## NICHOLASVILLE POLICE DEPARTMENT CODE ENFORCEMENT DIVISION CASE NO. 2019-0160

IN RE: 333 WILLIAMS RD, Nicholasville, Kentucky 40356 (the "Property)

#### NOTICE OF FINAL ORDER

The Code Enforcement Division of the Nicholasville Police Department having issued a Citation identified as Citation # 2019-0160 (the "Citation"), pursuant to KRS 65.8825 and Section 11-4(h) of the Code of Ordinances, City of Nicholasville, Kentucky (the "Code") to JAMES C MORRIS, the record owner(s) of the Property (the "Owner(s)"), imposing a civil fine in the amount of \$450.00 for violation of those certain provisions of the Code as more particularly described in the Citation, a copy of which is attached hereto and incorporated by reference as if fully set forth herein; the Owner(s) having been advised of his/her/their obligation to pay sald fine or request, in writing, a hearing with the Code Enforcement Board to contest the Citation within seven (7) days of the date of issuance of the Citation; the Owner(s) having falled to pay sald fine or make said request for a hearing within said seven (7) day period;

NOTICE IS HEREBY GIVEN as follows:

1. Pursuant to KRS 65.8825 and Section 11-4(h)(6)(a) of the Code, the Citation shall be deemed a final Order determining that the violation(s) set forth therein was/were committed and imposing the civil fine set forth therein and the Owner(s) shall be deemed to have waived his/her/their right to appeal the final Order to the District Court.

2. Pursuant to KRS 65.8835(1) and Section 11-4(m)(1) of the Code, the City of Nicholasville shall possess a lien on the Property for the civil fine set forth in the Citation and for all charges and fees incurred by the City of Nicholasville in connection with the enforcement of the Code, including abatement costs, which lien shall bear interest at the rate of 12% per annum until fully satisfied and may be enforced by judicial proceedings, including an action to foreclose. Pursuant to KRS 65.8835(1)(c), the City's lien shall take precedence over all other liens, except state, county, school board, and city taxes.

3. Pursuant to KRS 65.835 and Section 11-4(m)(4) of the Code, the City of Nicholasville may bring a civil action against the Owner(s) and shall have the same remedies as provided for the recovery of a debt.

4. Pursuant to KRS 65,8836(3) and Section 11-4(o) of the Code, a lien holder of record may, within forty-five (45) days from the date of this Notice, correct the violation(s) if not already abated, or elect to pay all civil fines assessed for the violation(s) and all charges and fees incurred by the City of Nicholasville in connection with the enforcement of the ordinance, including abatement costs. If the City's lien is fully satisfied prior to the expiration of the forty-five (45) day period, the City of Nicholasville shall release its lien within fifteen (15) days of satisfaction.

5. The last known mailing address of the Owner(s) is 333 WILLIAMS RD NICHOLASVILLE, KY 40356.

Pated this the 20day of MAy 2016	y
Lebent Withertage (5)	r
CHAIR, CODE ENFORCEMENT BOARD	

**CERTIFICATE OF SERVICE** 

of record)

ODE ENFORCEMENT OFFICER



# NICHOLASVILLE POLICE DEPARTMENT

Code Enforcement Division 517 North Main Street Nicholasville, KY 40356 (859) 885-1121 codeenforcement@nicholasville.org



CASE NUMBER: 2019-0160

# NOTICE OF VIOLATION

Re: 333 WILLIAMS RD James Morris

An inspection was made at the above referenced property. The following violations were found, which need to be corrected by their respective compliance dates.

### Violations:

11-3. WASTE DECLARED A NUISANCE, - Comply By: 2/25/2019

18-3. COLLECTION. - Comply By: 3/4/2019

11-3. WASTE DECLARED A NUISANCE. - Comply By: 4/8/2019

#### Comments:

Remove and dispose of or put away loose trash, file cabinet and drawers, totes, baskets, boxes, mats, chairs and other items by retention basin and in back yard not in use. Remove and dispose of all trash bags, cardboard boxes, wood and all other items on back porch. Trash, cardboard boxes, and items on walkway to front door need to be put away or thrown away.

Obtain and keep garbage service at this address per ordinance 18-3. Contact CKY at 225-2521 or 305-1073 for service.

\*\* Failure to do so can result in fines that start at \$50.00 1st day, \$100.00 2nd day, \$150.00 3rd day and so on.\*\*

Inspector: C Humphrey Date of Inspection: 2/22/2019 Time: 12:54 I went by and found the notice removed from the door but no other changes.

Inspector: C Humphrey Date of Inspection: 3/1/2019 Time: 10:31 I went by and found no change.

Inspector: C Humphrey Date of Inspection: 3/5/2019 Time: 11:40

I went by and found the carpet padding still in the back yard inside the fence.

Inspector: C Humphrey Date of Inspection: 3/19/2019 Time: 10:01 I went by and found no change.

Inspector: C Humphrey Date of Inspection: 4/1/2019 Time: 10:55

I went by and found the notice removed from the door and no other changes.

Inspector: C Humphrey Date of Inspection: 4/8/2019 Time: 1:03

I went by and found no change. I cited the property for junk & debris in the back yard.

Inspector: C Humphrey Date of Inspection: 4/9/2019 Time: 11:03 I went by and found no change and the citation was still on the door. There was a boat in the driveway, but no one answered the door.

Inspector: C Humphrey Date of Inspection: 4/10/2019 Time: 11:03

I went by and found no change and the other citations are on the door.

Inspector: C Humphrey Date of Inspection: 4/11/2019 Time: 11:03

I went by and found no change.

Inspector: C Humphrey Date of Inspection: 4/12/2019 Time: 10:38

I went by and found the violation cleared.

Inspector: C Humphrey Date of Inspection: 4/16/2019 Time: 12:57

### Code Enforcement Officer

The burden rests upon the owner(s) of the above referenced property to correct the violation(s) and request a re-inspection by the code enforcement officer to determine whether the property is in full compliance on or before the due date specified herein.

# **<u>Cited Violations:</u>**

Ordinance: 11-3. WASTE DECLARED A NUISANCE.

Ordinance Source: CITY OF NICHOLASVILLE CODE OF ORDINANCES\CHAPTER 11 - NUISANCE ABATEMENT

111-3. WASTE DECLARED A NUISANCE.

Violation Date: 2/25/2019

Which states: (a) Definition of "nuisance". For the purpose of this section, the term "nuisance" is defined to mean any condition or use of premises or of building exteriors which is detrimental to the property of others or which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which such premises are located. This includes but is not limited to the keeping of the following:

- (1) Ashes, rubbish, garbage, lumber, bricks, cinder blocks, insulation materials, building debris, refuse or waste of any kind, whether liquid or solid. This will include construction sites.
- (2) Abandoned, discarded or unused objects or equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans or containers.

#### **Corrective Action:**

Compliance Date: 2/25/2019 Violation Status: Open

Violation Notes: Remove and dispose of or put away loose trash, file cabinet and drawers, totes, baskets, boxes, mats, chairs and other items by retention basin and in back yard not in use. Remove and dispose of all trash bags, cardboard boxes, wood and all other items on back porch. Trash, cardboard boxes, and items on walkway to front door need to be put away or thrown away.

Obtain and keep garbage service at this address per ordinance 18-3. Contact CKY at 225-2521 or 305-1073 for service.

\*\* Failure to do so can result in fines that start at \$50.00 1st day, \$100.00 2nd day, \$150.00 3rd day and so on.\*\*

Ordinance: 18-3, COLLECTION.

Ordinance Source: CITY OF NICHOLASVILLE CODE OF ORDINANCES\CHAPTER 18 - SOLID WASTE\18-3.

COLLECTION.

Violation Date: 2/25/2019

Which states: (a) The city shall provide for the collection of solid waste in the city as described in this chapter. The owner of every residential property in the city limits shall be responsible for garbage service at that property.

#### **Corrective Action:**

Compliance Date: 3/4/2019 Violation Status: Open Violation Notes:

Ordinance: 11-3. WASTE DECLARED A NUISANCE.

Ordinance Source: CITY OF NICHOLASVILLE CODE OF ORDINANCES\CHAPTER 11 - NUISANCE ABATEMENT

VII-3. WASTE DECLARED A NUISANCE.

Violation Date: 4/2/2019

Which states: (a) Definition of "nuisance". For the purpose of this section, the term "nuisance" is defined to mean any condition or use of premises or of building exteriors which is detrimental to the property of others or which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which such premises are located. This includes but is not limited to the keeping of the following:

(1) Ashes, rubbish, garbage, lumber, bricks, cinder blocks, insulation materials, building debris, refuse or waste of any kind, whether liquid or solid. This will include construction sites.

#### **Corrective Action:**

Compliance Date: 4/8/2019 Violation Status: Open

Violation Notes: Remove and dispose of carpet and items in back yard inside of fence.

\*\*Failure to do so can result in fines that start at \$50.00 1st day, \$100.00 2nd day, \$150.00 3rd day and so on.\*\*

\*\*\* If not done by Monday April 8th fines will be imposed starting on Tuesday April 9th. \*\*\*