

**City of Southgate**  
122 Electric Ave. Southgate, KY 41071  
859-441-0075



**Civil Citation**

Date issued: 12/20/2019

Case #: 190040

Time of Citation:

Re: 132 EVERGREEN AVE, SOUTHGATE KY

PIDN: 999-99-11-652.00

US BANK TRUST  
3630 PEACH TREE N E 1500  
ATLANTA, GA 30326

**Property Maintenance Code Section: 301.3 Vacant structures and land**

**302.1 Sanitation**

**304.12 Handrails and guards**

**304.13 Window, skylight and door frames**

**304.6 Exterior walls**

**307.1 Accumulation of rubbish or garbage**

**Fact(s) Constituting Offense(s):**

Within (7) seven days \* Outside Storage / Rubbish - remove all trash, rubbish and storage from yard. All storage is required to be kept in an enclosed structure, all trash and rubbish must be removed from property. Within (20) Calendar days: \* Window - repair or replace all broken, missing and dilapidated window glazing, frame and trim. \* Siding and exterior trim - repair or replace missing or dilapidated siding and trim at exterior walls of house, porch and deck. \* Guardrail - replace or repair guardrail at rear deck where guardrail is missing, leaning or in disrepair.

**Total Fine: \$5,000.00**

**TO THE ABOVE NAMED PERSON(S):**

You are notified that you are in violation of the above section(s) of the City of Southgate Code of Ordinances and/or the International Property Maintenance Code as adopted by the City of Southgate.

**IF YOU DO NOT CONTEST THIS CITATION**, you must pay the amount shown above as "Total Fine" at the Office of the City Clerk, 122 Electric Avenue, Southgate, KY 41071, **within seven (7) calendar days from the date the Citation was issued.**

**IF YOU DO CONTEST THIS CITATION**, you must request a hearing before the City of Southgate Code Enforcement Board **within seven (7) calendar days from the date the Citation was issued.** Appeal forms are available from and may be submitted to the Office of the City Clerk, 122 Electric Avenue, Southgate, KY 41071. If the Board determines that no violation was committed, an order dismissing the Citation shall be entered. If the Board determines that a violation has been committed, an order may be issued upholding the Citation, and the Board may impose a fine up to \$50.00 per day per violation, up to a maximum of \$10,000.00 per Citation, or require you to remedy a continuing violation to avoid a fine, or both.

**IF YOU FAIL TO PAY THE CIVIL FINE SET FORTH IN THIS CITATION 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 contest the citation; the determination that the violation was committed shall be final; the citation as issued shall be deemed a Final Order determining that the violation was committed and imposing the civil fine as set forth in this Citation; and you shall be deemed to have waived the right to appeal the final order to Campbell District Court.

Code Enforcement Officer's Name: John Lauber

Code Enforcement Officer's Signature: \_\_\_\_\_

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US BANK TRUST :

On 09/03/2019 the City of Southgate issued you a Notice of Violation. This notice required you to correct all noted violations within a specified time period. A re-inspection of the property was conducted on 12/19/2019. The following violations were not corrected as required or have occurred again (see attached code sections and/or photographs for details):

**Fact(s) Constituting Offense(s): Within (7) seven days \* Outside Storage / Rubbish - remove all trash, rubbish and storage from yard. All storage is required to be kept in an enclosed structure, all trash and rubbish must be removed from property. Within (20) Calendar days: \* Window – repair or replace all broken, missing and dilapidated window glazing, frame and trim. \* Siding and exterior trim – repair or replace missing or dilapidated siding and trim at exterior walls of house, porch and deck. \*Guardrail – replace or repair guardrail at rear deck where guardrail is missing, leaning or in disrepair.**

301.3 Vacant structures and land

All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

302.1 Sanitation

All exterior property and premises shall be maintained in a clean, safe and sanitary condition and all outdoor storage shall be removed. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

302.4 Weeds

All premises and exterior property shall be maintained free from weeds or plant growth in excess of ten (10) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. 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.

302.5 Rodent harborage

All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re infestation.

304.12 Handrails and guards

Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing. All glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.6 Exterior walls

304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

307.1 Accumulation of rubbish or garbage

All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

308.1 Infestation

All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent re-infestation.

Therefore, the City has issued a Citation for the violations that were not corrected. Attached for your review is the Citation. **Please submit payment for the amount listed under Total Fine. The fine must be paid within seven (7) calendar days of the date of the Citation. If you fail to respond, you shall be deemed to have waived the right to a hearing before the Code Enforcement Board to contest the citation; the determination that the violation was committed shall be final; the citation as issued shall be deemed a final order determining that the violation was committed and imposing the civil fine as set forth in this Citation; and you shall be deemed to have waived the right to appeal the final order to Campbell District Court. The fine may be submitted in person or by mail at the following address:**

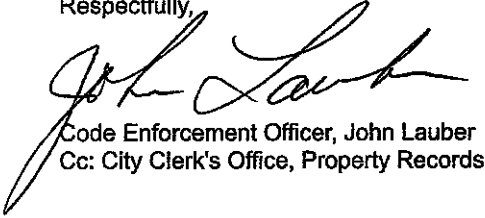
City of Southgate Clerk's Office  
122 Electric Avenue  
Southgate, KY 41071

Please remember that you are still required to correct any and all outstanding violations. The City shall conduct a re-inspection of the property on 01/21/2020. If any violations remain, additional Citations may be issued. The City may also pursue enforcement and resolution through appropriate legal action. *Any action taken by the City of Southgate to abate the violations shall be charged against the real estate upon which the structure is located and a lien shall be placed upon such real estate.*

*If you wish to appeal this Citation, you may submit an application for appeal within seven (7) calendar days from the date of this notice. Applications may be picked up and submitted to the City Clerk's office at 122 Electric Avenue, Southgate, KY, 41071 or obtained from the website at [www.southgateky.org](http://www.southgateky.org).*

The City appreciates your cooperation in this matter. Thank you for your efforts in keeping Southgate a clean and safe community in which to live, work and play. If I can be of assistance or you have any questions about this citation please feel free to contact me at 859-760-0926 or [codeofficer@southgateky.org](mailto:codeofficer@southgateky.org).

Respectfully,



Code Enforcement Officer, John Lauber  
Cc: City Clerk's Office, Property Records

