



CODE OF ORDINANCE ENFORCEMENT BOARD
CITY OF HOPKINSVILLE, KENTUCKY

UNIFORM CODE CITATION

Citation # CASE-4-17-1-18911

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: 5/4/2017 11:40:56AM

THE FOLLOWING PERSON:

Name: JANICE H. GERBO

Street Address: 19701 125TH ST SE

City: MCCLOUD State: OK ZIP: 74851-8475

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: OVERGROWN

Location of Violation: 413 CHERILYN CIR

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: 5/4/17 - 9:20 AM

Signature of Issuing Code Enforcement Officer: Mike Guess

Print Name: MIKE GUESS

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 # 4-17-1-18911

CITY OF HOPKINSVILLE, KENTUCKY

Petitioner

v

JANICE H. GERBO

Respondent

FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER

The Respondent, JANICE H. GERBO, being properly notified of the violation(s) on property located at, 413 CHERILYN CIR, HOPKINSVILLE, KY 42240, and failing to exercise his/her rights as contained in section KRS 65.8825(6), Findings of Fact, Conclusions of Law and Final Order are issued as follows:

FINDINGS OF FACT

The Respondent, JANICE H. GERBO is the owner or person in charge of property located at 413 CHERILYN CIR, HOPKINSVILLE, KY 42240.

The Respondent was issued a citation by MIKE GUESS, Code Enforcement Officer, dated May 8, 2017 which charged the Respondent with a violation of Chapter 93.03 of the City of Hopkinsville, Kentucky Code of Ordinances, described as follows: Overgrown.

The Respondent failed to respond to said citation within seven (7) days as required by KRS 65.8825(6) and the Hopkinsville Code of Ordinances, Chapter 133.188(F).

It is found 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

It is concluded, based on the foregoing Findings of Fact, that Respondent, JANICE H. GERBO 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, JANICE H. GERBO, is ordered to pay \$250.00, which includes the \$200.00 civil fine set forth in the citation and a \$50.00 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 13th day of June, 2017.

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, JANICE H. GERBO, pursuant to Chapter 33.188(G) of the Hopkinsville Code of Ordinance, on this the 14 day of June, 2017.


CDS Director/Designee