

City of Frankfort

Capital of Kentucky

Mayor
William I. May, Jr.

315 West Second Street, P.O. Box 697
Frankfort, Kentucky 40602
(502) 875-8500

www.frankfort.ky.gov

Commissioners
John R. Sower
Scott Tippet
Katrisha Waldrige
Eric E. Whisman

CITY OF FRANKFORT, KENTUCKY UNIFORM CODE CITATION

Citation #: 16427

THE UNDERSIGNED CODE ENFORCEMENT OFFICER OF THE CITY OF FRANKFORT CERTIFIES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE, AND DOES BELIEVE THAT ON:

Day of week: **Friday** Month: **May** Day: **31** Year: **2019** Time: **11:00 AM**

THE FOLLOWING PERSON:

Name: **CLARK DELICA**

Being the owner of record for the subject site location: **426 Holmes Street**

Mailing Address: **940 Tierra Linda Drive Apt #205** *FRANKFORT, KY. 40601*

DID LAWFULLY COMMIT THE FOLLOWING OFFENSE:

306.1 Accumulation of Rubbish	All exterior property and premises, and the interior of every structure shall be free from any accumulation of rubbish or garbage.
306.2 Disposal of Rubbish	Every occupant of a structure shall dispose of all rubbish and garbage in a clean and sanitary manner by placing such waste in covered outdoor containers. Garbage may also be disposed of by a mechanical food waste grinder. The owner of the premises shall be responsible for the regular removal of rubbish and garbage from the property. a) Whenever an exterior condition is identified that is in violation of this section, the code official shall issue a Notice of Violation giving the property owner or the property owner's agent fifteen (15) days to remedy the situation. Notices shall be issued consistent with the requirements for providing legal notice under this code.

Maximum Fine Assessed: \$800.00

Offense: 1st 2nd 3rd Other

Date and Time of Issuance: **6/25/2019** **8:00**
AM
Date Time

Signature of Issuing
Code Enforcement Officer

Print Name: _____

Doug Young

Doug Young



Capital of Kentucky

NOTICE OF CITATION

This citation is issued pursuant to KRS 65.8801 to 65.8839 and chapter 36.022 of the City of Frankfort's Code of Ordinances. The violation(s) with which you have been charged is a civil offense and the violation(s) are listed on page one of this citation.

The officer is authorized to issue a citation by: (a) Personal service to the alleged violator; (b) Leaving a copy of the citation with any person eighteen (18) years of age or older who is on the premises, if the alleged violator is not on the premises at the time the citation issued; or (c) Posting a copy of the citation in a conspicuous place on the premises and mailing a copy of the citation by regular, first-class mail of the United States Postal Service to the owner of record of the property if no one is on the premises at the time the citation is issued.

A. If you chose not to contest this citation and you provide the prepayment amount of the penalty to the City within seven (7) days, the penalty for the violation (s) listed within this citation will be \$ 720.00. Furthermore, by not contesting the citation and by providing the prepayment amount of the penalty listed above, you have waived the right to a hearing and the determination that a violation was committed shall be final and this citation, as issued, shall be deemed a final order of the Board determining that the violation was committed and impose the civil fine set forth in this citation and you have waived the right to appeal this final order to District Court. Furthermore, you shall have 30 days to correct the violations noted within this citation, or an additional citation with a new penalty amount will be issued for any remaining or new violations.

B. If you chose to contest the citation and request an appeal before the City's Code Enforcement Board, you have **seven (7) days** to sign page three (3) of this citation and return it to the City of Frankfort; you are required to appear and provide testimony on why the violation(s) listed on page one (1) are in fact incorrect and not violation of the City's codes; the maximum penalty that may be imposed for the violation(s) is identified on page one (1) of this citation; and you are required to appear before the board at the specified time and place on page three of this citation. Any person contesting the citation and fails to appear at the time, date, and place set for the hearing shall be deemed to have waived the right to a hearing to contest the code citation and the determination that a violation was committed shall be final. In this event, the citation, as issued, shall be deemed a final order of the Board determining the violation was committed and impose the maximum civil fine set forth in the code citation, and the alleged violator shall be deemed to have waived the right to appeal the final order to District Court.

If you fail to pay the civil penalty or fail to request an appeal within seven (7) days, the maximum penalty for the violation will be imposed and you have waived the right to hearing and the determination that a violation was committed shall be final and this citation, as issued, shall be deemed a final order of the Board determining that the violation was committed and impose the civil fine set forth in this citation and in failing to pay or contest this citation, you have waived the right to appeal this final order to District Court.

**REQUEST FOR AN APPEAL BEFORE THE
CITY OF FRANKFORT
CODE ENFORCEMENT HEARING BOARD**

Citation Case #: 16427
Location: 426 Holmes Street

Violation(s):	306.1 Accumulation of Rubbish	All exterior property and premises, and the interior of every structure shall be free from any accumulation of rubbish or garbage.
	306.2 Disposal of Rubbish	Every occupant of a structure shall dispose of all rubbish and garbage in a clean and sanitary manner by placing such waste in covered outdoor containers. Garbage may also be disposed of by a mechanical food waste grinder. The owner of the premises shall be responsible for the regular removal of rubbish and garbage from the property. a) Whenever an exterior condition is identified that is in violation of this section, the code official shall issue a Notice of Violation giving the property owner or the property owner's agent fifteen (15) days to remedy the situation. Notices shall be issued consistent with the requirements for providing legal notice under this code.

Responding Party: Delica Clark
940 Tierra Linda Drive Apt #205
Frankfort, KY 40601

I/We _____, as owners or lawful agents of the owners, contest this citation and requests an appeal before the Frankfort's Code Enforcement Board regarding the above noted violation(s) and citation. I understand that this form must be signed and returned within the required seven (7) days from the citation issuance, in order to testify on my behalf at the scheduled meeting. I further acknowledge I have read and understand the entirety of this citation and additional information within the citation.

My signature below is acknowledgement that proper and sufficient notification has been provided to me of the date, time, and location of the meeting, and that I have received a true copy of this request. I understand that all meetings are open to the public and broadcasted upon several media formats.

I FURTHER UNDERSTAND THAT if fail to appear at the time, date, and place set for the hearing that I shall be deemed to have waived the right to a hearing to contest the code citation and the determination that a violation was committed shall be final. In this event, the citation, as issued, shall be deemed a final order of the Board determining the violation was committed and impose the maximum civil fine set forth in the code citation, and the alleged violator shall be deemed to have waived the right to appeal the final order to District Court.

Code Enforcement Board rulings may be appealed to Franklin District Court.

To be completed by staff:	
Date of Meeting:	July 23, 2019 Time of the Meeting: 5:00 PM
Location of Meeting:	Frankfort City Hall, City Council Chambers 315 West Second Street Frankfort, Kentucky 40601

Signature of owner: _____

Signature of witness: _____

Printed name: _____

Printed name: _____

Date

Date



Capital of Kentucky

Additional Important Instructions to Citation

If you are electing to **NOT CONTEST** the citation and desire to make a prepayment, you may do so within the specified 7 days timeframe by paying online at <https://frankfortpbc.or/pay-online>; by paying by mail (we will only accept a cashier's check or money order payable to the City of Frankfort); or by paying in person. Personal checks will not be accepted. When paying by mail or in person, the amount must be equal to the amount of the fine indicated on the citation, along with a copy of your citation to: City of Frankfort, Planning and Community Development, 315 W. Second Street, Frankfort, KY 40601. Office hours are generally 8:00 AM and 4:30 PM, Monday through Friday, except for city observed holidays.

Providing prepayment, allows the owner an additional 30 days to correct all of the violations. Failure to correct all of the violations will lead to additional citations with increased civil penalties, and possible other legal actions.

If you disagree with the citation and **request to contest the citation and appeal**, you must do so in writing as indicated on page 2 of this citation. The written request for an appeal must be mailed or personally delivered to the following address: City of Frankfort, Planning and Community Development, 315 West Second Street, Frankfort, KY 40601

If you fail to either pay or contest the citation in writing to the City within seven (7) days, the maximum penalty for the violation will be imposed and you have waived the right to a hearing and the determination that a violation was committed shall be final and this citation, as issued, shall be deemed a final order of the Board determining that the violation was committed and impose the civil fine set forth in this citation and in failing to pay or contest this citation, you have waived the right to appeal this final order to District Court.

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NOTICE OF VIOLATION

Complaint # 16427

3/18/2019

Delica Clark
940 Tierra Linda Drive Apt #205
Frankfort, KY 40601

Re: 426 Holmes Street

Dear Property Owner:

You are hereby notified as the owner/agent/occupant of the subject property that an inspection of the premises on 3/15/2019 indicates that a violation or violations of the City of Frankfort Code of Ordinances exists. Briefly stated, the property is in violation of:

306.1 Accumulation of Rubbish

All exterior property and premises, and the interior of every structure shall be free from any accumulation of rubbish or garbage.

Every occupant of a structure shall dispose of all rubbish and garbage in a clean and sanitary manner by placing such waste in covered outdoor containers. Garbage may also be disposed of by a mechanical food waste grinder. The owner of the premises shall be responsible for the regular removal of rubbish and garbage from the property. a) Whenever an exterior condition is identified that is in violation of this section, the code official shall issue a Notice of Violation giving the property owner or the property owner's agent fifteen (15) days to remedy the situation. Notices shall be issued consistent with the requirements for providing legal notice under this code.

306.2 Disposal of Rubbish

Corrective Action: Remove All Rubbish/Garbage From Exterior Property, (Including All Tree Debris). (15) Days To Comply!

This correspondence will serve as official notification to you that the above-stated violation(s) must be corrected by no later than **4/2/2019**. If you fail to comply by fully correcting the violation(s) on or before the stated date, a citation for a violation of the city code provision(s) cited above will be issued and a civil fine will be imposed. The burden rests upon you, the Respondent in this matter, to correct the violation and request a re-inspection by the code enforcement officer to determine whether the property is in full compliance.

For further information regarding this matter, you may contact the undersigned code enforcement officer at **502-352-2082** during normal business hours.

Sincerely,

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

Doug Young, Codes Inspector
City of Frankfort