



**CODE ENFORCEMENT BOARD
CITY OF MARION, KENTUCKY**

CASE # CE26-01004

CITY OF MARION, KENTUCKY

PETITIONER

V.

John Kent & Mindy Withrow

RESPONDENTS

FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER

This cause was presented at a public hearing before the Code Enforcement Board on April 13, 2026, after due notice to the Respondents, and the Board having heard testimony under oath, received evidence, considered stipulations, and heard arguments, now issues its Finding of Fact, Conclusions of Law and Final Order, as follows:

FINDINGS OF FACT

The Respondents, John Kent & Mindy Withrow, are the owners or persons in charge of the property located at 420 South Main St., Marion, KY 42064.

The Respondents were issued a citation by Tanya Scholtz-Byers, Code Enforcement Officer, dated February 24, 2026 which charged the Respondents with the following violation(s) of the City of Marion, Kentucky Code of Ordinances:

- | | |
|-----------|---|
| §92.02(B) | Public Nuisance: Stagnant or foul pools of water prohibited |
| §92.16(A) | Accumulation of rubbish and weeds prohibited |
| §92.16(B) | Accumulation of rubbish on property |
| §94.07 | Litter on private property |
| §150.12 | Maintaining public nuisance (stagnant water) |

The Board finds, based on the testimony and evidence presented at the hearing, that the condition described in the citation did, in fact, exist at the time the citation was issued, that the condition did constitute a violation of the Code of Ordinances of the City of Marion, Kentucky, and that the conditions were caused by, or was the responsibility of the Respondents as owners, or persons in charge, of the property on which the violation occurred.

CONCLUSIONS OF LAW

It is concluded, based on the foregoing Findings of Fact, that Respondents, John Kent & Mindy Withrow, have committed the following violation(s) of the City of Marion, Kentucky Code of Ordinances as charged in the citation:

§92.02(B)	Public Nuisance: Stagnant or foul pools of water prohibited
§92.16(A)	Accumulation of rubbish and weeds prohibited
§92.16(B)	Accumulation of rubbish on property
§94.07	Litter on private property
§150.12	Maintaining public nuisance (stagnant water)

FINAL ORDER

It is hereby ordered that Respondents, John Kent & Mindy Withrow, jointly or severally, shall pay a \$50.00 civil fine set forth in the citation for the violation of the following violation (s):

§150.12 Maintaining Public Nuisance (stagnant water)

It is hereby further ordered that the Respondents shall abate this violation by filling the basement hole on the aforementioned property in order to prevent stagnant water from accumulating therein. This work will be completed no later than July 12, 2026.

Further, Respondents are responsible for a \$185.00 administrative fee, for a total of **\$235.00.** This amount shall be paid by end of business on April 23, 2026.

It is further ordered that all other fines be suspended contingent upon the Respondents successfully completing the following actions to remedy the remaining violations of the Marion Code of Ordinances:

- Standing water must be chemically treated to prevent mosquito breeding until such time that the basement hole is filled
- Safety barrier must be in place around the basement hole
- Grass must be mowed and maintained to a height of less than 15 inches

Respondents shall comply with Title IX of the Code of Ordinances of Marion, Kentucky by correcting all aforementioned violations on or before April 23, 2026.

Upon complying with this order, Respondents, John Kent & Mindy Withrow, shall notify the Code Enforcement Officer for the City of Marion who shall inspect the property and notify the Code Enforcement Board of compliance.

In the event Respondents, John Kent & Mindy Withrow, fail to comply with this order by the dates specified, the Respondents shall pay a fine of **\$100.00 per day** for each violation that continues to exist beyond the date set for compliance, subject to the maximum allowable fine for this offense and in addition to any administrative fees as outlined by ordinance.

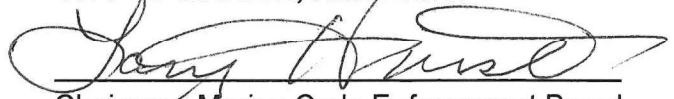
In the event this violation has not been remedied, the City of Marion may take action to remedy the violation. If the City remedies the violation, the property owner will be charged for all expenses incurred in addition to the civil fine set forth in this Order.

In the event Respondents, John Kent & Mindy Withrow, fail to comply within the time specified, a certified copy of this order, together with a claim of lien, shall be recorded in the office of the county clerk, and once recorded, along with all charges and fees incurred by the City in connection with enforcement and abatement, shall constitute a lien against the property upon which the violation exists, pursuant to KRS 65.8835.

DONE AND ORDERED THIS 15 day of September, 2026.

**CODE ENFORCEMENT BOARD
CITY OF MARION, KENTUCKY**

By:


Chairman, Marion Code Enforcement Board

Attest:


Secretary, Marion Code Enforcement Board

I HEREBY CERTIFY that a true and correct copy of the foregoing Findings of Fact, Conclusions of Law and Final Order has been mailed First Class, postage paid to John Kent & Mindy Withrow, PO BOX 108, Crayne, KY 42033 pursuant to Chapter 37.17(E)(2) of the Marion Code of Ordinances, on this the

18th day of Sep, 2026.


Secretary/Designee