

NICHOLASVILLE POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
CASE NO. 2025-0080

IN RE: 132 COTTAGE ST, Nicholasville, Kentucky 40356 (the "Property")

NOTICE OF FINAL ORDER

The Code Enforcement Division of the Nicholasville Police Department having issued a Citation identified as Citation # 2025-0080 (the "Citation"), pursuant to KRS 65.8825 and Section 11-4(h) of the Code of Ordinances, City of Nicholasville, Kentucky (the "Code") to JEARLENE STRAUSS PAYNE, the record owner(s) of the Property (the "Owner(s)"), imposing a civil fine in the amount of \$50.00 for violation of those certain provisions of the Code as more particularly described in the Citation, a copy of which is attached hereto and incorporated by reference as if fully set forth herein; the Owner(s) having been advised of his/her/their obligation to pay said fine or request, in writing, a hearing with the Code Enforcement Board to contest the Citation within seven (7) days of the date of issuance of the Citation; the Owner(s) having failed to pay said fine or make said request for a hearing within said seven (7) day period;

NOTICE IS HEREBY GIVEN as follows:

1. Pursuant to KRS 65.8825 and Section 11-4(h)(6)(a) of the Code, the Citation shall be deemed a final Order determining that the violation(s) set forth therein was/were committed and imposing the civil fine set forth therein and the Owner(s) shall be deemed to have waived his/her/their right to appeal the final Order to the District Court.

2. Pursuant to KRS 65.8835(1) and Section 11-4(m)(1) of the Code, the City of Nicholasville shall possess a lien on the Property for the civil fine set forth in the Citation and for all charges and fees incurred by the City of Nicholasville in connection with the enforcement of the Code, including abatement costs, which lien shall bear interest at the rate of 12% per annum until fully satisfied and may be enforced by judicial proceedings, including an action to foreclose. Pursuant to KRS 65.8835(1)(c), the City's lien shall take precedence over all other liens, except state, county, school board, and city taxes.

3. Pursuant to KRS 65.835 and Section 11-4(m)(4) of the Code, the City of Nicholasville may bring a civil action against the Owner(s) and shall have the same remedies as provided for the recovery of a debt.

4. Pursuant to KRS 65.8836(3) and Section 11-4(o) of the Code, a lien holder of record may, within forty-five (45) days from the date of this Notice, correct the violation(s) if not already abated, or elect to pay all civil fines assessed for the violation(s) and all charges and fees incurred by the City of Nicholasville in connection with the enforcement of the ordinance, including abatement costs. If the City's lien is fully satisfied prior to the expiration of the forty-five (45) day period, the City of Nicholasville shall release its lien within fifteen (15) days of satisfaction.

5. The last known mailing address of the Owner(s) is 10110 CEDARWOOD DR UNION, KY 41091.

Dated this the 20th day of May, 2025



CHAIR, CODE ENFORCEMENT BOARD

CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing Notice was, on this the 20th day of May, 2025, served by mailing same, postage pre-paid, to the following:
[Include the Owner(s) and any lien holders of record]



CODE ENFORCEMENT OFFICER



Michael Fleming
Chief of Police

NICHOLASVILLE POLICE DEPARTMENT

Code Enforcement Division

717 North Main Street

Nicholasville, KY 40356

(859) 885-9467

codeenforcement@nicholasville.org



State Accredited Law
Enforcement Agency

CASE NUMBER: 2025-0080

NOTICE OF VIOLATION

Re: 132 COTTAGE ST

An inspection was made at the above referenced property. The following violations were found, which need to be corrected by their respective compliance dates.

Violations:

11-2. WEEDS DECLARED A NUISANCE. - Comply By: 4/30/2025

11-3. WASTE DECLARED A NUISANCE. - Comply By: 4/30/2025

Comments:

-Lot needs to be mowed and kept mowed including around trees and signs.

-There are limbs on the property that need to be removed and disposed of.

****Failure to do so can result in fines that start at \$50.00 first day, \$100.00 second day, \$150.00 third day and so on until violations are cleared.****

Inspector: <None>

Date of Inspection: 4/23/2025

Time: 11:02

Code Enforcement Officer

The burden rests upon the owner(s) of the above referenced property to correct the violation(s) and request a re-inspection by the code enforcement officer to determine whether the property is in full compliance on or before the due date specified herein.

Cited Violations:

Ordinance: 11-2. WEEDS DECLARED A NUISANCE.

Ordinance Source: CITY OF NICHOLASVILLE CODE OF ORDINANCES\CHAPTER 11 - NUISANCE ABATEMENT

11-2. WEEDS DECLARED A NUISANCE.

Violation Date: 4/23/2025

Which states: It shall be unlawful for the owner of any building or lot to permit any weeds, grass or plants, other than crops, trees, bushes, flowers or other ornamental plants, to grow to a height exceeding eight (8) inches anywhere on such lot, including those portions thereof abutting any street, road, alley or other thoroughfare, and in the event such lot is crossed by a sidewalk, ditch, pathway, private roadway, fence, or other natural or manmade boundary or divider, including those portions thereof between such boundaries or divider and the edge of the thoroughfare; any such weeds, grass or plants exceeding such height are hereby declared to be a nuisance.

Corrective Action:

Compliance Date: 4/30/2025

Violation Status: Open

Violation Notes: -Lot needs to be mowed and kept mowed including around trees and signs.

-There are limbs on the property that need to be removed and disposed of .

****Failure to do so can result in fines that start at \$50.00 first day, \$100.00 second day, \$150.00 third day and so on until violations are cleared.****

Ordinance: 11-3. WASTE DECLARED A NUISANCE.

Ordinance Source: CITY OF NICHOLASVILLE CODE OF ORDINANCES\CHAPTER 11 - NUISANCE ABATEMENT
\\11-3. WASTE DECLARED A NUISANCE.

Violation Date: 4/23/2025

Which states: (a) Definition of "nuisance". For the purpose of this section, the term "nuisance" is defined to mean any condition or use of premises or of building exteriors which is detrimental to the property of others or which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which such premises are located. This includes but is not limited to the keeping of the following:

(1) Ashes, rubbish, garbage, lumber, bricks, cinder blocks, insulation materials, building debris, refuse or waste of any kind, whether liquid or solid. This will include construction sites.

Corrective Action:

Compliance Date: 4/30/2025

Violation Status: Open

Violation Notes: -Lot needs to be mowed and kept mowed including around trees and signs.

-There are limbs on the property that need to be removed and disposed of .

****Failure to do so can result in fines that start at \$50.00 first day, \$100.00 second day, \$150.00 third day and so on until violations are cleared.****



Michael Fleming
Chief of Police

NICHOLASVILLE POLICE DEPARTMENT

Code Enforcement Division
717 North Main Street
Nicholasville, KY 40356
(859) 885-9467

codeenforcement@nicholasville.org



State Accredited Law
Enforcement Agency

CODE ENFORCEMENT DIVISION CITATION

Date and Time of Issuance: 4/30/2025

ENTERED: U/55 C. Humphrey

RE: Property: 132 COTTAGE ST, Nicholasville, KY.

On 4/30/2025, the above referenced property was placed under a Notice of Violation regarding required maintenance/corrections pursuant to Chapter 11 of the Code of Ordinances of the City of Nicholasville.

A copy of the Notice of Violation is attached hereto and incorporated by reference herein.

On 4/29/2025 at 3:20 (am/pm), I conducted a reinspection of the property and found that not all the violations listed on the Notice of Violation have been corrected.

The purpose of this document is to formally notify you that due to the continued non-compliance with respect to violations noted on the Notice of Violation attached hereto(the "Cited Violations") as of the above indicated Date of Issuance, you are being issued a citation. The violation with which you have been charged is a civil offense. Our records indicate that this is your 1 offense with respect to the Cited Violations.

Therefore, this Citation has been issued pursuant to KRS 65.8801, et. seq. and Chapter 11 of the Code of Ordinances of the City of Nicholasville in the amount of \$50.00. This amount is in addition to any fines assessed pursuant to any other citations.

You shall have seven (7) days from the Date of Issuance of this Citation to pay the above indicated civil fine or request, in writing, a hearing with the Code Enforcement Board to contest this Citation. **All payments should be made to the City of Nicholasville, and delivered or mailed to Code Enforcement Division at 717 North Main Street, Nicholasville, KY 40356.** Please include a copy of this Citation and/or documents clearly identifying the referenced property with the payment to ensure proper credit occurs. All requests for a hearing, which shall indicate why the citation should be dismissed, should be mailed via U.S. Mail or by delivering the request to: Division of Code Enforcement, C/O Secretary of Administrative Hearing Board, 717 North Main Street, Nicholasville, KY 40356, or by faxing the appeal request to (859-885-1766) - **no emails.** **If you request a hearing, the maximum civil fine that may be imposed by the Code Enforcement Board with respect to this citation only is \$150.00.** If you fail to be the civil fine set forth herein or contest the citation within the time allowed, you shall be deemed to have waived the right to a hearing before the Code Enforcement Board to

