

ORDINANCE NO. 774

AN ORDINANCE AMENDING SECTION 4. OF ORDINANCE NO. 647 RELATING TO ABATEMENT; ASSESSMENT OF COSTS OF NUISANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LYNDON, KANSAS:

SECTION 1. Section 4. of Ordinance No. 647 is hereby amended to read as follows:

Section 4. ABATEMENT; ASSESSMENT OF COSTS.

(a) If the owner, occupant or agent in charge of the property has neither alleviated the conditions causing the alleged violation nor requested a hearing within the time periods specified section 3, the public officer or an authorized assistant shall abate or remove the conditions causing the violation.

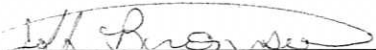
(b) If the city abates or removes the nuisance pursuant to this section, the city shall give notice to the owner or his or her agent by certified mail, return receipt requested, of the total cost of the abatement or removal incurred by the city. The notice shall also state that the payment is due within 30 days following receipt of the notice. The city also may recover the cost of providing notice, including any postage, required by this section.

(c) The notice shall also state that if the cost of the removal or abatement is not paid within the 30-day period, the cost of the abatement or removal shall be collected in the manner provided by K.S.A. 12-1,115, and amendments thereto, or shall be assessed as special assessments and charged against the lot or parcel of land on which the nuisance was located and the city clerk, at the time of certifying other city taxes, shall certify the unpaid portion of the costs and the county clerk shall extend the same on the tax rolls of the county against such lot or parcel of land and it shall be collected by the county treasurer and paid to the city as other city taxes are collected and paid. The city may pursue collection both by levying a special assessment and in the manner provided by K.S.A. 12-1,115, and amendments thereto, but only until the full cost and applicable interest has been paid in full. (K.S.A. 12-1617f)


SECTION 2 of Ordinance No. 647 is hereby repealed, however, all other provisions of said ordinance shall remain in full force and effect.

SECTION 3. This ordinance shall take effect after publication once in the official city newspaper.

PASSED AND APPROVED by the Governing Body on this 2nd day of May 2011.



JEFF BRONSON, Mayor

Attest:


Barbara J. Schattak, City Clerk

STATE OF KANSAS, COUNTY OF OSAGE, SS:

I, the undersigned, hereby certify that I am the duly appointed and acting City Clerk of the City of Lyndon, Kansas; that the above Ordinance was passed by the council and approved by the Mayor on the 2nd day of May 2011, and it was published on the 12th day of May 2011, and that the record of the final vote of passage is shown in the minutes of the proceedings of the Governing Body.


Barbara J. Schattak, City Clerk

{SEAL.}