

# **CODE ENFORCEMENT DEPARTMENT**

***\*\*The Code Enforcement Program is administered by Planning and Development Services of Kenton County on behalf of City of Independence***

## **CODE ENFORCEMENT CITATION - #3**

Date of issuance: 6/25/2024

Wilma Smith  
708 Ackerly DR  
Independence, KY 41051  
Case #: CE-20220549

You are hereby notified as the owner of the subject property that an inspection of the premises located at 708 Ackerly Dr. INDEPENDENCE, KY 41051 PIDN: 007-00-01-300.00 on 6/18/2024 at 12:00, indicates that a violation or violations of City or County Ordinance(s) exists. Briefly stated, the property is in violation for the reasons described as follows:

<u>Section Number</u>	<u>Nature of Violation</u>
<b>INDCO 93.06</b>	Any grass, weeds or vegetation in excess of eight (8) inches in length, except in agricultural zones.
<b>OVERGROWN GRASS</b>	

***\*ZO - Zoning Ordinance; \*CO - City Ordinance; \*IPMC - International Property Maintenance Code\****

**Corrective Action:** Cut and maintain vegetation below 8". Upon failure to comply with the notice of violation. Any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property. Contact the Code Enforcement officer with any questions.

The violation(s) with which you have been charged are civil offense(s).

Pursuant to KRS 65.8808(2)(b), if you do not contest this citation, the civil fine shall be \$400 per violation; if you contest this citation before the Kenton County Joint Code Enforcement Board, the civil fine shall be \$800 per violation.

To pay this citation, you must pay the amount shown as the minimum fine above – per violation, by mail or in person, to PDS within seven (7) business days of this citation. **PLEASE NOTE: Payment of fines WILL NOT close this case if unabated violations remain.**

To contest this citation, you must file an appeal to the PDS offices, 1840 Simon Kenton Way, Suite 4300, Covington, Kentucky 41011 within seven (7) business days of the citation. If you appeal and the citation is upheld by the Kenton County Code Enforcement Board, the fine may be increased up to the "maximum fine" shown above.

Failure to pay the minimum fine or to file an appeal by 7/6/2024 will result in a waiver of your rights to a hearing and pursuant to KRS 65.8825(6), this citation, as issued, shall be deemed a Final Order determining that the violation was committed. The minimum fine shall then be imposed and it, along with the costs of collection, shall be collected as a debt in a court of law; furthermore, the alleged violator shall be deemed to have waived the right to appeal the Final Order to District Court.

***\*\*Whether the citation is contested or not, please contact PDS offices at (859) 331-8980 to request a re-inspection when violations are abated to stop the accrual of fines.\*\****



Joshua Wuestefeld  
Code Enforcement Officer

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### **CODE ENFORCEMENT OFFICER CERTIFICATION**

The undersigned Code Enforcement Officer hereby certifies that the person to whom this code enforcement citation was issued failed to respond within seven (7) days of the date the citation was issued; therefore, pursuant to KRS 65.8825(6), this citation, as issued, is deemed a final order determining that the violation was committed and the maximum fine as set forth in the citation is hereby imposed.

### **PROOF OF SERVICE**

The undersigned Code Enforcement Officer hereby certifies that on this 8<sup>th</sup> day of July, 2024, a copy of this Administrative Final Order was delivered to the person to whom the referenced civil citation was issued, in the following manner (check all that apply):

- Regular first-class mail
- Certified mail, return receipt requested
- Personal delivery
- Leaving a copy of this Final Order at that person's usual place of residence, with an individual residing therein who was eighteen (18) years of age or older and who was informed of the contents of this Final Order.



Joshua Wuestefeld  
Code Enforcement Officer