



City of Abilene Board of Building Standards Agenda

Notice is hereby given of a meeting of the Board of Building Standards of City of Abilene to be held on December 4, 2019, at 8:15 a.m., at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items.

CALL TO ORDER

MINUTES

- a. Approval of the Minutes from Previous Meeting, Held on October 2, 2019

PUBLIC COMMENTS:

STATEMENT OF POLICY

In all cases, except where specifically stated otherwise, buildings must be secured and the lot clean and mowed by the owner within ten (10) days of receipt of notice of results of this hearing. If this is not done, the City is to do so and bill the owner. In any case where the Board orders the owner to demolish a structure or structures, but the owner fails to demolish or appeal the Board's order, the City may demolish. Any appeal must be filed in district court within 30 calendar days after the aggrieved party receives notice of the Board's decision. At the hearing, you should be prepared to present the following information:

1. Specific time frame needed to complete repairs.
2. Specific scope of repair work to be completed.
3. Cost estimates for work to be done by licensed, bonded contractors such as electrical, plumbing or heating and air-conditioning contractors.

You have the right to hire an attorney to represent you at the hearing, the right to inspect the file on the property at the office of Planning and Development Services prior to the hearing, and the right to request the presence of city staff for the purpose of questioning at the hearing.

- a. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 19-03574: 909 Pecan St. (30 189 J T ANDERSON 2OT ABL), Owner: Gonzalez, Raul Oliva**
 - Public Hearing
- b. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 19-004517: 1050 Chestnut St. (NORTHINGTON, BLOCK A, LOT S40 E180), Owner: Smith, Alton**
 - Public Hearing

ADJOURNMENT

CERTIFICATION

Notice

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received forty-eight (48) hours prior to scheduled meetings. Please contact the City Secretary's Office at 325-676-6208. Telecommunication device for the deaf is 325-676-6360.

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 22nd day of November, 2019, at 12:50 p.m.

Shawna Atkinson, City Secretary

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
November 06, 2019 8:15 a.m.
BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL**

Members Present: Mr. Delbert Allred
Mr. David Beard, Chairman
Mr. Anthony McColum
Dr. Wayne Paris
Mr. Wayland Schroeder
Mr. Lloyd Turner
Mr. Gary Webb

Staff Present:
Mr. Michael Rice, Assistant City Manager
Mr. Mike Warrix, Director of Planning and Development Services
Mr. Tim Littlejohn, Assistant Director of Planning and Development Services / Building Official
Mr. Chace Craig, Assistant City Attorney
Mr. Clay Door, Community Enhancement Division Manager
Mr. Carl Collum, Code Compliance Officer
Mr. AJ Gamez, Code Compliance Officer
Mr. Josh Mares, Code Compliance Officer
Ms. Catina Betoncur, Office Assistant

Others Present: Allen Clark
Kerri McNeil Clark
Blanca Cortez
Raul Oliva Gonzalez
Bill Minter
Luke Nelson
Dave Rankin
Mary Rivera

CALL TO ORDER

Mr. Beard called the meeting to order at 8:15 a.m. and Ms. Betoncur recorded the minutes. A quorum of members was present, and the meeting proceeded.

APPROVAL OF MINUTES

The minutes of the last meeting, October 03, 2019 were provided in advance to Board Members for review.

A motion was made by Mr. Schroeder to approve the minutes and was seconded by Mr. Allred, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

ABSTAIN: Mr. Webb

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 13-008: 2134 Parramore St (PRESTON OF HARRIS, BLOCK N 1/3, LOT 32) Mary Rivera, (owner)

A motion was made by Mr. Allred to un-table the case from the previous meeting and was seconded by Mr. Schroeder, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Mr. Door presented the case and read the staff findings into the record.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (a, c, e, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (b)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

Order: The owner is to provide a plan of action within 10 days and complete the project with a final inspection within 45 days.

Mr. Door explained that the electrical rough in was rejected by the inspector.

Public Hearing:

Mr. Beard opened the public hearing. Mrs. Mary Rivera spoke about the status of the property. After hearing the staff recommendation, Mrs. Rivera agreed with the order of the staff.

There being no other speakers, Mr. Beard closed the public hearing.

A motion was made by Mr. Allred to provide a plan of action within 10 days and complete the project with a final inspection within 45 days and seconded by Mr. Schroeder.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 14-023: 1902 Henson St (A0187 SUR 82 JOHN JARMON, TRACT LT 12 W50E75N150S300 DAVILLE) Guadalupe Islas, Owner

A motion was made by Mr. Allred to un-table the case from the previous meeting and was seconded by Mr. Schroeder, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Mr. Door read staff findings into record.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (a, c, e, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (b)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

Order: The owner is to provide a plan of action within 10 days and complete the project with a final inspection within 45 days.

Mr. Door explained to the Board that the building inspector canceled the inspection due to the property being locked and the owner not being available, in addition, the building framing inspection failed.

Public Hearing:

Mr. Beard opened the public hearing. There being no other speakers, Mr. Beard closed the public hearing.

A motion was made by Mr. Allred to provide a plan of action within 10 days and complete the project with a final inspection within 45 days and seconded by Mr. Schroeder, motion carried.

AYES: Mr. Allred, Mr. McColum, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: Dr. Paris

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 17-009: 633 S 11th (OT ABILENE BLK 208 ANDERSON 1-A, LOT 7-12) Abilene Courts Development Corp LLC, Owner

Mr. Door read staff findings into record.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (d & g)

- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

Order: Owner to provide a Plan of Action with documented timeline for funding within 60 days and documented update in 90 days with specific progress

Mr. Door explained about the notifications that were given and that the property has potential historic value.

Public Hearing:

Mr. Beard opened the public hearing. Dale Rankin, owner spoke about the property status and its historic significance. He and his wife plan to renovate the property for lodging and restaurant, as well as, a green space to attract visitors to this area of town and through Abilene by way of the historic Bankhead Highway. Mr. Rankin also acquired the adjacent block for future parking. He is securing state and federal tax credits for the restoration project. Mr. Rankin provided the Board with a copy of the conceptual property plans. He explained that the projection would take 12-18 months to complete. He has done an environmental study.

Bill Minter, member of the Abilene Preservation League and Preservation Texas, read a letter from Preservation Texas that explained the significance of the Abilene Courts being listed as one of the Texas Endangered properties and how it is listed in the National Register of Historic places.

There being no other speakers, Mr. Beard closed the public hearing.

The Board discussed its concerns for structural hazards and security. Mr. Rankin explained that he is providing patrol security as way to deter crime and vandalism. In addition, there is a six foot locked chain linked fence.

Public Hearing:

Mr. Beard opened the public hearing for a second time. Dale Rankin, owner spoke about not having the original Plan of Action and that he was working on getting a designation on the property as a historical property. Mr. Rankin does plan to continue with or without the tax credit to complete the renovation project. There being no other speakers, Mr. Beard closed the public hearing.

Bill Minter spoke about how the City of Abilene's historic overlay designation has some ad valorem tax benefit which allows state and federal tax credits to be available.

The Board had discussion on how to get the property secured and if the property could be pulled out of condemnation. The Board suggested putting up an opaque fence to help with securement. Mr. Craig advised the board to require the owner to provide funding in writing and regular updates to the staff as part of the Board order.

The Board suggested that the owner will need to provide a timeline and specific progress to prevent continuous extensions.

Dr. Paris made a motion to have the owner provide a plan of action with documented timeline for funding within 60 days and documented update in 90 days with specific progress and was seconded by Mr. Webb, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Webb, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 19-01842: 501 Peach St. (11-12 159 OT ABILENE) Knapp, Robert B & Mary E % Blanca Cortez, Owners

Mr. Door read staff findings into the record.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f,)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

Order: 30 days to obtain all permits and provide a plan of action including a timeframe for repair and cost estimates. And if this is done, 60 days to obtain rough-in inspections and if this is done, all final inspections shall be completed by the expiration of all permits.

Public Hearing:

Mr. Beard opened the public hearing. Blanca Cortez spoke about the status of the property. She is currently working on paying overdue taxes, and she explained there were issues with vagrants stealing the materials from inside the home. She does not have current permits and will work on providing a Plan of Action. There being no other speakers, Mr. Beard closed the public hearing.

The staff explained that Ms. Cortez does not have her name on the warranty deed and may not be able to pull permits to work on the home. The home has been without utilities since 2005. She is listed as *In care of* in the Taylor County Appraisal District. The owner has not contacted the staff and has not been able to be reached. Mr. Littlejohn informed the Board that he could work with Ms. Cortez to get building permits.

Mr. Schroeder made a motion to order the owner to repair, 30 days to obtain all permits and provide a plan of action including a time frame for repair and cost estimates, and if this is done, 60 days to obtain rough-in inspections, and if this is done all final inspections shall be completed by the expiration of all permits. Mr. Allred seconded the motion, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Webb, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 19-03574: 909 Pecan St.
(30 189 J T ANDERSON 20T ABL) Gonzalez, Raul Oliva, Owner

Mr. Door read staff findings into the record.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

Order: 30 days to obtain all permits and provide a plan of action including a timeframe for repair and cost estimates. And if this is done, 60 days to obtain rough-in inspections and if this is done, all final inspections shall be completed by the expiration of all permits.

Public Hearing:

Mr. Beard opened the public hearing. Raul Oliva Gonzalez spoke about the status of the property. He purchased the home to remodel but due to loss of personal finances, he could not finish the project. He needs an extension. He has secured a sub-contractor but needs time to obtain another buyer. Mr. Gonzalez said that he will know an answer by November 15th. There being no other speakers, Mr. Beard closed the public hearing.

Mr. Turner made a motion to table this case until the November Board meeting and Dr. Paris seconded the motion, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Webb, Mr. Schroeder, Mr. Beard
NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 19-004718: 3025 N 12th St.
(A0050 SUR 88 PATRICK E DURST, BLOCK A, TRACT N 133.5 W 129 LOT 1) McNeil,
Kerri, Owner

Mr. Door read staff findings into the record.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, & f.)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (d & g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

Order: 30 days to obtain all permits and provide a plan of action including a timeframe for repair and cost estimates. And if this is done, 60 days to obtain rough-in inspections and if this is done, all final inspections shall be completed by the expiration of all permits.

Public Hearing:

Mr. Beard opened the public hearing. Mr. Allen Clark spoke about the status of the property. He explained that Kerri McNeil is his wife. Mr. Clark boarded up the home because he was informed that the house was unsecure. He began work with a contractor twice and was given a stop work order twice and all work ceased.

Mr. Luke Nelson, the contractor, discussed the work that he performed with the property prior to the stop work order. He pulled permits and attempted to extend the front part of the house but was told it was commercially zoned and no residential extension was permitted.

Mr. Clark added that a new roof and decking had been added to the property's structure and the structure was boarded up and secured before he received a stop work order. The intention for the structure is to keep it as a residence.

Mr. Littlejohn clarified that there are no current permits pulled for this property. He explained that permits were pulled previously, but they were denied because necessary documents were missing.

Mr. Webb made a motion to order the owner to repair, 30 days to obtain all permits and provide a plan of action including a time frame for repair and cost estimates, and if this is done, 60 days to obtain rough-in inspections, and if this is done all final inspections shall be completed by the expiration of all permits. Mr. McColum seconded the motion, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Webb, Mr. Schroeder, Mr. Beard
NAYS: None

ADJOURNMENT

There being no further business to come before the meeting, the Board of Building Standards meeting was adjourned at 10:30 a.m.

X

Approved, Chairman

BOARD OF BUILDING STANDARDS

December 4, 2019



PUBLIC NOTICE – December 4, 2019 MEETING

A meeting of the Board of Building Standards will be held at 8:15 a.m., Wednesday, December 4, 2019 in the Council Chambers at City Hall, 555 Walnut Street, Abilene, Texas, to consider the following properties on the agenda: 909 Pecan St, Abilene TX 79602 and 1050 Chestnut St, Abilene TX 79602. Property owners are required to submit at the hearing proof of the scope of work, including cost estimates, that may be required to comply with city ordinance and the calendar days in which it will take to perform the work. Owners have the right to hire an attorney to represent them, the right to inspect the file on the property at the office of Planning and Development Services prior to the hearing, and the right to request the presence of city staff for the purpose of questioning at the hearing. The Board may take action, including but not limited to demolition orders and/or the assessment of civil penalties.



ITEM NO. 3 (a)

CASE # 19-03574

909 Pecan St



CHECKLIST FOR RECORDS SEARCH

Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.

COUNTY RECORDS –General Warranty Deed naming **GONZALEZ RAUL OLIVA** to be the owner

TAYLOR CAD–Shows owner to be **GONZALEZ RAUL OLIVA**

SECRETARY OF STATE –No records for this name found

TAX RECORDS OF THE MUNICIPALITY –Not applicable

UTILITY RECORDS OF THE MUNICIPALITY–Inactive since June 2018

Search reveals **GONZALEZ RAUL OLIVA** to be the owners of this property



TIMELINE OF EVENTS

- **July 31, 2019** Initial condemnation notification, 30/60, Plan of Action and utility shut off letters sent
- **September 30, 2019** Owner came in and informed staff that no funds were available to repair or demo this structure but has a potential buyer
- **October 8, 2019** No further progress, sent notice of November 6, 2019 BOBS meeting.
- **October 17, 2019** Owner provided a contract of sale to a new owner, Leigh Archer ABBARES LLC, sale is not yet finalized, new owner is undecided whether they will repair or demolish the structure
- **November 6, 2019** BOBS tabled this case pending sale
- **November 13, 2019** Sent notice of December 4, 2019 BOBS, new potential owner decided not to purchase this property.



PUBLIC NOTICE



Southside of structure



Large hole in roof with loose material



West side rear

July 11, 2019 at 10:42 AM

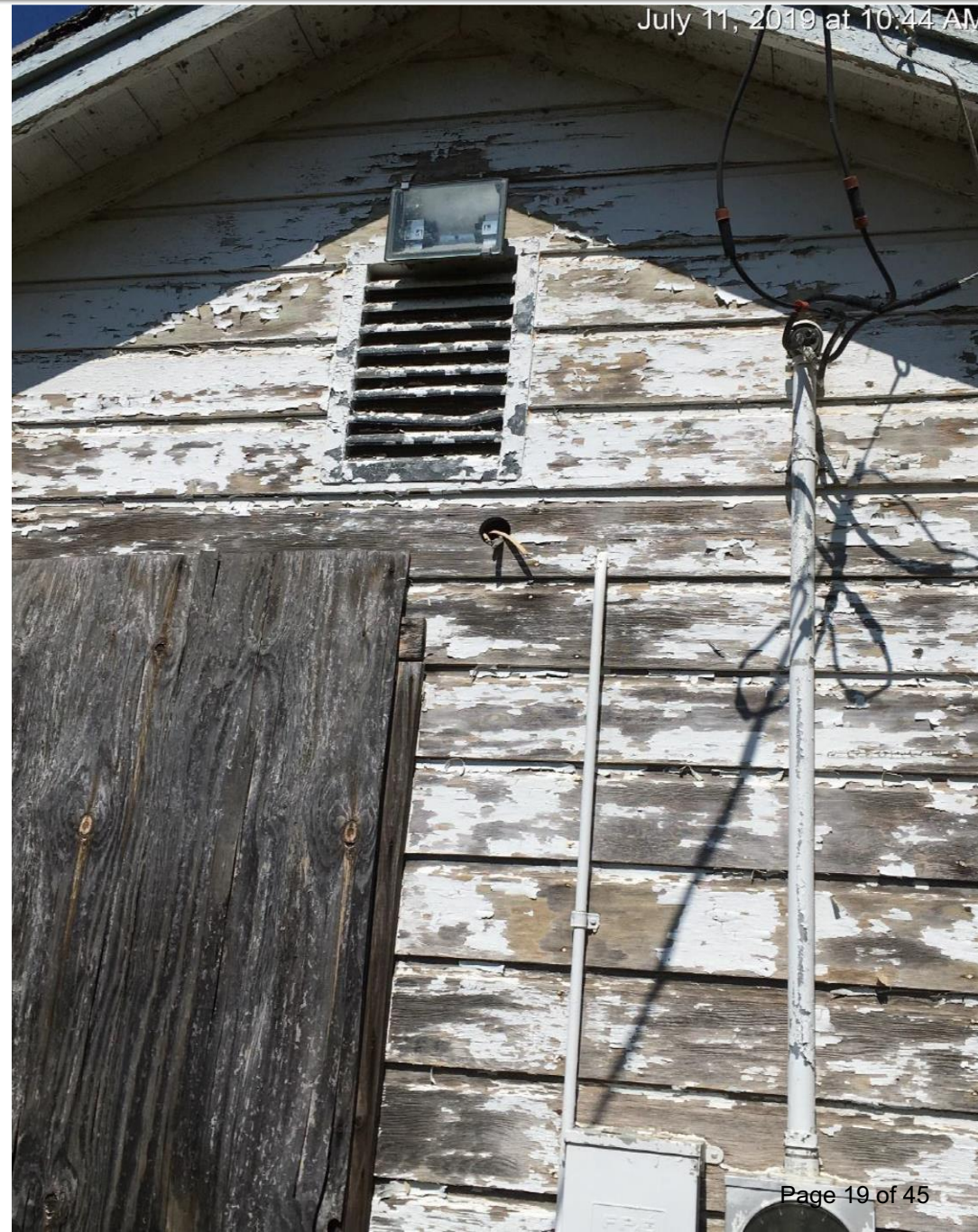




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Front east side



Electric and plumbing hazards

July 11, 2019 at 10:45 AM



Staff Recommendation:

- ORDER OWNER TO REPAIR – **30 DAYS TO OBTAIN ALL PERMITS AND PROVIDE PLAN OF ACTION INCLUDING A TIMEFRAME FOR REPAIR AND COST ESTIMATES.**
- AND IF THIS IS DONE, **60 DAYS TO OBTAIN ROUGH-IN INSPECTIONS**
- AND IF THIS IS DONE, **ALL FINAL INSPECTIONS SHALL BE COMPLETED BY THE EXPIRATION OF ALL PERMITS.**



TIMELINE OF EVENTS

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Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

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- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)



End of 909 Pecan St. presentation



ITEM NO. 3 (b)

CASE # 19-004517

1050 Chestnut St



CHECKLIST FOR RECORDS SEARCH

Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.

COUNTY RECORDS – General Warranty Deed naming **ALTON SMITH** to be the owner

TAYLOR CAD–Shows owner to be **ALTON SMITH**

SECRETARY OF STATE –No records for this name found

TAX RECORDS OF THE MUNICIPALITY –Not applicable

UTILITY RECORDS OF THE MUNICIPALITY–Inactive since June 26, 2018

Search reveals **ALTON SMITH** to be the owners of this property



TIMELINE OF EVENTS

- **September 16, 2019** Initial condemnation notification, 30/60, Plan of Action and utility shut off letters sent. Owner called and stated he would secure the building and pull permits
- **September 27, 2019** Owner submitted incomplete plan of action without details and permits were denied
- **October 16, 2019** Owner submitted incomplete plan of action without details and permits were denied. Owner was instructed to hire a licensed contractor to provide estimate
- **November 12, 2019** Sent notice of December 4, 2019 BOBS meeting Owner requested a new plan of action and was asked again by the Building Official to hire a licensed contractor to provide estimates
- **November 14, 2019** Owner started repairs without permits, stop work order posted on structure



PUBLIC NOTICE

November 13, 2019 at 11:32:11 AM
Abilene

—NOTICE—
PUBLIC HEARING
CONCERNING CONDEMNATION
OF THIS PROPERTY
AT CITY HALL ON
December 4, 2019 AT 8:15 A.M.
All interested parties are urged to attend.
676-6277

Owner Rights and Responsibilities

At the hearing you should be prepared to present the following information:

1. Specific time frame needed to complete repairs.
2. Specific scope of repair work to be completed.
3. Cost estimates for work to be done by licensed, bonded contractors such as electrical, plumbing or heating and air-conditioning contractors.

You have a right to hire an attorney to represent you at the hearing, the right to inspect the file on the property at the office of Planning and Development Services prior to the hearing, and the right to request the presence of city staff for the purpose of questioning at the hearing.



Front eastside of structure

September 13, 2019 at 3:13:16 PM
Abilene



Outer Southside Unsecured



North side fire damage



West side rear





F i r e d a m a g e



Fire Damage



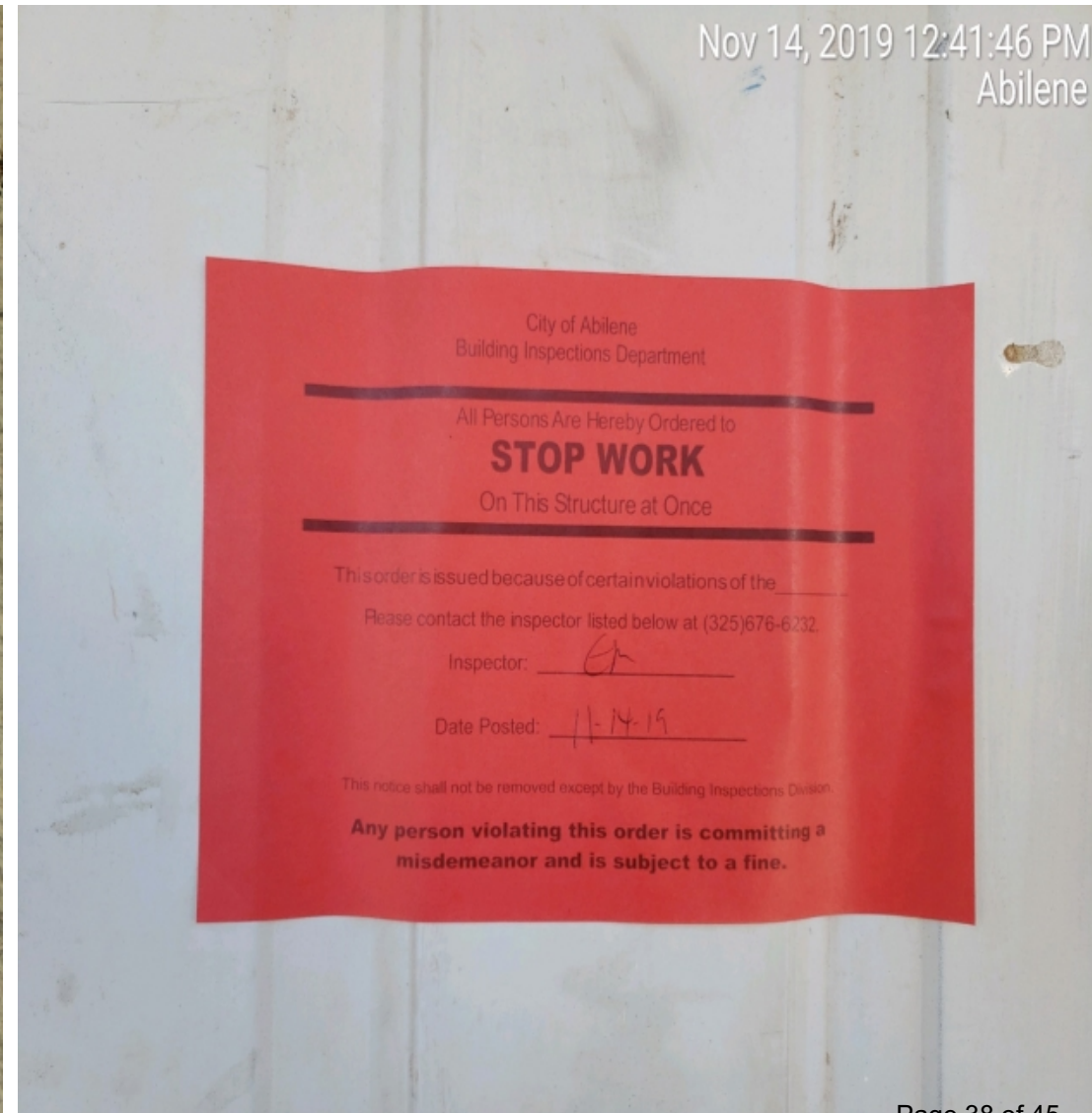
Repair without permits



Hazardous Electrical Covered Up



STOP WORK ORDER POSTED



Electrical and plumbing hazards



Structural and Electrical Hazard Southside Interior



Plumbing and More Fire Damage Southside Interior



Staff Recommendation:

- ORDER OWNER TO REPAIR – **30 DAYS TO OBTAIN ALL PERMITS AND PROVIDE PLAN OF ACTION INCLUDING A TIMEFRAME FOR REPAIR AND COST ESTIMATES.**
- AND IF THIS IS DONE, **60 DAYS TO OBTAIN ROUGH-IN INSPECTIONS**
- AND IF THIS IS DONE, **ALL FINAL INSPECTIONS SHALL BE COMPLETED BY THE EXPIRATION OF ALL PERMITS.**



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- **November 14, 2019** Owner started repairs without permits, stop work order posted on structure



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- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing, Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)



End of 1050 Chestnut St. presentation

