

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
2017-00006841.1

PYDR LLC
1401 FAIRVIEW AVE
BOWLING GREEN KY 421031457

Citation Issued Date: 9/28/2017
Case #: 2017-00007113
Certified Mail #: 7015 1730 0000 6308 4810

Property in Violation: **100 15TH AVE W**

PVA Parcel #: **039B15 098**

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 **10/09/2017**

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: \$153.81

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.

Inspected Address: 100 15TH AVE W

Case #: 2017-00007113

Primary Owner: PYDR LLC
Mailing Address: 1401 FAIRVIEW AVE
BOWLING GREEN KY 421031457

Inspector's Findings: Code Enforcement 2017-00006841.1

9/28/2017 8:00:00 AM

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

Exterior Structure

*** Vacant Structures and Land**

Inspector's Comments: The vacant structure at this location is not maintained in good repair and has several code violations for an extended period of time.

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.

*** Protective Treatment**

Inspector's Comments: There are areas of the structure at this location that lack and/or have insufficient protective treatment including, but not limited to, several areas of missing or damaged siding, decaying/deteriorating wood, and a portion of the exterior of the structure is characterized by Tyvek-type wrap. The property has been in this condition for an extended period of time and the property owner has had sufficient time to bring the property into compliance.

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.

*** Exterior Walls**

Inspector's Comments: Exterior walls at this location are not maintained in good repair as they are characterized by holes, breaks and loose/rotting material. Additionally there is an area where insulation is exposed due to missing/inadequate exterior walls.

IPMC 3.304.6 - 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 walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

Nuisance

*** 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.

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.

*** Accumulation of Construction, Demolition or Landscaping Debris**

Inspector's Comments: There is an accumulation of construction/demolition and/or landscape debris on the premises including, but not limited to, bricks, lumber, roofing/siding material, etc for a long period of time. Please remove any and all construction/demolition/landscape debris.

BGKY C27 27.6.05.b - It shall be unlawful for the owner, occupant or person having control or management of any public or private land within the City to permit a public nuisance to develop thereon. Public nuisances include, but are not limited to, the following conditions:

Accumulation of construction, demolition, landscaping debris or other waste materials. All exterior property and premises shall be free from any accumulation of combustible and noncombustible waste materials, including any material resulting from maintenance, demolition, repair, alteration or construction of buildings, structures or grounds, or landscaping or natural damage of grounds, including, but not limited to, ashes, stones, glass, concrete, fallen trees, tree branches, brush and yard trimmings;

*** Sidewalks and Driveways**

Inspector's Comments: Sidewalks/walkways at this location are not maintained in good repair.

IPMC 3.302.3 - All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

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 10/09/2017

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

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
Code Official
Office: 270-393-3110
Email: brad.schargorodski@bgky.org