RESOLUTION NO. 1188

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF COLBY, KANSAS, ORDERING THE ABATEMENT OF WEEDS LOCATED AT 330 E. HILL ST. COLBY, KANSAS IN VIOLATION OF THE CODE OF THE CITY OF COLBY, KANSAS, 2017, CHAPTER VIII, ARTICLE 4 OF THE CITY CODE: WEEDS.

WHEREAS, the Code Enforcement Officer of the City of Colby, Kansas, did on the 18th day of October, 2022, file with the Governing Body of said City, evidence that the Officer did make reasonable inquiry and inspection of the property located at 330 E. Hill St. within said City and that the same property contains unlawful weeds, so as to violate the Weeds Code of the City of Colby, Kansas, as defined by Section 8-402 of the Code of the City of Colby, Kansas, 2017; and

WHEREAS, the Governing Body did, on the 18th day of October, 2022, issue a Notice to Remove unlawful weeds that do violate the Weeds Code of the City of Colby, Kansas on the property hereinafter described and did cause the Notice to Remove to be served upon the owner, Randy Fortin, by certified mail, but the weeds 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 330 E. Hill St. contains unlawful weeds. The Governing Body directs that the weeds in violation of the Weeds Code of the City of Colby, Kansas are to be abated immediately.

BE IT FURTHER RESOLVED, that if the owner fails to abate the unlawful weeds in violation of the Weeds Code 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 weeds without further notice to the owner or other parties-in-interest as provided in Section 8-404 of the Health Nuisance Code.

BE IT FURTHER RESOLVED, that in the event the City of Colby abates the unlawful weeds 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 8-404 of the Weeds Code of the City of Colby, Kansas, 2017.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this Resolution to be served upon CW Cheney, by certified mail, return receipt requested.

Adopted this 15th day of November, 2022.

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Gary L. Adrian, Mayor

ATTEST:

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Joni L. Ketchum, City Clerk

CERTIFICATE OF MAILING

STATE OF KANSAS)
COUNTY OF THOMAS) ss:
CITY OF COLBY)

I, Joni L. Ketchum, City Clerk of the City of Colby, Thomas County, Kansas, do hereby certify that I caused a true and correct copy of Resolution No. 1188, finding that the property located at 330 E. Hill St., as shown by the recorded plat thereof, contains unlawful weeds and directing that the weeds be abated and the property made safe and sanitary, to be served upon each of the persons or entities named herein by placing the same in the United States mail as certified mail marked as Adeliver to addressee only@, in individual envelopes on the 16th day of November, 2022, and addressed as follows:

CW Cheney
330 E. Hill St.
Colby, KS 67701

Said persons or entities being the owner, agent or occupant and all other parties in interest of the property described in said resolution.

The receipts of certified mailing are attached hereto.

In witness whereof, I have set my hand and seal this 16th day of November, 2022.

Seal

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Joni L. Ketchum, City Clerk