

**RESOLUTION NO. 307**

A Resolution by the City of Columbus, Kansas, to alleviate nuisance conditions on property within the City of Columbus pursuant to the Code of the City of Columbus, Chapter VIII, Health and Welfare.

WHEREAS, the nuisance conditions to be abated are located on property owned by Kenneth Miller at 104 N. Bennett, Columbus, Kansas.

WHEREAS, the nuisance conditions have existed on said property for more than five (5) months and consist of trash, junk, debris and other offensive and disagreeable articles.

WHEREAS, Kenneth Miller has failed to satisfactorily alleviate the nuisance conditions after receiving notice pursuant to City Code 8-205; prosecution and fines imposed in Municipal Court pursuant to City Code 8-207; and five (5) monthly reviews.

WHEREAS, as an alternative to further prosecution, the Chief of Police, acting as the public officer, shall proceed with abatement of the nuisance conditions at the end of ten (10) days after passage of this Resolution.

WHEREAS, a copy of this Resolution shall be served upon Kenneth Miller by personal service.


WHEREAS, Kenneth Miller has ten (10) days from the date of service of this Resolution to make a written request for hearing before the City Council to contest the findings of the public officer. Failure to make a timely, written request for a hearing shall constitute a waiver of the right to contest the findings of the public officer. The hearing shall be held by the City Council as soon as possible after the filing of the request. Kenneth Miller shall be advised by the City of the time and place of the hearing at least five (5) days in advance.

WHEREAS, the costs incurred by the City of Columbus to abate the nuisance shall be charged against the lot or parcel of ground on which the nuisance was located. The City Clerk shall, at the time of certifying other taxes to the County Clerk, certify the costs as provided in section 8-210. 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 as other City taxes are collected and paid.

NOW THEREFORE, be it resolved by the governing body of the City of Columbus, Kansas, that the public officer/Chief of Police shall proceed to alleviate and abate nuisance conditions that exist on property owned by Kenneth Miller at 104 N. Bennett, Columbus, Kansas, by directing the City of Columbus or its contractor to enter the property and remove the trash, junk, and debris and anything offensive or disagreeable at the end of ten (10) days after passage of this Resolution, subject to timely written request for hearing by Kenneth Miller.

Passed and approved by the governing body of the City of Columbus, Kansas, this 1<sup>st</sup> day of November, 2004.

CITY OF COLUMBUS, KANSAS

  
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David E. Martin, Mayor

ATTEST:

  
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Janice Blancett, City Clerk

(Seal)

