

RESOLUTION NO. 07-11-19A

A RESOLUTION IN THE CITY OF EDGERTON, KANSAS, PROVIDING FOR A DEADLINE OF AUGUST 3, 2019 TO REMOVE GRASS, WEEDS, UNSIGHTLY VEGETATION, AND ANY HEALTH NUISANCES FROM THE PROPERTY AT 204 W. 7th STREET IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS PURSUANT TO CITY OF EDGERTON, MUNICIPAL CODE SECTION 8-208.

WHEREAS, it was reported by the Code Enforcement Officer of the City of Edgerton that there existed, on the premises of 204 W. 7th Street, Edgerton, Kansas (the "Property"), weeds and grasses in excess of 6" in height resulting in a blighting influence on the neighborhood and unsightly overgrown vegetation, harboring potential health nuisances in violation of Sections 8-201, 8-901 and 8-902 of the Municipal Code; and

WHEREAS, a notice of violation of Section 8-901, 8-902 and Chapter 8 of the Edgerton Municipal Code was sent to the Property's listed owner, Nelta Anderson, on April 26, 2019, informing her of the nuisance and giving her ten days to abate the nuisance. In addition to the notice of violation being sent via certified mail, a notice of the violation was published in the Gardner News on May 1, 2019. The overgrown grass was mowed but no maintenance was performed to the overgrown vegetation (shrubs and trees); and

WHEREAS, the continued lack of maintenance to the shrubs and trees, and a new lack of maintenance to the grass, resulted in a notice of violation of Section 8-201 for health nuisances being sent to Ms. Anderson on or about May 28, 2019, informing her of the nuisance and giving her ten days to abate the nuisance and/or request a hearing in front of the City Council as required by Municipal Code Section 8-205. In addition to the notice of violation being sent via certified mail, a notice of the violation was published in the Gardner News on June 19, 2019. The conditions were not abated, and no hearing was requested by the owner or any other party.

BE IT RESOLVED BY THE CITY COUNCIL, CITY OF EDGERTON, JOHNSON COUNTY, KANSAS:

That pursuant to Section 8-201 of the Municipal Code, the City Council hereby finds that the existence of overgrown grass, weeds, unsightly vegetation and health nuisances is a violation of the Municipal Code and the owner shall have until August 3, 2019 to abate these nuisances. Should the nuisances not be abated to the satisfaction of the City by August 3, 2019 the City of Edgerton by its agent is hereby authorized to abate the conditions causing the violations and remove the nuisances from the property pursuant to 8-208.

BE IT FURTHER RESOLVED:

That should it be necessary to abate these conditions, any and all costs incurred by the City of Edgerton, Kansas, including attorneys' fees, shall be charged against the above described property as provided in Section 8-210, and the City Clerk shall, at the time of certifying other taxes to the County Clerk, certify the costs of cleanup. The County Clerk shall extend the same on the tax roll and it shall be collected by the County Treasurer and paid to the City of Edgerton as other City taxes are collected and paid.

PASSED by the City Council on this 11th day of July, 2019.

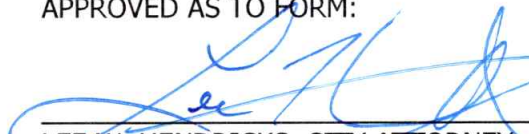
APPROVED by the Mayor on this 11th day of July, 2019.

ATTEST:


RACHEL A. JAMES, CITY CLERK


DONALD ROBERTS, MAYOR

APPROVED AS TO FORM:


LEE W. HENDRICKS, CITY ATTORNEY

