

## RESOLUTION NO. 1159

### **A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF COLBY, KANSAS, ORDERING THE ABATEMENT OF UNLAWFUL CONDITIONS ON THE PREMISES LOCATED AT 1270 W. 6<sup>th</sup> STREET, COLBY, KANSAS IN VIOLATION OF THE CODE OF THE CITY OF COLBY, KANSAS, 2017, CHAPTER VIII, ARTICLE 2A OF THE CITY CODE: ENVIRONMENTAL CODE.**

**WHEREAS**, the Code Enforcement Officer of the City of Colby, Kansas, did on the 2nd day of February 2021, file with the Governing Body of said City, evidence that the property located at 1270 W. 6<sup>th</sup> Street within said City contains unlawful conditions, so as to violate the Environmental Code of the City of Colby, Kansas, as defined by Section 8-2A09 of the Code of the City of Colby, Kansas, 2017; and

**WHEREAS**, the Governing Body did, on the 2nd day of February, 2021, adopt an Order of Violation finding unlawful conditions that do violate the Environmental Code of the City of Colby, Kansas on the property hereinafter described and did cause the Order of Violation to be served upon the owner, Edward Bargo, by personal service, but the unlawful conditions have not been abated.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF COLBY, KANSAS, THAT:**

The residential property described as 1270 W. 6<sup>th</sup> Street is of a quality and appearance not commensurate with the character of the neighborhood as stated in the order of violation. The Governing Body directs that the unlawful conditions in violation of the Environmental Code of the City of Colby, Kansas are to be abated and made safe and sanitary immediately.

**BE IT FURTHER RESOLVED**, that if the owner fails to abate the unlawful conditions in violation of the Environmental Code and make said property safe and sanitary within ten (10) days after passage of this Resolution, the Governing Body may take such further action as it deems necessary to abate the unlawful conditions without further notice to the owner or other parties-in-interest as provided in Section 8-2A12.

**BE IT FURTHER RESOLVED**, that in the event the City of Colby abates the unlawful conditions and if the owner shall fail to pay the costs of such abatement, the costs may be assessed a special assessment and charged against the property as provided in Section 8-2A15 of the Environmental Code of the City of Colby, Kansas, 2017.

**BE IT FURTHER RESOLVED**, that the City Clerk shall cause this Resolution to be served upon Edward Bargo personally or by certified mail, return receipt requested.

Adopted this 16th day of March, 2021.

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Gary L. Adrian, Mayor

ATTEST:

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Joni L. Ketchum, City Clerk