

**NOTICE OF LIEN CLAIMED**

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**  
**CODE ENFORCEMENT LIEN AND AFFIDAVIT FOR A SIDEWALK CIVIL PENALTY ON THE**  
**PROPERTY LOCATED AT**

**1005 BRYAN AVE**

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

CLAIMANT

VS.

**OMAR MORALES RAMIREZ**

OWNER(S)

ACTION TYPE: **SIDEWALK VIOLATION - FAILURE TO REPAIR OR REPLACE**

ACTION DATE: **06/23/2017**

ACTION COST: **\$ 500.00**

CASE#: 02661005S

COMES NOW, the undersigned Affiant, who is duly authorized to issue citations on behalf of the Lexington-Fayette Urban County Government Division of Code Enforcement, and states the following:

1. That on or about the above "ACTION DATE", the Affiant, acting on behalf of the Lexington-Fayette Urban County Government ("LFUCG"), and pursuant to Kentucky Revised Statute (KRS) 65.8838(6) and, Sections 17-147 through 17-152 of the Code of Ordinances, Lexington-Fayette Urban County Government (the "Code") issued a civil penalty in the amount of the above "ACTION COST", which includes any applicable administrative fee and/or cost of legal advertisement, against the OWNER(s) for the condition of the real property located at

**1005 BRYAN AVE**

(the "Property");

2. That: (a) at all relevant times the OWNER(s) was in violation of certain provisions of the Code due to the condition of a certain sidewalk(s) abutting the real property; (b) the OWNER(s) was provided the required legal notice of such violation(s) in accordance with the applicable law, but failed to timely and/or satisfactorily abate and/or correct or repair them or did not otherwise comply with the requirements of the Code such that the issuance of this civil penalty was appropriate; (c) the OWNER(s) either failed to exercise his or her right to an administrative hearing as provided under the Code to contest the violations(s), or appealed said violation(s) to an administrative hearing officer, who entered an order upholding this civil penalty; and (d) this lien is consistent with the provisions of any Administrative Hearing Order that may have been issued in this matter;

3. That a lien on the Property in the principal amount of the ACTION COST is hereby noticed, asserted, and confirmed as provided in the aforementioned laws;

4. That pursuant to KRS 65.8835(1)(c) and KRS 65.8838(8), ***this lien shall be superior to and have priority over all other liens on the property, except state, county, school board, and city taxes;***





MAYOR JIM GRAY



LEXINGTON

DIRECTOR KENNETH ARMSTRONG  
CODE ENFORCEMENT

JUL 26 2017

**DIVISION OF CODE ENFORCEMENT**

Issuance of Citation (Sidewalk Violation)

KB

RAMIREZ CRON MORALES M. H. ACROS  
2376 LIBERTY RD  
LEXINGTON, KY. 40509

Date & Time of Issuance: 6/23/17 9:11AM  
Compliance Due Date: 7/24/17  
Case Number: 026610055

RE: Property: 1005 BRYAN AVE., Lexington, KY.

On 3/16/17, the above referenced property was placed under a Notice of Violation regarding required replacement and/or repair to an adjacent sidewalk pursuant to Chapter 17-147 of the Lexington-Fayette Urban County Government Code of Ordinances.

On 6/23/17 at 9:11 (a/pm), I conducted a re-inspection of the property and found that the sidewalk was still not in compliance. The purpose of this document is to formally notify you that due to the continued non-compliance during the above indicated "Date of Issuance"; you are being issued a citation. As established in Chapter 17 of the Code of Ordinances you have been issued a citation in the amount of \$ 500.00. This amount is based on Chapter 17-152 of the Lexington-Fayette Urban County Government Code of Ordinances which states the owner, "may be assessed a civil penalty of ten dollars (\$10.00) per square foot of unrepaired sidewalk panel, up to a maximum civil penalty of five hundred dollars (\$500.00). (96 Square Footage in Violation.)

The property owner may file a written appeal of this action, but must do so within 7 days of the above listed "Date of Issuance". Appeals, which should indicate why the citation should be dismissed, may be filed via U.S. Mail or by delivering the request to the: Division of Code Enforcement, C/O Secretary of Administrative Hearing Board, 101 East Vine Street, Suite 500, Lexington, KY 40507, or by faxing the appeal request to (859-425-2274)—No emails. Failure to appeal this citation within the indicated time shall result in the determination the property owner has waived their right to appeal, the violations were present on the property, and the issuance of the citation was proper.

If this citation is not paid within 14 days of its issuance and it is not on appeal, a Notice of Lien Claimed may be filed. If a Notice of Lien is filed, then the property owner will be responsible for all fees and administrative costs associated with the lien as well. **All payments related to citations or liens should be made to the Lexington-Fayette Urban County Government and mailed or delivered to the Lexington-Fayette Urban County Government, Division of Revenue, 218 East Main Street, Lexington, Kentucky 40507.** Please include a copy of this citation and/or documents clearly identifying the referenced property and this citation with the payment to ensure proper credit occurs.

As outlined in Chapter 17 of the Code of Ordinances, if the cited replacement/repair is not completed and the property is not brought into compliance before the above indicated "Compliance Due Date", additional penalties may be assessed. Please take immediate steps to correct these violations to ensure no additional citations or liens are issued.

Please contact me if you have any questions or concerns regarding this citation. If you do not receive a response from me within 36 Hours of calling/emailing, please call our office and ask to speak to my supervisor.

STEVE GAHAFFER  
Code Enforcement Officer

(859) 258-3863  
Phone Number

SGAHAFFER@Lexingtonky.gov  
Email Address

101 East Vine St., Suite 500, Lexington, KY 40507 / 859.425.2255 Phone / 859.425.2274 Fax  
Code\_Enforcement@Lexingtonky.gov