AN ALL KENTUCKY CITY

CODE ENFORCEMENT BOARD
CITY OF MARION, KENTUCKY

CASE # CE-260046

CITY OF MARION, KENTUCKY PETITIONER

V

DILLINGHAM MATTHEW RESPONDENT

FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER

The Respondent, DILLINGHAM MATTHEW being properly notified of the violation(s) on the property located at 421 W BELLVILLE ST, Marion KY 42064, and failing to exercise his/her rights as contained in section KRS 65.8825(6), Findings of Fact, Conclusions of Law and Final Order are issued as follows:

FINDINGS OF FACT

The respondent, DILLINGHAM MATTHEW, is the owner or person in charge of property located at: 421 W BELLVILLE ST, Marion, KY 42064.

The Respondent was issued a citation by Tanya Byers, dated, 05/29/2026 which charged the Respondent with the following violation(s) of the City of Marion, Kentucky Code of Ordinances:
§ 92.02 (A) PUBLIC NUISANCE- JUNKED FURNITURE/APPLIANCES: The presence of any junked motor vehicle or appliance on public property or on any private lot, tract, or parcel of land or portion thereof, occupied or unoccupied, improved or unimproved, within the city, shall be deemed a public nuisance.
§ 92.02 (A) PUBLIC NUISANCE- JUNKED VEHICLES: The presence of any junked motor vehicle or appliance on public property or on any private lot, tract, or parcel of land or portion thereof, occupied or unoccupied, improved or unimproved, within the city, shall be deemed a public nuisance.
§ 92.16 (A) EXCESSIVE GROWTH OF GRASS/WEEDS PROHIBITED: It shall be unlawful for the owner, occupant, or person having control or management of any land within the city to permit a public nuisance, health hazard, or source of filth to develop thereon through the accumulation of rubbish or the excessive growth thereon of weeds or grass.
§ 92.16 (B) ACCUMULATION OF RUBBISH PROHIBITED: It shall be unlawful for the owner, occupant, or person having control or management of any land within the city to cause or permit the accumulation of rubbish in, about, or upon premises owned, occupied, or used by them when and if such accumulation is unsightly, unsanitary, or hazardous to the property, life, health, safety, or welfare of the public.
§ 94.07 LITTER ON PRIVATE PROPERTY: No person shall throw or deposit litter on any occupied private property within the city, whether owned by that person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon streets, sidewalks, or other public places, or upon any private property.

The respondent failed to respond to said citation within seven (7) days as required by KRS 65.8825(6) and the Marion Code of Ordinances Chapter 37.17(E).

It is found that the condition described in the citation did, in fact, exist at the time the citation was issued, and that the condition was caused by the Respondent, or was the responsibility of the Respondent, as owner or person in charge of the property on which the violation occurred.

CONCLUSIONS OF LAW

It is concluded, based on the foregoing Findings of Fact, that Respondent, DILLINGHAM MATTHEW, has committed the following violation(s) of the City of Marion, Kentucky Code of Ordinances as charged in the citation:

§ 92.02 (A) PUBLIC NUISANCE- JUNKED FURNITURE/APPLIANCES: The presence of any junked motor vehicle or appliance on public property or on any private lot, tract, or parcel of land or portion thereof, occupied or unoccupied, improved or unimproved, within the city, shall be deemed a public nuisance.

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§ 92.16 (B) ACCUMULATION OF RUBBISH PROHIBITED: It shall be unlawful for the owner, occupant, or person having control or management of any land within the city to cause or permit the accumulation of rubbish in, about, or upon premises owned, occupied, or used by them when and if such accumulation is unsightly, unsanitary, or hazardous to the property, life, health, safety, or welfare of the public.

§ 94.07 LITTER ON PRIVATE PROPERTY: No person shall throw or deposit litter on any occupied private property within the city, whether owned by that person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon streets, sidewalks, or other public places, or upon any private property.

FINAL ORDER

It is hereby ordered that Respondent, DILLINGHAM MATTHEW, shall pay $435.00, which includes the $250.00 civil fine set forth in the citation and a $185.00 administrative fee no later than 08/01/2026.

It is hereby ordered by this Board that Respondent, DILLINGHAM MATTHEW, shall comply with Title IX of the Code of Ordinances of Marion, Kentucky by correcting all aforementioned violations if the same constitutes to exist.

If Respondent, DILLINGHAM MATTHEW, fails to comply with this order by the dates specified, the Respondent shall pay a fine of $10.00 per day for each violation continues to exist beyond the date set for compliance, subject to the maximum allowable fine for this offense.

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.

If Respondent fails 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.

Upon complying with this order, Respondent shall notify the Code Enforcement Officer for the City of Marion who shall inspect the property and notify the Code Enforcement Board of Compliance.

DONE AND ORDERED THIS 13th day of July, 20 26.

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 DILLINGHAM MATTHEW 421 W BELLVILLE ST, on this the 15th day of Sept, 20 26 pursuant to Chapter 37.17 (E)(2) of the Marion Code of Ordinances.

_____
Secretary/Designee