



# City of Austin

Solid Waste Services Department - Code Enforcement  
1520 Rutherford Lane  
P.O. Box 1099, Austin, Texas 78767 - 8865  
Telephone: (512)494-9400 Fax: (512) 974-9049

December 9, 2008

## NOTICE OF VIOLATION

via Certified Mail # 7007 2560 0001 7121 3547

Shambala Corporation  
1701 Toomey Rd.  
Austin, Tx 78704-1033

### RE: 1701 TOOMEY RD 78704

Legally described as TRT 1 SHELTON WM E SUBD  
Zoned as CS  
Parcel Number 0105020424

Dear Shambala Corporation:

An investigation by the City of Austin's Code Enforcement Division was conducted relating to the property indicated above and violations of Austin City Code were found that require your immediate attention. An investigation report is enclosed which defines the Code violation(s) found with required remedies for attaining compliance with the City Code.

After receipt of this notice, you may not sell, lease, or give away this property unless you have provided the buyer, lessee, or other transferee a copy of this notice, and provided the name and address of the buyer to the Building Official. Also, it is a misdemeanor to rent this property if the Code violation(s) on this property pose a danger to the health, safety and welfare of the tenants.

If you have any questions, please contact me by telephone at 974-9029 between 7:30AM - 4:00PM. You may leave a voicemail message at any time.

Si usted tiene alguna pregunta, contácteme por favor por teléfono en 974-9029 de lunes a viernes o puede dejar un mensaje de correo vocal en cualquier momento.

### Ownership Information

According to the real property records of Travis County, you own the real property described in this notice. If you no longer own this property, you must execute an affidavit stating that you no longer own the property and stating the name with the last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to our office not later than the 20th day after the date you receive this notice. If you do not submit an affidavit, it will be presumed that you own the property described in this notice, even if you do not.

An affidavit form is available at our office, located at 1520 Rutherford Lane. An affidavit may be mailed to:

**Solid Waste Services Department  
Code Enforcement Division  
P.O. Box 1088  
Austin, Texas 78767**

Additionally, if this property has other owner(s), please provide me with this information.

**Failure to Correct**

If a violation is not corrected, any existing site plan, permit, or certificate of occupancy may be suspended or revoked by the City. If the site plan, permit or certificate of occupancy is suspended or revoked, the utility service to this property may be disconnected.

If the violation continues, the City may take further legal action to prevent the unlawful action as authorized by State law and may seek civil injunctions or penalties in State court.

For dangerous or substandard buildings, the City may also take further action to require the vacation, relocation of occupants, securing, repair, removal or demolition of a building.

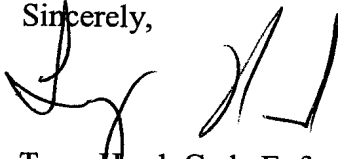
**If the violations are not brought into compliance within the timeframes listed in the investigation report, criminal charges may be filed against you in the City of Austin Municipal Court subjecting you to fines of up to \$2,000 per violation, per day.**

**Complaints**

To register a complaint concerning a Code Enforcement investigator, you may submit your complaint in writing no later than 3 days after receipt of this letter to:

**Solid Waste Services Department  
Code Enforcement Division Manager  
P.O. Box 1088  
Austin, Texas 78767**

Sincerely,



Terry Hurd, Code Enforcement Inspector  
Code Enforcement Division  
Solid Waste Services Department  
Case CV-2008-094926

## INVESTIGATION REPORT

**Investigator:** Terry Hurd  
**Case:** CV-2008-094926  
**Address:** 1701 TOOMEY RD 78704  
**Zoned as** CS

The item(s) listed below are in violation of the Austin City Code. A required remedy may be specified after a violation and may include a time period for compliance. If no required remedy is specified for a violation, the **Required Remedy Summary** will be in effect. For questions concerning residential property, please contact the Zoning Review Division at (512) 974-2380. For questions concerning commercial property, please contact the Development Assistance Center (DAC) at (512) 974-6370.

### LAND USE

**Code Section:** Certificate of Occupancy (§25-1-361)

**Description of Violation:** A person may not use or occupy a structure unless the building official has issued a Certificate of Occupancy for the structure. There is no record of a Certificate of Occupancy for this structure's use.

**Date Observed:** December 9, 2008

**Required Remedy:** Obtain the required Certificate of Occupancy

#### **Required Remedy Summary**

Obtain correct Certificate of Occupancy in 14 days

**NOTE:** The time period(s) indicated in this summary reflect the total time allowed for compliance. A time period indicated in an individual violation's required remedy is the actual time allowed for compliance of that individual violation. If no time period is indicated in an individual violation's required remedy, the summary time period associated with the required remedy will be the time allowed for compliance.

#### **Appeal**

No appeal is available for land use issues. However, a person may appeal a Stop Work Order to the City of Austin's Building Official. A written appeal must be filed no later than 3 days after the posting of the Order and contain:

- the name and address of the appellant;
- a statement of facts;
- the decision being appealed; and
- the reasons the decision should be set aside.

An appeal may be delivered in person to the Building Inspection Division office located at 505 Barton Springs Road or mailed to:

**Building Official**  
**Watershed Protection and Development Review Department**  
**P.O. Box 1088**  
**Austin, Texas 78767**