



CITY OF FALMOUTH

230 Main Street
Falmouth, Kentucky 41040
Phone (859) 654-6937 Fax (859) 654-3603
Mayor Sebastian Ernst
sernst@cityoffalmouth.com
City Clerk/Treasurer Susan L. Bishop
sbishop@cityoffalmouth.com

COUNCIL MEMBERS

Darryl Ammerman
Joyce Carson
Sabrina Hazen
Amy Hurst
Bob Pettit
Luke Price

October 23, 2023

CITY OF FALMOUTH, KENTUCKY CODE ENFORCEMENT DEPARTMENT

NOTICE OF LIEN

Comes now, the City of Falmouth has filed a lien on the property listed below with the Pendleton County Clerk's office:

**402 WEST SHELBY STREET
FALMOUTH, KY 41040**

Otis Lee Smith, Jr.
210 Bluegrass Avenue
Apartment 103 D
Newport, KY 41071

Respectfully submitted,

Shelley Wright
Deputy City Clerk
City of Falmouth

Cc: Susan L. Bishop, City Clerk/Treasurer

Rita M. Spencer, Clerk
Pendleton County
Time: 1:30 p.m.

SEP 21 2023

**CITY OF FALMOUTH, KENTUCKY
CODE ENFORCEMENT
DEPARTMENT**

By: Michelle Brown DC
Pd 76 - Tax
Mail to: City of Falmouth

RE: 402 WEST SHELBY STREET

NOTICE OF FINAL ORDER


The City of Falmouth, by and through the Code Enforcement Department, does hereby give notice of the following:

A citation was issued with regard to this property on July 24, August 1, 9, 16, 23, 30, September 6, and 15, 2023. A copy of the citations is attached hereto and incorporated by reference as if fully set forth herein.

More than seven (7) days have elapsed since service of the attached citations and the fines contained within the citations have not been paid, nor has there been a request for a hearing before the code enforcement board to contest the citations. Therefore, pursuant to City of Falmouth Ordinance §40.09(C), the person(s) named in the citation shall be deemed to have waived the right to a hearing and the determination that a violation was committed shall be considered final. \$1800.00 will be imposed unless the Final Order is appealed, or the fine is paid by a third-party lienholder pursuant to Falmouth Ordinance §40.09(F). Failure to pay this fine may result in a lien being placed against the property.

Please contact the City of Falmouth at (859) 654-6937 for more information. Thank you.

Sincerely,


Susan Bishop, City Clerk

NOTICE OF RIGHT TO APPEAL

You have failed to either pay the applicable civil fines within the specified time period or request a hearing, in writing, within seven (7) days of receipt of the applicable Citation. Therefore, by law you have waived your right to contest this citation and the determination that a violation was committed shall be final and not subject to an appeal to District Court. You may have the right to appeal this citation to the Pendleton District Court. Any such appeal must be made within thirty (30) days from the date at which the citation became a final order, which was September 21, 2023. You may want to seek the help of an attorney to ensure all legal requirements for an appeal are satisfied.

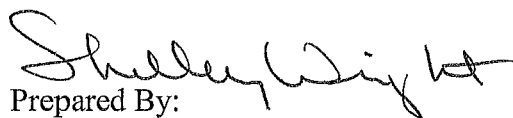
LIENHOLDER NOTIFICATION SYSTEM

Pursuant to Falmouth Ordinance §40.15, a copy of this document will be uploaded to the City's electronic lienholder notification database at www.cityoffalmouth.com. Once the City provides notice in accordance with §40.09(F), a lienholder may have the ability to avoid having a lien placed on the property by paying the civil fine on behalf of the property owner or abating the nuisance within 45 days from when the document is available on the City's database.

CERTIFICATE OF SERVICE

Pursuant to K.R.S. § 65.8828(5), a copy of the foregoing **Notice of Final Order** was sent via regular first-class mail to the following recipients on September 21, 2023:

Otis Lee Smith, Jr.
210 Bluegrass Ave. Apt. 103 D
Newport, KY 41071



Prepared By:
Shelley Wright, Deputy Clerk
City of Falmouth
230 Main Street
Falmouth, KY 41040

CITY OF FALMOUTH, KENTUCKY
UNIFORM CODE ENFORCEMENT CITATION

Citation Number: _____

The undersigned code enforcement officer of the City of Falmouth certifies that he/she has just and reasonable grounds to believe and does believe that on

Week: 10 Month: 10 Day: 15 Year: 2013

THE FOLLOWING PERSON:

Name: Ota Lee Smith
 Street Address: 402 W. Shiloh Street
 City: Falmouth Ky State: Ky Zip: 41001
 Telephone: _____

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE:

Ordinance / Code No.: KRM 11.15 1015.412
 Description of Violation: Front Porch Enclosure
Front Porch Enclosure
Front Porch Enclosure
Front Porch Enclosure

NOTICE:

This citation is issued pursuant to KRS request a hearing, in writing, from the Code Enforcement Board within seven (7) days of Ordinance of the City of Falmouth. The date of 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 non-appealable, and you will be deemed to have waived the right to appeal to Pendleton County District Court.

If you choose not to contest the citation and the penalty within seven (7) days, the fine for the offense is \$ 200.00.

If you choose to contest the citation and request a hearing before the City Code Enforcement Board, the maximum penalty that may be imposed for this violation is \$ 200.00.

Contact the City Office at 859-654-6937 to schedule a meeting with the Code Enforcement Board should you wish to contest this citation.

Failure to pay the applicable civil penalty or
 Warning 1st 2nd 3rd Other
 Offense 1st 2nd 3rd Other

CITY OF FALMOUTH, KENTUCKY
UNIFORM CODE ENFORCEMENT CITATION

Citation Number: _____

The undersigned code enforcement officer of the City of Falmouth certifies that he/she has just and reasonable grounds to believe and does believe that on

Week: 10 Month: 9 Day: 6 Year: 2013

THE FOLLOWING PERSON:

Name: Ota Lee Smith
 Street Address: 402 W. Shiloh Street
 City: Falmouth Ky State: Ky Zip: 41001
 Telephone: _____

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE:

Ordinance / Code No.: KRM 11.15 1015.412
 Description of Violation: Front Porch Enclosure
Front Porch Enclosure
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Contact the City Office at 859-654-6937 to schedule a meeting with the Code Enforcement Board should you wish to contest this citation.

Failure to pay the applicable civil penalty or
 Warning 1st 2nd 3rd Other
 Offense 1st 2nd 3rd Other

UNIFORM CODE ENFORCEMENT CITATION

Citation Number:

The undersigned code enforcement officer of the City of Falmouth certifies that he/she has just and reasonable grounds to believe and does believe that on:

Day of Week: 20 Month: 10 Day: 30 Year: 2003

THE FOLLOWING PERSON:

Name: Ota Lee Smith

Street Address: 402 W. ST. LEE ST

City: Falmouth State: Ky Zip: 41010

Telephone:

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE:

Ordinance/Code No.: 170 MC 111.5 BMS 576.18

Description of Violation: Front Roof a dangerous

Autonomy on Ceiling

NOTICE:

This citation is issued pursuant to KRS request a hearing, in writing, from the Code 65.8825 et. seq. Section 40.09 of the Code of Enforcement Board within seven (7) days of Ordinances of the City of Falmouth. The date of issuance of this citation shall violation with which you have been charged constitute a waiver of your right to contest is a civil offense.

If you choose not to contest the citation and non-appealable, and you will be deemed to pay the penalty within seven (7) days, the have waived the right to appeal to Pendleton fine for the offense is \$ 200.00 County District Court.

If you choose to contest the citation and request a hearing before the City Code Enforcement Board, the maximum penalty that may be imposed for this violation is \$ 500.00. Each day that the violation exists and is not brought into compliance shall be considered a separate offense. Paying of the fine(s) does not relieve the violator from being required to correct the violation.

Contact the City Office at 859-654-6937 to schedule a meeting with the Code Enforcement Board should you wish to contest this citation. Signature of Issuing Code Enforcement Officer: [Signature] Date: 10/30/03 Time of Issuance: 1:10 PM

Failure to pay the applicable civil penalty or Warning [] 1st [] 2nd [] 3rd Other [] 1st [] 2nd [] 3rd Other []

UNIFORM CODE ENFORCEMENT CITATION

Citation Number:

The undersigned code enforcement officer of the City of Falmouth certifies that he/she has just and reasonable grounds to believe and does believe that on:

Day of Week: 20 Month: 10 Day: 30 Year: 2003

THE FOLLOWING PERSON:

Name: Ota Lee Smith JR

Street Address: 901 S. W. B. ST

City: Falmouth State: Ky Zip: 41010

Telephone:

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE:

Ordinance/Code No.: 170 MC 111.5 BMS 576.18

Description of Violation: Front Roof a dangerous

Autonomy on Ceiling

NOTICE:

This citation is issued pursuant to KRS request a hearing, in writing, from the Code 65.8825 et. seq. Section 40.09 of the Code of Enforcement Board within seven (7) days of Ordinances of the City of Falmouth. The date of issuance of this citation shall violation with which you have been charged constitute a waiver of your right to contest is a civil offense.

If you choose not to contest the citation and non-appealable, and you will be deemed to pay the penalty within seven (7) days, the have waived the right to appeal to Pendleton fine for the offense is \$ 200.00 County District Court.

If you choose to contest the citation and request a hearing before the City Code Enforcement Board, the maximum penalty that may be imposed for this violation is \$ 500.00. Each day that the violation exists and is not brought into compliance shall be considered a separate offense. Paying of the fine(s) does not relieve the violator from being required to correct the violation.

Contact the City Office at 859-654-6937 to schedule a meeting with the Code Enforcement Board should you wish to contest this citation. Signature of Issuing Code Enforcement Officer: [Signature] Date: 10/30/03 Time of Issuance: 2:10 PM

Failure to pay the applicable civil penalty or Warning [] 1st [] 2nd [] 3rd Other [] 1st [] 2nd [] 3rd Other []

CITY OF FALMOUTH, KENTUCKY
UNIFORM CODE ENFORCEMENT CITATION

Citation Number: _____
 The undersigned code enforcement officer of the City of Falmouth certifies that he/she has just and reasonable grounds to believe and does believe that on _____ of _____ Week: _____ Month: _____ Day: _____ Year: _____

THE FOLLOWING PERSON:
 Name: Charlee Smith Jr
 Street Address: 402 Shelby St
 City: Falmouth State: Ky Zip: 40000
 Telephone: _____

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE:
 Ordinance/Code No.: 19MC 111.5
 Description of Violation: Front Porch Rubbery

NOTICE:

This citation is issued pursuant to KRS 65.8825 et. seq., Section 40.09 of the Code of Ordinances of the City of Falmouth. The violation with which you have been charged constitute a waiver of your right to contest the citation and the determination that a violation was committed shall be final and non-appealable, and you will be deemed to have waived the right to appeal to Pendleton County District Court.

You choose not to contest the citation and the penalty within seven (7) days, the fine for the offense is \$ 500.00.

If you choose to contest the citation and request a hearing before the City Code Enforcement Board, the maximum penalty that may be imposed for this violation is \$ 500.00.

Contact the City Office at 859-654-6937 to schedule a meeting with the Code Enforcement Board should you wish to contest this citation.

Failure to pay the applicable civil penalty or

Printed Name of Issuing Code Enforcement Officer: _____
 Signature of Issuing Code Enforcement Officer: _____
 Date: 8/16/23 Time of Issuance: _____
 Warning 1st 2nd 3rd Other
 Offense 1st 2nd 3rd Other
 WHITE COPY - Violator YELLOW COPY - Inspector TAG COPY - File

CITY OF FALMOUTH, KENTUCKY
UNIFORM CODE ENFORCEMENT CITATION

Citation Number: _____
 The undersigned code enforcement officer of the City of Falmouth certifies that he/she has just and reasonable grounds to believe and does believe that on _____ of _____ Week: _____ Month: _____ Day: _____ Year: _____

THE FOLLOWING PERSON:
 Name: Charlee Smith Jr
 Street Address: 402 Shelby St
 City: Falmouth State: Ky Zip: 40000
 Telephone: _____

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE:
 Ordinance/Code No.: 19MC 111.5
 Description of Violation: Front Porch Rubbery

NOTICE:

This citation is issued pursuant to KRS 65.8825 et. seq., Section 40.09 of the Code of Ordinances of the City of Falmouth. The violation with which you have been charged constitute a waiver of your right to contest the citation and the determination that a violation was committed shall be final and non-appealable, and you will be deemed to have waived the right to appeal to Pendleton County District Court.

You choose not to contest the citation and the penalty within seven (7) days, the fine for the offense is \$ 100.00.

If you choose to contest the citation and request a hearing before the City Code Enforcement Board, the maximum penalty that may be imposed for this violation is \$ 500.00.

Contact the City Office at 859-654-6937 to schedule a meeting with the Code Enforcement Board should you wish to contest this citation.

Failure to pay the applicable civil penalty or

Printed Name of Issuing Code Enforcement Officer: _____
 Signature of Issuing Code Enforcement Officer: _____
 Date: 8/16/23 Time of Issuance: _____
 Warning 1st 2nd 3rd Other
 Offense 1st 2nd 3rd Other
 WHITE COPY - Violator YELLOW COPY - Inspector TAG COPY - File

CITY OF FALMOUTH, KENTUCKY
UNIFORM CODE ENFORCEMENT CITATION

Citation Number: 1033
 The undersigned code enforcement officer of the City of Falmouth certifies that he/she has just and reasonable grounds to believe, and does believe that on:

of Week: 10th Month: 11 Day: 11 Year: 2020

THE FOLLOWING PERSON:
 Name: Ota Lee Smith JR
 Street Address: 402 SHELTERS RD
 City: FALMOUTH State: KY Zip: 41040
 Telephone: _____

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE: TRUCK BLOCKING
 Ordinance / Code No.: TRUCK BLOCKING
 Description of Violation: TRUCK BLOCKING

NOTICE:

This citation is issued pursuant to KRS 65.8825 et seq., Section 40.09 of the Code of Ordinances of the City of Falmouth. The violator with which you have been charged constitute a waiver of your right to contest the citation and the determination that a violation was committed shall be final and non-appealable, and you will be deemed to have waived the right to appeal to Pendleton County District Court.

If you choose to contest the citation and request a hearing before the City Code Enforcement Board, the maximum penalty that may be imposed for this violation is \$ 100.00.

Each day that the violation exists and is not brought into compliance shall be considered a separate offense. Paying of the fine(s) does not relieve the violator from being required to correct the violation.

Contact the City Office at 859-654-6937 to schedule a meeting with the Code Enforcement Board should you wish to contest this citation.

Failure to pay the applicable civil penalty or contest this citation.

Printed Name of Issuing Code Enforcement Officer: _____
 Signature of Issuing Code Enforcement Officer: _____
 Date: 11/11/20 Time of Issuance: _____

Warning 1st 2nd 3rd Other
 Offense 1st 2nd 3rd Other

WHITE COPY - Violator YELLOW COPY - Inspector TAG COPY - File

CITY OF FALMOUTH, KENTUCKY
UNIFORM CODE ENFORCEMENT CITATION

Citation Number: 1034
 The undersigned code enforcement officer of the City of Falmouth certifies that he/she has just and reasonable grounds to believe, and does believe that on:

of Week: 10th Month: 11 Day: 11 Year: 2020

THE FOLLOWING PERSON:
 Name: Ota Lee Smith JR
 Street Address: 402 SHELTERS RD
 City: FALMOUTH State: KY Zip: 41040
 Telephone: _____

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE: TRUCK BLOCKING
 Ordinance / Code No.: TRUCK BLOCKING
 Description of Violation: TRUCK BLOCKING

NOTICE:

This citation is issued pursuant to KRS 65.8825 et seq., Section 40.09 of the Code of Ordinances of the City of Falmouth. The violator with which you have been charged constitute a waiver of your right to contest the citation and the determination that a violation was committed shall be final and non-appealable, and you will be deemed to have waived the right to appeal to Pendleton County District Court.

If you choose to contest the citation and request a hearing before the City Code Enforcement Board, the maximum penalty that may be imposed for this violation is \$ 100.00.

Each day that the violation exists and is not brought into compliance shall be considered a separate offense. Paying of the fine(s) does not relieve the violator from being required to correct the violation.

Contact the City Office at 859-654-6937 to schedule a meeting with the Code Enforcement Board should you wish to contest this citation.

Failure to pay the applicable civil penalty or contest this citation.

Printed Name of Issuing Code Enforcement Officer: _____
 Signature of Issuing Code Enforcement Officer: _____
 Date: 11/11/20 Time of Issuance: _____

Warning 1st 2nd 3rd Other
 Offense 1st 2nd 3rd Other

WHITE COPY - Violator YELLOW COPY - Inspector TAG COPY - File

Name: LIS PENDENS
 RITA SPENCER
 PENDLETON COUNTY
 9/21/2023, 10:14:37 AM
 DC: Kinley Glahn

