

CODE ENFORCEMENT BOARD
CITY OF HENDERSON, KENTUCKY

Citation # 2021-00001006

CITY OF HENDERSON, KENTUCKY
Petitioner
v
SCOTT F. CRAFTON
Respondent

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

This cause was presented at a public hearing before the Board on Monday, August 23, 2021, after due notice to the Respondent, Scott F. Crafton, and the Board having heard testimony under oath, received evidence, considered stipulations, and heard arguments, now issues its Findings of Fact, Conclusions of Law and Order, as follows:

FINDINGS OF FACT

The Respondent, whose mailing address is 2869 US Highway 41 N #A, Henderson, KY 42420, is the owner or person in charge of property located at 3121 Highway 41 N, Henderson, KY 42420, including the Jerry's billboard located on said property.

The Respondent received a citation issued by Ray Nix, Code Enforcement Officer, dated July 21, 2021, which charged the Respondent with a violation of Section 108.1.1 of the International Property Maintenance Code as adopted by the Code of Ordinances of the City of Henderson, Kentucky, described as follows:

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.

The Board finds that, based on all of the testimony and evidence presented at the hearing, the condition described in the citation did exist at the time the citation was issued and continues to exist, that the condition constitutes a violation of Section 108.1.1 of the International Property Maintenance Code as adopted by the Code of Ordinances of the City of Henderson, Kentucky, and that the condition is the responsibility of the Respondent as owner, or person in charge, of the property on which the violation occurred.

CONCLUSIONS OF LAW

The Board concludes that, based on the foregoing Findings of Fact, Respondent has committed a violation of Section 108.1.1 of the International Property Maintenance Code as adopted by the Code of Ordinances

of the City of Henderson, Kentucky, as charged in the citation, and the Jerry's billboard located on the property at 3121 Highway 41 N, Henderson, KY 42420 is unsafe and is therefore condemned.

Condemnation will not be implemented for thirty (30) days to provide Respondent the opportunity to propose an alternate solution.

ORDER

Respondent, Scott Crafton, is ordered to report back to the Code Enforcement Board within thirty (30) days of August 23, 2021 with a definitive plan for remedying the above-described violation so that the property located at 3121 Highway 41 N, Henderson, KY 42420 is code-compliant. Absent such a plan being presented to the Board within the thirty (30) day deadline, the condemnation will move forward. Respondent is also ordered, effective August 23, 2021, to construct and maintain safety measures, *e.g.*, fences, signs, etc., necessary to restrict access to the Jerry's billboard and the area surrounding it so as to prevent danger to life, health, property or safety. The civil fine to be imposed against Respondent is currently abated.

DONE AND ORDERED THIS 30th day of August, 2021.

CODE ENFORCEMENT BOARD OF HENDERSON, KENTUCKY

By:

Alan C. Taylor
Chairman, Code Enforcement Board

I HEREBY CERTIFY that a true and correct copy of the foregoing Findings of Fact, Conclusions of law and Order has been furnished to Respondent, Scott F. Crafton, on this the 30th day of August, 2021.

Sara W. Lowell
Secretary, Code Enforcement Board