



Special Magistrate Hearing

APPEAL OF PARKING CITATION

September 25, 2024

Citation Number: P01066FB

Appellant: Rodney Yovonn

Police Officer: Officer S. Nobre # 7082

Attachments: Notice of Hearing

Hearing Request to Contest Local Parking Citation Form

Parking Violation

Affidavit In Support of Citation Submitted by Ofc. Nobre

Certified Mailing



City of Flagler Beach

Building & Zoning Department
P.O. Box 70 * 800 South Daytona Avenue
Flagler Beach FL 32136
(386)-517-2000 EXT. 231

IN RE: APPEAL OF

PARKING CITATION NO. P01066FB

RODNEY YOVONN
2149 OLD DAYTONA ROAD
PORT ORANGE, FL 32128

Appellant.

v.

CITY OF FLAGLER BEACH,

Appellee.

NOTICE OF HEARING

TO: RODNEY YOVONN

YOU ARE HEREBY NOTIFIED that a hearing on the above-styled appeal shall be conducted before the Code Enforcement Special Magistrate of the City of Flagler Beach, Florida on **WEDNESDAY, SEPTEMBER 25, 2024 @ 3:00 P.M.** in City Council Chambers located at City Hall 105 S 2nd Street, Flagler Beach, Florida. The Special Magistrate shall receive testimony and evidence related to the appeal of the parking citation issued by the City of Flagler Beach.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY a copy of this notice has been served via 2149 Old Daytona Road, Port Orange, FL 32128, 28th day of August, 2024 regular and certified mail to the Appellant.

A handwritten signature in black ink, appearing to read "Michele C. Ficocello".

Michele C. Ficocello, Clerk to the Special Magistrate

If you intend to be represented by Counsel your attorney is requested to file a Notice of Appearance with the Clerk to the Special Magistrate in person at 800 S Daytona Avenue (City of Flagler Beach Building & Zoning) 32136 or by mail at City of Flagler Beach PO Box 70, Flagler Beach, FL 32136 at least five (5) days before the hearing date.

Any person who desires to appeal any decision made at this meeting or hearing will need a record of the proceedings and, for this purpose, may need to ensure that a verbatim record of the proceedings is made, which includes testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office at (386) 517-2000 at least forty-eight (48) hours in advance of the meeting.

Received

JUL 17 2024

City of Flagler Beach

CITY OF FLAGLER BEACH
HEARING REQUEST TO CONTEST LOCAL PARKING CITATION

Must be submitted within thirty calendar days of the date of citation

Local Hearing Request (must be filled out within 30 days of issuance)

PO-01066FB

Citation Number

7-5-2024

Date of Citation

I Rod Yovonn do hereby request a hearing before the City of Flagler Beach Local Hearing Officer. I understand that a hearing will be scheduled for next available Local Hearing Officer hearing date. I understand that I have the option to reschedule a hearing once by notifying the appropriate clerk for the Local Hearing Officer in writing at least 5 days prior to the scheduled hearing. I understand that if I do not reschedule my hearing and I fail to appear I can be adjudicated guilty where I am responsible for all fines and failure to comply may result in a vehicle registration stop. I understand that by contesting the violation, I am waiving the right to pay the fine imposed on the citation and that if the Local Hearing Officer upholds the violation he or she may impose a fine of up to \$250.00 and may assess reasonable administrative costs of up to \$100.00 against me. I attest that I fully understand the stipulations and the associated penalties.

Rod Yovonn

Signature

7-8-2024

Date

386-235-2118

Phone #

2149 Old Daystar Road

Mailing Address:

Port Orange Florida 32128

AFTER COMPLETING THIS FORM PLEASE ATTACH A COPY OF CITATION AND RETURN TO:

Michele Ficocello

Customer Service Representative

P.O. Box 70, Flagler Beach FL 32136

mficocello@cityofflaglerbeach.com

Phone: 386-517-2000, ext. 231

THIS CAR WAS WERE I PARK,
3 X A WEEK. FOR THE LAST 8 YEARS-
IN Jim JOHNSONS FRONT YARD
OFF ROAD.

Sincerely

Rod Yovonn

OFFICER NOBRE
CITATION - WAITING



PARKING VIOLATION

AGENCY CASE # 2024-00012243	CITATION # P01066FB	DATE 07/05/2024	TIME 3:39 PM
AGENCY NAME FLAGLER BEACH POLICE DEPARTMENT		TYPE OF DEPARTMENT 2-PD	
COUNTY OF CITATION FLAGLER		PLACE OR CITY OF CITATION FLAGLER BEACH	
VIOLATOR INFORMATION			
CHECK IF OWNER IS BUSINESS OR THE GOVERNMENT <input type="checkbox"/>		BUSINESS NAME	
FIRST RODNEY	MIDDLE THOMAS	LAST YOVONN	SUFFIX
STREET 2149 OLD DAYTONA RD		CITY PORT ORANGE	STATE FL
DL/ID # Y150738534170	STATE FL	BIRTH DATE 11/17/1953	ZIP 32128
YR VEHICLE 2005	TAG # CG19JZ	TRAILER TAG #	STATE FL
COLOR WHI	STYLE 2 DOOR SED	MAKE FORD	MODEL MUSTANG
V.I.N. OR MOTOR # 1ZVFT80N555174875			
ROADWAY INFORMATION			
BUSINESS NAME			
ADDRESS # OCCURRED ON STREET, ROAD, HIGHWAY S 13TH ST			
FEET	MILES	DIRECTION AT/FROM STREET, ROAD, HIGHWAY S OCEANSHORE BLVD	
LATITUDE -81.123235		LONGITUDE 29.472214	ZONE
VIOLATION			
CODE # 19-23	CHARGE DESCRIPTION PARKING - WRONG DIRECTION		
OTHER VIOLATION COMMENTS			
PAYMENT INFORMATION			
NAME CITY OF FLAGLER BEACH			
ADDRESS P.O. BOX 70			
CITY FLAGLER BEACH		ZIP 32136	PHONE #
EMAIL ADDRESS		WEB SITE PAGE WWW.CITYOFFLAGLERBEACH.COM	
IF PAID WITHIN 30 DAYS	FINE \$100.00	IF PAID AFTER 30 DAYS	FINE \$142.82
FILING FEE			
COURT INFORMATION(if applicable)			
COURT DATE	COURT TIME	COURTROOM # / OTHER DETAIL	

VIOLATOR INSTRUCTIONS

NOTIFICATION TO INDIVIDUAL CHARGED WITH A PARKING INFRACTION NOT REQUIRING A COURT APPEARANCE

FAILURE TO PAY THIS PARKING TICKET WITHIN 30 DAYS WILL RESULT IN A DELINQUENT FEE OF \$42.82, IN ADDITION TO THE AMOUNT INDICATED ON THE CITATION. FAILURE TO FULLY COMPLY WILL RESULT IN A SUMMONS BEING ISSUED.

INSTRUCTIONS

YOU MUST ELECT ONE OF THE FOLLOWING OPTIONS WITHIN 30 DAYS OF THE DATE OF THIS TICKET.

- PAYMENT MUST BE MADE IN PERSON TO THE CITY OF FLAGLER BEACH BETWEEN THE HOURS OF 8:30 A.M. AND 5:00 P.M. MON - FRI (HOLIDAYS EXCLUDED), 105 S. SECOND ST., FLAGLER BEACH, FL 32136
- BY MAIL TO: CITY OF FLAGLER BEACH, P.O. BOX 70, FLAGLER BEACH, FL 32136
- PAY THE CITATION ONLINE AT WWW.CITYOFFLAGLERBEACH.COM <[HTTP://WWW.CITYOFFLAGLERBEACH.COM](http://WWW.CITYOFFLAGLERBEACH.COM)> UNDER THE ONLINE BILL PAY SECTION

NOTE: YOU MUST ENCLOSE THIS TICKET IF YOU MAIL IN PAYMENT.

PAYMENT SHOULD BE IN THE FORM OF MONEY ORDER, CASH, CARD OR CASHIER'S CHECK. PERSONAL CHECKS ARE ACCEPTED, MAKE CHECKS PAYABLE TO: CITY OF FLAGLER BEACH

THERE WILL BE NO POINTS ASSESSED ON YOUR DRIVER'S LICENSE FOR PARKING VIOLATIONS.

IF YOU ELECT A HEARING AND THE COMMISSION OF AN INFRACTION HAS BEEN PROVEN, A LOCAL HEARING OFFICER MAY IMPOSE A PENALTY NOT TO EXCEED \$250.00.

CONTACT THE CITY POLICE DEPARTMENT FOR INSTRUCTIONS ON HOW TO CONTEST A TICKET, 386-517-2020.

RECEIVED

JUL 17 2024

City of Flagler Beach
Building Department

REPORTING OFFICER			
OFFICER SIGNATURE OFC. S. M.	BADGE # 7082	ID #	TROOP UNIT
RANK OFFICER	FIRST S>	MIDDLE	LAST NOBRE

VIOLATOR SIGNATURE: _____

**BEFORE THE CODE ENFORCEMENT MAGISTRATE FOR THE
CITY OF FLAGLER BEACH, FLORIDA**

RODNEY YOVONN

Appellant,

v.

CITATION # P01066FB

CITY OF FLAGLER BEACH,

Appellee.

AFFIDAVIT IN SUPPORT OF CITATION

STATE OF FLORIDA
COUNTY OF FLAGLER

Before the undersigned officer duly authorized by the State of Florida to administer oaths this day personally appeared [OFFICER NOBRE], who deposes and says:

1. That I am over the age of eighteen and a sworn police officer employed by the City of Flagler Beach.

2. On [07/05/24] at approximately [3:39PM], I observed a [White, Ford Mustang] with license plate [FL #CG19JZ] parked on [S. 13th Street].

3. I ascertained that the vehicle was registered to [Rodney Yovonin].

4. The vehicle was parked in violation of 19-23 [Wrong Direction Parking].

5. Specifically, [the vehicle was parked the wrong direction, against traffic].

6. During my investigation, I took a still photograph of the vehicle. This photograph is attached to this affidavit. The photograph is a fair and accurate representation of the vehicle and the manner it was parked at the time of my investigation.

7. Due to my observation of a vehicle parked in violation of the relevant code section, I issued citation [CITATION # P01066FB].

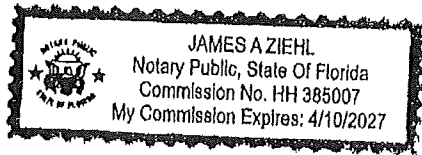
8. [only if we are going to use video body cam footage, otherwise delete 8 altogether]. I have submitted to the City for presentation the body camera footage that was recorded during my investigation of the parking violation. I have personally reviewed the body camera footage and it is a fair and accurate representation of the vehicle and the manner in which it was parked at the time of my investigation.

FURTHER AFFIANT SAYETH NAUGHT.

Dated this 21st day of August, 2024.

Off. S. M. Nobre #7082
Officer S. Nobre #7082

Sworn to and subscribed before me by means of X physical presence or ___ online
notarization this 21 day of August, 2024 by Shawn Nobre who
is personally known to me or produced _____ as identification.



[Signature]
Notary Public — State of Florida

Print name: James Ziehl

My Commission Expires: 4-10-27



Citation P01066FB

Photograph Submitted by Ofc. S. Nobre



Mailer: City of Flagler Beach

Date Produced: 09/09/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8375 7657 80. Our records indicate that this item was delivered on 09/06/2024 at 05:08 p.m. in PORT ORANGE, FL 32127. The scanned image of the recipient information is provided below.

Signature of Recipient :

A handwritten signature in black ink, appearing to read "Rodney Yovonn", written over a horizontal line.

Address of Recipient :

2149 OLD DAYTONA RE
PORT ORANGE, FL 32128-6574

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

RODNEY YOVONN
2149 OLD DAYTONA ROAD
PORT ORANGE, FL 32128

Customer Reference Number: C5265412.31807981

Return Reference Number P01066FB NOTICE OF HEARING



Return address:

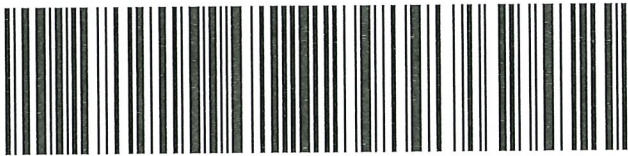
CITY OF FLAGLER BEACH
105 S 2ND ST
FLAGLER BEACH FL 32136

Recipient address:

RODNEY YOVONN
2149 OLD DAYTONA ROAD
PORT ORANGE, FL 32128

MAILING DATE: 08/28/2024
DELIVERY DATE: 09/06/2024

USPS CERTIFIED MAIL



9214 8901 9403 8375 7657 80

USPS Tracking Label Number: 9214 8901 9403 8375 7657 80

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	08/28/2024 08:32
SHIPMENT RECEIVED ACCEPTANCE PENDING	FLAGLER BEACH,FL 32136	08/28/2024 11:41
ORIGIN ACCEPTANCE	FLAGLER BEACH,FL 32136	08/28/2024 22:35
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	08/28/2024 23:50
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	08/29/2024 00:07
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	08/30/2024 00:28
NO AUTHORIZED RECIPIENT AVAILABLE	PORT ORANGE,FL 32128	08/30/2024 12:09
REMINDER TO SCHEDULE REDELIVERY	PORT ORANGE,FL 32128	09/04/2024 03:23
DELIVERED INDIVIDUAL PICKED UP AT PO	PORT ORANGE,FL 32127	09/06/2024 17:08

CUSTOM 1: