



MANATEE COUNTY GOVERNMENT

NEIGHBORHOOD SERVICES DEPARTMENT
Code Enforcement Division • (941) 748-2071

www.mymanatee.org

CERTIFIED MAIL RETURN RECEIPT REQUEST

August 14, 2008

Chris J. and Patricia A. Dowhie
1124 Palma Sola Blvd.
Bradenton, FL 34209

RE: File Number CE2008070283

Dear Property Owner:

It has come to the attention of the Neighborhood Services Department that a pool pump located at 1124 Palma Sola Blvd., Bradenton (DP# 3867500005) is creating a noise disturbance. This constitutes a violation of Ordinance 08-12, Section 2-21-34, Paragraph 1 (Noise Disturbance) of the **Manatee County Noise Ordinance**.

Perhaps you were not previously aware of these regulations/ordinances. However, this letter is intended to give you written notice of such violations. You are required to correct the violation(s) by August 28, 2008. In order to correct the violation(s), please contact me.

If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the enforcement board even if the violation has been corrected prior to the board hearing.

If after August 28, 2008 the violations have not been corrected it will be necessary to schedule a hearing before the Manatee County Code Enforcement Board or Special Magistrate.

In accordance with Florida Statutes, the Code Enforcement Board or Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) exists beyond the date set for compliance or for each day the violation is repeated.

If you require further assistance and or information please contact Chris Jelenc at (941)748-2071 between the hours of 8:00 and 9:00 a.m. Monday through Friday.

Sincerely,

Chris Jelenc
Code Enforcement Officer

MANATEE COUNTY, FLORIDA
SPECIAL MAGISTRATE

File No. CE 2008070283

COUNTY OF MANATEE
Petitioner,
-vs-

CHRIS J & PATRICIA A DOWHIE
Respondent.

To:

CHRIS J & PATRICIA A DOWHIE
1124 PALMA SOLA BLVD
BRADENTON, FL 34209

NOTICE OF HEARING

Pursuant to Chapter 162, Florida Statutes, and the Manatee County Land Development Code, please take notice that a hearing will be held before a Code Enforcement Special Magistrate regarding the Notice of Violation that was previously sent to you. The hearing will be held on **WEDNESDAY, NOVEMBER 26, 2008, at 10:00 A.M.**, at the Manatee County Administrative Complex, 1112 Manatee Ave. W. Bradenton, Florida, Board Chambers, 1st floor.

At this hearing you will be expected to enter a plea of in violation or not in violation. If you enter a plea of in violation, you may be given an opportunity to eliminate the violation short of a fine being imposed. If you enter a plea of not in violation, this matter will be forwarded to the Code Enforcement Board for a hearing on **WEDNESDAY, DECEMBER 10, 2008, at 9:00 A.M.** at the Board Chambers, 1st floor, Manatee County Administrative Complex, 1112 Manatee Ave. W., Bradenton, Florida.

A plea of not in violation may be entered in writing, and may be mailed to Manatee County Code Enforcement Division Post Office Box 1000 Bradenton, Florida 34206. If it is received before the date set for hearing before the Special Magistrate, you will not have to appear at the Special Magistrate hearing, but you should appear at the meeting of the Code Enforcement Board. **IF YOU FILE A WRITTEN PLEA OF NOT IN VIOLATION, YOU WILL NOT RECEIVE A SEPARATE NOTICE OF HEARING FOR THE CODE ENFORCEMENT BOARD.**

If you do not enter a written plea of not in violation and fail to appear at the Special Magistrate hearing, or if your case is forwarded to the Code Enforcement Board and you fail to appear at the Code Enforcement Board meeting, you will be deemed to admit the violation and appropriate penalties may be imposed.

PLEASE GOVERN YOURSELF ACCORDINGLY.
October 8, 2008

MANATEE COUNTY, FLORIDA
Code Enforcement Division

BY:

Chris Jelenc
Chris Jelenc
for C.J.

A person who decides to appeal any decision made by the Special Magistrate or the Code Enforcement Board with respect to any matter considered at a meeting or hearing will need a record of the proceedings, and for such purpose, 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.

7007 2560 0003 3450 7353

PS Form

City, St

CE2008070283X

CJ

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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:

#6 #8 Nov.
CE2008070283X CJ
CHRIS J & PATRICIA A DOWHIE
1124 PALMA SOLA BLVD
BRADENTON, FL 34209

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

10/18/02

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

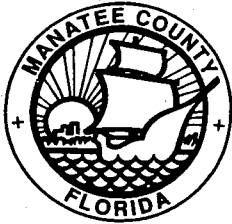
(Transfer from service label)

7007 2560 0003 3450 7353

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540



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NEIGHBORHOOD SERVICES DEPARTMENT
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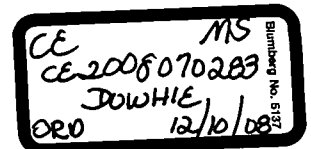
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Chris Jelenc
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MANATEE COUNTY, FLORIDA
SPECIAL MAGISTRATE

File No. CE 2008070283

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Petitioner,

-vs-

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Respondent.

To:

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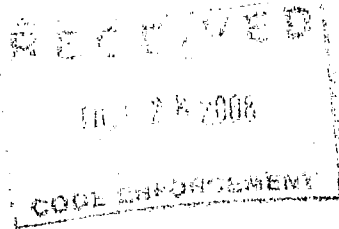
October 8, 2008

MANATEE COUNTY, FLORIDA
Code Enforcement Division

BY:


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Oct 23, 08

To Whom it May Concern,
This letter is written
in response to a notice of
hearing we received.

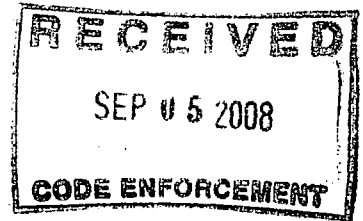
File No CE 2008070283

County of Manatee Petitioner -vs-
Chris J & Patrice A Dowdie Respondent

We are entering a plea of
not in violation we will
attend the Code Enforcement Board
hearing on Wednesday December
10 2008 at 9am.

Sincerely
Pat Dowdie
1124 Palma Sola Blvd
Bradenton FL 34209

RE:CE2008070283



Dear Mr. Jelenc,

This letter responds to your August 14, 2008 letter pertaining to the pool pump located at 1124 Palma Sola Boulevard.

I installed a new pool pump in April at a cost of \$450. It ran for a month before my neighbor, Mrs. Zisliss, complained. Upon learning of Mrs. Zisliss' complaint, I ran the pump at a slow speed but, unfortunately, could not maintain the pool with it at that speed, so the pool turned green. Before increasing the pump speed, I first purchased additional chemicals and paid a premium price to have another professional resolve the issue. Unfortunately, despite significant effort and cost on my part, with the pump running at low speed the pool stayed green. I also made a Styrofoam box to baffle the sound but the motor got too hot. At this point, I contacted Manatee County and was told I could run my pump at full speed for 3 hours a day. I ran the pump from 9 a.m. to 12 Noon each day but, again, it was not enough to maintain the pool, so it turned green. I made further expenditures for chemicals and again paid a pool professional, who was kind enough to give his number to Mrs. Zisliss so she could contact him regarding any issues with the pool pump. Sad to say, despite my following County instructions, and the offer of the pool maintenance representative, Mrs. Zisliss was still not satisfied and trespassed my property to turn off the pump.

Following Mrs Zisliss' trespass, in evidently yet another waste of money, I purchased a third smaller pump for \$395, which I again paid a pool professional to install. My neighbor shut off that pump as well, although it ran in a lawful manner, and certainly in a manner and at a level similar to every other pool owner in Florida (albeit I recognize that not everyone lives next to someone who lives to complain). I even made a different styrofoam baffle which I left in place.

After what I can only assume was a complaint to the County by Mrs Zisliss, the County contacted me and, during that conversation, I was told that Code Enforcement had no issues with the pump, but County Commissioners wanted me cited anyway. I have to question why a citation would be in order following the significant efforts I took (in accordance with County instructions) and in light of Code Enforcement advising me that it had no issue with the pump. I am a tax payer and a resident of Manatee County, just as Mrs. Zisliss is, and, certainly, I have the right to be treated fairly by County Commissioners regardless of the person complaining.

Sincerely,

Chris Dowhie

A large, stylized handwritten signature in black ink, starting with a large 'C' and ending with a long, sweeping horizontal stroke.

ORDINANCE NO. 08-12

FILED FOR RECORD
R. B. SHORE

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, 2008 APR -4 AM 8:52
REGULATING AND PROHIBITING THE EMISSION OF
HARMFUL NOISE; AMENDING ARTICLE II OF
CHAPTER 2-21 OF THE MANATEE COUNTY CODE; CLERK OF THE CIRCUIT COURT
DECLARING SAID NOISES TO BE DETRIMENTAL TO MANATEE CO. FLORIDA
THE PUBLIC HEALTH, COMFORT, CONVENIENCE,
SAFETY, WELFARE AND PROSPERITY OF THE
RESIDENTS OF SAID COUNTY; ESTABLISHING AND
DEFINING CERTAIN TERMS; ESTABLISHING AND
PROVIDING FOR CERTAIN EXCEPTIONS;
PROHIBITING THE MAKING, CAUSING OR ALLOWING
OF SAID NOISES WHICH CAUSE A NOISE
DISTURBANCE OR EXCEED CERTAIN SOUND LEVELS;
PROVIDING FOR TECHNIQUES TO BE USED IN
MEASURING LEVELS OF SAID NOISE AND THE
ESTABLISHMENT OF SAID LIMITS; PROVIDING FOR
PENALTIES; PROVIDING FOR ADDITIONAL CIVIL
REMEDIES AND CITATIONS; PROVIDING FOR THE
REPEAL OF ORDINANCE 99-20; PROVIDING FOR
SPECIAL PERMITS; PROVIDING FOR APPEALS OF
SPECIAL PERMITS; PROVIDING FOR SEVERABILITY;
AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the making and creation of excessive and unusually loud noises within
Manatee County, Florida, is a condition which has existed for some time; and

WHEREAS, the said noises and the amount, intensity, duration and vibration of said
noises are increasing within the area of said County as population, industry and tourism grows;
and

WHEREAS, the residents of said County have a right to an environment free from
excessive noise;

WHEREAS, the making and creation of said noises are prolonged, unusual and
unnatural in their time, place and use effect and are a detriment to the public health, comfort,
convenience, safety, welfare and prosperity of the residents of said County; and

WHEREAS, as a matter of legislative determination and public policy, the Board of County Commissioners finds it in the public interest for the provisions and prohibitions hereinafter contained and enacted; and

WHEREAS, it is further declared that the provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the purpose of securing and promoting the public health, comfort, safety, welfare and prosperity of the inhabitants of said County; and

WHEREAS, it is the intent of this Ordinance to prohibit the use or operation of any radio receiving set, "boom box," musical instrument, television, phonograph, tape or compact disc player, loudspeaker or any other devise for the production or reproduction of sound in such manner as to cause a noise disturbance; and

WHEREAS, it is the intent of this Ordinance that it shall work harmoniously with existing ordinances and state statutes regulating noise emissions and shall be an additional regulation to those pre-existing ordinances and statutes; and

WHEREAS, it is the intent of this ordinance to repeal prior Ordinance No. 99-20, but to incorporate many of the provisions contained in that ordinance along with several new provisions included as a result of the experience of enforcing the current ordinance for the last eight (8) years; and

WHEREAS, it is not the intent of this Ordinance to interfere with the individual rights to freedom of speech or religion.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. Amendment to Code of Laws. The Manatee County Code of Laws is hereby amended to substitute the following as Article II of Chapter 2-21:

ARTICLE II. NOISE

Sec. 2-21-31. Terminology; Definitions. All terminology used in this article not defined below shall be defined according to applicable publications of the American National Standards Institute (ANSI) or the American Society for Testing and Materials (ASTM) or their successor bodies.

A-weighted sound level (dBA): The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated "dBA."

Ambient Noise: The surrounding or steady background noise in a particular location as distinct from the specific noise being measured.

Commercial area: Land used primarily for the sale of merchandise or goods, or for the performances of a service, or for office or clerical work.

Construction activity: Any site preparation, assembly, erection, substantial repair, alteration, or improvement of realty, whether publicly or privately owned, and whether above ground or below ground.

Decibel (dB): The practical unit of measurement for sound pressure level; the number of decibels of a measured sound is equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the sound pressure of the measured sound to the sound pressure of a standard sound (twenty (20) micropascals); abbreviated "dB."

Emergency: Any occurrence or set of circumstances involving actual or imminent physical trauma to human beings or living creatures or property damage which necessitates immediate action.

Emergency work: Any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency, including work necessary to restore property to a safe condition following an emergency.

Industrial area: Land use which is primarily for manufacturing, processing or an airport.

Multifamily dwellings: A building designed or used exclusively for residential occupancy by two (2) or more families.

Noise: Any sound which annoys or disturbs humans or causes or tends to cause an adverse psychological effect on humans. "Noise" includes low frequency vibrations, such as caused by amplification of bass instrumental sounds.

Noise disturbance: Sound which (a) is or may be harmful or injurious to the health or welfare of a person with normal sensitivities, or (b) significantly interferes with the enjoyment or normal conduct of life, property or outdoor recreation, or (c) causes noise pollution

Noise pollution shall mean the presence of noise in an excessive or disturbing amount or of such duration, wave frequency or intensity as to be injurious to human or animal life or property.

Park land: Land that is used primarily for public recreational activities.

Person: Any individual, natural person, public or private corporation, firm, association, joint venture, partnership, or any other entity whatsoever or any combination of such, jointly and severally.

Public right-of-way: Any street, avenue, boulevard, highway, sidewalk or alley or similar place normally accessible to the public which is owned or controlled by a governmental entity.

Public space: Any real property or structure thereon normally accessible to the public which is owned or controlled by a governmental entity.

Pure tone: Any sound which can be distinctly heard as a single pitch or a set of single pitches. For the purposes of measurement, a pure tone shall exist if the one-third octave band sound pressure level in the band with the tone exceeds arithmetic value the sound pressure levels of the two (2) contiguous one-third octave bands by five (5) dB.

Real property line:

- (a) The imaginary line including its vertical extension that separates one parcel of real property from another; or
- (b) The vertical and horizontal boundaries of a dwelling unit that is one unit in a multi-dwelling-unit building.

Receiving land: Land area neighboring or in the vicinity of a sound source and on or at which the sound emanating from the sound source is audible to the normal human ear.

Residential: Land use that is primarily for living and sleeping or park land or hospitals or schools or nursing homes or the individual plots within a mobile home park assigned by the owner of the park or any land use that is not commercial or industrial.

Short durations: Any sound with a duration of less than one minute.

Sound: An oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that causes compression and rarefaction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

Sound analyzer: A device for measuring the octave band level of a sound as a function of frequency.

Sound level: The weighted sound pressure level obtained by the use of a metering characteristic and weighting A, B or C as specified in the American National Standards Institute specifications for sound level meters ANSI S1.4-1971, or in successor publications. If the weighting employed is not indicated, the A-weighting shall apply.

Sound level meter: An instrument which includes a microphone, amplifier, RMS detector, integrator or time averager, output meter, and weighting networks used to measure sound pressure levels. The output meter reads sound pressure level when properly calibrated, and the instrument is of type 2 or better, as specified in the American National Standards Institute publication S1.4-1972 or its successor publication.

Sound pressure: The instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space, as produced by the presence of energy.

Sound pressure level: Twenty (20) times the logarithm to the base ten (10) of the ratio of the RMS sound pressure to the reference pressure of twenty (20) micronewtons per square meter ($20 \times 10^{-6} \text{N/m}^2$). The sound pressure level is expressed in decibels.

Sec. 2-21-32. Area of applicability. This article shall be applicable to and embrace the unincorporated areas of the county.

Sec. 2-21-33. Exceptions. The following activities or sources are exempt from the requirements of this article:

- (1) The emission of sound for the purpose of alerting persons to the existence of an emergency, or in the performance of emergency work.
- (2) Between the hours of 7:00 a.m. and 11:00 p.m., ceremonial or traditional activities or events, including the sounding of church bells and the normal sounds of organized sporting and cultural events, but specifically not including music or other amplified sounds performed or played at volumes or vibrations that violate standards of this article.
- (3) Operation of equipment or conduct of activities normal to residential or agricultural communities as set forth herein:

- | | <i>Description</i> | <i>Hours of Operations</i> |
|-----|--|----------------------------|
| (a) | lawn care, soil cultivation, domestic power tools, lawn mowers, maintenance of trees, hedges, gardens, saws and tractors, street sweepers, mosquito fogging, tree trimming and limb chipping and other normal community operations | 7:00 a.m. to 10:00 p.m. |
| (b) | operation of equipment for solid waste and recycling collection in or adjacent to residential uses | 6:00 a.m. to 6:00 p.m. |
| (c) | operation of equipment for solid waste collection in nonresidential locations | 4:00 a.m. to 10:00 p.m. |
- (4) Operation of manufacturing in areas zoned for such activities and which do not create a noise disturbance on any properties not designated for such activities.
- (5) Usual noises of construction and operation of construction equipment between the hours of 7:00 a.m. to 8:00 p.m.
- (6) Usual engine noises of traffic and motor vehicles on the public right-of-way.
- (7) Single family residential air-conditioning units when in reasonable mechanical condition operating with the standard noise and vibration control systems typically provided by the manufacturer. A unit is presumed to be in reasonable mechanical condition if it meets the noise specifications contained in the Air Conditioning and Refrigeration Institute's ("ARI") Applied Directory of Certified Product Performance Variable Air Volume terminals. See <http://www.aridirectory.org/ari/vav.php>.

Sec. 2-21-34. Prohibited acts. The occurrence of the conditions, acts or omissions as described in subsections (1) or (2) of this section shall constitute a violation of this article. Requirements in any one of said subsections stand alone. Measurements described in subsection (2) shall constitute *prima facie* evidence of a violation of this article. However, such measurements are

not necessary for enforcement of this article, *i.e.*, neither sound measurements as provided in subsection (2) nor any other type of sound measurement are necessary to prove a violation of subsection (1) of this section.

- (1) *Noise disturbance.* Notwithstanding any other provision of this article, and in addition thereto, it shall be unlawful for any person to make or continue, or cause or permit to be made or continued, any noise disturbance, as defined in section 2-21-31.

(a) *Standards.* The standards to be considered in determining whether a violation of subsection (1) of this section exists may include but shall not be limited to the following:

1. The volume of the noise.
2. The intensity of the noise.
3. Whether the nature of the noise is usual or unusual.
4. The volume and intensity of the ambient noise, if any.
5. The proximity of the noise to residential sleeping facilities.
6. The nature and zoning of the area from which the noise emanates.
7. The nature and zoning of the receiving land.
8. The time of the day or night the noise occurs.
9. The duration of the noise.
10. Whether the noise is produced by a commercial or noncommercial activity.

(b) *Enforcement.* Enforcement does not depend on any minimum number of standards being met.

(c) *Persons affected.* Persons affected may include residents, passersby, law enforcement or code enforcement officials.

- (2) *Maximum permissible sound levels.*

(a) *Sound.* No person shall operate or cause to be operated, from any source, sound which, when measured at the property line of the property where the sound is being generated, exceeds:

1. Sixty (60) dBA during the hours between 7:00 a.m. and 10:00 p.m. at the property line of the noise source.
2. Fifty-five (55) dBA during the hours between 10:00 p.m. and 7:00 a.m. at the property line of the noise source.
3. Sixty-five (65) dBA if the receiving land is a commercial area.

4. Eighty (80) dBA if the receiving land is industrial.

(b) *Correction for character of sound.* For any source of sound which emits a pure tone, the maximum sound level limits set forth in subsection (2)(a) shall be reduced by five (5) dBA. For any source of sound which is of short duration and is nonrepetitive, the maximum sound level limits set forth in subsection (2)(a) shall be increased by ten (10) dBA from 7:00 a.m. to 10:00 p.m.

(c) *Correction for ambient noise.* Corrections for ambient noise should be made in accordance with applicable ASTM standards.

(d) *Methods of measurements.*

1. The measurement of sound shall be made with a decibel or a sound level meter operating on the A-weighted scale of any standard design and quality meeting the standards prescribed by the American National Standards Association. The instruments shall be maintained in calibration and good working order. Measurements recorded shall be taken so as to provide a proper representation of the sound source. The microphone used during measurement shall be positioned so as to not to create any unnatural enhancement or diminution of the measured sound. A wind-screen for the microphone shall be used when required. Traffic, aircraft, and other background ambient sounds shall not be considered in taking measurements except where such ambient sound interferes with the primary noise being measured.
2. The measurement shall be made at or beyond the real property line of the property on which such sound is generated or on the receiving land, as appropriate, approximately five (5) feet above ground.

Sec. 2-21-35. Enforcement and penalties. Any person or entity violating any of the provisions of this article shall be prosecuted in the same manner as misdemeanors are prosecuted. Such violations shall be prosecuted in the name of the State of Florida in a court having jurisdiction of misdemeanors by the prosecuting attorney thereof and, upon conviction, shall be punished by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment in the county jail not to

exceed sixty (60) days or by both such fine and imprisonment. Each incident or separate occurrence of an act that violates this article shall be deemed a separate offense.

Sec. 2-21-36. Civil remedies and Citations. In addition to the criminal penalties provided in section 2-21-35, the Board of County Commissioners is authorized to institute any appropriate action or proceeding, including suit for injunctive relief, as may be necessary, in order to prevent or abate violations of this article. Citations may also be issued to enforce this article as provided in section 2-2-25 of this code.

Sec. 2-21-37. Special Permits. Special permits for prospective activities that will exceed the maximum permissible noise levels permitted by this section may be obtained by completed application to the Manatee County Administrator or his designee. Such special permit shall not be unreasonably withheld so long as the prospective activity will not adversely affect the health, safety, and welfare of nearby residents. The administrative determination shall be made within ten (10) business days of application, or the subject activity shall be deemed permitted.

Sec. 2-21-38. Appeals. Any person denied a Special Permit may file an administrative appeal to a Manatee County Hearing Officer in accordance with Sec. 2-2-107 *et seq.* of this code.

Section 2. Severability. If any section, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 3. Repeal. Ordinance 99-20 is hereby repealed.

Section 4. Codification. The publisher of the County's Code of Laws, the Municipal Code Corporation, is directed to incorporate this division into the Code of Ordinances where indicated.

Section 5. Effective Date. This Ordinance shall take effect immediately upon filing with the Department of State.

PASSED AND DULY ADOPTED, in open session, with a quorum present and voting,
the 25TH day of MARCH, 2008.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: [Signature]

Chairman

Attest:

R.B. SHORE
CLERK OF THE CIRCUIT COURT

By: [Signature]



STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 26TH day of MARCH, 2008

R.B. SHORE
Clerk of Circuit Court

By: [Signature] D.C.



ENVIRONMENTAL SAFETY CONSULTANTS, INC.

September 22, 2008

Ms. Selma Zislis
Owner
SELMA ZISLIS, OWNER
1126 Palma Sola Boulevard
Bradenton, Florida 34209

Re: Report of Results, Sound Level Testing, Zislis Residence
1126 Palma Sola Boulevard, Bradenton, Florida

Dear Ms. Zislis:

Environmental Safety Consultants, Inc. (ESC) is pleased to submit this Report of Results for the Sound Level Testing to you, Selma Zislis, Owner (SZO). This project was completed at SZO's above-referenced Residence in accordance with ESC's Professional Services Agreement of September 15, 2008. The project involved determining sound level readings outside SZO's Master Bedroom window to determine the decibel level from the neighbor's pool pump.

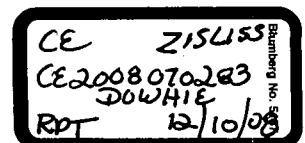
Mr. John Balzer (ESC's Environmental Technician) pre-calibrated a Quest Model 2900 Sound Level Meter then used it to record sound levels outside SZO's Master Bedroom on September 18, 2008 at approximately 1530 hours. All sound levels were recorded in decibels on the A-weighted scale (dBA). Readings of 55.2, 60.9, 63.2, and 60.68 dBA were recorded along SZO's Master Bedroom/Bathroom and Garage, while readings of 63.0 and 65.5 dBA were recorded at the property line along the fence.

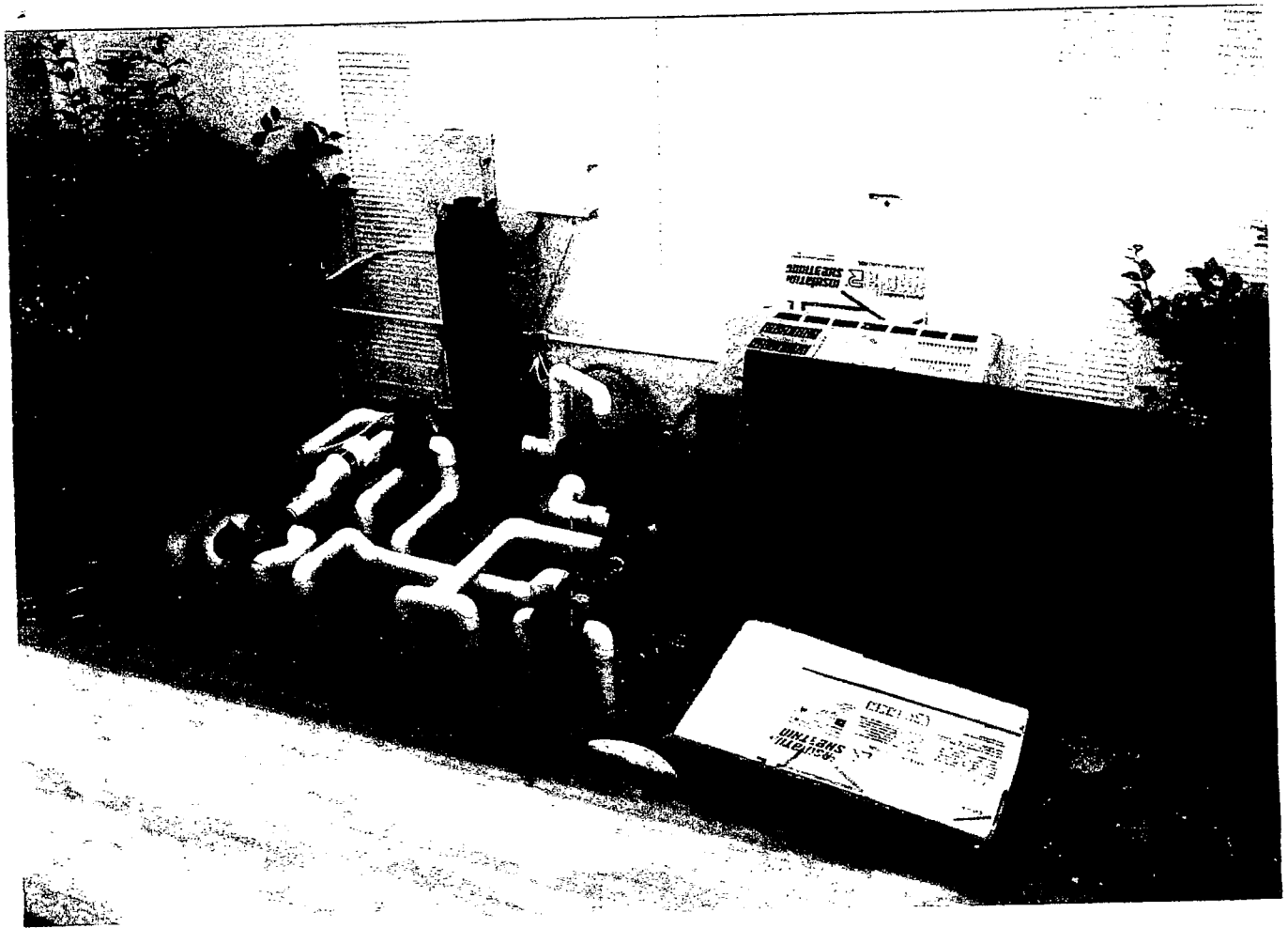
Please advise of any questions or clarifications. Thank you for the opportunity to complete this project.

Singer
INCORPORATED
ENVIRONMENTAL SAFETY CONSULTANTS, INC.

Scott A. Russell, MS, CFI No. CP 7874
Principal Scientist & President

Project No. 1094-0001





ARTICLE II. NOISE*

***Editor's note:** Ord. No. 99-20, adopted April 20, 1999, was amended by Ord. No. 99-54, adopted Oct. 19, 1999, to add provisions to repeal Ord. Nos. 81-3 and 87-34 from which Art. II, §§ 2-21-31–2-21-37 derived. Similar subject matter adopted by Ord. No. 99-20 has been codified as superseding §§ 2-21-31–2-21-37 and set out as §§ 2-21-31–2-21-36.

Cross references: Noise from mining operations, § 2-20-33(m); off-street vehicle noise, § 2-22-56 et seq.; planning and development, Ch. 2-25.

Sec. 2-21-31. Terminology; definitions.

All terminology used in this article not defined below shall be defined according to applicable publications of the American National Standards Institute (ANSI) or its successor body.

A-weighted sound level: The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated "dBA."

Commercial area: Land used primarily for the sale of merchandise or goods, or for the performances of a service, or for office or clerical work.

Construction activity: Any site preparation, assembly, erection, substantial repair, alteration, or improvement of realty, whether publicly or privately owned, and whether above ground or below ground.

Decibel (dB): The practical unit of measurement for sound pressure level; the number of decibels of a measured sound is equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the sound pressure of the measured sound to the sound pressure of a standard sound (twenty (20) micropascals); abbreviated "dB."

Emergency: Any occurrence or set of circumstances involving actual or imminent physical trauma to human beings or living creatures or property damage which necessitates immediate action.

Emergency work: Any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency, including work necessary to restore property to a safe condition following an emergency.

Industrial area: Land use which is primarily for manufacturing, processing or an airport.

Multifamily dwellings: A building designed or used exclusively for residential occupancy by two (2) or more families.

Noise: Any sound which annoys or disturbs humans or causes or tends to cause an adverse psychological effect on humans. "Noise" includes low frequency vibrations, such as caused by amplification of bass instrumental sounds.

Noise disturbance: Sound which (a) is or may be harmful or injurious to the health or welfare of a reasonable person with normal sensitivities, or (b) unreasonably interferes with the enjoyment or normal conduct of life, property or outdoor recreation, or (c) causes noise pollution, defined as follows:

"Noise pollution" shall mean the presence of noise in excessive or unnecessary amount or of such duration, wave frequency or intensity as to be injurious to human or animal life or property; or which unreasonably interferes with the comfortable enjoyment or normal activities of

life or property, or other conduct of business.

Parkland: Land that is used primarily for public recreational activities.

Person: Any individual, natural person, public or private corporation, firm, association, joint venture, partnership, or any other entity whatsoever or any combination of such, jointly and severally.

Public right-of-way: Any street, avenue, boulevard, highway, sidewalk or alley or similar place normally accessible to the public which is owned or controlled by a governmental entity.

Public space: Any real property or structure thereon normally accessible to the public which is owned or controlled by a governmental entity.

Pure tone: Any sound which can be distinctly heard as a single pitch or a set of single pitches. For the purposes of measurement, a pure tone shall exist if the one-third octave band sound pressure level in the band with the tone exceeds arithmetic value the sound pressure levels of the two (2) contiguous one-third octave bands by five (5) dB.

Real property line:

(a) The imaginary line including its vertical extension that separates one parcel of real property from another; or

(b) The vertical and horizontal boundaries of a dwelling unit that is one unit in a multi-dwelling-unit building.

Receiving land: Land area neighboring or in the vicinity of a sound source and on or at which the sound emanating from the sound source is audible to the normal human ear.

Residential: Land use that is primarily for living and sleeping or parkland or hospitals or schools or nursing homes or the individual plots within a mobile home park assigned by the owner of the park or any land use that is not commercial or industrial.

Short durations: Any sound with a duration of less than one minute.

Sound: An oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that causes compression and rarefaction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

Sound analyzer: A device for measuring the octave band level of a sound as a function of frequency.

Sound level: The weighted sound pressure level obtained by the use of a metering characteristic and weighting A, B or C as specified in American National Standards Institute specifications for sound level meters ANSI S1.4-1971, or in successor publications. If the weighting employed is not indicated, the A-weighting shall apply.

Sound level meter: An instrument which includes a microphone, amplifier, RMS detector, integrator or time averager, output meter, and weighting networks used to measure sound pressure levels. The output meter reads sound pressure level when properly calibrated, and the instrument is of type 2 or better, as specified in the American National Standards Institute publication S1.4-1972 or its successor publication.

Sound pressure: The instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space, as produced by the presence of energy.

Sound pressure level: Twenty (20) times the logarithm to the base ten (10) of the ratio of the RMS sound pressure to the reference pressure of twenty (20) microneutons per square meter ($20 \times 10^{-6} \text{ N/m}^2$). The sound pressure level is expressed in decibels.

(Ord. No. 99-20, § 1, 4-20-99; Ord. No. 99-54, § 1.a., 10-19-99)

Sec. 2-21-32. Area of applicability.

This article shall be applicable to and embrace the unincorporated areas of the county.

(Ord. No. 99-20, § 6, 4-20-99; Ord. No. 99-54, § 1.a., 10-19-99)

Sec. 2-21-33. Exceptions.

The following activities or sources are exempt from the requirements of this article:

- (1) The emission of sound for the purpose of alerting persons to the existence of an emergency, or in the performance of emergency work.
- (2) Between the hours of 7:00 a.m. and 11:00 p.m., ceremonial or traditional activities or events, including the sounding of church bells and the normal sounds of organized sporting and cultural events, but specifically not including music or other amplified sounds performed or played at volumes or vibrations that violate standards of this article.
- (3) Operation of equipment or conduct of activities normal to residential or agricultural communities as set forth herein:

TABLE INSET:

	Description	Hours of Operation
a.	Lawn care, soil cultivation, domestic power tools, lawn mowers, maintenance of trees, hedges, gardens, saws and tractors, street sweepers, mosquito fogging, tree trimming and limb chipping and other normal community operations	7:00 a.m. to 10:00 p.m.
b.	Operation of equipment for solid waste and recycling collection in or adjacent to residential uses	6:00 a.m. to 6:00 p.m.
c.	Operation of equipment for solid waste collection in nonresidential locations	4:00 a.m. to 10:00 p.m.

- (4) Operation of manufacturing in areas zoned for such activities and which do not create a noise disturbance on any properties not designated for such activities.

- (5) Usual noises of construction and operation of construction equipment between the hours of 7:00 a.m. to 9:00 p.m.

(Ord. No. 99-20, § 2, 4-20-99; Ord. No. 99-54, § 1.a., 10-19-99)

Sec. 2-21-34. Prohibited acts.

The occurrence of the conditions, acts or omissions as described in subsections (1) or (2) of this section shall constitute a violation of this article. Requirements in any one of said subsections stand alone. Measurements described in subsection (2) shall constitute prima facie evidence of violation of this article. However, such measurements are not necessary for enforcement of this article, i.e., neither sound measurements as provided in subsection (2) nor any other type of sound measurement are necessary to prove a violation of subsection (1) of this section.

(1) *Noise disturbance.* Notwithstanding any other provision of this article, and in addition thereto, it shall be unlawful for any person to make or continue, or cause or permit to be made or continued, any noise disturbance, as defined in section 2-21-31.

a. *Standards.* The standards to be considered in determining whether a violation of subsection (1) of this section exists may include but shall not be limited to the following:

1. The volume of the noise.
2. The intensity of the noise.
3. Whether the nature of the noise is usual or unusual.
4. The volume and intensity of the background noise, if any.
5. The proximity of the noise to residential sleeping facilities.
6. The nature and zoning of the area from which the noise emanates.
7. The nature and zoning of the receiving land.
8. The time of the day or night the noise occurs.
9. The duration of the noise.
10. Whether the noise is produced by a commercial or noncommercial activity.

(2) *Maximum permissible sound levels.*

a. *Sound.* No person shall operate or cause to be operated, from any source, sound which, when measured at the property line of the property where the sound is being generated, exceeds:

1. Fifty-five (55) dBA during the hours between 7:00 a.m. and 10:00 p.m. at the property line of the noise source.
2. Fifty (50) dBA during the hours between 10:00 p.m. and 7:00 a.m. at the property line of the noise source.
3. Seventy-five (75) dBA if the receiving land is industrial.

b. *Correction for character of sound.* For any source of sound which emits a pure tone, the maximum sound level limits set forth in subsection (2)a. shall be reduced by five (5) dBA. For any source of sound which is of short duration and is nonrepetitive, the maximum sound level limits set forth in subsection (2)a. shall be increased by ten (10) dBA from 7:00 a.m. to 10:00 p.m.

c. *Methods of measurements.*

1. The measurement of sound shall be made with a decibel or a sound level meter operating on the A-weighted scale of any standard design and

quality meeting the standards prescribed by the American National Standards Association. The instruments shall be maintained in calibration and good working order. Measurements recorded shall be taken so as to provide a proper representation of the sound source. The microphone used during measurement shall be positioned so as to not to create any unnatural enhancement or diminution of the measured sound. A wind-screen for the microphone shall be used when required. Traffic, aircraft, and other background sounds shall not be considered in taking measurements except where such background sound interferes with the primary noise being measured.

2. The measurement shall be made at or beyond the real property line of the property on which such sound is generated or on the receiving land, as appropriate, approximately five (5) feet above ground.

(Ord. No. 99-20, § 3, 4-20-99; Ord. No. 99-54, § 1.a., 10-19-99)

Sec. 2-21-35. Enforcement and penalties.

Date: Wed, 10 Dec 2008 07:34:31 AM EST

From: "chris dowhie" <cdowhie@usa.net>

To: "chris" <cdowhie@usa.net>

Subject:

Payee Report - YTD

1/1/2008 through 12/10/2008

Date Account Num Description Memo Category Tag Clr Amount

2/22/2008 CAAD-CHASE 9212 Joel Krikke FLA:OPER c -500.00

7/14/2008 CAAD-CHASE 9230 KRIKKE FLA:OPER c -340.67

9/16/2008 CAAD-CHASE 9236 KRIKKE FLA:OPER -888.00

10/27/2008 CAAD-CHASE 9240 KRIKKE FLA:OPER -618.00

1/1/2008 - 12/10/2008 -2,346.67 -2,346.67 -2,346.67 -2,346.67 -2,346.67 -2,346.67 -
2,346.67 -2,346.67

TOTAL INFLOWS 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00

TOTAL OUTFLOWS -2,346.67 -2,346.67 -2,346.67 -2,346.67 -2,346.67 -2,346.67 -2,346.67 -
2,346.67

NET TOTAL -2,346.67 -2,346.67 -2,346.67 -2,346.67 -2,346.67 -2,346.67 -2,346.67 -
2,346.67

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found in Message Search

Message 2 of 18 (OLD)

<	>	Delete	Reply	Reply All	Forward	Inline	.
Move To:		Trash		Submit as Spam		Close	

Date: Fri, 25 Jul 2008 08:44:38 PM EDT

From: "Pool Supply Pros" <support@poolsupplypros.com> [Add to Address Book](#) [Block Sender](#)
[Allow Sender](#)

To: "chris dowhie" <cdowhie@usa.net>

Subject: Order Process [Allow Subject](#)[More Details](#)[Print Preview](#)

Pool Supply Pros

Order Number: 10614556

Detailed Invoice: https://poolsupplypros.com/account_history_info.php?order_id=10614556

Date Ordered: Friday 25 July, 2008

Products

There will be at least 1 packages shipped.

Shipment Number 1 - UPS - Ground - 11.310

1 x Magnum - Replacement Motor - UST1152

Tax 6.5%

Price Per Item - \$139.95

Total Without Tax - \$139.95

Total Including Tax - \$139.95

Sub-Total: \$139.95

Tax: \$9.10

Handling Fee: \$5.00

Ground: \$11.31

Grand Total: \$165.36

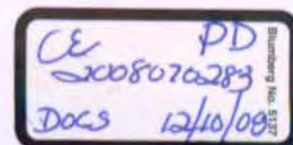
Delivery Address

chris dowhie
1124 palma sola blvd
bradenton, FL 34209
United States

Billing Address

<http://www.netaddress.com/tpl/Message/323UHYSIS/SearchRead>

12/9/2008



LEISURELIVING 800-356-3025 NY \$316.94 05/11/2008

PLATINUM CARD® - 13002

TRANSACTION DESCRIPTION: LEISURELIVING 800-356-3025 NY**DOING BUSINESS AS:** ISLAND POOLS**MERCHANT TYPE:** HOME FURN ACCESSORS**Transaction Date:** 05/11/2008**Charge:** \$316.94**Reference #:** 320081340165432072**Merchant Number:** 6314217795**Merchant Address:** 1130 NIAGARA ST
BUFFALO, NY 14213-1714 USA [Print This Screen](#)[CLOSE](#)

Net@ddress[®] by USA.NET[®]Folder: Inbox
found in Message Search

Message 4 of 18 (OLD)

<	>	Delete	Reply	Reply All	Forward	Inline
Move To:		Trash	Submit as Spam		Close	

Date: Wed, 07 May 2008 01:35:23 PM EDT**From:** "Poolcenter" <ORDERSTATUS@POOLCENTER.COM> [Add to Address Book](#)
[Block Sender](#) [Allow Sender](#)**To:** cdowhie@usa.net**Subject:** Confirmation for Order # 1191519 [Allow Subject](#)[More Details](#)[Print Preview](#)

Thank you for ordering from Poolcenter.com. Your web order #1191519 for \$97.94 was received on 5/7/2008 at 1:35:18 PM EST. Some items require 1-2 business days to process and ship. Obscure items or parts may require additional processing time, or ship from different locations. Our products ship from many different locations around the country.

ITEM# DESCRIPTION QTY TOTAL

GO-KIT-14 ALADDIN GO-KIT14 JACUZZI MAGNUM PUMP RE1 \$29.90

Ship Via : UPS - 2 DAY AIR

16113409R JACUZZI STRAINER BASKET W/ FLAPPER - TA1 \$22.85

Ship Via : UPS - 2 DAY AIR

06016505R000 DIFFUSER, 1 1/2-3 HP JACUZZI - 060165051 \$22.02

Ship Via : UPS - 2 DAY AIR

SUB TOTAL : \$74.77

TAX : \$0.00

SHIPPING : \$23.17

ORDER TOTAL : \$97.94

BILLING INFORMATION

chris dowhie
166-17 14th ave
whitestone, NY, 11357
United States

SHIPPING INFORMATION

chris dowhie
1124 palma sola blvd
bradenton, FL, 34209

14-May	8:00 AM	941-224-5904	6 Peak	--
14-May	1:48 PM	941-224-5904	1 Peak	--
15-May	5:31 PM	941-224-5904	1 Peak	--
29-May	6:02 PM	941-238-0952	2 Peak	--
16-Jul	3:13 PM	941-240-1072	8 Peak	--
29-May	3:22 PM	941-518-7844	8 Peak	--
4-Sep	8:43 AM	941-518-7844	1 Peak	--
4-Sep	8:45 AM	941-518-7844	16 Peak	--
5-Sep	11:42 AM	941-518-7844	2 Peak	--
21-May	5:45 PM	941-526-2317	1 Peak	--
16-May	10:18 AM	941-580-4346	3 Peak	--
3-Jun	7:27 PM	941-580-4346	4 Peak	--
13-Jun	5:03 PM	941-580-4346	5 Peak	--
18-May	11:44 AM	941-592-6788	1 Off-Peak	--
18-May	11:51 AM	941-592-6788	2 Off-Peak	--
16-May	8:07 PM	941-623-3185	1 Peak	--
25-May	11:48 AM	941-623-3185	2 Off-Peak	--
7-Jul	3:11 PM	941-623-3185	1 Peak	--
21-Aug	12:15 PM	941-623-6379	1 Peak	--
13-Jun	5:17 PM	941-737-0119	2 Peak	--
24-Jun	10:44 AM	941-737-0119	6 Peak	--
15-Jul	1:28 PM	941-737-0119	4 Peak	--
26-May	1:26 PM	941-737-5786	2 Peak	--
26-May	2:04 PM	941-737-5786	1 Peak	--
4-Jun	5:42 PM	941-737-5786	1 Peak	--
5-Jun	12:23 PM	941-737-5786	6 Peak	--
8-Jun	4:35 PM	941-737-5786	2 Off-Peak	--
12-Jun	9:46 AM	941-737-5786	6 Peak	--
13-Jun	5:25 PM	941-737-5786	2 Peak	--
13-Jun	7:01 PM	941-737-5786	19 Peak	--
20-Jun	8:15 PM	941-737-5786	20 Peak	--
22-Jun	3:22 PM	941-737-5786	12 Off-Peak	--
25-Jun	1:57 PM	941-737-5786	4 Peak	--
4-Jul	2:07 PM	941-737-5786	1 Peak	--
4-Jul	2:45 PM	941-737-5786	10 Peak	--
9-Jul	4:39 PM	941-737-5786	14 Peak	--
15-Jul	5:48 PM	941-737-5786	11 Peak	--
16-Jul	6:39 PM	941-737-5786	8 Peak	--
25-Jul	6:50 PM	941-737-5786	16 Peak	--
1-Aug	2:54 PM	941-737-5786	1 Peak	--
1-Aug	2:55 PM	941-737-5786	1 Peak	--
1-Aug	2:56 PM	941-737-5786	2 Peak	--
2-Aug	4:24 PM	941-737-5786	5 Off-Peak	--
2-Aug	5:07 PM	941-737-5786	4 Off-Peak	--
2-Aug	5:45 PM	941-737-5786	4 Off-Peak	--
8-Aug	10:17 AM	941-737-5786	32 Peak	--
13-Aug	6:43 PM	941-737-5786	4 Peak	--

8/2/20

25-Aug	1:29 PM	941-737-5786	1 Peak	--
25-Aug	2:50 PM	941-737-5786	1 Peak	--
25-Aug	6:25 PM	941-737-5786	1 Peak	--
2-Sep	3:39 PM	941-737-5786	1 Peak	--
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2-Sep	5:00 PM	941-737-5786	14 Peak	--
4-Sep	9:28 AM	941-737-5786	6 Peak	--
9-Sep	3:09 PM	941-737-5786	7 Peak	--
10-Sep	8:47 AM	941-737-5786	3 Peak	--
26-May	12:54 PM	941-745-1010	2 Peak	--
25-Aug	2:38 PM	941-748-2071	3 Peak	--
26-Aug	2:37 PM	941-748-2071	3 Peak	--
23-Jun	9:17 AM	941-748-4501	2 Peak	--
14-Jul	2:56 PM	941-748-4501	10 Peak	--
14-Jul	3:37 PM	941-748-4501	2 Peak	--
13-Aug	4:12 PM	941-748-4501	1 Peak	--
13-Aug	6:43 PM	941-748-4501	1 Peak	--
28-Aug	9:16 AM	941-748-4501	14 Peak	--
13-May	10:39 AM	941-749-1398	5 Peak	--
14-May	3:15 PM	941-749-1398	1 Peak	--
4-Sep	9:44 AM	941-794-2402	23 Peak	--
9-Jul	4:38 PM	941-795-7804	1 Peak	--
25-May	8:22 AM	941-796-5780	1 Off-Peak	--
11-Jul	4:05 PM	941-807-5323	1 Peak	--
15-Jul	3:56 PM	941-807-5323	1 Peak	--
24-Jul	6:47 PM	941-807-5323	1 Peak	--
25-Jul	2:15 PM	941-807-5323	1 Peak	--
25-Jul	2:16 PM	941-807-5323	1 Peak	--
26-Jul	4:34 PM	941-807-5323	1 Off-Peak	--
16-May	12:01 PM	941-915-3353	1 Peak	--
1-Jun	1:24 PM	941-932-7411	2 Off-Peak	--
1-Jun	1:27 PM	941-932-7411	3 Off-Peak	--

POOL
MAN

CODE
ENTER

asWorld

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MANATEE COUNTY PROPERTY APPRAISER

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Main Property Search

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Profile
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Sales
Residential
Commercial
Out Buildings
Permits
Land
Agriculture
Sketch
Exemptions
Full Legal
Map

PARID: 3867600003
ZISLIS SELMA E

1126 PALMA SOLA BLVD

My Tax Year: 2008

CURRENT RECORD

1 of 1

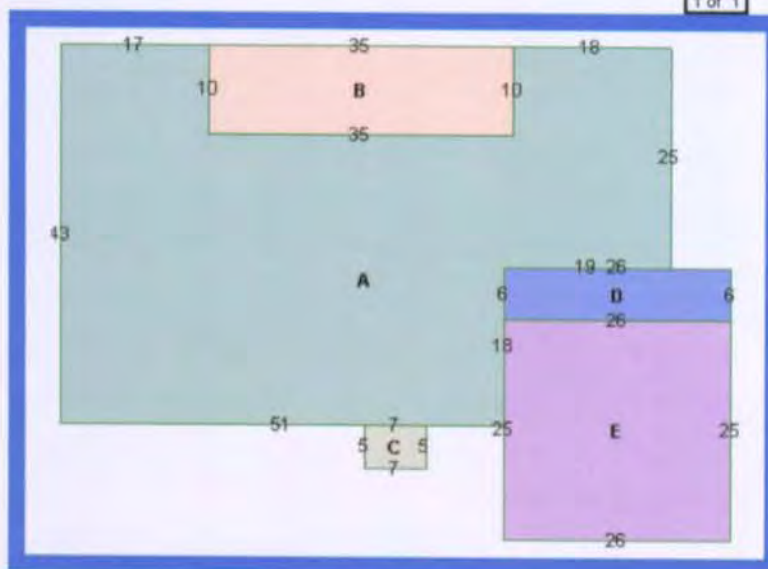
[Return to Search Results](#)

REPORTS

CSV Report
Parcel Information Report

GO

Printable Version



Legend

Options

A MAIN BA BASE, 2318 sqft
C O2 O POR, 35 sqft
E G5 GAR, 650 sqft

B O2 O POR, 350 sqft
D US UTIL, 156 sqft

Data Copyright Manatee County Property Appraiser's Office [Disclaimer] [Privacy Policy] Last Updated: 25 Nov 2008

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ce
2008070283
s/p 12/10/08

**MANATEE COUNTY
CODE ENFORCEMENT BOARD**

CE2008070283

DECEMBER 10, 2008

CE2008070283

- **Chris Jelenc, Manatee County Code Enforcement Officer, I have been sworn.**
- **Respondent: Chris J. and Patricia A. Dowhie**
- **Violation address: 1124 Palma Sola Blvd., Bradenton, Parcel ID # 3867500005**
- **Zoned: RSF3/HA – Single Family Residential**
- **Violation description: Noise disturbance in violation of the Manatee County Land Development Code: Ordinance 8-12, Section 2-21-34, Paragraph 1, noise disturbance, sub-paragraph A-5 for pool pump**

CE2008070283

Case Summary

- **Initial inspection: 08-13-08**
- **Initial notice of violation dated: 08-14-08**
- **Follow-up inspection(s): 12-08-08**
- **Notice of Hearing dated: 10-08-08**

CE2008070283

- Noise disturbance. Notwithstanding any other provision of this article, and in addition thereto, it shall be unlawful for any person to make or continue, or cause or permit to be made or continue, any noise disturbance, as defined in Section 2-21-31.
 - (a) Standards. The standards to be considered in determining whether a violation of Subsection (1) of this section exists may include but shall not be limited to the following:
 - (1) the volume of the noise
 - (2) the intensity of the noise
 - (3) whether the nature of the noise is usual or unusual
 - (4) the volume and intensity of the ambient noise, if any
 - (5) the proximity of the noise to residential sleeping facilities
 - (6) the nature and zoning of the area from which the noise emanates
 - (7) the nature and zoning of the receiving land
 - (8) the time of the day or night the noise occurs
 - (9) duration of the noise
 - (10) whether the noise is produced by commercial or a non-commercial activity

CE2008070283

Evidence Submittal

- **Property Appraiser's Parcel ID and Legal Description**
- **Copy of this Presentation**

CE2008070283

- **Corrective action required: Replace pool pump or move the pump to a different location**
- **Recommended compliance date: 12-17-08**
- **Recommended fine: Minimum fine of \$100.00 and \$75.00 per day until all violations are corrected**

CE2008070283

- **Mr. Chairman, I would like the corrective action specified in the findings of fact**
- **This concludes my presentation**

MANATEE COUNTY CODE ENFORCEMENT BOARD
OF MANATEE COUNTY, FLORIDA

FILED FOR RECORD
R. B. SHORE

2008 DEC 15 AM 7:32

MANATEE COUNTY, a Political
Subdivision of the State of Florida,

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA
Case No.: CE2008070283

Petitioner,

VS.

CHRIS J. AND PATRICIA A. DOWHIE

Respondent(s),

ORDER OF DISMISSAL

Based upon the testimony and evidence presented, it is ordered that this case is dismissed without prejudice.

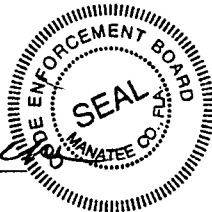
Ordered December 10, 2008, and executed this 15th day of December, 2008.

CODE ENFORCEMENT BOARD
OF MANATEE COUNTY, FLORIDA

BY: 
Chairman

ATTEST: R. B. SHORE
CLERK OF CIRCUIT COURT

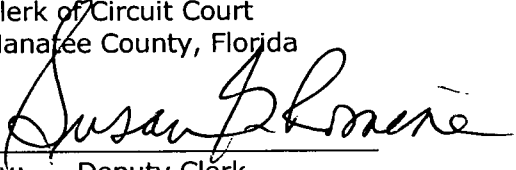
By: 
Deputy Clerk



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has been furnished to the Respondent(s), **Chris J. and Patricia A. Dowhie, 1124 Palma Sola Boulevard, Bradenton, Florida 34209**, by U.S. mail, and to the Manatee County Code Enforcement Division, this 15th day of December, 2008

R.B. Shore
Clerk of Circuit Court
Manatee County, Florida

By: 
Deputy Clerk