



Uniform Code Citation

CV-24-231

CITY OF BEREA
Codes & Planning Department
212 Chestnut Street
Berea, KY 40403
(859) 986-8528

THE UNDERSIGNED CODE ENFORCEMENT OFFICER OF THE CITY OF BEREA CERTIFIES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE, AND DOES BELIEVE THAT ON:

Date: November 6, 2024:

The following person:

Owner: LAFOND KIRT
Street Address: 698 W JEFFERSON ST
City, State, Zip: BEREA KY 40403-1431

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE:

Ordinance / Code No: IPMC 308.1
LMDO 408 B(1)(4)
BCO 70.200

ACCUMULATION OF RUBBISH OR GARBAGE
ACCESSORY USES AND STRUCTURES, POOL, NUISANCE, STORAGE, PERMIT, DECK,
ZONING
MINIMUM HOUSING STANDARDS AND CONDITIONS, PROPERTY MAINTENANCE,
NUISANCE

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

1. Accessory uses or structures are subordinate to the principal use of the land or building, are located on the same lot, and serve a purpose that is customarily incidental to the principal land use or principal building use. Setback dimensions for accessory structures shall be 5' at side and rear yards, 25' at front yard, and shall not be placed in easements. There shall be a 5' separation between the primary structure and accessory structures. 2. Residential accessory structures shall be permitted in all residential and agricultural districts (except where prohibited by private land use restrictions/covenants), and include but are not limited to the following; detached garages, storage sheds, carports, patios, picnic shelters, playhouses, tree-houses, satellite dishes, swimming pools, greenhouses, swing-sets/slides, radio/television antennae, heating/air conditioner units, and basketball goals. In-ground swimming pools shall be completely enclosed by a fence or wall at least four feet in height. The walls of an above ground swimming pool may be considered part of the required fence height. All gates or openings in the fence shall be equipped with self-closing and self latching devices. Pools shall not be located beneath or within five (5) feet of an overhead electric line. All ladders shall be removed while the pool is not in use; and decks, steps, or other means of access to an above ground pool shall be secured within a fence or be equipped with self closing and self-latching devices. Residential accessory structures may be located in a side yard or rear yard provided they comply with all setback requirements and do not occupy more than 25% of the yard area. 3. Non-residential accessory structures shall be allowed in all non-residential districts and include but are not limited to the following; storage buildings, storage silos, heating and

mechanical equipment, conveyor equipment, trash dumpsters, compactors, incinerators, or electric substations. Non-residential accessory structures shall obtain a permit in all non-residential zones provided they comply with all the requirements. 4. A building permit must be obtained from the Berea Codes Enforcement office for detached garages, storage sheds, carports, patios, picnic shelters, swimming pools, and any other permanent structures, to ensure the proper placement of the structure in relation to easements and setbacks required by the Land Development Ordinance. No more than a total of twenty-five percent (25%) of the property owner's side or rear yard may be occupied by residential and non-residential accessory structures.

(A) The building official may determine that a dwelling is unfit for human habitation or that any building is unsafe, if he finds that conditions exist in the dwelling or other building which are dangerous or injurious to the health, safety or morals of the occupants of neighboring buildings or the general public. In making the determinations he shall be guided by the standards and conditions established by this article. (B) For the purpose of establishing rules and regulations for the maintenance and control of property, buildings, and structures, there is hereby adopted the current edition of the International Code Council Property Maintenance Code...

Description of Violation:

Rubbish in the back yard and beside the garage at the front of the property; minimum housing standards - reports of people living in the garage and storage building which is not permitted; No more than 5 unrelated people can reside at the house; unpermitted structure in the back yard shall be removed.

Offense: 1st

NOTICE

Ord. 22.608 APPEALS

(A) Any person affected by a decision, notice, or order, of the Office of Code Enforcement, except for zoning matters, or any person affected by a decision, notice, or order, of a city official or agent who is acting under the applicable building code (except appeals under the Kentucky Building Code, KRS 198B.070), property maintenance code, electrical code, plumbing code, or fire prevention code, shall have the right to appeal to the Code Enforcement Board by filing a written notice of appeal with the City Clerk within fourteen (14) days after the decision, notice, or order was served or made effective. The filing fees for a Notice of Appeal shall be twenty-five dollars (\$25.00) and shall be paid upon filing the Notice of Appeal. The Administrative Assistant of the Codes and Planning Department shall be the records custodian and administrator of all appeals to the Code Enforcement Board.

Ord. 22.609 FINE SCHEDULE

In all matters brought before the Code Enforcement Board for hearing, the board, upon a finding that a violation has been committed, shall impose a fine of one hundred dollars (\$100.00) for a first violation, three hundred dollars (\$300.00) for a second violation, and five hundred dollars (\$500.00) for a third and each succeeding violation; provided, however, that the board may waive all or any portion of a penalty for an uncontested violation, if in its discretion, the board determines that such waiver will promote compliance with the ordinance in issue. Each day during which the violation at issue continues in existence shall constitute a separate violation. When a violation concerns the condition of a tract of real property or of a structure thereon, any assessed fine remaining unpaid sixty (60) days after a final decision shall be added to the City ad valorem tax bill pertaining to the property, and shall bear interest and penalties as applicable to delinquent ad valorem property taxes, and shall constitute a lien on the property the same as for ad valorem property taxes.

An appeal or a correction of the violation must be made within seven (7) calendar days or a Code Enforcement Board Hearing will be scheduled to consider abatement of the violation and applicable fine(s).

Respectfully,

Amanda Haney

Code Enforcement Officer