

RESOLUTION NO. 1163

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF COLBY, KANSAS, ORDERING THE ABATEMENT OF UNLAWFUL CONDITIONS ON THE PREMISES LOCATED AT 210 S. CHICKAMAUGA AVENUE, 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 16th day of March, 2021, file with the Governing Body of said City, evidence that the property located at 210 S. Chickamauga Ave, 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 16th day of March, 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 agent of the property, Calvin Lemman, by certified mail, 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 210 S. Chickamauga Ave, 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 Calvin Lemman personally or by certified mail, return receipt requested.

Adopted this 6th day of April, 2021.

Gary L. Adrian, Mayor

ATTEST:

Joni L. Ketchum, City Clerk