

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

CITY OF FORT PIERCE, FLORIDA,
Petitioner,

Citation(s) # 312

vs.
MR. JOHN R. MANGAN
Respondent.

ORDER OF CONTINUATION

THIS MATTER came before the Board of Examiners of Contractors of the City of Fort Pierce, Florida (the "Board") on AUGUST 14, 2018, for consideration of a disposition of the above-referenced citation(s) against the Respondent, JOHN R. MANGAN, based upon the written notification by the enforcement officer of the City of Fort Pierce, Florida that the Respondent has not contested the citation(s) or paid the civil penalty specified therein within the time frame allowed on the citation(s).

NOTICE IS HEREBY GIVEN that this matter has been Continued to the NOVEMBER 13, 2018 Board of Examiners of Contractors meeting to give the Respondent opportunity to contest or explain circumstances related to the Citation.

The Board, once having reviewed and considered said written notification and being otherwise advised in the premises, may find that:

A. Pursuant to the applicable provisions of §489.127, *Fla.Stat.*, and §5-53, *Code of Ordinances* of the City of Fort Pierce, Florida, the Respondent's failure to timely appeal the citation(s) constitutes a waiver of the Respondent's right to an administrative hearing, such waiver is deemed an admission of the violation(s), and penalties may be imposed accordingly.

B. Pursuant to the applicable provisions of §489.127, *Fla.Stat.*, §5-53, *Code of Ordinances* of the City of Fort Pierce, Florida, and Rule 6, *Rules of Procedure for Actions Against Unlicensed Contractors* of the Board, the Board is required to enter its order mandating that the Respondent pay the civil penalty set forth on the citation(s). Accordingly, it is


ORDERED AND ADJUDGED as follows:

1. The civil penalty in the amount of \$1,000.00 may be imposed against the Respondent, and the Respondent shall pay to the City of Fort Pierce, Florida, at 100 North U.S. #1, Fort Pierce, Florida 34950, said civil penalty within 30 days of the entry of the Final Order.

2. If found guilty, and the Respondent fails to pay to the City of Fort Pierce, Florida said civil penalty within said time period, then a certified copy of the Order may thereupon or thereafter be recorded in the public records and shall thereupon and thereafter have the effect provided by §489.127, *Fla. Stat.*, and §5-53, *Code of Ordinances* of the City of Fort Pierce, Florida, including that it shall thereupon and thereafter constitute a lien against any real or personal property owned by the Respondent.

3. If the Citation becomes in effect, the Respondent will be responsible for notifying the Department of Building of the City of Fort Pierce, Florida promptly at (772) 467-3188, when the above-stated civil penalty is paid.

DONE AND ORDERED this 9th day of OCTOBER, 2018.


Don Bergman, Chairman of the Board

CERTIFICATE OF SERVICE

In my capacity as Secretary for the Board of Examiners of Contractors of the City of Fort Pierce, Florida, I certify that a true and correct copy of the above Order was furnished by U.S. Mail to: the Respondent, Mr. John R. Mangan, 1592 SE Village Green Drive Suite A, Port St. Lucie, FL 23982 on October 11, 2018.


Secretary of the Board of Examiners of Contractors

THE ABOVE VIOLATOR FAILED TO APPEAR AT THE FIRST HEARING AND IF NOT AT THE CONTINUED HEARING MAY BE DEEMED TO HAVE ADMITTED GUILT TO THE VIOLATION.

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

CITY OF FORT PIERCE, FLORIDA,
Petitioner,

Citation(s) # 312

vs.
MR. JOHN R. MANGAN
Respondent.

ORDER OF CONTINUATION

THIS MATTER came before the Board of Examiners of Contractors of the City of Fort Pierce, Florida (the "Board") on AUGUST 14, 2018, for consideration of a disposition of the above-referenced citation(s) against the Respondent, JOHN R. MANGAN, based upon the written notification by the enforcement officer of the City of Fort Pierce, Florida that the Respondent has not contested the citation(s) or paid the civil penalty specified therein within the time frame allowed on the citation(s).

NOTICE IS HEREBY GIVEN that this matter has been Continued to the SEPTEMBER 11, 2018 Board of Examiners of Contractors meeting to give the Respondent opportunity to contest or explain circumstances related to the Citation.

The Board, once having reviewed and considered said written notification and being otherwise advised in the premises, may find that:

A. Pursuant to the applicable provisions of §489.127, *Fla.Stat.*, and §5-53, *Code of Ordinances* of the City of Fort Pierce, Florida, the Respondent's failure to timely appeal the citation(s) constitutes a waiver of the Respondent's right to an administrative hearing, such waiver is deemed an admission of the violation(s), and penalties may be imposed accordingly.

B. Pursuant to the applicable provisions of §489.127, *Fla.Stat.*, §5-53, *Code of Ordinances* of the City of Fort Pierce, Florida, and Rule 6, *Rules of Procedure for Actions Against Unlicensed Contractors* of the Board, the Board is required to enter its order mandating that the Respondent pay the civil penalty set forth on the citation(s). Accordingly, it is

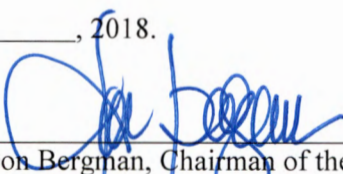
ORDERED AND ADJUDGED as follows:

1. The civil penalty in the amount of \$1,000.00 may be imposed against the Respondent, and the Respondent shall pay to the City of Fort Pierce, Florida, at 100 North U.S. #1, Fort Pierce, Florida 34950, said civil penalty within 30 days of the entry of the Final Order.

2. If found guilty, and the Respondent fails to pay to the City of Fort Pierce, Florida said civil penalty within said time period, then a certified copy of the Order may thereupon or thereafter be recorded in the public records and shall thereupon and thereafter have the effect provided by §489.127, *Fla. Stat.*, and §5-53, *Code of Ordinances* of the City of Fort Pierce, Florida, including that it shall thereupon and thereafter constitute a lien against any real or personal property owned by the Respondent.

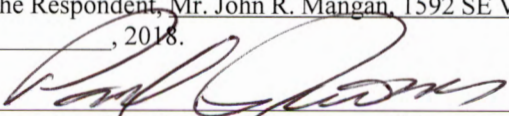
3. If the Citation becomes in effect, the Respondent will be responsible for notifying the Department of Building of the City of Fort Pierce, Florida promptly at (772) 467-3188, when the above-stated civil penalty is paid.

DONE AND ORDERED this 20th day of AUGUST, 2018.


Don Bergman, Chairman of the Board

CERTIFICATE OF SERVICE

In my capacity as Secretary for the Board of Examiners of Contractors of the City of Fort Pierce, Florida, I certify that a true and correct copy of the above Order was furnished by U.S. Mail to: the Respondent, Mr. John R. Mangan, 1592 SE Village Green Drive Suite A, Port St. Lucie, FL 23982 on August 21,, 2018.


Secretary of the Board of Examiners of Contractors

THE ABOVE VIOLATOR FAILED TO APPEAR AT THE FIRST HEARING AND IF NOT AT THE CONTINUED HEARING MAY BE DEEMED TO HAVE ADMITTED GUILT TO THE VIOLATION.



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

CITY OF FORT PIERCE, FLORIDA,
 Petitioner,
 vs.
 MR. JOHN R. MANGAN,
 Respondent.

Citation(s) # 312

COPY OF CITATION(S) INCLUDED

NOTICE OF CITATION HEARING

TO: Mr. John R. Mangan, Respondent, 1592 S.E. Village Green Dr., Ste. A, Port St. Lucie, 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 14th day of August, 2018, 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) # 312 (copy attached) and violation(s) cited therein
 Location(s) of Violation(s): 4000 US Highway 1

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 \$1,000.00 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: *Paul Thomas*
 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 11 day of July, 2018.

Department of Building

By: *P. Murphy*
 Title: *E.F.C. Asst.*

Encl: copy of citation(s) # **312**



CITY OF FORT PIERCE CITATION

CITATION # 312 CERTIFIED MAIL #: 7004 1160 0007 1375 1568

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:

- 5-53 (a)(1) Falsely hold himself/herself or a business organization out as a licensee, certificate holder, or registrant.
- 5-53 (a)(2) Falsely impersonate a certificate holder or registrant.
- 5-53 (a)(3) Present as his/her own the certificate, registration of another.
- 5-53 (a)(4) Knowingly give false or forged evidence to the Board or a member thereof.
- 5-53 (a)(5) Use or attempt to use a certificate, registration that has been suspended or revoked.
- 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.
- 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.
- 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.
- 5-53 (a)(9) Willfully or deliberately disregard or violate any municipal or county ordinance relating to uncertified or unregistered contractors.
- 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.
- 5-53 (a)(11) Fail to secure required inspections.
- 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: Superior Event Rentals erected a tent for the Muslim Friends of Florida Mosque with out a permit

Was observed on 6/14/18 at 3:20 am/pm At the property location of: 4000 US HWY 1

ISSUED TO: John R Mangan
First Middle Last

BUSINESS NAME: Superior Event Rentals TYPE OF WORK PERFORMED: Temporary Tent Installation

ADDRESS: 1592 S.E. Village Green DR #A CITY: Port St. Lucie STATE: FL ZIP: 34952

PHONE NUMBER: 772-359-5994 DRIVERS LICENSE #: _____ DATE OF BIRTH: _____

Penalties for Licensed Contractors:		Penalties for Unlicensed Contractors	
1 st Offense	<u>\$500</u>	1 st Offense	\$500
2 nd Offense	\$1,000	2 nd Offense	\$1,250
3 rd Offense	\$1,500	3 rd 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 STATUE s. 775.082 or s.775.083.

Citation ~~issued~~ ^{mailed} on 6/20/18 at _____:_____ am/pm

Violator's Printed Name

Paul Julin
Enforcement Officer's Printed Name

Violator's Signature

Paul Julin
Enforcement Officer's Signature