

**NOTICE OF LIEN CLAIMED**

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

**616 N UPPER ST**

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

CLAIMANT

VS.

**JAMES P WALLER**

OWNER(S)

ACTION TYPE: **Nuisance Citation**  
ACTION DATE: **December 5, 2022**  
ACTION COST: **\$125.00**

CASE#: 929352

COMES NOW, the undersigned Affiant, who is duly authorized to issue citations on behalf of the Lexington-Fayette Urban County Government's 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 Chapter 12 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 real property located at

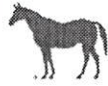
**616 N UPPER ST**

(the "Property");

2. That: (a) at all relevant times the OWNER(s) was in violation of certain provisions of the Code due to certain condition(s) on 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







COPY

**DIVISION OF CODE ENFORCEMENT****Issuance of Citation**WALLER JAMES P  
309 BALLPARK DR APT 104  
LEXINGTON, KY 40505Date & Time of Issuance: December 5, 2022, at 11:13  
AM  
Compliance Due Date: December 19, 2022  
Case Number: 929352

RE: 616 N UPPER ST, Lexington, KY 40508

**Issuance of Citation:** Due to continued non-compliance, a citation in the amount of **\$125** has been assessed pursuant to chapter 12 of the code of Ordinances. **This amount includes a \$25.00 Administrative fee. 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 December 5, 2022 at 11:13 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 | Rubbish, Garbage, Debris, Ashes, Trash or Waste   | Nuisance 001<br>Trash/Debris            |            |
| 2 | Indoor Furniture/Appliances not designed or manufactured for outside but is located outside | Nuisance 003<br>IFO/Indoor<br>Furniture |            |

**Inspection Comments:**

In furniture and trash,debris

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.

Jody Whitaker  
Code Enforcement OfficerPhone  
(859) 576-3849E-Mail Address  
jwhitaker@lexingtonky.gov



## How to Pay a Citation

**All payments related to citations, civil penalties 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. The Division of Code Enforcement cannot accept payment for any citations, liens or abatement costs.**

**Continued non-compliance after the above indicated "Compliance Due Date" may result in additional citations being issued until compliance is gained. If the property owner does not bring the property into compliance the violations may be abated/corrected by governmental operations and all abatement costs and related administrative fees will be invoiced to the property owner.**

## How to Appeal a Citation

If a citation has been issued, the property owner may file a written appeal of this citation. The property owner must do so within 7 days of the listed "Issuance Date". Appeals may be filed via U.S. Mail or by delivering the request to: 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 will be accepted. 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 a citation, which is not on appeal, and/or invoice abatement costs are not paid within 14 days following its issuance, a Notice of Lien Claimed may be recorded in the Office of the Fayette County Clerk against the property.

