BUILDING BOARD AGENDA
120 LAISHLEY COURT, PUNTA GORDA, FLORIDA 33950
APRIL 28, 2026, 9:00 AM

John Garrett Kizer, Chair
Perry Hoff, Vice Chair
Scott Bostrom, Alternate
Juliet Merolla, Board Member
Melanie M St. Germain Cimini, Board Member
Darrell Gadsden, Board Member

CALL TO ORDER
Roll Call
Pledge of Allegiance
Announcements
Next Meeting

PUBLIC COMMENT
Anyone wishing to address the Building Board on any subject may do so at the appropriate time during the meeting. Those who choose to speak must state their name for the record. Each person will be allowed to speak up to a maximum of three minutes.

1. APPROVAL OF MINUTES

1.a **October 28, 2025, Minutes**

2. **BUILDING CODE CASES**

FALSE ALARM APPEALS

False Alarm Appeal - Reference #6251

STAFF COMMENTS

MEMBER COMMENTS

ADJOURNMENT

If any person decides to appeal any matter considered at this meeting, he or she may need a record of

the proceedings, and for such purpose he or she 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.

In accordance with the Americans with Disabilities Act and Florida Statute 286.26, the location of this public hearing is accessible to persons with disabilities. If you are a person with disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Interpreters for the hearing impaired (TTY 941-575-5013) or non-English speaking citizens, and any other special accommodations can be requested by contacting the Human Resources Manager/Non-Discrimination Coordinator whose address is 326 W. Marion Avenue, Punta Gorda, FL 33950, whose telephone number is (941) 575-3371, and whose email address is humres@cityofpuntagordafl.com, at least two (2) calendars days prior to the meeting.

BUILDING BOARD
CITY OF PUNTA GORDA
04/28/2026

APPROVAL OF MINUTES

Title:	October 28, 2025, Minutes
Funds:	Not applicable.
Recommended Action:	The Board approve the minutes.
Summary:	The minutes of the October 28, 2025, Building Board meeting are available for review and approval.
Department/Division:	City Clerk

EXHIBITS:

1. October 28, 2025, Minutes

CITY OF PUNTA GORDA, FLORIDA
BUILDING BOARD MEETING MINUTES
OCTOBER 28, 2025, 9:00 A.M.
120 LAISHLEY COURT
PUNTA GORDA, FL 33950

MEMBERS PRESENT: Garrett Kizer, Chair
Scott Bostrom, Melanie St. Germain Cimini

MEMBERS ABSENT: Darrell Gadsden, Perry Hoff, Juliet Merolla

CITY STAFF PRESENT: Ron Cohowcz, Building Official; Alexandra Friend, Board Recorder

CALL TO ORDER

Chair Kizer called the meeting to order at 9:05 a.m., followed by the Pledge of Allegiance.

PUBLIC COMMENT

There were none.

1) APPROVAL OF MINUTES

1.a August 26, 2025 Meeting Minutes

Exhibits:
Cover Page
August 26, 2025, Minutes

Member Bostrom **MOVED** to approve the August 26, 2025, minutes, **SECONDED** by Member St. Germain Cimini.
AYE: Bostrom, Kizer, St. Germain Cimini
ABSENT: Gadsden, Hoff, Merolla
MOTION CARRIED.

2) BUILDING CODE CASES

There were none.

3) FALSE ALARM APPEALS

There were none.

STAFF COMMENTS

Proposed Bylaws Amendment

Exhibits:
Cover Page
Building Board Bylaws Proposed Amendment

Alexandra Friend, Board Recorder, reviewed proposed amendments to the bylaws, including changing the absence policy to allow 3 absences with forfeiture occurring on a members' 4th absence and changing the composition of the Board to 5 members.
Consensus of the Board was to accept same.

MEMBER COMMENTS

Chair Kizer questioned the request to City Council for new software.
Ron Cohowcz, Building Official, replied same was moving forward.
Discussion ensued regarding elevation requirements within the City.

ADJOURNMENT

The meeting adjourned at 9:16 a.m.

_____
Chair

_____
Board Recorder

BUILDING BOARD
CITY OF PUNTA GORDA
04/28/2026

FALSE ALARM APPEALS

Title: False Alarm Appeal - Reference #6251

Funds: Not applicable.

Recommended Action: The Board determine whether the false alarm and fee assessment shall remain valid for this case.

Summary: On March 27, 2026, the Responsible Party experienced a third false alarm at their premises within a 12-month period, which resulted in a $50 false alarm fee.

Chapter 15, Section 15-19(d)(1) indicates the following:

"...The Building Board shall have the discretion to consider mitigating circumstances including but not limited to electrical power failure interruption of the system timing feature, time changes and forces beyond the control of the Responsible Party. The Building Board, after a hearing, shall make a determination as to whether the false alarm or fee assessment is valid in whole or in part, and if valid, shall require the responsible party to pay the fee assessment within ten (10) days from receipt of the Board's order and may impose administrative costs. Should the contest of a false alarm or fee assessment be granted in whole or in part, the Board shall order whatever remedy it deems appropriate. Failure to pay any fee assessed pursuant to the provisions of this Section shall constitute a violation of this Section."

The Board shall make a determination as to whether the false alarm and associated fee shall remain valid.

Please note, Florida Statute 119.071(3)(a)(1) prohibits disclosure of the name and address of persons cited for violations of alarm ordinances. During the meeting, refrain from discussion of the property location or the Responsible Party's name. Members who have questions regarding these requirements should reach out to City staff prior to the meeting.

Department/Division: Building

EXHIBITS:

1. Chapter 15 Excerpt of False Alarm Provisions

Excerpt of Chapter 15, Punta Gorda Code of Ordinances

Sec. 15-19. False alarms.

(a) Definitions. When used in this Section, the following terms shall have meanings described below unless another meaning is clearly evident from the context in which they are used:

Automatic telephone dialing device or digital alarm communicator system means an alarm system which automatically sends a pre-recorded voice message or coded signal over telephone lines, by direct connection or otherwise, indicating the existence of the emergency situation that the alarm system is designed to detect.

False alarm means the activation of an alarm system resulting in the response and arrival of the public safety personnel when a situation requiring a response by the public safety personnel does not exist and:

(1) is caused by mechanical failure, malfunction, improper maintenance or installation of the alarm system, regardless of whether the alarm user is at fault; or

(2) is caused by the negligent or intentional activation of the alarm system; or

(3) is not caused by unlawful entry, attempted unlawful entry or robbery. (A presumption exists that the alarm was not caused by unlawful activity if the law enforcement officer responding to the alarm finds no evidence of criminal activity, attempted criminal activity or an emergency at the premises): or

(4) is caused by negligent or intentional misuse of the fire alarm system; or
(5) is caused by any other activation of a fire alarm system not caused by heat, smoke or fire.

Fee means the assessment of costs imposed pursuant to this Section to defray the expense of responding to a false alarm.

Fire alarm system means a device used to detect the unwanted presence of fire, smoke and/or carbon dioxide, which is automatically actuated, manually actuated or both, and is intended to notify the building occupants to evacuate in the event of a fire or other emergency, report the event to an off-premises location in order to summon emergency services and/or to prepare the structure and associated systems to control the spread of fire and smoke.

Premises means any building, structure or combination of buildings and structures including the cartilage thereof, which is used for residential, commercial or any other purpose.

Responsible party means any person or entity that owns or controls the premises in which an alarm system is installed, including, but not limited to, a person or entity that leases, operates, occupies or manages the premises.

Security alarm system means any mechanical, electrical or radio controlled device

which is designed to be used for the detection of any unauthorized entry into a building, structure or facility, or for alerting others of the commission of an unlawful act at or within a building, structure or facility, or both, which emits a sound or transmits a signal or message when activated.

(b) Responsibility for alarm activation, owner response, alarm malfunction, corrective action and fees.

(1) The Responsible Party shall be liable for any false alarms at the premises the Responsible Party owns or controls. In the absence of a specific assignment of responsibility for the alarm, the person or persons occupying or controlling the premises on which the alarm is located at the time of the false alarm will be held liable.

(2) Prior to the installation or use of any security or fire alarm system, the owner, manager or person responsible for the premises shall furnish to the appropriate security alarm system or fire alarm system monitoring company information as to the full names, addresses and telephone numbers of at least two (2) people who can be reached at all times and who are authorized to enter the premises and deactivate an alarm system. In addition to any other fees that may be charged under this Section, if an alarm has no automatic reset feature and no Responsible Party appears and turns off any such alarm within one hour after being notified by the public safety personnel to do so, then the Responsible Party of the premises may be charged a fee of twenty-five dollars ($25.00) for each such occurrence.

(3) Each false alarm for which the public safety personnel make a separate response is subject to a separate fee assessment.

(4) No person shall be held liable under this Section for any false alarm transmitted under a reasonable mistake of fact that a crime was being or had been committed.

(5) No person shall be held liable under this Section for any false alarm transmitted as a result of an unpreventable event caused exclusively by forces of nature.

(c) Fees for multiple alarm malfunctions or for false alarms. For each public safety department response to any false alarm, the City shall charge and collect from the Responsible Party, fees as follows:

(1) For Police Department, or law enforcement response.

a. For response to a premise at which no other false alarm has occurred within the preceding twelve (12) month period, hereinafter referred to as a “first response”, no fee shall be charged. For each succeeding response to a premises within twelve (12) months after a first response the following fees shall apply:

Within a Twelve (12) Month Time Period	False Alarm Fee

First or Second Response	No Charge
Third or Fourth Response	$50.00
Fifth, Sixth or Seventh Response	$100.00
Eighth or Ninth Response	$250.00
Each Response after the Ninth Response	$500.00

b. If such forth false alarm or any other such succeeding false alarm within a twelve month period of the first false alarm is a result of failure to take necessary corrective action, the Police Department may order the disconnection of such alarm system and it shall be unlawful to reconnect such alarm system until such corrective action is taken and confirmed by the Police Department, provided that no such disconnection shall be ordered for any premises required by law to have a security alarm system in operation. If any alarm system is required to be disconnected, the Responsible Party of the premises shall arrange for an alternate means of security for the premises until such alarm system is reconnected. Neither the City of Punta Gorda, nor the City of Punta Gorda Police Department shall be liable for the failure of the Responsible Party of a premise to provide adequate security for a premise with a disconnected alarm system.

(2) For Fire Department response.

a. For response to a premise at which no other false alarm has occurred within the preceding twelve (12) month period, hereinafter referred to as a "first response", no fee shall be charged. However, the Responsible Party for such fire alarm system shall, within ten (10) days of notice by the City, provide a written report to the Fire Department as appropriate on forms prescribed by the department, setting forth the cause of such false alarm, corrective action taken, whether such alarm has been inspected by an authorized serviceman, and such other information as may reasonably be required to determine the cause of such false alarm and the corrective action necessary. For each succeeding response to premises within twelve (12) months after a first response, a written report shall be required as for the first response and the following fees shall apply:

Within a Twelve (12) Month Time Period	**False Alarm Fee**
First or Second Response	No Charge
Third or Fourth Response	$50.00
Fifth, Sixth or Seventh Response	$100.00
Eighth or Ninth Response	$250.00
Each Response after the Ninth Response	$500.00

(3) All fees assessed in the carrying out of this Section shall be assessed to the Responsible Party and considered a debt owed by the Responsible Party, payable to the City of Punta Gorda, Florida. The City Manager or representative designated by the City Manager shall, in writing, direct a

notice to the Responsible Party by U.S. certified mail/return receipt requested, postage prepaid, advising the amount of the fee owing and the number of responses within the specified time period. In the event the Responsible Party cannot be immediately identified or the Notice is not accepted by the Responsible Party, such notice shall be directed to the owner of the property on which the alarm system is located, at the last known address as shown by the records of the tax assessor of Charlotte County. Each fee shall be paid within fifteen (15) calendar days from the date of the receipt of the written notification of the fee. The fees are separate and apart from any fines that may be assessed for a violation of this Section. Failure to pay any fee assessed pursuant to the provisions of this Section shall constitute a violation of this Section.

(4) Penalty for Violations. For the purpose of this Section, the occurrence of a false alarm does not constitute a violation of this Section. Violations of any provision of this Section shall be punishable as any other violation of the Punta Gorda Code. Any person, firm, corporation or agent who violates any provision of this Section shall be deemed guilty of a noncriminal infraction, and the City of Punta Gorda Code Enforcement Board shall have jurisdiction to hear and decide cases when a violation is alleged. The Code Enforcement Board, after a hearing, shall make a determination as to whether a violation has been committed and may impose a civil penalty not to exceed $250 per day for a first violation or $500 per day for a repeat violation pursuant to Section 9A-10, Punta Gorda Code, plus administrative costs. Such fines and costs shall be paid in addition to the false alarm fee provided in this Section.

(d) Contesting a False Alarm or Fee Assessment.

(1) The Responsible Party may request a hearing within fifteen (15) calendar days of the date of receipt of any notice of false alarm or fee assessment to contest the validity of any notice of false alarm or fee assessment. Such an appeal shall be heard by the City of Punta Gorda Building Board at its next regularly scheduled meeting. The Building Board shall have the discretion to consider mitigating circumstances including but not limited to electrical power failure interruption of the system timing feature, time changes and forces beyond the control of the Responsible Party. The Building Board, after a hearing, shall make a determination as to whether the false alarm or fee assessment is valid in whole or in part, and if valid, shall require the responsible party to pay the fee assessment within ten (10) days from receipt of the Board's order and may impose administrative costs. Should the contest of a false alarm or fee assessment be granted in whole or in part, the Board shall order whatever remedy it deems appropriate. Failure to pay any fee assessed pursuant to the provisions of this Section shall constitute a violation of this Section.

(e) Appeals.

The Board Clerk is hereby directed to deliver a copy of the Board's Order by Certified Mail to the violator. Said Order shall include notice that any aggrieved

party, including the City, may seek review of the Boards' Order by filing a direct appeal in the Circuit Court of the Twentieth Judicial Circuit in and for Charlotte County, Florida, for a review of the record upon which the Order is based, in accordance with the procedure and within the time provided in the Florida Rules of Appellate Procedure for the review of rulings of any local government board. The appeal shall be on the record and not a hearing de novo.

(Ord. No. 934-88, <sec><sec> 1--4, 11-2-88; Ord. No. 1011-90, <sec> 1, 10-17-90; Ord. No. 1680-11, <sec> 2, 5-18-11; Ord. No. 1701-12, <sec> 1, 2-15-12)