

Neighborhood & Community Services  
Code Enforcement Division  
707 E. Main Ave. PO Box 430  
Bowling Green, KY 42102-0430



Violation of Bowling Green Code of  
Ordinances' Chapter 27, Property Code

**CITATION**  
**2018-00008114**

**GIBSON JIPAUM ASKEW**  
**PO BOX 296**  
**PADUCAH KY 420020296**

Citation Issued Date: 6/22/2018  
Case #: 2017-00005062  
Certified Mail #: 7014 0510 0000 7250 9740

Property in Violation: **202 DOUBLE SPRINGS RD**

PVA Parcel #: **039B02W022**

**Violations:** See the attached Inspection Report for the named violations and Titles in Chapter 27, Property Code that have been violated.

**Correction Steps:** Repair, replace, remove or otherwise correct all items including but not limited to those specifically mentioned in this citation as being in violation of city's ordinances. All vehicles related violations of code title 27-5.03 (a), (b), (c), (d) and (e) must be kept in an approved enclosed building, otherwise remove from premises.

**A Code Compliance Re-Inspection** will be on

**Transfer of Property Ownership:** International Property Maintenance Code 107.5 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

**Civil Penalty: \$103.92**

**Additional Fines and fees:** If violation(s) to Chapter 27, Property Code remain on the Property in Violation after the completed Compliance Re-Inspection, additional citations may be issued and those violations will constitute a second or more offense against the Property in Violation. A second offense is double the first offense amount and a third or more offense is doubled from the second offense amount. All fines are subject to a per day fine amount set at the discretion of the Code Enforcement and Nuisance Board. In addition to fines being levied the City may remedy the violations with their own forces if so elected and the cost of that remedy shall be charged against the property owner for collection. All Certified Mail Postage and/or handling fees will be added to this Citation and will be billed to the property owner.

**Payment of Fine:** If payment of the fine is in person, come to the Treasurer's counter located in the City Annex Building at 1017 College St. If payment is by mail, send to: **City Treasurer, P O Box 1410, Bowling Green KY 42102-1410** Pay online at: <http://www.bgky.org>

All Fines and Fees that are not paid after being approved by the Code Enforcement and Nuisance Board will be subject to a lien being filed on the Property In-Violation.

**THE VIOLATOR SHALL RESPOND TO THIS CITATION WITHIN SEVEN (7) DAYS OF THE DATE THE CITATION IS ISSUED BY EITHER PAYING THE CIVIL FINE SET OUT ABOVE OR BY REQUESTING A HEARING BEFORE THE CODE ENFORCEMENT AND NUISANCE BOARD TO CONTEST THE CITATION. IF THE VIOLATOR DOES NOT CONTEST THIS CITATION WITHIN SEVEN (7) DAYS OF THE DATE THE CITATION IS ISSUED, THE VIOLATOR SHALL BE DEEMED TO HAVE WAIVED THE RIGHT TO A HEARING AND THE DETERMINATION THAT A VIOLATION WAS COMMITTED SHALL BE CONSIDERED FINAL. IN THIS EVENT, THIS CITATION AS ISSUED SHALL BE DEEMED A FINAL ORDER DETERMINING THAT THE VIOLATION(S) SET OUT IN THIS CITATION WAS COMMITTED AND IMPOSING THE CIVIL FINE SET OUT ABOVE AND THE VIOLATOR SHALL BE DEEMED TO HAVE WAIVED THE RIGHT TO APPEAL THE FINAL ORDER TO DISTRICT COURT. IF YOU CONTEST OR APPEAL THIS CITATION, THE CODE ENFORCEMENT AND NUISANCE BOARD HAS THE DISCRETION TO DOUBLE THE CIVIL FINE SET OUT ABOVE, TO IMPOSE A PER DAY FINE FROM THE DATE OF THE CITATION AND TO IMPOSE OTHER REMEDY FINDINGS IF THE BOARD UPHOLDS THE CITATION.**

Any request for a hearing contesting the citation shall be in writing giving the reason for the appeal to the Code Enforcement and Nuisance Board using the Appeal form attached to this citation. All requests for hearings shall be mailed to the City of Bowling Green, CENB Clerk, P.O. Box 430, Bowling Green KY 42102-0430. For additional information on appeals, please call: (270) 393-3102. If you request a hearing to contest the citation, do not pay the civil fine set out in this citation until the Code Enforcement and Nuisance Board has rendered a decision on your appeal.

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Inspected Address: **202 DOUBLE SPRINGS RD**

Case #: **2017-00005062**

Primary Owner: **GIBSON JIPAUM ASKEW**  
Mailing Address: **PO BOX 296**  
**PADUCAH KY 420020296**

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Inspector's Findings: Code Enforcement 2018-00008114

6/22/2018 8:00:00 AM

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**The inspection made at this property revealed the following violations to the Code of Ordinances:**

**Dangerous Building**

**\* Damaged Building**

Inspector's Comments: **This building was damaged by fire in 2015 and has remained in violation of code since that time.**

BGKY C27 27.5.02.a.1 - An unsafe / problem structure is defined as a building or other structure that poses a nuisance or danger to the public, police department or fire department and includes, but is not limited to the definition in the International Property Maintenance Code, as well as the following:

A building damaged by fire, wind, seismic or other causes so as to cause the building to become dangerous to life, limb or property of the occupants or to the public;

**C27.5.02.a.b Compliance Time Period**

When an unsafe / problem structure, not in danger of structural collapse, has been closed and secured from entry and the elements by the property owner and the structure continues to remain closed and secured from entry and the elements by approved methods, it may remain standing in a safe condition for a period not to exceed sixty (60) days from the date of the condemnation, fire, or damage from other means, or the date of the release of the property from a governmental, criminal, fire or explosives investigation, at which time an application must have been made for a building permit to repair or for a demolition permit. If a building permit is requested and approved, repair or renovation work to bring the property into compliance must be completed within sixty (60) days of the date of the issuance of the permit. If a demolition permit is requested and approved, demolition must be initiated within five (5) days and must be completed within thirty (30) days of the date of the issuance of the demolition permit.

**C27.5.02.a.c Failure to Comply**

Failure of the property owner to obtain the required permit(s) in the specified time and/or to keep the structure closed and secured from entry shall constitute permission to an official, employee, or other authorized agent of the City to enter upon the property to remedy the situation and to abate the nuisance by demolition and removal of the unsafe / problem structure.

### \* Additional Building Characteristics

Inspector's Comments: The dwelling at this location is characterized by disconnected utilities, extensive broken glass and peeling or flaking paint on the exterior walls in addition to exterior fire damage.

BGKY C27 27.5.02.a.5 - An unsafe / problem structure is defined as a building or other structure that poses a nuisance or danger to the public, police department or fire department and includes, but is not limited to the definition in the International Property Maintenance Code, as well as the following:

A building characterized by disconnected utilities, extensive broken glass, peeling or flaking paint on the exterior walls, loose or rotting materials on the roof or the exterior walls;

#### C27.5.02.a.b Compliance Time Period

When an unsafe / problem structure, not in danger of structural collapse, has been closed and secured from entry and the elements by the property owner and the structure continues to remain closed and secured from entry and the elements by approved methods, it may remain standing in a safe condition for a period not to exceed sixty (60) days from the date of the condemnation, fire, or damage from other means, or the date of the release of the property from a governmental, criminal, fire or explosives investigation, at which time an application must have been made for a building permit to repair or for a demolition permit. If a building permit is requested and approved, repair or renovation work to bring the property into compliance must be completed within sixty (60) days of the date of the issuance of the permit. If a demolition permit is requested and approved, demolition must be initiated within five (5) days and must be completed within thirty (30) days of the date of the issuance of the demolition permit.

#### C27.5.02.a.c Failure to Comply

Failure of the property owner to obtain the required permit(s) in the specified time and/or to keep the structure closed and secured from entry shall constitute permission to an official, employee, or other authorized agent of the City to enter upon the property to remedy the situation and to abate the nuisance by demolition and removal of the unsafe / problem structure.

### \* Vacant Building Not Secured

Inspector's Comments: The vacant building at this location has numerous boarded and broken windows and as such is not secure from entry or the elements.

BGKY C27 27.5.02.a.6 - An unsafe / problem structure is defined as a building or other structure that poses a nuisance or danger to the public, police department or fire department and includes, but is not limited to the definition in the International Property Maintenance Code, as well as the following:

Any vacant building or structure not secured from entry or the elements.

#### C27.5.02.a.b Compliance Time Period

When an unsafe / problem structure, not in danger of structural collapse, has been closed and secured from entry and the elements by the property owner and the structure continues to remain closed and secured from entry and the elements by approved methods, it may remain standing in a safe condition for a period not to exceed sixty (60) days from the date of the condemnation, fire, or damage from other means, or the date of the release of the property from a governmental, criminal, fire or explosives investigation, at which time an application must have been made for a building permit to repair or for a demolition permit. If a building permit is requested and approved, repair or renovation work to bring the property into compliance must be completed within sixty (60) days of the date of the issuance of the permit. If a demolition permit is requested and approved, demolition must be initiated within five (5) days and must be completed within thirty (30) days of the date of the issuance of the demolition permit.

#### C27.5.02.a.c Failure to Comply

Failure of the property owner to obtain the required permit(s) in the specified time and/or to keep the structure closed and secured from entry shall constitute permission to an official, employee, or other authorized agent of the City to enter upon the property to remedy the situation and to abate the nuisance by demolition and removal of the unsafe / problem structure.

## Exterior Structure

### \* Vacant Structures and Land

Inspector's Comments: The vacant dwelling at this location is not maintained in good condition, is characterized by numerous code violations, is characterized by fire damage from 2015, is not connected to utilities, and is abandoned by definition.

IPMC 3.301.3 - All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

### \* Glazing

Inspector's Comments: There are many broken/boarded/missing windows on the structure at this location.

IPMC 3.304.13.1 - The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight. All glazing materials shall be maintained free from cracks and holes.

### \* Protective Treatment

Inspector's Comments: There are areas of a structure at this location that lacks and/or has insufficient protective treatment including, but not limited to, areas of peeling/flaking/chipping paint and areas of exterior fire damage.

IPMC 3.304.2 - The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

## Nuisance

### \* Definitions: Abandoned

Inspector's Comments: The vacant dwelling at this location has been unoccupied since 2015, is not serviced by public utilities, and is neglected by the owner.

BGKY C27 27.1.03.Abandoned - "Abandoned" shall mean any structure that is vacant, unoccupied or not in use for a period of one (1) year or more and which is any of the following: neglected, dilapidated, unsanitary, vermin infested, not serviced by public utilities, dangerous to the safety of person, unfit for its intended use by reason of neglect or lack of maintenance, has become a place for the accumulation of trash or debris or is the subject of a building permit requirement and has not satisfactorily passed building inspection in the last six (6) months or more.

### \* Duty of Maintenance of Private Property

Inspector's Comments: The exterior of the structure at this location is in a state of disrepair and is in a manner which could cause substantial diminution in the value of other property in the neighborhood in which it is located for an extended period of time.

This property continues to generate citizen complaints. The property owner is and has been aware of the numerous violations and the condition of the structure and has been given adequate time to bring the property into compliance but has failed to do so.

BGKY C27 27.6.03 - No person owning, leasing, occupying or having charge of any property or premises shall maintain or keep any nuisance thereon, nor shall any such person keep or maintain such property or premises in a manner which could cause substantial diminution in the value of the other property in the neighborhood in which such property or premises are located.

### \* Dilapidated Structures

Inspector's Comments: The structure at this location was damaged by fire in 2015 and is vacant and abandoned by definition of code and is in a state of deterioration and/or dilapidation due to neglect.

BGKY C27 27.6.05.i - Dilapidated structures. All buildings, walls and other structures which have been damaged by fire, decay or otherwise and which are in a state of dilapidation, deterioration or decay so as not to provide shelter, sufficient sewer, plumbing, electrical or heating facilities or which are unsound or in danger of collapse or failure and which are a danger to the safety of the public or which are vacant or abandoned and open or accessible to vagrants or passersby or which are otherwise built, erected or maintained in violation of any ordinance;

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If you do not understand the violation or cannot reference where the violation is on your property, notify the Assigned Code Official for clarification within the next seven days.

If an Appeal is not filed with the Code Enforcement & Nuisance Board Clerk a COMPLIANCE INSPECTION will be on

If the property is still in violation after the Compliance Inspection additional citations may be issued until compliance is rendered.

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I have inspected the Property in Violation and have found it in non-compliance with the City of Bowling Green's Code of Ordinances, Chapter 27, Property Code, Chapter 21, Streets & Sidewalks and/or the adopted International Property Maintenance Code. By order of the City of Bowling Green, I do hereby issue a citation.



Brad Schargorodski  
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