

ORDINANCE NO. 988

AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN AND UNSAFE LOTS 5 AND 6 IN BLOCK 38 IN THE CITY OF COTTONWOOD FALLS, CHASE COUNTY KANSAS. AUTHORIZING THE FINANCING OF THE COSTS OF SUCH REMOVAL BY THE SALE OF SALVAGE FROM SUCH STRUCTURE, IF ANY, AND/OR FROM THE GENERAL FUND OF THE CITY: AND THE LEVYING OF SPECIAL ASSESMENTS AGAINST THE LOTS OR PARCELS OF LAND ON WHICH SUCH STRUCUTRES ARE LOCATED.

WHEREAS, the governing body is after proper notice and hearing as provided by law make findings by Resolution 2021-3 2021, dated April 19, 2021, that the structures hereinafter described are unsafe and dangerous and did direct the owner of such structures to repair or remove the same and make the premises safe and secure, together with a statement that if the failed to commence the repair or removal within the time fixed by such resolution or failed to diligently prosecute the same until the work was complete, the city would cause the structure to be razed and removed; and,

WHEREAS, such resolution was published in the official city newspaper and copies of such resolution were mailed to each owner, agent, lienholder of record and occupant of such structures and all other parties having any legal or equitable interest in the property, or was otherwise served as required by law; and,

WHEREAS, the owner has wholly failed to commence the repair or removal of said structures;

**Now Therefore. BE IT ORDAINED BY GOVENRING BODY OF THE CITY OF COTTONWOOD FALLS
KANSAS:**

Section 1. The enforcing officer is hereby authorized and directed to cause the structure located on Lots 5 and 6, in Block 38, Cottonwood Falls, Kansas, also commonly known and referred to as 621 Maple of said city to be razed and removed and the premises made safe and secure, and for this purpose is authorized to invite bids, negotiate a contract, or cause the work to be done by city employees.


Section 2. The enforcing officer shall keep an account of the costs of the work and may sell salvage from such structures and shall keep an account of the receipts therefrom as provided by law.

Section 3. All costs incurred by the city in the razing and removal of such structures and the making of the premises safe and secure shall be paid from the moneys received from the sale of the salvage therefrom and all the moneys in excess of that necessary to pay such cost shall, after the payment of all costs, be paid to the owner and the premises. Upon which said structures were located; **PROVIDED**, that if there is no salvage or if the proceeds received from the sale of the salvage are insufficient to pay the costs of such work, such costs, or any portion thereof in excess of the amount received from the sale of salvage shall be assessed as a special

assessment against the lots or parcels of the land on which the structures were located and may be financed until the assessment is paid out of the general fund of the city and/or may be pursued as a personal debt pursuant to the procedure under K.S.A. 12-1, 115 and any amendments thereto.

Section 4. This ordinance shall be in full force and effect from and after its adoption and publication in the official city newspaper.

ADOPTED AND APPROVED BY the Governing Body, this 21st day of June 2021.


William C. Sisson
William C Sisson, Mayor

ATTEST:

Deborah Bower
Deborah Bower, City Clerk