

RESOLUTION 13-2023

WHEREAS, the City of Leon, Kansas, has determined that this property has an exterior condition (structure), primary and accessory, that is deteriorated, dilapidated, and unsightly that exist upon the following described real estate as defined in the Code of the City, Section 8-608: 401 N. Main St.

WHEREAS the owner, Jamie Ballard was notified of such by the City in writing numerous times since September 2021 and failed to fully abate the conditions as requested;

WHEREAS the owner, Jamie Ballard has been cited and been seen by the Prosecuting attorney for the City of Leon, Ks. and has been charged fines.

WHEREAS the Designated Code Enforcement/Public Officer, Geri Ebersohl, determined the property to be deteriorated, dilapidated, and unsightly on December 14, 2022.

WHEREAS the owner, Jamie Ballard was sent notification by certified mail on December 28, 2022, of the city's designation of the property as an exterior condition (structure), primary and accessory, that is deteriorated, dilapidated, and unsightly.

WHEREAS the owner, Jamie Ballard failed to accept receipt of certified mail and it was returned to the City of Leon on January 19, 2023.

WHEREAS the City of Leon sent notification by 1st class mail on January 19, 2023. of the city's designation of the property as an exterior condition (structure) primary and accessory, that is deteriorated, dilapidated, and unsightly.

WHEREAS the owner, Jamie Ballard was attempted to notified by personal service giving him thirty (30) days after being served, if able to serve personally, to alleviate the conditions or the City of Leon will.

WHEREAS the City also published this Resolution, due to personal service not being successful in the past, in the Butler County Times Gazette for two (2) consecutive weeks since the owner Jamie Ballard has been difficult to serve in the past.

WHEREAS the City also published the Resolution on the City website (www.cityofleon.org) as it is designated the official paper of the City of Leon.

WHEREAS the City also posted this Resolution on the premises of both exterior structures where the conditions exist.

WHEREAS the owner, Jamie Ballard failed to abate the deteriorated, dilapidated, and unsightly conditions within the thirty (30) days after service or publication.

WHEREAS the owner, Jamie Ballard did not request a Public hearing within the allotted given time but did appear at the April 3, 2023, regularly scheduled council meeting to discuss his non-compliance and deteriorated, dilapidated, and unsightly exterior condition (structure), primary and accessory upon his place at 401 N. Main St.

WHEREAS the City of Leon Council did let Jamie Ballard appear before them and give his plan.

WHEREAS the City of Leon governing body did allow Jamie Ballard more time, in the past, as he requested to alleviate the conditions, he has failed to do so in the past;

WHEREAS the City of Leon governing body, at the request of the Leon Code Enforcement/Public Officer, Geri Ebersohl, will allow Jamie Ballard thirty (30) additional days from April 3, 2023 to come into complete compliance of the City Codes;

WHEREAS the City of Leon governing body and Jamie Ballard are both in agreeance the following conditions need to be completed to consider the exterior condition (structure), primary and accessory in compliance: (1) new windows will be placed throughout the entirety of the house, (2) new siding will be placed on the entire house and accessory building to match, (3) a fence permit will be filled out for the portion of the fence that was repaired and the portion of the fence that was constructed without a permit, and (4) the whole area of 401 N. Main premises will be free of debris and picked up to be in compliance with the current city code.

WHEREAS the owner, Jamie Ballard, agreed to come into the City of Leon office on Wednesday April 5, 2023 to receive service of the this Resolution but was told if he failed to do so personal service would necessary.

WHEREAS the City will also publish this Resolution, due to personal service not being successful in the past, in the Butler County Times Gazette for two (2) consecutive weeks since the owner Jamie Ballard has been difficult to serve in the past.

WHEREAS the City will also publish the Resolution on the City website (www.cityofleon.org) as it is designated the official paper of the City of Leon.


WHEREAS the City will also post this Resolution on the premises of both exterior structures where the conditions exist.

THEREFORE, be it resolved by the Governing Body of the City of Leon, Kansas, that the City, if after the additional thirty (30) days from April 3, 2023, 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 April 2023.

ATTEST:



Jodie Laidler, City Clerk



Kristina Semisch, Mayor