



# City of Bloomington Engineering Department

September 28, 2011

Koji & Linda A. Abe  
600 S Hawthorne Dr  
Bloomington, IN 47401-5012

## RE: Notice of Violation

Dear Property Owner;

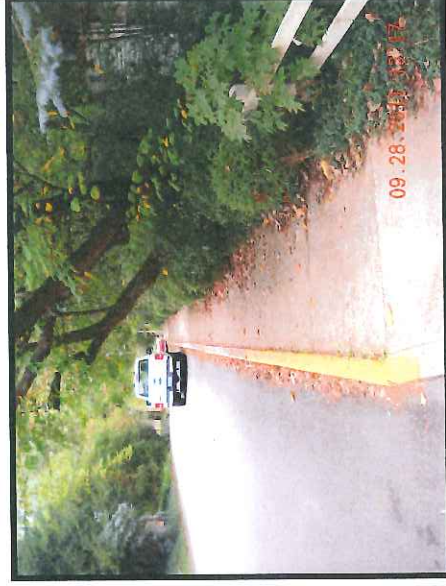
It has come to the attention of the City of Bloomington that you have several trees and bushes, located at 600 S Hawthorne Drive, which are in violation of one or more of the following Bloomington Municipal Code ("BMC") Sections:

- 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.
- 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.
- 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 09/28/2011, City Engineering received a complaint that trees and bushes were hanging over the sidewalks at the corner of E 2<sup>nd</sup> St and S Hawthorne Dr. A site visit on 09/28/2011 (see photos) revealed that the bushes and trees on the property at 600 S Hawthorne Dr were hanging over the sidewalks and forcing pedestrians to be diverted into the street. A minimum clearance of 8 feet is required over the sidewalk and the current condition is in violation of Bloomington Municipal Code 12.24.040. During this visit I attempted to contact the property owner by knocking on the door but nobody answered.



Looking West on 2<sup>nd</sup> Street




Looking South on Hawthorne

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 Public Works 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 Public Works, 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 Aten  
City of Bloomington  
Engineering Department