Lexington Fayette Urban County Government
Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 03/05/2019   Hearing Officer: JAMES WOMACK

Case number: 283492   Address: 218 W. FIFTH ST.

Owner: SARAH F. NEWMAN   (Present) /Not Present

Person Representing Property Owner: _Sarah Newman_

_____ Legal Standing: Owner

Issuance Date of Civil Penalty: 01/28/2019   Case Officer: CHARLES REED

☐ Housing with $_____Civil Penalty Amount

☒ Nuisance with $_____**100.00**_____ Civil Penalty Amount

☐ Sidewalk with $_____ Civil Penalty Amount

☐ Emergency Abatement $_____   ☐ Nuisance   ☐ Housing

☐ Other:_____ $_____ Civil Penalty Amount

Findings of Fact:

✓ Appellant owns the subject property. Notice was properly served on Appellant and notice of appeal was timely filed.

_____ A violation(s) of the Ordinance _was not_ committed. To Wit: _____

_____

_____

✓ A violation(s) of the Ordinance _was_ committed. To Wit: _Per citation_

_____

_____

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Conclusions of Law

The civil penalty is: Upheld   (Dismissed)   Other

Notes: <u>Full compliance</u>

Civil Penalty Assessed

1) Appellant is assessed a civil penalty of $ _____. Failure to make payment on this civil penalty within 30 days of the issuance of this ruling may result in the placement of lien against the indicated property.

Civil Penalty held in abeyance

2) Appellant is granted until _____ within which to remedy the violations to avoid the assessment of a civil penalty of $ _____. The appellant shall contact the Case Officer and request a confirmation inspection to ensure compliance has been gained on or before the above indicated date as well. Notes: _____

_____

_____

Civil Penalty assessed in part with remaining balance held in abeyance

3) Appellant is assessed a civil penalty of $ _____, and is ordered to remedy the violation by _____, and in the event he/she fails to do so, an additional amount of $ _____ will be assessed, and the Lexington-Fayette County Government will abate (when applicable) the nuisance, at the expense of the Appellant.

Notes: _____

_____

**Notice: As indicated in Kentucky Revised Statue 65.8831, any appeal of this order must be made to the Fayette District Court within thirty (30) days from the date this order is issued.

_____   <u>3/5/19</u>   _____Supplementary Page
Hearing Officer's Signature   Date   Completed

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Supplementary Notes (If Needed)

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Hearing Officer's Signature   Date

DIVISION OF CODE ENFORCEMENT
Issuance of Citation

NEWMAN SARAH F
801 SUNSET DR
LEXINGTON, KY 40502

Date & Time of Issuance: January 28, 2019, at 9:19 AM
Compliance Due Date: February 11, 2019
Case Number: 283492

RE: 218 W FIFTH ST, Lexington, KY 40508

Issuance of Citation: Due to continued non-compliance, a citation in the amount of **$100** has been assessed pursuant to chapter 12 of the code of Ordinances. **Please review the second page of this document to obtain details regarding the payment or appeal of this citation.**

An inspection was made of the above-referenced property on January 28, 2019 at 9:19 AM, and, pursuant to Chapter 12-2 of the Lexington-Fayette Urban County Government Code of Ordinances the below indicated nuisance violation was located that must to be corrected/abated before the listed "Compliance Due Date".

	Violation	Code	References
1	Indoor Furniture/Appliances not designed or manufactured for outside but is located outside	Nuisance 003 IFO/Indoor Furniture	

Inspection Comments:

Appliance remain outdoors

Please contact me if you have any questions or concerns regarding this notice/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.

Charles Reed

Charles Reed
Nuisance Control Officer

Phone
(859) 576-3843

E-Mail Address
creed@lexingtonky.gov