

ROCHESTER BOARD OF PUBLIC WORKS AND SAFETY
320 MAIN STREET
ROCHESTER, INDIANA 46975

ORDER
March 15, 2024

MAILING ADDRESS:

Name: Hector I & Mindy S Navarro
Address: 516 E 11TH ST.
Rochester, IN 46975

PROPERTY ADDRESS/LEGAL
DESCRIPTION:

516 E 11TH ST.
Rochester, IN 46975
Lot 547 Less 132' W End R & H.

You are hereby given notice that the above named property has been determined to be unsafe as described under IC 36-7-9-4 for the following reason(s):

1. in an impaired structural condition that makes it unsafe to a person or property;
2. a fire hazard;
3. a hazard to the public health;
4. a public nuisance;
5. dangerous to a person or property because of a violation of a statute or ordinance concerning building condition or maintenance; or
6. vacant and not maintained in a manner that would allow human habitation, occupancy, or use under the requirements of a statute or ordinance.

You are hereby ordered to perform the following action(s) within fifteen (15) days of the date notice is given:

1. vacating the building/premises;
2. sealing the building/premises against intrusion by unauthorized persons;
3. extermination of vermin in and about the building/premises;
4. removal of trash, debris, or fire hazardous material in and about the building/ premises;
5. repair or rehabilitate the building/premises to bring it into compliance with standard for building condition or maintenance required for human habitation, occupancy, or use by a statute, a rule adopted under IC 4-22-2, or an ordinance;
6. removal of part/ all of the unsafe building/ premises;
7. if building/premises is to be sealed for more than 90 days, the following requirements apply:
 - a. sealing against intrusion by unauthorized persons and the effects of weather;
 - b. exterior improvements to make the building compatible in appearance with other buildings in the area; and
 - c. continuing maintenance and upkeep of the building and premises.

A hearing for the ordered action is not required. This Order becomes final ten (10) days after notice is given unless a hearing is requested in writing by a person holding a fee interest, life estate interest, or equitable interest of a contract purchaser in the building/premises, and the request is delivered to the enforcement authority before the end of the ten (10) day period. (If numbers 2, 3 or 4 are checked above, a hearing is not required.)

X A hearing for the ordered action is required. Said hearing shall be held at the next regularly scheduled Rochester City Board of Public Works and Safety meeting on the 3rd of May 2024 at 8:30 A.M. E.S.T. in the Council Chambers at the City Hall Building, 320 Main Street, Rochester, IN 46975. You are entitled to appear at the hearing with or without legal counsel, present evidence, cross-examine opposing witnesses, and present arguments. (If numbers 1, 5, 6, or 7 are checked above, a hearing is required.)

If this Order is not complied with, the enforcement authority may cause the action required by this Order to be performed by a contractor or otherwise, and you shall be responsible for all costs associated with having the action required by this Order performed. You have the following obligations if transferring the property without complying with this Order:

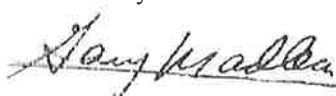
1. must, supply full information regarding the Order to a person who takes or agrees to take a substantial property interest in the building/premises before transferring or agreeing to transfer that interest; and
2. must, within five (5) days after transferring or agreeing to transfer a substantial property interest in the building/premises, supply the enforcement authority with written copies of:
 - a. the full name, address, and telephone number of the person taking a substantial property interest in the unsafe premises; and
 - b. the legal instrument under which the transfer or agreement to transfer the substantial property interest is accomplished.

You commit a Class C infraction for the following violations of this Order, and each day that the violation continues constitutes a separate offense:

1. remaining in, using, or entering a building/ premises in violation of this Order;
2. knowingly interfering with or delaying the carrying out of this Order;
3. knowingly obstructing, damaging, or interfering with persons engaged or property used in performing any work or duty;
4. failing to comply with your obligation as described above relating to notification of subsequent interest holders and the enforcement authority if transferring the property without complying with this Order

The name, address, and telephone number of the enforcement authority is:

Gary Madlem
125 E 9th Street, Ste 012
Rochester, IN 46975
(574) 223-7667


Building Inspector/Enforcement Authority