

RESOLUTION 02-2023

WHEREAS, the City of Leon, Kansas, has determined that this property has an exterior condition (yard and (structure) that is a blight to the neighborhood that exist upon the following described real estate as defined in the Code of the City, Section 8-608: 204 W. Charles Street, Leon, Kansas.

WHEREAS the owner(s), Jeff Elliott was notified of such by the City in writing numerous times since January 2017 and failed to abate the conditions fully as requested;

WHEREAS the owner(s), Jeff Elliott has been before the Governing Body of the City of Leon, Ks. and have been charged fines in the past but not continued to keep the yard in compliance with the current codes;

WHEREAS the Leon Code Enforcement/Public Officer, Geri Ebersohl, determined the property is a blight to the neighborhood and community and has conditions which are injurious to the health, safety or general welfare of the residents of the community or conditions which are detrimental to adjoining property, the neighborhood or the city on August 1, 2022;

WHEREAS the owner(s), Jeff Elliott was notified by certified mail service on November 19, 2022, of the city's determination the property is a blight to the neighborhood and community and has conditions which are injurious to the health, safety or general welfare of the residents of the community or conditions which are detrimental to adjoining property, the neighborhood or the city;

WHEREAS the owner(s), Jeff Elliott requested a Public hearing within the allotted given time and Jeff Elliott was notified of their public hearing date by personal service within the 5 days allotted by the City Code;

WHEREAS the City of Leon Code allows in addition to or as an alternative to prosecution, the Code enforcement officer/Public officer to pursue abatement of the violation by adoption of a resolution authorizing the City to abate the conditions at the end of one hundred and eighty (180) days after the personal service of the owner and/or at the end of one hundred and eighty (180) days after passage of the resolution;

WHEREAS the City of Leon governing body did allow Jeff Elliott more time, in the past, as they have requested to alleviate the conditions but have failed to do so;

WHEREAS the City of Leon governing body, at the request of the Leon Code Enforcement/Public Officer, Geri Ebersohl, will allow Jeff Elliott one hundred and eighty (180) days to come into complete compliance of the City Codes;

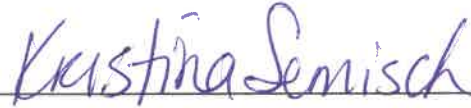
WHEREAS the City of Leon governing body determines complete compliance involves having the fence gate completed, the fence painted with a paint that will adhere to tin, the exterior building behind the Quonset hut torn down and removed, all articles in the yard behind the fence, all vehicles currently registered with the State of Kansas, placed behind the fence, or removed from the property, the mobile home trailer used for storage to be in good exterior condition and complying with the current city codes, brush removed from the property, and items that could be present or added in the one hundred and eighty (180) days be in compliance with the City of Leon current codes.

WHEREAS at the completion of one hundred and eighty (180) days significant progress has been made but not completed Jeff Elliott is to attend the next scheduled meeting to ask for additional time.

THEREFORE, be it resolved by the Governing Body of the City of Leon, Kansas, that the City, if after the additional one hundred and eighty (180) days, and there has been no communication from Jeff Elliott and it is necessary to abate the conditions to improve the premises to eliminate the conditions, place a lien upon the property for the costs of the abatement that the city clerk certify such costs to the county clerk for assessment to the property taxes of the described property;

IN ADDITION, be it resolved by the Governing Body of the City of Leon, Kansas, that the public officer may file a complaint in the municipal court against any person found to be in violation of section 8-608. Upon such complaint in the municipal court, if found to be in violation of section 8-608 shall upon conviction be punished by a fine of not less than \$50 nor more than \$100, or by imprisonment, for not more than 30 days, or by both such fine and imprisonment, for each offense. A separate offense shall be deemed committed on each day during or on which such violation is permitted to exist.

ADOPTED by the Governing Body of the City of Leon, Kansas, this 3rd day of January 2023.



Kristina Semisch, Mayor

ATTEST:



Jodie Laidler, City Clerk

