



City of Lawrence

PLANNING & DEVELOPMENT SERVICES

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May 6, 2016

Mr. Leon Kimball
1231 Pennsylvania Street
PO Box 1962
Lawrence, KS 66044

RE: City of Lawrence Resolution No. 7161 ordering removal of miscellaneous debris, scrap wood, and metal, salvage materials and plastic containers from exterior premise areas of 1231 Pennsylvania Street by July 22, 2016

Dear Mr. Kimball:

During its May 3, 2016 meeting, the City Commission adopted Resolution No. 7161 ordering removal of miscellaneous debris, scrap wood and metal, salvage materials, used plastic containers and other similar items from the rear yard and front porch of the property at 1231 Pennsylvania Street by July 22, 2016. Resolution No. 7161 also directs the City Code Official to proceed with removal of these items if not removed by the property owner by July 22, 2016, and to assess the costs and expenses incurred by the City to the owner of the property.

Attached is a copy of Resolution No. 7161.

You can call me directly at (785) 832-3117, or via email me at kschroeder@lawrenceks.org should you have any questions. Thank you in advance for your cooperation.

Sincerely,

Kurt A. Schroeder
Asst. Director, Planning & Development Services

CC: Ms. Shelly Wakeman
330 Maine St.
Lawrence, KS 66044-1359

Brian Jimenez, Code Enforcement Manager

Attachment: Copy of Resolution No. 7161

RESOLUTION NO. 7161

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 JULY 22, 2016, 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 May 3, 2016, 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 scattered debris, scrap wood and metal, salvage materials, used plastic containers and other similar items throughout the rear yard and on the front porch of the subject property.

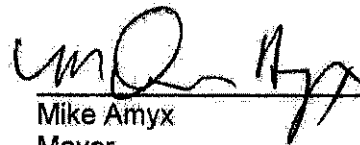
SECTION 4. The Governing Body hereby orders the owner of the subject property, or his or her agent, to remediate the conditions described in Section 3, *supra*, on or before July 22, 2016, by removing all exterior accumulations of debris, scrap items, salvage materials, plastic containers and similar items 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 July 22, 2016, then the Governing Body hereby directs the Code Official 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 3rd day of May, 2016.

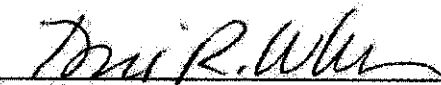
APPROVED:


Mike Amyx
Mayor

ATTEST:


Brandon McGuire
Acting City Clerk

APPROVED AS TO FORM:


Toni R. Wheeler
City Attorney