



CODE OF ORDINANCE ENFORCEMENT BOARD
CITY OF HOPKINSVILLE, KENTUCKY

UNIFORM CODE CITATION

Citation # CASE-11-16-1-18481

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

DATE: 12/14/2016 8:47:01AM

THE FOLLOWING PERSON:

Name: AVA NELL SMITH

Street Address: 4821 DEER LICK RD

City: LEWISBURG State: KY ZIP: 42256-

Telephone #: _____ Date of Birth: _____ Race: _____ Sex: _____

IDENTIFICATION: Driver's License, Social Security, or Other:

State: _____ Type of Identification: _____

Vehicle Make/Type (if applicable): _____ Year: _____ Color: _____

Vehicle License #: _____

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE:

Ordinance/Code #: 93.03

Description of Violation: JUNK, LITTER

Location of Violation: 507 2ND ST

Offense: CH 93.03 FIRST OFFENSE

NOTICE

This citation is issued pursuant to KRS 65.8801 et. seq. and Chapter 33.180 of the City of Hopkinsville Code of Ordinances. The violation with which you have been charged is a civil offense.

If you choose not to contest the citation and pay the penalty to the City within seven (7) days, the fine for this offense is a minimum of \$200 or \$10 per acre, whichever is greater, not to exceed \$300.

Failure to pay within seven (7) days will result in the addition of a \$50.00 administrative fee. All acreage calculations shall be based on PVA records.

If you choose to contest the citation and request a hearing before the Code of Ordinance Enforcement Board, the maximum penalty that may be imposed for this violation is \$400.00. In addition to the fine imposed by the Board, a \$50.00 administrative fee will be assessed.

Failure to pay the applicable civil penalty or request a hearing, in writing, from the Code of Ordinance Enforcement Board within seven (7) days of the issuance of this citation shall constitute a waiver of your right to contest the citation and the determination that a violation was committed shall be final and nonappealable.

Signature of Individual: _____

Date and Time of Issuance: 01/05/2017 / 9:41AM

Signature of Issuing Code Enforcement Officer: Mike Gues

Print Name: MIKE GUES

For further information regarding this matter, you may contact the Community and Development Services at (270) 887-4285 during normal business hours.

Pursuant to KRS 65.8838 the City is not prohibited from taking immediate action to remedy a violation of its ordinances if there is reason to believe the violation presents a serious threat to public health, safety, and welfare, or if in the absence of immediate action, the effects will be irreparable or irreversible. In this event, the City will charge the property owner to cover the City's expenses. This is above and beyond possible fines imposed by the Code of Ordinance Enforcement Board.

**CODE OF ORDINANCE ENFORCEMENT BOARD
CITY OF HOPKINSVILLE, KENTUCKY**

Important Instructions

The issuance of the attached citation means that you have been charged with a civil offense which requires you to comply with one of the following options:

OPTION #1:

You may decide not to contest the citation and pay the civil penalty indicated in the NOTICE portion of the citation form by mail, or in person, within seven (7) days from the date of issuance.

A. If paying by mail, you must send a cashier's check, money order, or personal check. Please do not send a cash payment! Checks must be made payable to: City of Hopkinsville. You may mail the amount of the fine indicated on the citation, along with a copy of your citation to:

City of Hopkinsville
Tax Office
P.O. Box 707
Hopkinsville, KY 42241-0707

B. If you decide to make payment in person, you may do so between the hours of 8:00 a.m.-12:00 p.m. and 1:00 p.m.-4:30 p.m., Monday through Friday, at the following location:

City of Hopkinsville, Tax Office
Hopkinsville Municipal Center
715 South Virginia Street
Hopkinsville, KY 42240

OPTION #2:

If you disagree with the citation and wish to have a hearing, you may request a hearing before the City of Hopkinsville Code of Ordinance Enforcement Board. Your request for a hearing must be in writing and the request must be received by the City Clerk within seven (7) days of the date the citation was issued. You may use the attached form to request a hearing before the Board. The written request for a hearing must be mailed to the following address:

Community and Development Services
P.O. Box 1125
Hopkinsville, KY 42241-1125

or personally delivered to the following address:

Community and Development Services
Hopkinsville Municipal Center
710 South Main Street
Hopkinsville, KY 42240

If you fail to pay the civil penalty or request a hearing within seven (7) days from the date the citation was issued, you will have waived your right to contest this citation and the determination that a violation was committed shall be considered final and nonappealable.



CODE OF ORDINANCE ENFORCEMENT BOARD
CITY OF HOPKINSVILLE, KENTUCKY

CASE # CASE-11-16-1-18481
CITY OF HOPKINSVILLE, KENTUCKY
V

Petitioner

AVA NELL SMITH

Respondent

FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER

This cause was presented at a public meeting of the Board on 02/14/2017. The Board as required by KRS 65.8825(5), now issues its Findings of Fact, Conclusions of Law and Final Order, as follows:

FINDINGS OF FACT

The Respondent, AVA NELL SMITH, is the owner or person in charge of property located at: 507 2ND ST

The Respondent was issued a citation by Mike Guess, Code Enforcement Officer, dated 01/05/2017 which charged the Respondent with a violation of Chapter 93.03 of the City of Hopkinsville, Kentucky Code of Ordinances, described as follows: JUNK, LITTER.

The Respondent failed to respond to said citation within seven (7) days as required by KRS 65.8825(5).

The Board finds that the condition described in the citation did, in fact, exist at the time the citation was issued, and that the condition was caused by the Respondent, or was the responsibility of the Respondent, as owner or person in charge of the property on which the violation occurred.

CONCLUSIONS OF LAW

The Board concludes, based on the foregoing Findings of Fact, that Respondent, AVA NELL SMITH, has committed a violation of Chapter 93.03 of the City of Hopkinsville, Kentucky Code of Ordinances, as charged in the citation.

FINAL ORDER

Respondent, AVA NELL SMITH, is ordered to pay \$ 250.00 which includes the \$ 200.00 civil fine set forth in the citation and a \$50 administrative fee. Payment shall be made to City of Hopkinsville, c/o Tax Office, 715 South Virginia Street, P.O. Box 707, Hopkinsville, KY 42240.

In the event this violation has not been remedied, the City of Hopkinsville may take action to remedy the violation. If the City remedies the violation, the property owner will be charged for all expenses incurred in addition to the civil fine set forth in this Order.

DONE AND ORDERED THIS 14 day of February.


CODE OF ORDINANCE ENFORCEMENT BOARD
HOPKINSVILLE, KENTUCKY

BY:



Chairman, Code of Ordinance Enforcement Board

I HEREBY CERTIFY that a true and correct copy of the foregoing Findings of Fact, Conclusions of Law and Final Order has been served on the Respondent, AVA NELL SMITH, on this the 16 day of February, 2017.



CDS Director/Designee

I HEREBY ACKNOWLEDGE that I have read and understand the foregoing Findings of Fact, Conclusions of Law and Final Order, and that I have received a copy of the same. I understand my rights to appeal this Order within a period of thirty (30) days from this date, in accordance with KRS 65.8831. I am also aware that in the event of non-compliance, I am personally responsible for the amount of the civil fine and the City may enforce the fine by recording a lien at the Christian County Clerk's Office or by bringing a civil action against me.

DATED THIS _____ day of _____, 2017.

Respondent