

PRNA files suit against Charlestown, Board of Public Works and Safety

Written by Administrator

Wednesday, 18 January 2017 07:53 -

Last Wednesday a lawsuit was filed on behalf of the Pleasant Ridge Neighborhood Association (PRNA) against the City of Charlestown and the Charlestown Board of Public Works and Safety.

The lawsuit is challenging the recent fines placed on the property owned by PRNA in the Pleasant Ridge neighborhood. The PRNA is represented by the Institute for Justice in Arlington, Virginia. Senior Attorney Jeff Rowes explained the lawsuit.

“We are challenging the city scheme to bulldoze Pleasant Ridge and redevelop it from scratch in order to do that the city must force the residents to sell to a private developer,” stated Rowes. “To do this they have these huge fines for the residents. Then a private developer steps in and buys the property for \$10,000,” Rowes explained.

He continued, “It’s OK for government to use code enforcement for public health and safety. But its not OK for government to use code enforcement to fine people off their land. This is a way for the city to get rid of modest homes and replace with homes for the wealthy. This is illegal and unconstitutional.”

The fines, according to PRNA President Josh Craven, total \$8,950.

“The original fines came from the inspector coming out in October. He has added more fines. We have fixed every single thing. And fixed them within the 10 day time frame we had. We tried to get the fines waived. It was always tabled in the meetings. We were never given a decision. The fines were not waived due to a recent resolution. I just think its unconstitutional,” Craven explained the fines incurred on the property owned by the PRNA on Riley Drive.

“We were never given information on paper to show how the fines were calculated. We have fines for things were were in the process of fixing when fined. The fines have gone down from the original amount to the \$8,950. This was a group decision. We had the decision to pay the fine and risk going through this again or appealing it. We always felt we were dealt with unjustly.”

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According to Rowes the decision to file the lawsuit came due to the time restraint of the fines.

“The fines were finalized on January 2. We had 10 days to appeal to the state court so we had to file within the 10 days,” Rowes explained. “Now, under Indiana law they have to file an answer within 20 days. I completely expect for them to ask for an extension.”

Rowes went on to explain from his experience an extension is almost always asked for and usually granted.

“I expect to receive a call from Mr. Gillenwater (Charlestown City Attorney) this week to ask for an extension. That is something we will do. I see no reason we will not grant them the extension,” Rowes added.

He continued to explain the purpose of the lawsuit.

“The purpose of the lawsuit is not just to protect the association or homeowners but to protect everyone in Pleasant Ridge to stay in their homes. We are determined to defend the property rights of everyone in Pleasant Ridge and we will stop the city from removing people from their homes to make way for the developer’s bulldozer,” Rowes stated.

Rowes concluded, “I want to reassure the people of Pleasant Ridge. They are welcome to call us. We will call them back and talk to them. We are representing the association for free. We will not charge them or bill them for their calls.”

If you would like more information about the Institute for Justice please visit www.ij.org or call 703-682-9320.

Calls to the office of Charlestown City Attorney Michael Gillenwater were not returned by press

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