



Town of Fort Myers Beach

CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931

Phone: (239) 765-0202 Fax: (239) 765-0909

03/31/2025

Case Number:	20250308
Certified Mail:	9589071052700636643227
Regular Mail	

HUTSON GEORGE ALLEN & HUTSON ALLISON
F
726 LEHIGH DR
NEWPORT, TN 37821

SITE ADDRESS: 109 BAYVIEW AVE
PARCEL STRAP NO: 294624W30080B0010

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on by Town of Fort Myers Beach Code Enforcement Officer indicates that the following items are in violation:

For the drainage of pool water into a storm drain without first applying the proper mitigation system. This is necessary to prevent the flow of sediment and or other materials into the storm drain causing possible overflow and accumulation of water flow onto adjacent properties and possible run off into prohibited water sources.

These items are a violation of the following Town Codes:

***LDC Sec. 6-2. - Amendments (POOL) (aa) A new Section 303.3 is hereby added as follows:
Section 303.3 Disposal of swimming pool water. Prior to disposing of any swimming pool water, chlorine and bromine levels must be reduced by not adding chlorine or bromine for a least five (5) days or until levels are below 0.1 mg per liter. One of the following methods of disposal shall be utilized:***

- 1. Discharge of the water into roadside swales to allow for percolation of the water into the ground without any runoff to canals, beaches, wetlands, other tidal waters, or onto adjoining properties. This shall be the preferred method of disposal.***
 - 2. Discharge of the water into the sanitary sewer system operated by Lee County Utilities is also permitted, but is not the preferred method.***
- Under no circumstances shall any swimming pool water be discharged either directly or indirectly onto the beach, or into canals, wetlands, or any other tidal waters.***

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. Implementation of a mitigation system to prevent the flow of sediment and or other materials into the storm drain causing possible overflow and accumulation of water flow onto adjacent properties and possible run off into prohibited water sources. Or discontinue the drainage process of the pool..

You are hereby directed to bring these violations into compliance within 5 days.

ONCE THIS VIOLATION(S) IS (ARE) IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS (HAVE) BEEN CORRECTED ON OR BEFORE THE ABOVE-SPECIFIED COMPLIANCE DATE.

If you fail to correct the violation(s) by the date specified above, or if the violation(s) is (are) brought into compliance and reoccur(s), the case may be scheduled for hearing before the Town of Fort Myers Beach Special Magistrate. The Code Enforcement Division may, in their discretion, schedule the case for a hearing and seek a finding of a violation by the Special Magistrate even if you have corrected the violation prior to the time set for the hearing.

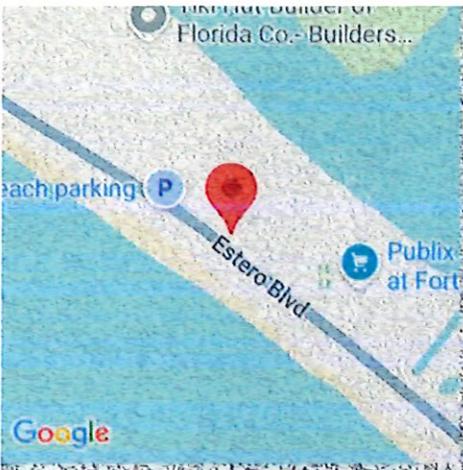
You will be provided with a Notice of Hearing specifying the date, time and location of the hearing if, one is scheduled. Please be aware that under Florida Statutes, Chapter 162 and Town of Fort Myers Beach Land Development Code, Section 2-427(b), a fine of up to \$250.00 per day for the first violation or \$500.00 per day for a repeat violation may be imposed for each day the violation continues to exist past the date set for compliance by the Special Magistrate. If the Special Magistrate finds that a violation is irreparable or irreversible in nature, a fine of up to \$5,000.00 per violation may be imposed. The Special Magistrate may also assess the costs of prosecution of the case against you and you may be required to pay those fees, even if the violation has been corrected prior to the hearing.

Please contact the Town of Fort Myers Beach Code Enforcement Division at 239-220-6458 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

Code Enforcement Officer
Town of Fort Myers Beach

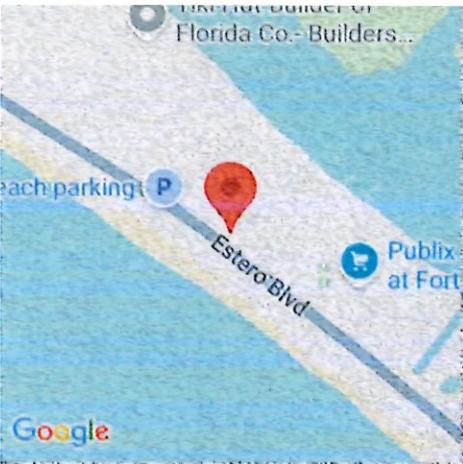
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Fort Myers Beach



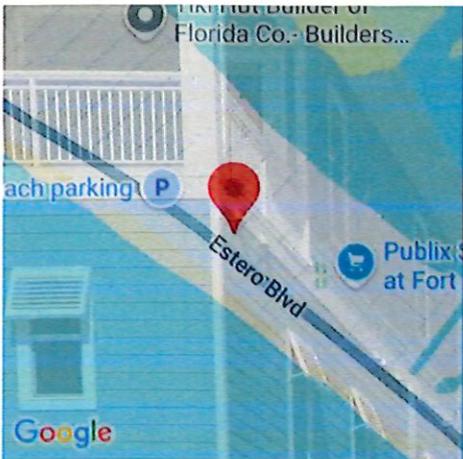
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