

**CITY OF DAYTON, KENTUCKY
CODE ENFORCEMENT DEPARTMENT
514 SIXTH AVENUE DAYTON, KENTUCKY 41074
PROPERTY ADDRESS: 621 5th Avenue, Dayton, Ky 41074 ("Property")**

NOTICE OF FINAL ORDER

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

The City of Dayton ("City") Code Enforcement Department issued citation(s) on the above-referenced Property, which are violations of the City's Code of Ordinances ("Code"). A copy of the citation(s) is/are attached hereto and incorporated by reference as if fully set forth herein.

More than seven days have elapsed since service of the attached citation(s), and the fines contained within the citation(s) have not been paid, and the property owner has not made a request for a hearing before the City's Code Enforcement Board to contest the citation. Therefore, pursuant to Code § 38.08(G)(1) and (2), the person named in the citation(s) is/are deemed to have waived the right to a hearing, and the determination that violation(s) was/were committed are now considered final, pursuant to K.R.S. 65.8825(6). A civil fine in the amount of \$ 5000.00 is now due, which must be paid by the Property owner or a third-party lienholder under Code § 38.13. Failure to pay this fine will result in a lien being placed against the Property.

NOTICE

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 citation(s) from the City Code Enforcement Department. Therefore, by law, you have waived your right to contest the citation(s) and the Code Enforcement Board's determination that the Property violates applicable city ordinances is a final order, which is not subject to an appeal to the Campbell District Court.

LIENHOLDER NOTIFICATION SYSTEM

Pursuant to KRS § 65.8836 and Code § 38.13, 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(6) and Code § 38.08(G)(1) and (2), I hereby certify that a copy of the foregoing **Notice of Final Order** was sent via regular first-class mail to the following recipients:

Bishop Herbert E. Jr.
10935 Timberwood Lane
Cincinnati, Ohio 45241



Cassie Patterson

City of Dayton, Kentucky
Director of Code Enforcement
859-491-1600. ext. 231

Dated: 5/13/2026



514 Sixth Avenue · Dayton, Kentucky 41004

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

Code Enforcement Uniform Citation

04/01/2026

BISHOP HERBERT E JR
10935 TIMBERWOOD LN
CINCINNATI, OH 45241

Citation No. 5858
Property Address: 621 5TH AVE DAYTON, 41074
Date and Time of Violation: 04/01/2026 @ 10:00am
Date and Time of Issuance: 04/01/2026 @ 1:00pm

Property Owner: BISHOP HERBERT E JR
Owner's Address: 10935 TIMBERWOOD LN CINCINNATI, OH 45241

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 621 5TH AVE:

Code Section: **International Property Maintenance Code Section: 302.1 Sanitation / Yard / Owner Facts Constituting Offense: Exterior property not maintained as required by notice of violation.**

Description of Violation:

International Property Maintenance Code Section: 302.1 Sanitation / Yard / Owner

Corrective Action Required: Maintain exterior property in a clean, safe and sanitary condition. There will be a reinspection on the date indicated below. If not corrected, a civil citation, including a fine, will be issued.

Copy of Code Section: 302.1 Sanitation. Exterior property and premises shall be maintained in a clean, safe and sanitary condition... and all outdoor storage shall be removed. The definition of outdoor storage is the keeping of personal or business property in any open space or outdoor area outside of a building or structure. For the purpose of this definition, property shall not include items that were originally designed for continuous outdoor use (ex: lawn furniture, grills, playground equipment).

Copy of Code Section: 301.2 Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises that are not in a sanitary and safe condition and that do not comply with the requirements of this chapter.

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.