

**CITY OF DAYTON, KENTUCKY
CODE ENFORCEMENT DEPARTMENT
514 SIXTH AVENUE DAYTON, KENTUCKY 41074
PROPERTY ADDRESS 515 5th Avenue, Dayton, Ky 41074**

NOTICE OF FINAL ORDER

The City of Dayton, by and through the Code Enforcement Department, does hereby give notice of the following:

Citations were issued regarding the above-referenced property on August 5, 2024. A copy of the citation is attached hereto and incorporated by reference as if fully set forth herein. The citation is identified as # 4867 and are violations of the City of Dayton Code of Ordinances.

More than seven days have elapsed since service of the attached citations, and the fines contained within the citation have not been paid, and the property owner has not made a request for a hearing before the City of Dayton Code Enforcement Board to contest the citation. Therefore, pursuant to Dayton Code of Ordinances § 38.09, the person named in the citation is deemed to have waived the right to a hearing, and the determination that a violation was committed shall be considered final. A civil fine of \$ 5,000.00 will be imposed unless this Final Order is appealed, or the fine is paid by a third-party lienholder pursuant to Dayton Ordinance § 38.13. Failure to pay this fine may result in a lien being placed against the property.

Please contact the City of Dayton, Code Enforcement at (859) 491-1600 for information.

Sincerely,



CASSIE PATTERSON
DIRECTOR OF CODE ENFORCEMENT

NOTICE OF RIGHT TO APPEAL

You have failed to either pay the applicable civil fine within the time period specified in your citation and/or have failed to request a hearing, in writing, within seven days after receipt of a citation from the Dayton Code Enforcement Department. Therefore, by law, you have waived your right to contest this citation and the Code Enforcement Board's determination that the above-referenced property violates applicable city ordinances shall be final and not subject to an appeal to the Campbell District Court. You may want to seek the help of any attorney to ensure that all legal requirements for an appeal are satisfied.

LIENHOLDER NOTIFICATION SYSTEM

Pursuant to KRS § 65.8836 and §38.13 of the Dayton Code of Ordinances, a copy of this document will be shared to the City's electronic lienholder notification database at www.daytonky.com/business/lien-notification/. Once the City provides notice in accordance with §38.13, a lienholder may have the ability to avoid having a lien placed on the property by paying the civil fine on behalf of the property holder or abating the nuisance within 45 days after this document is made available on the City's database.

CERTIFICATE OF SERVICE

Pursuant to K.R.S. §65.8828(5), I hereby certify that a copy of the foregoing **Notice of Final Order** was sent via regular first-class mail to the following recipients, on September 23, 2024.

Cheryl Long

515 5th Avenue

Dayton, Ky 41074



CASSIE PATTERSON
DIRECTOR OF CODE ENFORCEMENT
859-491-1600. ext. 231

514 Sixth Avenue • Dayton, Kentucky 41074



Phone: (859) 491-1600 • Fax: (859) 491-3538

Code Enforcement Uniform Citation

08/05/2024

LONG CHERYL
515 5TH AVE
DAYTON, KY 41074

Citation No. 4867

Property Address: 515 5TH AVE DAYTON, 41074

Date and Time of Issuance: 08/05/2024 @ 10:00am

Property Owner: LONG CHERYL**Owner's Address: 515 5TH AVE DAYTON, KY 41074**

The undersigned Code Enforcement Officer for the City of Dayton, Ky. certifies that she has just and reasonable cause to believe, and does believe, that on the above-referenced date and time, the Property Owner committed the following offense(s) or allowed the following condition(s) to exist at 515 5TH AVE:

Code Section: Code Section: 302.4 Grass and Weeds

Facts Constituting Offense: Exterior property and premises have not been maintained to be free from weeds or plant growth in excess of six (6) inches as required by notice of violation. Due to failure to comply with the notice of violation, in addition to a \$250 fine, a duly authorized employee of the jurisdiction has been authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal have been billed to the owner or agent responsible for the property.

Description of Violation:

Code Section: 302.4 Grass and Weeds

Corrective Action Required: Maintain premises and exterior property to be free from weeds or plant growth in excess of six (6) inches. There will be a reinspection on the date indicated below. Upon failure to comply with the notice of violation, in addition to the appropriate fine, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

Copy of Code Section: 302.4 Weeds. Premises and exterior property shall be maintained free from weeds or plant growth in excess of six (6) inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

The following action must be taken to correct the above stated violation(s):

THIS IS A VIOLATION OF THE CITY OF DAYTON CODE OF ORDINANCES AND THE UNCONTESTED FINE IS \$100.

Notice

The violation(s) with which you have been charged is/are civil offense(s) pursuant to the City of Dayton Code of Ordinances ("Code") and/or International Property Maintenance Code. Accordingly, you must pay the above-

referenced uncontested fine within seven (7) days, or request, in writing, a hearing before the Code Enforcement Board within seven (7) days after issuance of this citation.

If you fail to pay the uncontested fine within seven days, you shall be deemed to have waived the right to a hearing to contest the citation and the determination that you committed a violation shall be considered final. In addition, you will be subject to a continuing civil fine of \$100 per day per violation for the first 30 days after issuance of the citation if the violation(s) remains uncorrected, and thereafter, a civil fine of \$250 per day per violation, until the violation(s) are corrected, up to a maximum of \$5,000 per citation. The city also may recover all fines, penalties, charges, attorney's fees, and other reasonable costs associated with prosecuting, enforcing, and/or abating the Code violation(s) set forth in this citation.

To pay the uncontested civil fine, please remit payment in person or by mail to the Dayton City Clerk/Treasurer, City of Dayton, 514 Sixth Avenue, Dayton, Kentucky 41074, within seven days of issuance of the citation.

If you choose to contest this citation, you must request a hearing in writing before the Code Enforcement Board by submitting an appeal in writing with the City Clerk/Treasurer at the Dayton City Building, 514 Sixth Avenue, Dayton, Kentucky 41074, within seven (7) days of the issuance of this citation.

NOTICE: Failure to pay the applicable civil penalty or request in writing a hearing before the Code Enforcement Board within the prescribed time shall constitute a waiver of your right to contest this citation and will result in the determination that a violation was committed is final, and thus, non-appealable.

This citation is issued pursuant to KRS 65.8801 to 65.8839 and Chapter 38 of Dayton Code of Ordinances ("Code") and Section 99.99 of the Code, and possibly other applicable Code provisions.

Signature of Issuing Official:



Cassie Patterson
Code Enforcement Director
City of Dayton, Ky.