

BOARD OF EXAMINERS OF CONTRACTORS  
OF THE CITY OF FORT PIERCE, FLORIDA

CITY OF FORT PIERCE, FLORIDA,

Petitioner,

Citation(s) # 205

vs.

MR. Hugo Tovar,

Respondent.

COPY OF CITATION(S) INCLUDED

NOTICE OF CITATION HEARING

TO: Mr. Hugo Tovar, Respondent, 3343 S US Hwy 1, Fort Pierce, FL 34982

YOU ARE HEREBY NOTIFIED that the Board of Examiners of Contractors of the City of Fort Pierce, Florida (the "Board") has scheduled an administrative hearing in this case for the 11th day of July, 2017, at 9:00 A.M., in the Fort Pierce City Commission Chambers, 100 North US Hwy 1, Fort Pierce, Florida, on the following matter:

Respondent's appeal of citation(s) # 205 (copy attached) and violation(s) cited therein  
Location(s) of Violation(s): 3500 Okeechobee Rd

YOU ARE REQUIRED TO APPEAR BEFORE THE BOARD at said time and place to present evidence in opposition to the citation(s).

If the Board finds that a violation exists, the Board may order the Respondent to pay a civil penalty of not less than the amount set forth in the citation(s) but not more than \$2,500.00 per day for each violation. A certified copy of an Order imposing such a civil penalty against the Respondent may be recorded in the public records and shall thereupon constitute a lien against any real or personal property owned by the Respondent.

*A copy of the Rules of Procedure for Actions Against Unlicensed Contractors for the Fort Pierce Board of Examiners of Contractors may be obtained upon request from the Department of Building.*

*If a person decides to appeal any decision made by the Board with respect to any matter considered at such hearing, such person will need a record of the proceedings, and, for such purpose, such person 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.*

PLEASE GOVERN YOURSELF ACCORDINGLY.

Department of Building  
City of Fort Pierce, Florida

By: [Signature]  
Building Official


I HEREBY CERTIFY that a copy of this Notice of Citation Hearing was mailed by certified mail and by first class mail to the above-named Respondent, at the above-stated address for the Respondent on this 21 day of June, 2017.

Department of Building

By: [Signature]  
Title: Senior Permit Specialist

Enc: copy of citation(s) # 205



**Re: Citation**   
**Peggy Arraiz** to: Aztec Graphix  
Cc: cgreer, Shaun Coss

06/02/2017 11:10 AM

Good morning Hugo,

This email can be considered a request for a hearing. You need to plead your case before the Special Magistrate. Because of high volume, the next hearing available is July 19th at 9:00 am. I am cc:ing Colleen Greer, who will process your request for appeal and Shaun, so that he is aware of what is happening.

Sorry for the circumstances - but it was good to hear from you.

**Margaret M. (Peggy) Arraiz | Code Compliance Manager | City of Fort Pierce**

Community Response Divisions  
Code Enforcement & Animal Control  
Phone: 772.467.3148 • Fax: 772.468.0457 • 100 North U.S. 1 Fort Pierce, FL 34950

[Website](#) | [Facebook](#) | [Survey](#)



"Aztec Graphix"

hey there, so I'm ashamed to admitted but after...

06/02/2017 10:59:20 AM

From: "Aztec Graphix" <hugo@myaztec.com>  
To: <PArraiz@city-ftpierce.com>  
Date: 06/02/2017 10:59 AM  
Subject: Citation

hey there,

so I'm ashamed to admitted but after 13 years in business

I was just made aware that to do en sign refacing I need to have a special license

I knew that to replace faces or alter signs or new installs we need the GC over us

but I never knew that just to put sticker on a window, door or sign we need a special license

we already put it an application for it with the county, and waiting on testing date because I guess you are not set up to do the testing

so we should have that in the next few weeks

but in the meantime Shawn gave me a citation for \$500

doing his job nothing against him, but what can we do about appeal it,  
if you can let me know, your thoughts on it I would appreciate any input

thanks

hugo

aztec graphix



# CITY OF FORT PIERCE CITATION

CITATION # 205 CERTIFIED MAIL #: \_\_\_\_\_

This Citation is issued pursuant to City of Fort Pierce Ordinance 5-53 and State of Florida Statute 489. THE ACT FOR WHICH THIS CITATION IS ISSUED SHALL CEASE IMMEDIATELY UPON RECEIPT OF THE CITATION.

The enforcement officer has reasonable and probable grounds to believe that a violation of the Fort Pierce Code of Ordinances and Florida Statute 489 has occurred:

- |   |   |
|---|---|
| <input type="checkbox"/> 5-53 (a)(1)            | Falsely hold himself/herself or a business organization out as a licensee, certificate holder, or registrant.   |
| <input type="checkbox"/> 5-53 (a)(2)            | Falsely impersonate a certificate holder or registrant.   |
| <input type="checkbox"/> 5-53 (a)(3)            | Present as his/her own the certificate, registration of another.  |
| <input type="checkbox"/> 5-53 (a)(4)            | Knowingly give false or forged evidence to the Board or a member thereof.   |
| <input type="checkbox"/> 5-53 (a)(5)            | Use or attempt to use a certificate, registration that has been suspended or revoked.   |
| <input checked="" type="checkbox"/> 5-53 (a)(6) | Engage in the business or act in the capacity of a contractor or advertise himself/herself or a business organization as available to engage in the business or act in the capacity of a contractor without being duly registered or certified. |
| <input type="checkbox"/> 5-53 (a)(7)            | Operate a business organization engaged in contracting after 60 days following the termination of its only Qualifying agent without designating another primary qualifying agent, except as provided in ss. 489.119 and 489.1195.               |
| <input type="checkbox"/> 5-53 (a)(8)            | Commence or perform work for which a building permit is required pursuant to Chapter 5 of the Fort Pierce Code of Ordinance without such building permit being in effect.   |
| <input type="checkbox"/> 5-53 (a)(9)            | Willfully or deliberately disregard or violate any municipal or county ordinance relating to uncertified or unregistered contractors.   |
| <input type="checkbox"/> 5-53 (a)(10)           | Act in the capacity of a contractor different from the scope of work for which the contractor is certified to perform.  |
| <input type="checkbox"/> 5-53 (a)(11)           | Fail to secure required inspections.  |
| <input type="checkbox"/> 5-53 (a)(12)           | Willfully and deliberately obtain or attempt to obtain a permit for an entity unregistered or unlicensed.   |

Description of violation and facts: Aztec Graphics is re-facing a sign at 3500 Creechlake Rd. for Tasty Pet Jamaica Grill

Was observed on 5/23/17 at 1:23 am (pm) At the property location of: 3500 Creechlake Rd.

ISSUED TO: Hugo Tovar  
First Middle Last

BUSINESS NAME: Aztec Graphics TYPE OF WORK PERFORMED: Signs

ADDRESS: 3343 S US Hwy 1 CITY: Fort Pierce STATE: FL ZIP: 34982

PHONE NUMBER: 772-468-7023 DRIVERS LICENSE #: T140320790850 DATE OF BIRTH: 3-5-79

Penalties for Licensed Contractors:		Penalties for Unlicensed Contractors	
1 <sup>st</sup> Offense	\$500	1 <sup>st</sup> Offense	\$500
2 <sup>nd</sup> Offense	\$1,000	2 <sup>nd</sup> Offense	\$1,250
3 <sup>rd</sup> Offense	\$1,500	3 <sup>rd</sup> Offense	\$2,500

The person cited for the above violation shall elect within ten (10) days, exclusive of weekends and legal holidays, of the receipt of the citation to either: 1) Correct the violation and pay the civil penalty in the manner indicated; or 2) Request an administrative hearing in writing to challenge the issuance of the citation, specifying the grounds for such appeal. Failure to request a hearing shall constitute a waiver of right to a hearing. A waiver of right to a hearing shall be deemed an admission of the violation and penalties may be imposed accordingly. If the person issued the citation or his designated representative shows that the citation is invalid or that the violation has been corrected prior to appearing before the Board of Examiners of Contractors, the board may dismiss the citation unless the violation is irreparable or irreversible. Failure to pay civil penalty within ten (10) days, exclusive of weekends and legal holidays, may result in the filing of a lien.

To make payment of the civil penalty or request an administrative hearing mail or come to:

City Hall, Building Department  
 100 N US Hwy 1  
 PO Box 1480  
 Fort Pierce FL 34954  
 772-467-3000  
 Monday-Friday: 8am-5pm

Notification of administrative hearing will be pursuant to City of Fort Pierce Ordinance 5-53

FURTHERMORE, I UNDERSTAND ANY PERSON WHO WILLFULLY REFUSES TO SIGN AND ACCEPT A CITATION ISSUED BY AN ENFORCEMENT OFFICER COMMITS A MISDEMEANOR OF THE SECOND DEGREE, PUNISHABLE AS PROVIDED IN FLORIDA STATE STATUTE s. 775.082 or s.775.083.

Citation issued on 5/23/17 at 1:40 am (pm)

Hugo Tovar  
 Violator's Printed Name

[Signature] 5/23/17  
 Violator's Signature Date

Shawn Ross  
 Enforcement Officer's Printed Name

[Signature] 5-23-17  
 Enforcement Officer's Signature Date






# Investigation/Inspection Request Details

Tuesday, May 23, 2017

5:49:15 PM

Filtered to show: [ID]=1587

Issue 1587: 3500 Okeechobee Rd.

<b>Category</b>	Unlicensed Contractor Investigation Request	<b>Assigned To</b>	Shaun Coss
<b>Status</b>	Active	<b>Due Date</b>	
<b>Priority</b>	(2) Normal	<b>Opened By</b>	Shaun Coss
<b>Attachments</b>	 (0)	<b>Opened Date</b>	23-May-17

## Description

Recd anonymous complaint that Aztec Graphix was installing a sign at this location and they are not licensed to do that.

## Comments