

COMMONWEALTH OF KENTUCKY
CITY OF BEREA
CODE ENFORCEMENT BOARD

IN RE THE MATTER OF:)
)
109 ORCHARD STREET, BEREA,)
KENTUCKY;)
GENEVA POWELL)
HOUSING STANDARDS AND)
CONDITIONS)

ORDER

* * * * *

This matter having come on for hearing before the Code Enforcement Board upon the issuance of a complaint charging that the property at 109 Orchard Street was in violation of Berea City Ordinance Chapter 70.200, 70.250(F), 70.250(G), 70.250(I) and 70.251(D), which complaint was made by the Code Enforcement Office of the City of Berea, Building Inspector Amanda Haney, originally on December 4, 2019, this Board held a hearing to determine whether the property is compliant in providing a dwelling fit for human habitation; the dwelling is supplied with potable water; all plumbing fixtures are installed and discharging into a public sewage system; that garbage is being disposed property; and the electric service is properly installed and maintained in good working order.

A hearing was held on this matter before the Code Enforcement Board on February 4, 2020, at the hour of 4:00 p.m. Board Members present were Andrew Baskin, Ken Vasey, Terry Bingham and Tom Schultz and James Anderson. Also present was Robin Adams, City Clerk; Jerry W. Gilbert, Corporation Counsel; and Amanda Haney and Anisa Ross of the Code Enforcement Office.

After being duly sworn, Amanda Haney of the City of Berea Code Enforcement Office, offered testimony and a written and photographic record of her inspections of the property at 109

Orchard Street. The owners were first notified on October 23, 2019 after an inspection that the property is in violation for an accumulation of rubbish and garbage on the property. The property was again inspected on November 4, 2019 and it was found the violations were still present and a Code Citation was issued November 4, 2019. On December 4, 2019 a site inspection was again conducted and it was found there remains a large amount of brush, trash and rubbish on the property and the property, there are no utilities in service and the property has been unoccupied for a period of at least two (2) weeks. The photographs presented by Haney depicted the brush and rubbish on the property and around the structure. It was requested that the City approve the clean-up of the property, to board up the structure and to place a lien on the property for costs incurred.

It was shown the owners were notified of the violations and that proper notice of the hearing was given, however, no owner appeared.


Based on the evidence, the Code Enforcement Board makes the following findings of fact:

1. The property at 109 Orchard Street is currently in violation of the City's Ordinance Chapter 70.200 as follows: the dwelling is not suitable for human habitation; that although city utilities (electric, water and sewer) are available to the residence, they are not currently in service; the residence is unoccupied; and there is brush, garbage and rubbish on the property and around the structure.

2. The owner had notice of the hearing but did not appear.

Based on the foregoing findings, the Codes Enforcement Board is authorized to remove and dispose of all garbage and rubbish on the property and shall secure the structure to prevent unlawful entry and shall place a lien upon the property for all costs incurred for same.


City of Berea
Codes Enforcement Board


Andrew Baskin, Chairman

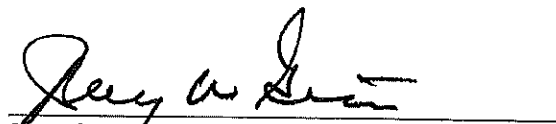
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Order was mailed to the following on this 18 day of February, 2020:

Geneva Powell
or Current Resident
109 Orchard Street
Berea, KY 40403


City Clerk

Prepared by:


Jerry W. Gilbert
Corporation Counsel