



City of Trinity, North Carolina

Notice of Violation

Date of Issuance: July 17, 2024

Sandra K Wheeler
4017 Carriage House Cir
Trinity NC 27370

Re: Property Address: 4017 Carriage House Cir.
Property ID Number: 6796982421

In response to area complaints an inspection of your property at 4017 Carriage House Cir. was made by this department on June 26, 2024. At the time of inspection there were several dead trees on your property placing you in violation of *Sec 11-32 0 2*) of the City of Trinity Nuisance Ordinance which enumerates the violation as:

Structures, remains of structures or lots with a condition that is detrimental, dangerous, or hazardous to the public safety, health, and welfare. For purposes of enforcement of this subsection this shall be a condition which consists of one (1) or more of the following: 2) Unstable structures or trees which may fall or collapse.

To bring your property into compliance it will be necessary to remove the dead trees in question. If the corrections are not made by **July 27, 2024**, the City of Trinity will begin the process of assessing civil penalties of :

- One hundred dollars (\$100.00) for the first offence
- Two hundred fifty dollars (\$250.00) for the second offence
- Five hundred dollars (\$500.00) for the third offence and thereafter during the same calendar year each day that the violation remain s on the property is a separate violation.

The City may also choose to abate the violation as laid out in *Sec. 11-36* of the City of Trinity Nuisance Ordinance. You the property owner will be responsible for any expense a lien will be placed on your property and collected as unpaid taxes.

You may appeal this Warning Citation within 10 days from the Date of the Letter to the Board of Adjustment if you feel that an error has been made in the application of this ordinance or factual situation as it relates to the application of the ordinance or both. *The Board of Adjustment shall have power only in the manner of administrative review where it is alleged that the enforcement official has made an error in the application of the ordinance, in the factual situation as it relates of an ordinance or both.*

Please call (336) 431-2841 or e-mail: Planning2@trinity-nc.gov if you have questions, and/or if you do not own the property; and/or the violations have been corrected. Your continued cooperation in resolving matters at this address is greatly appreciated.

Sincerely,

Jay Dale
Code Enforcement Officer



City of Trinity, North Carolina

Civil Citation

Date of Issuance: August 7, 2024

Sandra K Wheeler
4017 Carriage House Cir.
Trinity NC 27370

Re: Property Address: 4017 Carriage House Cir.
Property ID Number: 6796982421

An inspection of your property at 4017 Carriage House Cir. was made by this department on June 26, 2024. At the time of inspection the dead trees for which you were sent a Notice of Violation on July 17, 2024 remained on your property which places you in violation of *Sec 11-32 o) 2* of the City of Trinity Nuisance Ordinance which enumerates the violation as:

2) Unstable structures or trees which may fall or collapse.

The Notice of Violation for this violation you received dated July 17, 2024 gave you until July 27, 2024 to bring your property into compliance. This violation subjects you to a civil penalty in the following amounts:

- One hundred dollars (\$100.00) for the first offence
- Two hundred fifty dollars (\$250.00) for the second offence
- Five hundred dollars (\$500.00) for the third offence and thereafter during the same calendar year each day that the violation remains on the property is a separate violation.

This letter is to inform you that the City of Trinity is citing you **100 dollars (\$100.00)** for the first offence. You are further notified that under *Sec 11-34 b) 5* civil penalties begin at the date of this letter and will continue "running up to and including the date the violation has been remedied" following the schedule given above. Payments can be made to the City Clerk's Office. Should the violation continue to exist by the 30th day after the original notification, the City may seek to recover the penalty together with all costs (including but not limited to administrative, postage, contractors, and abatement) by filing a civil action in the general court of justice in the nature of a suit to collect a debt and seek appropriate injunctive relief to remedy the violation.

Please call (336) 431-2841 or e-mail: Planning2@trinity-nc.gov if you have questions, and/or if you do not own the property; and/or the violations have been corrected. Your continued cooperation in resolving matters at this address is greatly appreciated.

Sincerely,

Jay Dale
Code Enforcement Officer

ESTIMATE



Ingram's Tree Service

1410 Sagewood Lane
Archdale, NC 27263

BILL TO

City Of Trinity
5978 NC Highway 62
Trinity, NC 27370

ESTIMATE # 1557

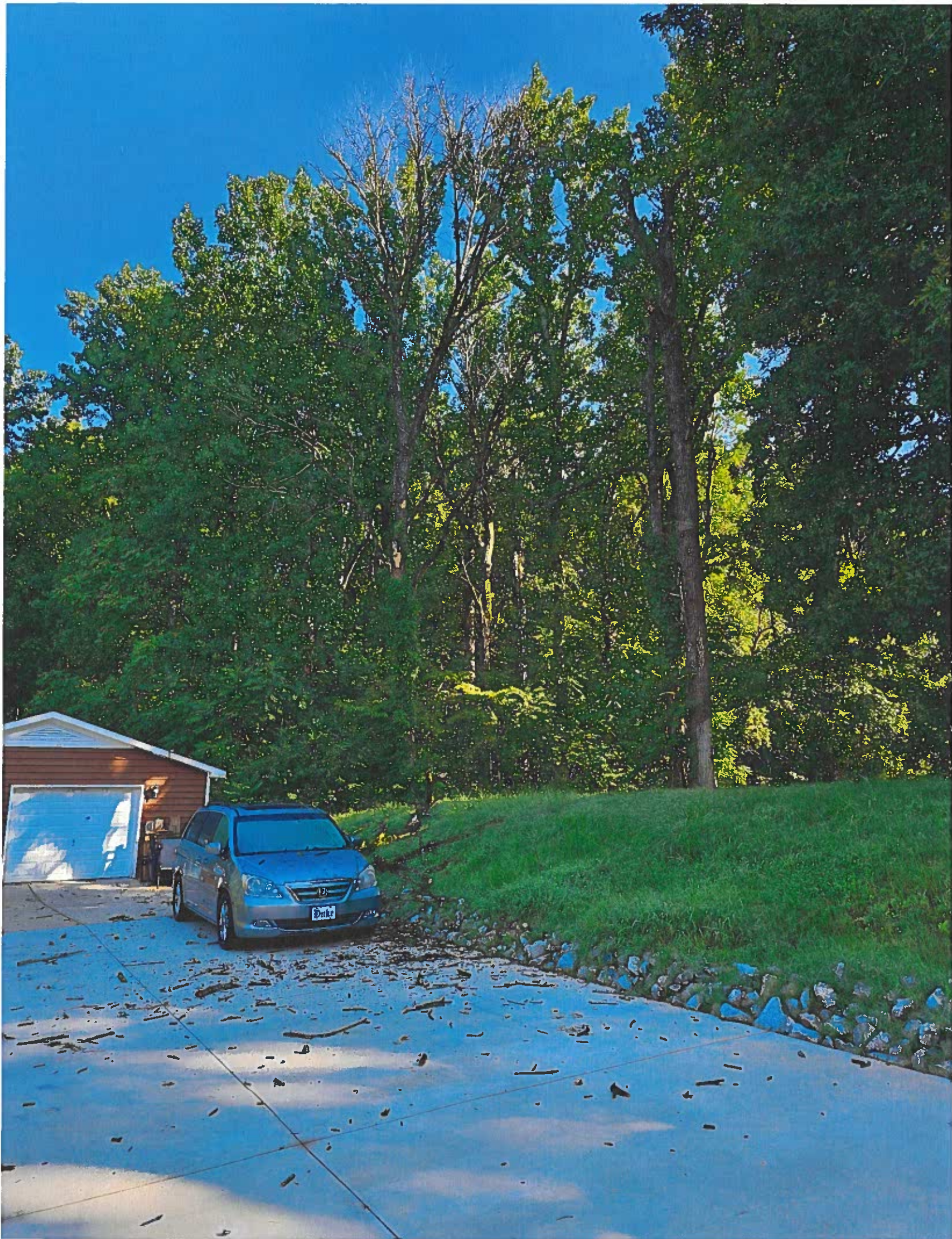
ESTIMATE DATE 08/19/2024

QTY	DESCRIPTION	UNIT PRICE	AMOUNT
1	Take down Eight Ash trees, cut up, haul everything away as discussed.	9,000.00	9,000.00
		TOTAL	\$9,000.00

Thank you

TERMS & CONDITIONS

Make Payable Mark Ingram

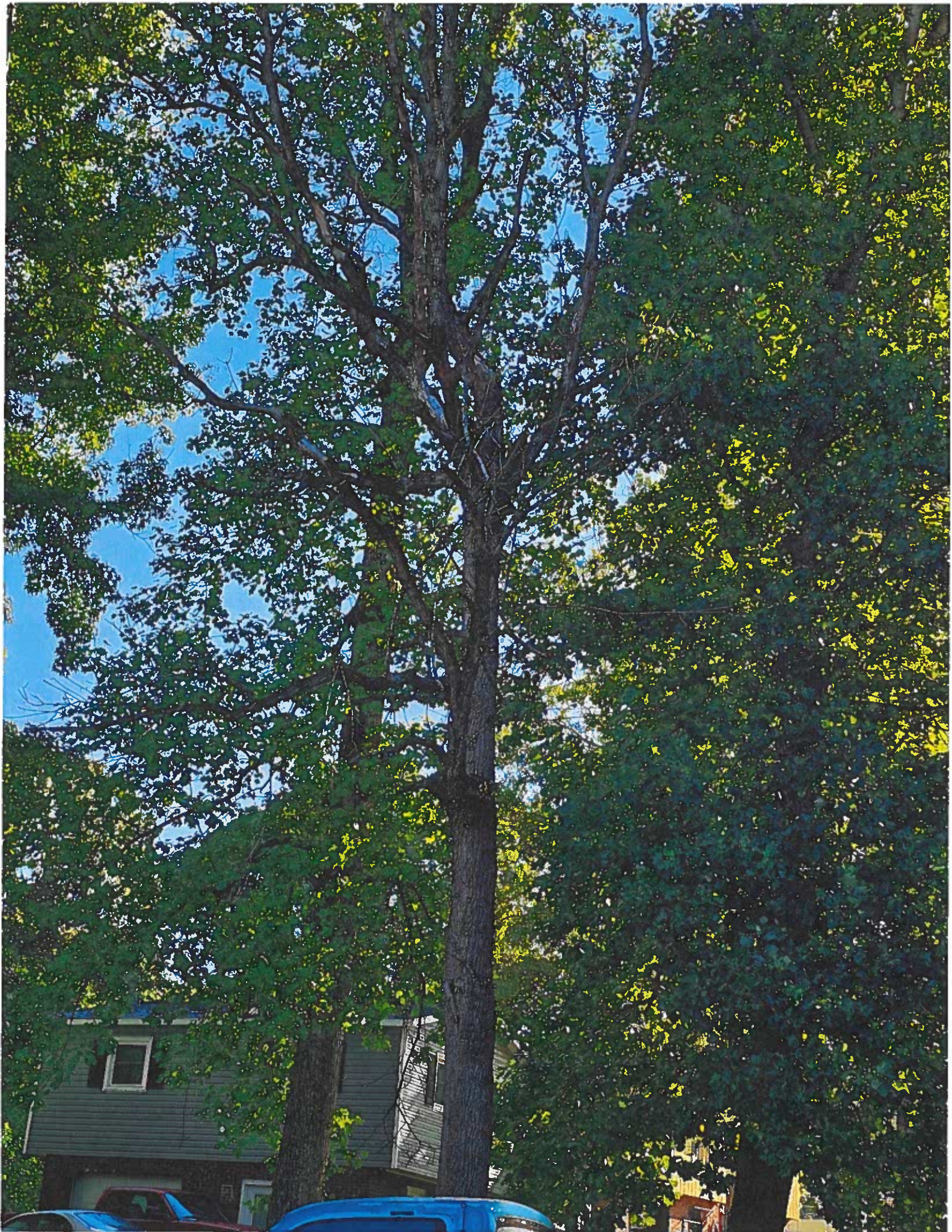














- d) Any concentration of combustible items such as mattresses, boxes, paper, automobile tires and tubes, garbage, trash, refuse, brush, old clothes, rags or any other combustible materials or objects of a like nature.
- e) An open place of collection of trash, refuse, discarded bottles, cans, medical supplies, garbage, food waste, animal waste or any other rotten or putrescible matter of any kind; however, nothing in this subsection shall be construed to prevent the generally accepted use of a properly maintained compost pile or storage of animal manure being used as fertilizer for lawns and gardens and for other agricultural or horticultural purposes.
- f) Privies.
- g) Any products of any kind or nature openly kept which have rough or jagged edges of metal or glass.
- h) Any accumulation of rubbish, trash, old building materials or junk causing or threatening to cause a fire hazard or causing or threatening to cause the accumulation of stagnant water or causing or threatening to cause the inhabitation of mice, snakes or vermin of any kind which is or may be dangerous or prejudicial to the public health.
- i) Any condition detrimental to the public health which violates the rules and regulations of the county health department. One specific county health department regulation that is detrimental to public health is the discharging of wastewater not directly into an approved wastewater system [15A NCAC 18A .1937(a)].
- j) Any concentration of building materials including concrete, steel or masonry which are not suitable for building construction, alterations, or repairs, and which are in open places.
- k) Any household or office furniture, appliances or other metal products of any kind kept in open places, or any indoor upholstered furniture kept outside in a location exposed to the weather.
 - 1) Appliances, which are designed for indoor use, stored outside, however, these appliances may be kept inside the primary structure or in accessory structures, designed to withstand the elements and having a roof, wall, and door(s).
 - 2) Household furniture, which is not designed to withstand the elements, stored outside, or placed on porches, decks, or landings, or in accessory structures, or in yards or any other area which provides a location where insects, rodents, or other vermin may breed or may reasonably be expected to breed. This section shall not prohibit the use of household furniture in an enclosed porch, designed to withstand the elements and having a roof, walls, screens, or glass windows.
- l) Any condition whereby any fence, sign, billboard, shrubbery, bush, tree, mailbox or other object or combination of objects which obstructs the view of motorists using any street, private driveway, or approach to any street intersection adjacent to and abutting such and so as to constitute a traffic hazard as a condition dangerous to public safety upon any such street, private driveway or at any such street intersection.
- m) Obstructions or vegetation in the public right-of-way which a pose danger to the general public.
- n) Any building, structure, fence or retaining wall declared to be unsafe by the Code Enforcement Officer and which is in danger of collapse so that it may fall and injure members of the public or damage public or private property.
- o) Structures, remains of structures or lots with a condition that is detrimental, dangerous, or hazardous to the public safety, health, and welfare. For purposes of the enforcement of this subsection, this shall be a condition, which consists of one (1), or more, of the following:
 - 1) Glass, metal, or other sharp objects in accessible areas;
 - 2) Unstable structures or trees which may fall or collapse;
 - 3) Holes, excavations, surviving foundations or walls that may collapse or create heights in excess of three (3) feet in areas where they may be scaled;
 - 4) Any substance which is hazardous or harmful to humans or pets;
 - 5) Any open or accessible utility lines such as natural gas, water, sewer, or electrical;

- e) In addition to the penalties imposed under subsections (a) and (b) above, the provisions of this chapter may also be enforced through equitable remedies issued by a court of competent jurisdiction including injunction and order of abatement or any other remedy permitted under this Code or at law or equity.
- f) This chapter may be enforced by anyone, all or a combination of the remedies authorized herein.

Sec 11-35 Appeal Within the ten-day period mentioned in section 11-33(a)(b), the owner of the property where the nuisance exists may appeal the findings of the designated City official to the City by giving a written notice of appeal to the official who served the notice, the City Clerk, or the City Manager. The appeal must state the reason for the appeal. An appeal stays the abatement of the nuisances or penalty until a final determination by the City Council.

HISTORY Approved by Ord. 06-21-2021, Adopted on (date adopted)

Sec 11-36 Abatement by Town; Performance

- a) As an alternative to the enforcement procedures set forth in sections 11-33 and 11-34 above, the City may choose to abate conditions constituting a nuisance. If any person, having been ordered by the Code Enforcement Officer to abate any nuisance or condition set forth in this chapter fails, neglects or refuses to abate or remove the nuisance or condition within specified days from the date of the notice to abate, and if an appeal has not been filed with the City within the 10 days as stated in 11-33 (a)(b) the City Manager or his/her designee may cause the nuisance or condition to be removed or otherwise remedied by having employees or contractors of the City go upon the premises and remove or otherwise abate such nuisance or condition.
- b) If the costs and expenses to the City of abating the violations are not paid within fourteen (14) days after a statement of such costs is delivered to the owner, lessee, or occupant of the land where the violations occurred, the costs of the same shall be a lien upon such land or premises and shall be collected as unpaid taxes as provided in G.S. 160A-193. The statement:
 - 1) shall be delivered by personal delivery, electronic delivery, or first-class mail; and
 - 2) shall be posted in a conspicuous place on the property.

HISTORY Approved by Ord. 06-21-2021, Adopted on (date adopted)

Sec 11-37 Repeat Offenders; Chronic Violators

- a) Repeat offense.
 - 1) Any violation reoccurring on the same property by the same offender more than once within a twelve-month period shall be considered a repeat offense provided the reoccurrence is a violation of the same section(s) of this article has previous offense(s).
 - 2) A notice of violation letter:
 - a. shall be delivered to the property owner and indicating that the violation exists, that it is a repeat violation, and that the violation must be remedied within five (5) days of date of the letter;
 - b. may be delivered to any person liable including the occupant of the property and/or the person undertaking the work or activity;
 - c. shall be delivered by personal delivery, electronic delivery, or first-class mail;
 - d. shall be posted in a conspicuous place on the property.
 - e. shall state that upon expiration of the five (5) day warning period, the offender shall be subject to a civil penalty of up to five hundred dollars (\$500.00) for each day that the violation remains on the property. (11-33 (b) (5) (b) or (c)
- b) Annual notice to chronic violators of public nuisance or overgrown vegetation ordinance.