

  
**The City of Henderson**  
Administration Department  
Code Enforcement Division

1990 Barrett Court, Suite B  
Henderson, KY 42420

Phone: 270-831-1277  
Fax: 270-831-1271

**Issued to:**

AUDUBON LOANS I LLC  
PO BOX 205  
OWENSBORO KY 42302

**Citation No:** 2020-00000906  
**Date /Time of Issuance:**  
November 23, 2020 4:02 PM

**CITATION**  
**CONDEMNATION**

**Physical Address of Property:** 239 FIRST ST, HENDERSON, KY 42420  
**Date and Time Violation Noted:** 11/23/2020 at 8:00 AM

On the date and time noted above, the property at 239 FIRST ST, HENDERSON, KY 42420 was found to be in violation of one or more sections of the City of Henderson Code of Ordinances and/or the International Property Maintenance Code as adopted by the City of Henderson as described below.

**Violation(s):**

| <b>Section Code</b> | <b>Code Title</b> | <b>Full Description</b>   |
|---------------------|-------------------|---|
| 108.1.1             | Unsafe structures | 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 minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains 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. |

**Facts Constituting the Offense:**

Building is on the ground in large pile of debris creating an unsafe situation. Demolition agreement dated August 22, 2020 and signed by property owner states all demolition debris would be removed from the property within thirty days. Although an extension was granted, continued communication with property owner has not resulted in a definitive plan for demolition debris removal.

**Corrective Action:**

**Remove and properly dispose of all demolition debris from the property. Construction fencing must be maintained around the perimeter until removal is complete.**

**Civil Fines:**

(a) *Uncontested* – If the citation of the violation noted above is not contested, the penalties set forth are as follows in Offense/Fine information below.

(b) *Contested* – If the citation of the violation noted above is contested and a hearing before the Code Enforcement Board is required, the maximum penalties set forth are as follows in Offense/Fine information below.

| <b>Offense/Fine</b>         | <b>Offense/Fine Detail</b> |
|-----------------------------|----------------------------|
| Number of Offense           | FIRST OFFENSE              |
| Fine Amount-<br>Uncontested | \$125.00                   |
| Fine Amount-<br>Contested   | \$200.00                   |

Unless the citation is contested, all fines shall be paid to the City of Henderson within seven (7) days of the date of issuance, either in person or by mail to the office of Code Enforcement located at 1990 Barret Court, Suite B, Henderson, KY 42420. **Include a copy of the citation with payment of fines.**

**Procedure to Contest the Citation:**

The person to whom the citation is issued has the right to request, in writing, a hearing to contest the citation within seven (7) days of the date of issuance. The request for a hearing shall be submitted the office of Code Enforcement at 1990 Barret Court, Suite B, Henderson, KY 42420.

**Failure to Respond:**

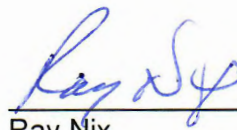
If the person to whom the citation is issued fails to respond to the citation within seven (7) days, the person shall be deemed to have waived the right to a hearing and the determination that a violation was committed shall be considered final. In this event, the citation, as issued, shall be deemed a final order determining that the violation was committed and imposing the civil fine as set forth in the citation, and the person shall be deemed to have waived the right to appeal the final order to Henderson District Court.

**Authority to Abate:**

The code enforcement officer has the authority to abate any and all deficiencies contained in the citation with all charges and fees incurred by the city in connection with the enforcement of the ordinance billed to the owner.

**Section 15-56 Transfer of ownership:**

It shall be unlawful for the owner of any dwelling unit or structure who has received a notice of violation, or upon whom a citation or final order has been served, to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the notice of violation, citation or final order have been complied with, or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any notice of violation, citation or final order issued by the code enforcement officer and shall furnish to the code enforcement officer a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such notice of violation, citation or final order and fully accepting the responsibility without condition for making the corrections or repairs required by such notice of violation, citation or final order.



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Ray Nix  
Code Enforcement Officer

CC:  
William L. "Buzzy" Newman, City Manager  
Dawn Kelsey, City Attorney