

RESOLUTION NO. 06-25-20A

A RESOLUTION IN THE CITY OF EDGERTON, KANSAS, PROVIDING FOR A DEADLINE OF JULY 20, 2020 TO REMOVE YARD NUISANCES FROM THE PROPERTY AT 502 EAST 2ND STREET IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS PURSUANT TO CITY OF EDGERTON CITY CODE, CHAPTER VIII, ARTICLE 3

WHEREAS, the City Council of the City of Edgerton, Kansas has received complaints from the public and the city enforcement officer has witnessed that there exists, on the premises of 502 East 2nd Street, Edgerton, Kansas (the "Property"), multiple items of trash, including but not limited to, scrap metal, abandoned household goods, an abandoned trailer and other refuse in violation of Section 8-308 of the City Code; and

WHEREAS, a notice of violation of sections 8-308 and 8-403 was served on the Property's listed owner, R-7 Capital Funding, LLC on or about April 2, 2020 giving the owner ten days to abate the nuisances and/or to request a hearing in front of the City Council; and

WHEREAS, the Property remains non-compliant and the Council has decided to proceed with the abatement of these nuisances as allowed by Section 8-311 of the City Code.

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

That pursuant to Section 8-311 of the City Code of the City of Edgerton, Kansas the City Council hereby finds that the existence of these yard nuisances are violations of the City Code and the owner shall have until July 20, 2020 to abate these nuisances. Should the nuisances not be abated to the satisfaction of the City by July 20, 2020 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 8-311.

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 8-314 of the City Code 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 25th day of June, 2020.

APPROVED BY the Mayor on this 25th day of June, 2020.

DONALD ROBERTS, MAYOR

ATTEST:

CHRIS CLINTON, CITY CLERK

APPROVED AS TO FORM:

LEE W. HENDRICKS, CITY ATTORNEY