



City of Bloomington Engineering Department

August 29th, 2013

Norman and Pamela Ladd
815 E University St
Bloomington, IN 47401

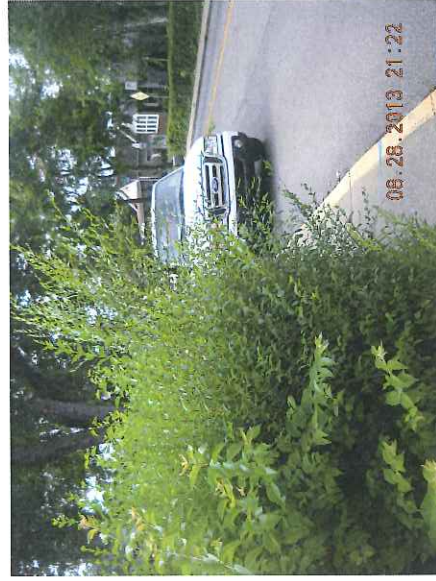
RE: Notice of Violation, 1117 S Rogers St

Dear Property Owners;

It has come to the attention of the City of Bloomington that you have several trees and bushes, located in the Right-of-Way at 601 S Ballantine Road, which are in violation of one or more of the following Bloomington Municipal Code ("BMC") Sections:

- 12.24.040(2). Public Safety and Required Clearances.** Every owner shall remove or have removed all dead, diseased, or dangerous trees or flora, or broken or decayed limbs which overhang or may fall upon public property and which constitute a hazard to public safety.
- X 12.24.040(2). Public Safety and Required Clearances.** Every owner shall properly prune or have properly pruned the branches of such tree(s) or flora so that the branches shall not obstruct any traffic control signs or devices, the view of any street intersection, or light from any street lamp.
- X 12.24.040(2). Public Safety and Required Clearances.** There shall be a clearance standard space of fifteen (15) feet above any highway or street surface and eight (8) feet above any sidewalk surface to the bottom of the tree canopy.

Findings: On 07/17/2013, City Engineering received a complaint that the sidewalk was blocked by overhanging bushes and that it was difficult to exit onto Rogers from the alley. A site visit on 08/29/2013 (see photos) revealed that the bushes in the Right-of-Way belonging to the property located at 1117 S Rogers Street was hanging over the sidewalk to an extent that has made the sidewalk difficult to navigate for pedestrians. Per City Municipal Code, it is the responsibility of the property owner to maintain the flora adjacent to the street right-of-way so that the view of the street or the clearance above the sidewalk is not disrupted. Following the visit I contacted the property owner (Ladd Rentals) and asked them to trim back the bushes to the edge of the sidewalk. They mentioned that they would send their crews to the property to take care of the situation.



Rogers St, looking South




Rogers St, looking North

This violation requires your immediate attention. You are required to abate this violation within ten (10) days of the date of this Notice of Violation. Failure to abate this violation within the allotted time may result in one or more of the following actions being taken:

- (1) fines may be assessed in accordance with BMC Section 12.24.120; and/or
- (2) the City Legal Department may initiate litigation in accordance with BMC Section 12.24.110(3); and/or
- (3) the City may seek an abatement order from the Board of Park Commissioners at the next regularly scheduled meeting in accordance with BMC Section 12.24.110. If the City seeks an abatement order from the Board of Park Commissioners, you will be advised of the date, time and location of the meeting in a subsequent letter.

If you have any questions concerning this Notice of Violation, or how you may abate the violation, please feel free to contact me at (812) 349-3417.

Respectfully,



Roy Allen
City of Bloomington
Engineering Department