

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



Date issued: 10/06/2023

*Copy*

**Civil Citation**

Case #: 230080  
Time of Citation:  
Re: 103 WALNUT ST W, SOUTHGATE KY  
PIDN: 999-99-10-671.00

DUCKWORTH SCOT E  
103 W WALNUT ST  
SOUTHGATE, KY 41071-0000

**Property Maintenance Code Section: § 98.15 DEAD OR DISEASED TREE REMOVAL ON PRIVATE PROPERTY.**

**Dates offense(s) committed: 09/05/2023 through 10/05/2023**

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

Dead / diseased tree - a tree on your property has been identified to be in critical condition and poses a potential hazard to the public. City ordinances require property owners to cut down dead / diseased trees.

**Total Fine: \$1,500.00**

**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:

*John Lauber*

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SOUTHGATE, KY 41071-0000

DUCKWORTH SCOT E :

On 06/21/2023 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 10/05/2023. 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): Dead / diseased tree - a tree on your property has been identified to be in critical condition and poses a potential hazard to the public. City ordinances require property owners to cut down dead / diseased trees.**

§ 98.15 DEAD OR DISEASED TREE REMOVAL ON PRIVATE PROPERTY.

The city shall have the right to cause the removal of any dead or diseased trees on private property within the city when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the city. The City Tree Board will notify in writing, the owners of such trees. Removal shall be done by the owners at their own expense within 60 days after the date of service of notice.

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 11/07/2023. 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

