



City of Lawrence
PLANNING & DEVELOPMENT SERVICES

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NOTICE OF EMERGENCY MEASURES – IMMINENT DANGER

March 5, 2014

Bonita Yoder
PO Box 1243
Lawrence, Ks 66044

RE: 608 Kentucky St – Condition of Front Porch

Dear Ms. Yoder,

On February 24, 2014, the City determined that the front porch of the structure located at 608 Kentucky Street is severely compromised, as the north support column is substantially damaged and continues to deteriorate. There is a valid concern that the column will fail sooner rather than later, thus creating a dangerous situation. As a result of the column's condition, the City declares the structure an unsafe structure as that term is defined at Section 108.1.1 of the *2012 International Property Maintenance Code*, as adopted by the City of Lawrence at Chapter 9, Article 6 of the City Code. That section provides:

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing the minimum safeguards to protect or warn occupants in the event of a fire, or because such structure contains unsafe conditions, unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Furthermore, the City finds that, under Section 109.1 of the *2012 International Property Maintenance Code*, as adopted by the City, the condition of the front porch column creates an imminent danger to public safety, as the collapse of the column and porch would endanger life. That section provides:

When in the opinion of the *code official*, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by occupation of the structure, or when there is actual or potential danger to the building occupants or those in proximity of any structure because of explosives fumes, or vapors or the presence of toxic fumes, gases or materials, or the operation of defective or dangerous equipment, the *code official* is hereby authorized and empowered to order and require the occupants to vacate the *premises* forthwith. The *code official* shall cause to be posted at each entrance to such structure a notice reading as follows:



"This structure is Unsafe and Its Occupancy Has Been Prohibited by the *Code Official*."

It shall be unlawful for any person to enter such structure, except for the purpose of securing the structure, making the required repairs, removing the hazardous condition, or of demolishing the same.

After speaking with you in person on February 26, 2014, it is the City's understanding that the structure is currently occupied by you only as an office use. You advised that you are entering the structure only through the rear (east) entrance and are not using the front (west) door for entry. Under those circumstances, you may continue to use the structure for office use; however, the remainder of the structure shall remain vacant until repairs are completed to eliminate the unsafe condition. Accordingly, our office will post a modified notice stating that use of the west entrance is prohibited until repairs are completed.

On February 28, 2014, the City received a structural report from you *via* email. The report is from Robert E. Quick of Raytown, Missouri. Mr. Quick is a professional engineer licensed by the state of Kansas. Therefore, his report is appropriate for identifying the repairs that must be completed to bring the damaged column and porch to a safe condition. In summary, according to Mr. Quick's report, the north column must be replaced immediately (Option 1) due to the significant damage observed during his inspection. Mr. Quick also provided you with Option 2, which would require you to remove the porch roof and install all new columns. Mr. Quick recommended that you pursue Option 2 as it would provide the best support and would be the most cost effective improvement in that it would prevent the need for future improvements to the other two columns. However, the City only will require you to complete Option 1 at this time.

On March 3, 2014, the City confirmed that you had erected the appropriate fencing barrier to prevent easy access to the porch. That barrier shall remain in place until the repair work has commenced and the column/porch is no longer an unsafe structure.

Based on staff's observations and the findings of Mr. Quick's report, the City hereby orders you to complete the following no later than **March 21, 2014**:

1. Hire a licensed general contractor to perform the work;
2. Submit Mr. Quick's report with building permit application to the Building Safety Division for review and approval prior to the commencement of work; and
3. Provide the Code Enforcement Division with a timeline for the completion of the repair work.

Please be advised:

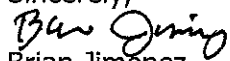
Your failure to complete the above requirements by **March 21, 2014**, will result in the City proceeding with emergency repairs as identified in Section 109.4 of the *2012 International Property Maintenance Code*, as adopted by the City, which states the following:

For the purpose of this section, the *code official* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

Under that section, all costs incurred in the performance of emergency work will be paid by the City. However, be forewarned that after the work is completed and paid for by the City, the City may, under Section 109.5 of the *2012 International Property Maintenance Code*, as adopted by the City, institute appropriate action against you to recover said costs.

You may contact me at 785-832-3111 if you have questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Jiménez". The signature is written in a cursive style with a large initial "B".

Brian Jiménez

Code Enforcement Manager