

RESOLUTION NO. 7114

A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS, DECLARING THAT ON THAT CERTAIN REAL PROPERTY, COMMONLY KNOWN AS 1231 PENNSYLVANIA STREET, LAWRENCE, DOUGLAS COUNTY, KANSAS, THERE EXIST CONDITIONS THAT ARE INJURIOUS TO THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY, DIRECTING THAT THE OWNER OF SAID REAL PROPERTY SHALL REMEDIATE SUCH CONDITIONS BY MAY 22, 2015, AUTHORIZING THE CODE OFFICIAL TO ABATE SUCH CONDITIONS IN THE EVENT THAT THE OWNER FAILS TO DO SO, AND PROVIDING THAT THE COSTS AND EXPENSES OF ANY SUCH ABATEMENT BE ASSESSED AGAINST THE OWNER IN THE MANNER PROVIDED BY LAW, ALL IN ACCORDANCE WITH CHAPTER IX, ARTICLE 6 OF THE CODE OF THE CITY OF LAWRENCE, 2015 EDITION, AND AMENDMENTS THERETO.

WHEREAS, pursuant to the City's Property Maintenance Code, Chapter IX, Article 6 of the Code of the City of Lawrence, Kansas, 2015 Edition, and amendments thereto, the Code Official has determined that certain conditions, injurious to the health, safety, and welfare of the community, exist upon that certain real property ("the subject property"), commonly known as 1231 Pennsylvania Street, Lawrence, Douglas County, Kansas, the legal description of which is set forth at Section 2, *infra*;

WHEREAS, in accordance with Chapter IX, Article 6 of the Code of the City of Lawrence, Kansas, 2015 Edition, and amendments thereto, the Code Official served the owner of record of the subject property with a Notice and Order, detailing the existence of conditions injurious to the health, safety, and welfare of the community and granting the owner of record a reasonable time within which to remediate the alleged conditions or to request a hearing before the Building Code Board of Appeals;

WHEREAS, the owner of record of the subject property has neither remediated the alleged violations in a timely manner nor requested a hearing before the Building Code Board of Appeals within the time allotted by Chapter IX, Article 6 of the Code of the City of Lawrence, Kansas, 2015 Edition; and

WHEREAS, at its April 21, 2015, regular public meeting, in accordance with Chapter IX, Article 6 of the Code of the City of Lawrence, Kansas, 2015 Edition, the Governing Body considered the abatement of those conditions, injurious to the health, safety, and welfare of the community, existing on the subject property.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

SECTION 1. The above-stated recitals are incorporated herein by reference and shall be as effective as if set forth herein in full.

SECTION 2. The Governing Body finds that conditions, injurious to the health, safety, and welfare of the community, exist on that real property, commonly known as 1231 Pennsylvania Street, Lawrence, Douglas County, Kansas, and bearing the following legal description, to-wit:

LOT 127 ON PENNSYLVANIA STREET IN THE ORIGINAL TOWNSITE OF THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.

SECTION 3. The Governing Body finds that the following conditions, injurious to the health, safety, and welfare of the community, exist on the subject property:

Miscellaneous items scattered and stored, including but not limited to scrap wood, old windows, used plastic containers, ladders, and old Christmas tree stands, throughout the front and rear yards of the subject property.

SECTION 4. The Governing Body hereby orders the owner of the subject property, or his or her agent, to remediate the conditions described in Section 3, *supra*, on or before June 22, 2015, by removing all exterior storage and accumulations of debris from the subject property.

SECTION 5. If the owner of the subject property or his or her agent fails to remediate the above-described conditions on or before June 22, 2015, then the Governing Body hereby directs the owner of record and his or agent, if any, to appear before it in the City Commission Room, First Floor, 6 East 6th Street, Lawrence, Kansas, on July 7, 2015, to show cause why the Code Official should not be directed to abate said conditions and to assess the costs and expenses incurred by such abatement to the owner of the subject property, all in accordance with Chapter IX, Article 6, Section 9-606 of the Code of the City of Lawrence, Kansas, 2015 Edition, and amendments thereto.

SECTION 6. The Code Official shall serve a copy of this Resolution on the owner of the subject property in accordance with by Chapter IX, Article 6, Section 9-606 of the Code of the City of Lawrence, Kansas, 2015 Edition, and amendments thereto.

ADOPTED by the Governing Body of the City of Lawrence, Kansas, this 21st day of April, 2015.

APPROVED:



Jeremy Farmer, Mayor

ATTEST:



Diane Trybom, Acting City Clerk

APPROVED AS TO FORM:



Toni R. Wheeler, City Attorney