

**BEFORE THE HEARING EXAMINER FOR THE BROWARD COUNTY  
RESILIENT ENVIRONMENT DEPARTMENT  
IN AND FOR BROWARD COUNTY, FLORIDA**

BROWARD COUNTY,

Petitioner,

vs.

NOTICE OF VIOLATION  
# NOV24-0005

RALPH FAMILY ENTERPRISES, LLLP,  
D/B/A ATLANTIC BURIAL CASKET  
COMPANY D/B/A ABCO,

Respondent.

---

**AGREED FINAL ORDER**

THIS CAUSE having come before the undersigned Hearing Examiner for the Broward County Resilient Environment Department ("Department"), on the joint motion of Petitioner, BROWARD COUNTY ("County"), and Respondent, RALPH FAMILY ENTERPRISES, LLLP, D/B/A ATLANTIC BURIAL CASKET COMPANY D/B/A ABCO ("Respondent"),<sup>1</sup> and having been advised in the premises, the Joint Motion for Agreed Final Order is hereby GRANTED and the following is hereby ORDERED:

I. Penalties and Costs

1. Respondent shall pay a civil penalty of \$6,200 and administrative costs of \$300, for a total of \$6,500, within thirty (30) days from the date this Agreed Final Order is rendered in the County's files.

II. Corrective Actions

2. Within fourteen (14) days of rendering of the Final Order in the County's files, the Respondent shall submit a compliance plan that identifies what measures the facility has taken or will take to ensure that crematory units receive proper maintenance and operation to prevent excess emissions. The compliance plan must specify that, consistent with Rule 62-210.310, Florida Administrative Code (F.A.C.), the facility will notify the Broward County Air Program of noncompliance with the Human Crematory Air General Permit conditions either by phone (954-519-1270) or email ([AirCompliance@broward.org](mailto:AirCompliance@broward.org)) no later than one business day after the event.

---

<sup>1</sup> The Petitioner and Respondent(s) are collectively referred to as the "Parties."

**NOTICE OF VIOLATION: NOV24-0005  
RESPONDENT: RALPH FAMILY ENTERPRISES, LLLP, D/B/A ATLANTIC BURIAL  
CASKET COMPANY D/B/A ABCO**

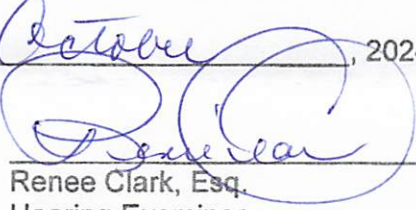
**III. Other Terms and Conditions**

- 3. The Parties agree these amounts are reasonable and shall not contest them in any subsequent action, except that the County reserves the right to enforce the Agreed Final Order. Any extensions to the time frames identified in this Agreed Final Order must be approved by the County in writing.**
- 4. The Parties agreed to waive their rights to an administrative hearing in this cause as set forth in Section 27-32 of the Broward County Code of Ordinances ("Code"), except as to an action for enforcement of this Agreed Final Order.**
- 5. Entry of this Agreed Final Order does not relieve the Respondent of the need to comply with all applicable federal, state, or local laws, regulations, or ordinances. Respondent recognizes their responsibility to take all reasonable measures necessary to prevent future violations of Chapter 27 of the Code. County hereby expressly reserves the right to initiate appropriate legal action to prevent or prohibit the future violation of applicable statutes or regulations, or to alleviate an immediate serious danger to the public health, safety, or welfare.**
- 6. Respondent acknowledges and agrees that failure to comply with this Agreed Final Order may result in the denial, suspension, or revocation of any license, permit, or approval pending or held by Respondent that is issued by the Department, pursuant to the Code.**
- 7. County does not waive the following provisions of the Code: Subsections 27-4(20), 27-55(d)(7), and 27-63(b)(6) regarding habitual violators; Subsection 27-22(a)(5) regarding history of noncompliance; and Subsection 27-38(d) regarding habitual citation violators. This Agreed Final Order is considered a settlement agreement for the purpose specified in Subsection 27-4(20) of the Code.**

NOTICE OF VIOLATION: NOV24-0005  
RESPONDENT: RALPH FAMILY ENTERPRISES, LLLP, D/B/A ATLANTIC BURIAL  
CASKET COMPANY D/B/A ABCO

- The Parties acknowledge they had the opportunity to seek and receive whatever competent advice and counsel as was necessary for them to form a full and complete understanding of all rights and obligations which attach by entry of this Agreed Final Order. The terms and language agreed to express the Parties' mutual intent and this Agreed Final Order shall not, solely as a matter of judicial construction, be construed more severely against one of the Parties than the other because of such party's preparation of this Agreed Final Order.

DONE and ORDERED this 24 day of October, 2024.

  
Renee Clark, Esq.  
Hearing Examiner

Received  
Broward County

OCT 31 2024

Resilient Environment Department  
Enforcement Administration

**BEFORE THE HEARING EXAMINER FOR THE BROWARD COUNTY  
RESILIENT ENVIRONMENT DEPARTMENT  
IN AND FOR BROWARD COUNTY, FLORIDA**

BROWARD COUNTY,

Petitioner,

vs.

NOTICE OF VIOLATION  
# NOV24-0005

RALPH FAMILY ENTERPRISES, LLLP,  
D/B/A ATLANTIC BURIAL CASKET  
COMPANY D/B/A ABCO,

Respondent.

\_\_\_\_\_ /

**JOINT MOTION FOR AGREED FINAL ORDER**

Petitioner, BROWARD COUNTY ("County"), by and through its Resilient Environment Department ("RED"), and Respondent, RALPH FAMILY ENTERPRISES, LLLP, D/B/A ATLANTIC BURIAL CASKET COMPANY D/B/A ABCO ("Respondent"),<sup>1</sup> hereby file this Joint Motion for Agreed Final Order in the above-styled case pursuant to Subsection 27-21(d) of the Broward County Code of Ordinances ("Code") and state as follows:

1. This cause was set for hearing before a Hearing Examiner on September 26, 2024, on Notice of Violation NOV24-0005, which alleged Respondent violated three Counts. Count 1 alleged Respondent violated Section 27-175(h) of the Code, which states:

"... No person shall cause, let, permit, suffer, or allow the emissions of particulate matter, from any source whatsoever, including but not limited to vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrial related activities such as loading, unloading, storing, handling, surface coating, or surface preparation without taking reasonable precautions to prevent such emission, as described in Subsection 27-177(b) of this article."

Count 2 alleged Respondent violated Section 27-175(d) of the Code which states:

---

<sup>1</sup> Petitioner and Respondent(s) are collectively referred to as the "Parties."

NOTICE OF VIOLATION: NOV24-0005  
RESPONDENT: RALPH FAMILY ENTERPRISES, LLLP, D/B/A ATLANTIC BURIAL  
CASKET COMPANY D/B/A ABCO

"... No person shall operate any air pollution control equipment or systems without proper and sufficient maintenance to assure compliance with this article."

Count 3 alleged Respondent violated Section 27-175(e) of the Code which states:

"... No person shall cause, suffer, allow, or permit the discharge of air pollutants from a Stationary Source which cause or contribute to an objectionable odor ..."

2. Notice of Violation NOV24-0005 alleged that on or about January 25, 2024, Respondent: (a) caused, let, permitted, suffered or allowed the emissions of particulate matter from a crematory unit; (b) operated air pollution control equipment or systems, such as the crematory unit, without proper and sufficient maintenance to assure compliance with this article; and (c) caused, suffered, allowed, or permitted the discharge of air pollutants from a stationary source which caused or contributed to an objectionable odor on or about January 17, 2024, January 19, 2024, and January 25, 2024, detected offsite of the crematory at 820 NW 57<sup>th</sup> Street Fort Lauderdale, FL 33309.
3. To further resolution of this cause without the need for a hearing, the Parties agree to the terms of the proposed Agreed Final Order attached hereto as Exhibit A.
4. The Parties acknowledge they had the opportunity to seek and receive whatever competent advice and counsel as was necessary for them to form a full and complete understanding of all rights and obligations which attach by entry of the proposed Agreed Final Order.

WHEREFORE, the Parties request that the Hearing Examiner enter the proposed Agreed Final Order and promptly render it in the files of County.

Respectfully submitted by the Parties on this 11 day of OCTOBER, 2024.

NOTICE OF VIOLATION: NOV24-0005  
RESPONDENT: RALPH FAMILY ENTERPRISES, LLLP, D/B/A ATLANTIC BURIAL  
CASKET COMPANY D/B/A ABCO

**RESPONDENT**  
RALPH FAMILY ENTERPRISES, LLLP,  
D/B/A ATLANTIC BURIAL CASKET  
COMPANY D/B/A ABCO

By:   
(Signature)

Print Name: Dorothy E. Watson, Esq.

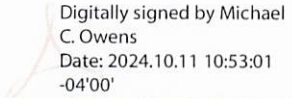
Title of Signatory: as attorney on behalf of

Company: Ralph Family Enterprises, LLLP

Florida Bar No. 45165  
Dorothy E. Watson  
Partner  
Foley & Lardner LLP  
Email: [dwatson@foley.com](mailto:dwatson@foley.com)

**PETITIONER**  
**BROWARD COUNTY**

Andrew J. Meyers  
Broward County Attorney  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-6968

Michael C.  
By: Owens 

Michael C. Owens, Esq.  
Senior Assistant County Attorney  
Florida Bar No. 995525  
Primary Email: [mowens@broward.org](mailto:mowens@broward.org)  
Secondary Email: [gbusacca@broward.org](mailto:gbusacca@broward.org)  
Counsel for Broward County



BEFORE THE HEARING EXAMINER FOR THE BROWARD COUNTY  
RESILIENT ENVIRONMENT DEPARTMENT  
IN AND FOR BROWARD COUNTY, FLORIDA

BROWARD COUNTY,

Petitioner,

vs.

NOTICE OF VIOLATION  
# NOV24-0005

RALPH FAMILY ENTERPRISES, LLLP,  
D/B/A ATLANTIC BURIAL CASKET  
COMPANY D/B/A ABCO,

Respondent.

\_\_\_\_\_ /

**AGREED FINAL ORDER**

THIS CAUSE having come before the undersigned Hearing Examiner for the Broward County Resilient Environment Department ("RED"), on the joint motion of Petitioner, BROWARD COUNTY ("County"), and Respondent, RALPH FAMILY ENTERPRISES, LLLP, D/B/A ATLANTIC BURIAL CASKET COMPANY D/B/A ABCO ("Respondent"),<sup>1</sup> and having been advised in the premises, the Joint Motion for Agreed Final Order is hereby GRANTED and the following is hereby ORDERED:

I. Penalties and Costs

1. Respondent shall pay a civil penalty of \$6,200 and administrative costs of \$300, for a total of \$6,500, within thirty (30) days from the date this Agreed Final Order is rendered in the County's files.

II. Corrective Actions

2. Within fourteen (14) days of rendering of the Final Order in the County's files, the Respondent shall submit a compliance plan that identifies what measures the facility has taken or will take to ensure that crematory units receive proper maintenance and operation to prevent excess emissions. The compliance plan must specify that, consistent with Rule 62-210.310, Florida Administrative Code (F.A.C.), the facility will notify the Broward County Air Program of noncompliance with the Human Crematory Air General Permit conditions either by phone (954-519-1270) or email ([AirCompliance@broward.org](mailto:AirCompliance@broward.org)) no later than one business day after the event.

<sup>1</sup> Petitioner and Respondent(s) are collectively referred to as the "Parties."

NOTICE OF VIOLATION: NOV24-0005  
RESPONDENT: RALPH FAMILY ENTERPRISES, LLLP, D/B/A ATLANTIC BURIAL  
CASKET COMPANY D/B/A ABCO

III. Other Terms and Conditions

3. The Parties agree these amounts are reasonable and shall not contest them in any subsequent action, except that the County reserves the right to enforce the Agreed Final Order. Any extensions to the time frames identified in this Agreed Final Order must be approved by the County in writing.
4. The Parties agreed to waive their rights to an administrative hearing in this cause as set forth in Section 27-32 of the Broward County Code of Ordinances ("Code"), except as to an action for enforcement of this Agreed Final Order.
5. Entry of this Agreed Final Order does not relieve the Respondent of the need to comply with all applicable federal, state, or local laws, regulations, or ordinances. Respondent recognizes their responsibility to take all reasonable measures necessary to prevent future violations of Chapter 27 of the Code. County hereby expressly reserves the right to initiate appropriate legal action to prevent or prohibit the future violation of applicable statutes or regulations, or to alleviate an immediate serious danger to the public health, safety, or welfare.
6. Respondent acknowledges and agrees that failure to comply with this Agreed Final Order may result in the denial, suspension, or revocation of any license, permit, or approval pending or held by Respondent that is issued by the Department, pursuant to the Code.
7. County does not waive the following provisions of the Code: Subsections 27-4(20), 27-55(d)(7), and 27-63(b)(6) regarding habitual violators; Subsection 27-22(a)(5) regarding history of noncompliance; and Subsection 27-38(d) regarding habitual citation violators. This Agreed Final Order is considered a settlement agreement for the purpose specified in Subsection 27-4(20) of the Code.



NOTICE OF VIOLATION: NOV24-0005  
RESPONDENT: RALPH FAMILY ENTERPRISES, LLLP, D/B/A ATLANTIC BURIAL  
CASKET COMPANY D/B/A ABCO

8. The Parties acknowledge they had the opportunity to seek and receive whatever competent advice and counsel as was necessary for them to form a full and complete understanding of all rights and obligations which attach by entry of this Agreed Final Order. The terms and language agreed to express the Parties' mutual intent and this Agreed Final Order shall not, solely as a matter of judicial construction, be construed more severely against one of the Parties than the other because of such party's preparation of this Agreed Final Order.

DONE and ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Renee Clark, Esq.  
Hearing Examiner