II, Florida Statutes, does not regulate or create standards for the maintenance or inspection of rental properties.

**Code of Ordinance**

**Section 18-213 – Inspections**

All inspections shall be performed according to applicable building, housing, health, and property maintenance codes for which the Town is responsible for enforcement. Existing structures and premises that do not comply with applicable provisions of these codes shall be required to be brought into compliance. Inspections shall be performed



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# Violation Notice

as follows:

(a). The code compliance manager or designee shall establish a uniform scheduled of inspections of rental properties in a manner consistent with the following parameters.

1. All rental properties shall be inspected on an annual basis, subject to availability of departmental resources and the number of properties requiring inspection;
2. The town shall not take any enforcement action for failure to obtain an annual inspection if such failure is a result of the unavailability of town resources to conduct an annual inspection;
3. At any time, the tenant with lawful possession of an occupied property may request and allow an inspection of such property pursuant to this article; such inspections shall be conducted as expediently as possible based upon the gravity of the complained-of conditions and available resources;
4. The town may require inspections of a property more frequently than annually if the code compliance manager or designee identifies and documents serious threats to the health, safety or welfare of the public and/or occupants of such property;
5. The town may require inspections of a property more frequently than annually if three or more violations of the International Property Maintenance Code, as adopted by the town, or Article XI of this Code of Ordinances are observed and documented by the code compliance manager or designee during any inspection;
6. The town may require inspection of a property more frequently than annually in order to address well-founded, non-anonymous complaints related to building maintenance issues received by the town from the public;
7. When inspections are required more frequently than annually, the code compliance manager or designee shall determine the frequency of necessary inspections based upon the severity of the conditions observed and the actions necessary to cure such conditions; once said conditions are cured, the required inspection period shall return to annual;
8. When inspections are required more frequently than annually, the code compliance manager or designee shall provide written notice to the owner and occupant of the property of the requirement for more frequent inspections and shall include in such notice the reasons for more frequent inspections; and
9. The determination by the code compliance manager or designee that a property requires inspections more frequently than annually may be appealed to the town council upon a written request stating the basis of the appeal mailed or hand-delivered to the attention of the town clerk; in order for such appeal to be timely it must be received by the town within 20 calendar days of the date the code compliance manager or designee issues written notice of the requirement for more frequent inspections.
10. The code compliance manager or designee shall use reasonable efforts to coordinate inspections with the owner and, if an occupied property, the tenant; however, either the owner or tenant of a property is authorized to allow entry of the code compliance manager to perform an inspection;
11. In the event the code compliance manager or designee is unable to coordinate an inspection as set forth above, the code compliance manager shall issue a notice to the property owner and, if an occupied property,



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# Violation Notice

the tenant providing a reasonable time within which an inspection must be scheduled; if no

inspection is scheduled within the time allowed, the code compliance manager or designee may initiate a code enforcement case related to the failure to allow an inspection pursuant to this article;

(b) Residential rental dwelling units subject to periodic inspection for compliance with state or federal housing standards shall be exempt from the periodic inspection provisions of this article; in order to claim this exemption, the property owner must provide the town with a copy of each current state and/or federal certificate of inspection; notwithstanding this exemption related to routine periodic inspections, nothing herein shall prohibit the town from requiring an inspection based on a well-founded, non-anonymous complaint or upon the inspector's own lawful observation of conditions that establish probable cause of a violation of any applicable safety or maintenance code;

(c) properties upon which no habitable structure exists shall be exempt from the provisions of this article;

(d) Nothing in this article shall be interpreted to authorize the town to enter a property for the purpose of conducting an inspection without obtaining consent for such entry from a person having lawful possession and control of the premises or, otherwise obtaining a warrant for an administrative inspection.

(e) Nothing in this article shall be interpreted to authorize the town to regulate or conduct inspections where authority for such activities has been preempted to the State.

### Code of Ordinance

#### Section 18.215 – Violations related to act or omission of tenant

If a notice of violation arises due to acts or omissions of a tenant, and the tenant fails to make the necessary correction, the property owner or agent shall remain responsible for curing such conditions; provided, however, no enforcement action shall be taken against a property owner or agent by the town for failure to remedy a condition caused by a tenant when the tenancy is the subject of a bona fide eviction proceeding against the tenant; the owner or agent of the property which is the subject of an eviction shall be responsible for providing the town with proof of the bona fide eviction proceeding.

### Land Use and Development Code

#### Section 3.18.1 – Applicability

(a) Definitions

(1) **Dwelling, Rental.** A residential building leased by its owner to one or more tenants for their use and occupancy on a temporary basis.

(2) **Rental, Rent, rented, or renting.** Includes the arranging of, contracting or advertising for, or the making available of the use of a dwelling unit for a finite period of time for any legal consideration. A rental arrangement is evidence by the existence of a financial, business, barter, or employee / employer relationship between the legal or equitable owner of a dwelling unit and temporary occupant(s). Rental does not include the use of a dwelling unit by family members, friends or house sitters, unless legal consideration is provided to the owner or usual occupant.

### Land Use and Development Code

#### Section 3.18.2 – Applicability

Rental of a dwelling is prohibited unless the owner of a rented dwelling holds a rental permit and fully satisfies all



**Town of Ponce Inlet**  
4300 S. Atlantic Avenue  
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# Violation Notice

other requirements of this code. A rental permit allows the rental of a dwelling consistent with the requirements of this section.

## **Land Use and Development Code**

### **Section 3.18.3 – Rental permit application process**

- A. A rental permit application is filed with the director, and must include the information required by article 10.
- B. Within five business days, the director shall:
  1. Issue the rental permit if it complies with this section, or
  2. Return the application as incomplete if it does not include the required information, or
  3. Deny the application if it does not comply with this section.

## **Land Use and Development Code**

### **Section 3.18.5 – Fees and application schedule**

- A. A person or entity who is applying for or holds a rental permit shall pay an annual rental permit fee in an amount as established from time to time by resolution of the town council upon the filing of the rental permit application.
- B. The fee shall be calculated on the expected cost to the Town of conducting the rental permit program and may include the cost of Town staff and resources assigned to the rental permit program
- C. All holders of a rental permit who continue to rent the subject dwelling shall submit a renewal application containing all the information required for the original rental permit application and pay the required rental permit fee by no later than October 1 of each year, or shall be subject to a late fee to be established by the resolution of the town council.
- D. The rental permit application shall be filed with the Town prior to rental of the subject property.



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Case Number: **CODE2026-000058**

Case Type: **Code Enforcement**

Date Case Established: **01/29/2026**

Compliance Deadline: **02/18/2026**

## Violation Notice

Compliance Date: 02/18/2026

**This case has been referred over to the Town's Special Magistrate per Town code for a hearing that is scheduled for March 23, 2026 at 9:30 a.m. located at 4300 South Atlantic Avenue, Ponce Inlet, Florida.**

**If you are found to be in violation of the cited section of code, a daily fine of up to \$250 per day per violation may be imposed, Furthermore, an administrative fee of \$250 shall also be imposed.**

**Both these charges will be recorded into the public records of Volusia County and will constitute a lien of your property, as well as any other property that is owned by you in the state of Florida in accordance with Florida Statutes 162.09(3).**

If you have any questions related to this matter, please do not hesitate to contact my office.

Kind Regards,

Travis Mincey  
Rental Housing Inspector

Certified Mail

7022-2410-0002-8689-9167 4453 S Atlantic Ave #209 Ponce Inlet, FL 32127  
7022-2410-0002-8689-9150 1460 Oneco Ave Winter Park, FL 32789