

TENTATIVE AGENDA
OTTUMWA BOARD OF HEALTH

MEETING NO. 6
Council Chambers, City Hall

August 17, 2021
5:30 O'clock P.M.

ROLL CALL: Council Member Dalbey, Meyers, Roe, Berg and Mayor Lazio.
One Council Seat Vacant.

Approval of Minutes 1. Approve the minutes from Meeting No. 5 on August 3, 2021 as presented.

RECOMMENDATION: Approve the minutes.

Condemnation Hearing 238 N. Moore 2. This is the time, place and date set to consider condemnation of the structures on the property located at 238 North Moore in the City of Ottumwa, Wapello County, Iowa.

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 238 North Moore, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

RECOMMENDATION: Approve the condemnation of the structures located at 238 North Moore.

Condemnation Hearing 218 S. Willard 3. This is the time, place and date set to consider condemnation of the structures on the property located at 218 South Willard in the City of Ottumwa, Wapello County, Iowa.

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 218 South Willard, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

RECOMMENDATION: Approve the condemnation of the structures located at 218 South Willard.

Condemnation Hearing 306 E. Park 4. This is the time, place and date set to consider condemnation of the structures on the property located at 306 East Park in the City of Ottumwa, Wapello County, Iowa.

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 306 East Park, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

RECOMMENDATION: Approve the condemnation of the structures located at 306 East Park.

Adjourn

5. Adjournment.



[CITY OF]

OTTUMWA

FAX COVER SHEET

City of Ottumwa

DATE: 8/13/21 TIME: 8:30 AM NO. OF PAGES 3
(Including Cover Sheet)

TO: News Media CO: _____

FAX NO: _____

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Board of Health Meeting #6 to be held on 8/17/2021 at 5:30 P.M.

*** FAX MULTI TX REPORT ***

JOB NO. 4111
DEPT. ID 4717
PGS. 3

TX INCOMPLETE -----

TRANSACTION OK 96847834
916606271885

96823269

96828482

Ottumwa Courier
KTVO
Ottumwa Waterworks
Tom FM

ERROR



CITY OF
OTTUMWA

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JOB NO.	4111	
DEPT. ID	4717	
ST. TIME	08/13 08:29	
SHEETS	3	
FILE NAME		
TX INCOMPLETE	-----	
TRANSACTION OK	96847834	Ottumwa Courier
	916606271885	KTVO
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CITY OF
OTTUMWA

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FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Board of Health Meeting #6 to be held on 8/17/2021 at 5:30 P.M.

OTTUMWA BOARD OF HEALTH MINUTES

MEETING NO. 5
Council Chambers, City Hall

August 3, 2021
5:30 O'clock P.M.

Present were Council Member Berg, Dalbey, Meyers, Roe and Mayor Lazio.
One Council Seat Vacant.

Approval of Minutes 1. Roe moved, seconded by Berg to approve the mins. from Mtg. No. 4 on June 15, 2021 as presented. Motion carried 4-0 vote.

602 E. Mary 2. This was the time, place and date set to consider condemnation of the structures on the property located at 602 E. Mary in the City of Ottumwa, Wapello County, IA. Comm. Dev. Dir. Simonson reported the property was placarded on Nov. 3, 2014 due to issues with the foundation; incomplete siding and broken windows. The property has changed ownership five times during the duration of the placard file (since 2014). The current owner acq. property in March 2020 and failed to complete the submitted plan. Property was originally scheduled for condemnation hearing in April. At the owner's request, a 45-day deferral was prepared that the owner signed committing to complete the foundation repairs. He did not meet that deadline. In June, the owner excavated around the failing foundation and removed some of the failing walls. The property remains in violation of the code. Current owner, Juan Perez, stated he has a contractor ready to put walls up either this Friday or nxt Monday. Simonson further explained the job itself wouldn't take long, just a few days; however, no show for scheduled inspections w/o any return calls has not helped in allowing this to remain unresolved. No objections were rec'd. Dalbey moved, seconded by Meyers to close the public hearing. Motion carried 4-0 vote.

Dalbey moved, seconded by Meyers to condemn the structures located at 602 E. Mary, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof. Motion carried 4-0 vote.

Adjourn 3. There being no further business, Roe moved, seconded by Dalbey that the meeting adjourn. Motion carried 4-0 vote.

Adjournment was at 5:39 P.M.

ATTEST:


Christina Reinhard, CMC City Clerk

OTTUMWA BOARD OF HEALTH


Tom X. Lazio, Mayor and Chairman

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Aug 17, 2021

Zach Simonson

Prepared By

Building and Code Enforcement
Department

Zach Simonson
Department Head



City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structure(s) on the property described as 238 N Moore.



****Public hearing required if this box is checked.****



The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Open public hearing
Receive comments
Close public hearing
Condemn the structure(s) at 328 N Moore, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

DISCUSSION: This property was placarded on June 18, 2020 after a fire. In the intervening time, no one has submitted a repair plan, sought permission to be in the building or made any effort to correct deficiencies with the building. It remains open to the elements and constitutes an attractive nuisance. Condemnation notice was served by certified mail and posting notice on the property and in the *Ottumwa Courier*.



[CITY OF]
O T T U M W A

NOTICE TO ABATE

July 16, 2021

Maria T. Clark
238 N. Moore
Ottumwa, Iowa 52501

Credit Bureau Services of Iowa Inc.
Potential Lien Holder
Leonard C. Grimes, Registered Agent
1306 S. 7th Street
Oskaloosa, Iowa 52577

State of Iowa
Potential Lien Holder
Iowa Attorney General
1305 East Walnut
Des Moines, IA 50319

UnityPoint Health
Potential Lien Holder
Debra King, Registered Agent
1776 West Lakes Parkway
West Des Moines, Iowa 50266

Wapello County Treasurer
101 W. 4th Street
Ottumwa, IA 52501

91 7199 9991 7035 6855 4137

91 7199 9991 7035 6855 4120

91 7199 9991 7035 6855 4113

91 7199 9991 7035 6855 4106

91 7199 9991 7035 6855 4090

SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on July 16, 2021 of the placarded property located at **238 N. Moore, Ottumwa, IA** of which you are the registered owner(s) or in which you have a property interest.

It has been determined that by reason of failure to repair all fire, smoke, and water damage or demolish structure at this property and failure to keep this property secured until it has been repaired constitutes a public nuisance.

The following abatement is needed to meet the minimum standards set forth in ordinance 3127-2017, an ordinance establishing the minimum standards governing the condition and maintenance of dwellings, etc.:

Abatement needed:

- 1) Repair property to the standard of the Housing Code; or
- 2) Demolish all structures and level to the contours of the surrounding earth.

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0694 Fax 641-683-0609

We are hereby requesting your cooperation in abating this nuisance within the time allotted. Failure to do so will result in further legal action to be taken against you and the property. This action will include a condemnation referral to the Board of Health.

In the event that this order has not been complied with, a public hearing for condemnation will be held by the Ottumwa Board of Health on the 17th day of August, 2021 at 5:30 P. M. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, IA.

At such hearing the Board of Health may condemn the structure and order prompt demolition, removal, and leveling of such property and direct that all costs attendant to such action, including administrative costs, be assessed against the property or collected from the owner or owners thereof.

If you wish to contest this action, you may do so by filing a written statement with the City Clerk to the Board of Health **within five (5) days** of the receipt of this letter.

If you have any questions in regard to this matter, you may contact this office by calling 641-683-0650 or by coming to room 203 at City Hall.

Sincerely,

Zach Simonson
Director of Community Development
City of Ottumwa, IA



CITY OF BRIDGES

NOTICE OF DWELLING OR BUILDING DETERMINED TO BE UNFIT FOR HUMAN HABITATION AND AN ORDER TO CORRECT

June 19, 2020

Michael and Maria Clark
238 N Moore
Ottumwa, Iowa 52501

91 7199 9991 7035 6855 2423

Occupant:

An inspection was made on June 18, 2020, of the property located at 238 N Moore, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

R S SMITH'S ADD S 1/2 LOT 14 BLK 1 (238 N MOORE)

and which the records of the Wapello County Iowa Recorders' Office reveal ownership to be in your name, or that you have a property interest in.

It is in the opinion of the Housing Code Inspector of the City of Ottumwa, Iowa, under authority of Section 364.17 of the Code of Iowa and Section 20-3 (K), of the Ottumwa Municipal Code, that said building(s) located on said property is (are) in a condition or in effect dangerous and detrimental to life and health and unfit for human habitation.

Therefore, you are hereby given notice of said condition and ordered to correct the situation by doing the following before the 19th day of July , 2020, to wit:

DEFICIENCY LIST ATTACHED

Repair plan required. In the event that the repairs or demolition cannot be completed within thirty days, a repair plan must be submitted for approval prior to July 19th.

Provide a timetable for repair that is separated into thirty (30) day periods (30 days, 60 days, 90 days, etc.) outlining what repairs are to be completed during each period. There should be a maximum allowance of six (6) months for all repairs to be completed. There is a ninety (90) day maximum time limit for demolition. All wiring, plumbing, furnace

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609

– **AC repair/replacement, etc. require permits, by licensed contractors.** Contact this office, for permit requirements.

No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.

A copy of this notice and order was this date posted in a conspicuous place in the above said building(s), along with a placard stating said structure(s) is not to be occupied until released by the Inspector.

Failure to make the above said corrections before **12:00 o'clock Noon on the 19th day of July, 2020** may result in the declaration by the undersigned pursuant to Section 364.17 of the Code of Iowa, and Section 20-3 (0), of the Ottumwa Municipal Code that said building(s), is (are) a public nuisance.

You may appeal this order by filing a written appeal with the Inspection Board of Review, Municipal Building, Ottumwa, Iowa, within **(15) days** after you have received this notice and order. If you have any questions pertaining to this matter contact me by coming to Room 203 at City Hall or by calling 641-683-0650.

Per City Policy #26, you may remove this property from the mandatory trash service and billing for as long as the property remains placarded. Contact Kevin Flanagan at 641-683-0694 for this service.

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, this **19th day of June 2020.**
Sincerely,

Jacob Rusch
Building Inspector
Health & Inspections :: City of Ottumwa, IA
641.683.0650

CERTIFIED #91 7199 9991 7035 6855 2423

CC: Sharon Leyden
3603 Little Soap Rd
Ottumwa, Iowa 52501

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609

OTTUMWA

CITY OF BRIDGES

Date of Investigation: June 18, 2020

DEFICIENCY LIST-238 N MOORE

- 1. Repair all fire, smoke, and water damage or demolish structure.**
- 2. This is a partial inspection only. A complete inspection will be required. 20**
- 3. Keep the property secured until it has been repaired. 24-3-6**

No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.

This unit must be inspected and meet minimum housing code standard before it can be released and occupied. Application for a building permit on a placarded house must be accompanied by an updated deficiency list. No structure will be released from the tag list without the necessary permits being taken out before construction starts. Repair or replace all rot, decay or dilapidation that may occur until the structure is released.

Electrical, Plumbing, Heating and certain Building repairs require permits. Check with the Health Department at 641-683-0650 or by coming to room 203 in City Hall before doing any work that might require a permit.

Sincerely,

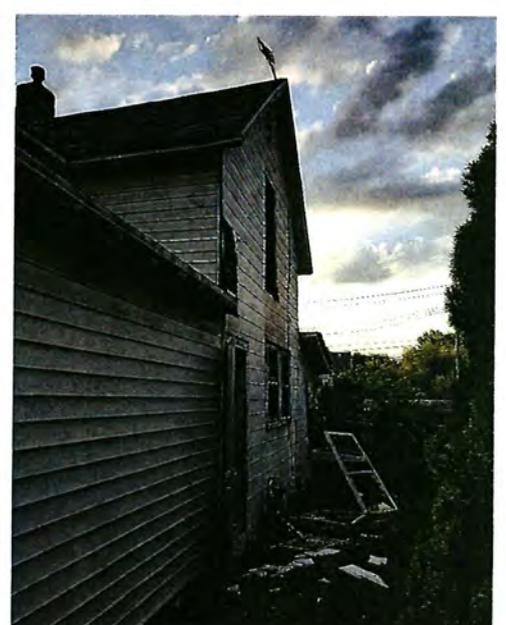
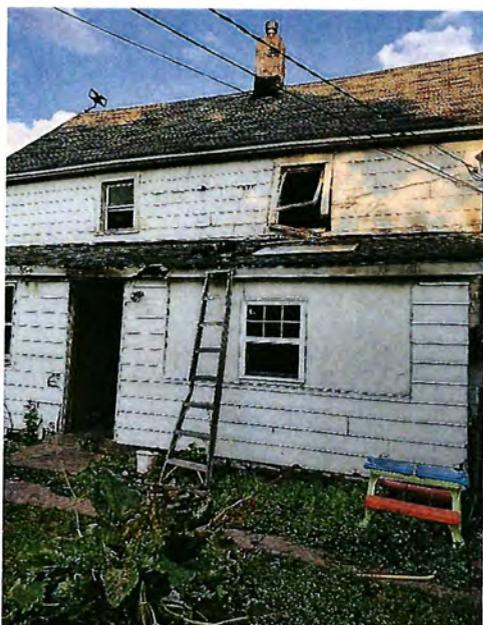
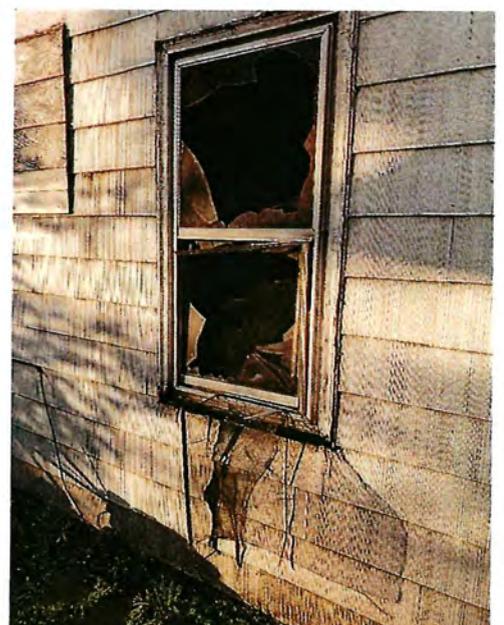
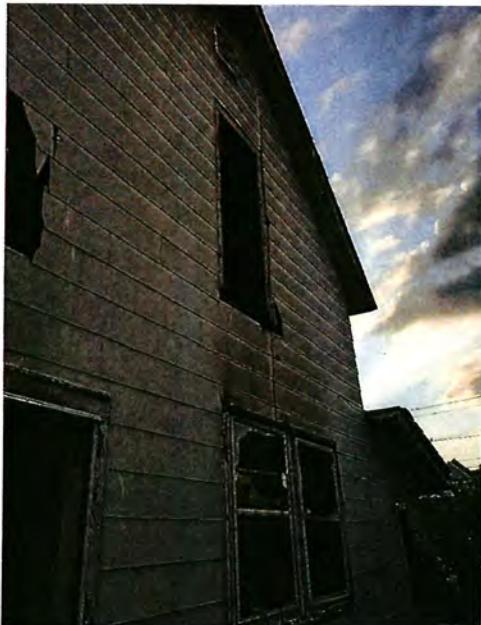
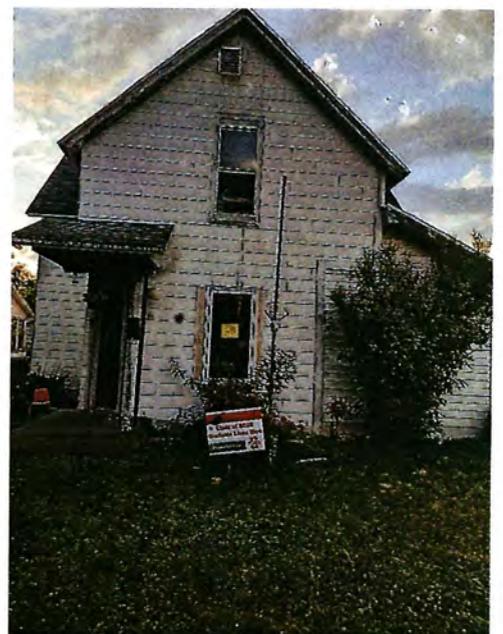
Jacob Rusch

Building Inspector

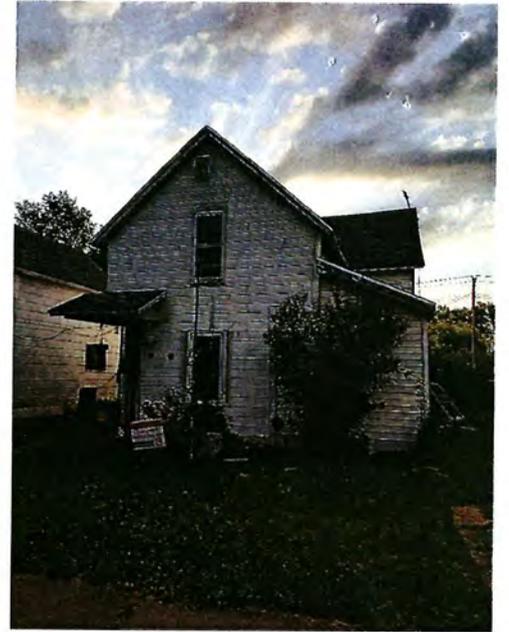
Health & Inspections :: City of Ottumwa, IA

641.683.0650

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609



238 N Moore 6/18/2020 JLR



238 N Moore 6/18/2020 - JLR

PROOF OF PUBLICATION

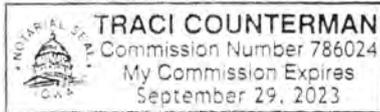
STATE OF IOWA
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Condemnation Notice – 238 N. Moore

City of Ottumwa

_____ hereto attached was published in said newspaper for 1 consecutive week's to-wit: 07/29/2021. Subscribed and sworn to before me, and in my presence, by the said 29th day of July, 2021



Traci Counterman

Notary Public

In and for Wapello County

Printer's fee \$ 17.97

COPY OF ADVERTISEMENT

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO: Maria T. Clark, Credit Bureau Services of Iowa, Inc., Wapello County Treasurer, UnityPoint Health, State of Iowa
You are hereby notified that the structures located at **238 N Moore, Ottumwa, IA** have been determined to be a public nuisance, and that the nuisance must be abated by demolition within thirty (30) days of this notice and the lot cleaned and leveled. You are further notified that the legal description of the above property is as follows: **R S Smith's Addition S 1/2 of Lot 14 Block 1** You are further notified that if the nuisance is not abated within 30 days of the date of this notice, a public hearing for condemnation of the structure(s) located on the premises described above will be held by the Ottumwa Board of Health on **August 17, 2021 at 5:30 p.m.** in the Council Chambers of City Hall, 105 East Third Street, Ottumwa, Iowa. If you wish to contest this action, you must do so by filing a written statement with the City Clerk, 105 East Third Street, Ottumwa, IA 52501 within five (5) days of the publication of this notice. **TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY! DATED July 16, 2021** Zach Simonson
Director of Community Development City of Ottumwa, Iowa

*Condemnation Notice
238 N. Moore*

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Aug 17, 2021

Zach Simonson

Prepared By

Building and Code Enforcement
Department

Zach Simonson
Department Head

[Signature]
City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structure(s) on the property described as 218 S Willard.



****Public hearing required if this box is checked.****



The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Open public hearing
Receive comments
Close public hearing
Condemn the structure(s) at 218 S Willard, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

DISCUSSION: This property was placarded on September 24, 2020 for lack of utilities and unsanitary conditions. While there are have been signs of continuous illegal occupation of the building, no one has sought permission, submitted a repair plan or made any effort to correct deficiencies.

City has performed a nuisance clean-up on the property and has had to issue several notices for squatters to vacate the property. The recorded owners have failed to appear for inspections. The property remains in violation of the code. Condemnation notice was served by certified mail and posting notice on the property and in the *Ottumwa Courier*.



[CITY OF]

OTTUMWA

**NOTICE OF DWELLING OR BUILDING
DETERMINED TO BE UNFIT FOR HUMAN HABITATION
AND AN ORDER TO CORRECT**

9/24/2020,

Zetta Marie Van Ness,
218 S Willard,
Ottumwa, IA 52501

91 7199 9991 7035 6855 2881

Tim Van Ness
827 Albia Rd Apartment 103
Ottumwa Ia, 52501

To whom it may concern,

An inspection was made on **9/23/2020**, of the property located at **218 S Willard**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

SADIE E MOWERYS SUB LOT 3 (218 S WILLARD)

and which the records of the Wapello County Iowa Recorders' Office reveal ownership to be in your name, or that you have a property interest in.

It is in the opinion of the Housing Code Inspector of the City of Ottumwa, Iowa, under authority of Section 364.17 of the Code of Iowa, and Section 20-3 (K), of the Ottumwa Municipal Code, that said building(s) located on said property is (are) in a condition or in effect dangerous and detrimental to life and health and unfit for human habitation.

Therefore, you are hereby given notice of said condition and ordered to correct the situation by doing the following before the **10/24/2020**, to wit:

DEFICIENCY LIST ATTACHED

Repair plan required. In the event that the repairs or demolition cannot be completed within thirty days, a repair plan must be submitted for approval prior to **10/24/2020**.

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609

Provide a timetable for repair that is separated into thirty (30) day periods (30 days, 60 days, 90 days, etc.) outlining what repairs are to be completed during each period. There should be a maximum allowance of six (6) months for all repairs to be completed. There is a ninety (90) day maximum time limit for demolition. **All wiring, plumbing, furnace – AC repair/replacement, etc. require permits, possibly by licensed contractors.** Contact this office, for permit requirements.

No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.

A copy of this notice and order was this date posted in a conspicuous place in the above said building(s), along with a placard stating said structure(s) is not to be occupied until released by the Inspector.

Failure to make the above said corrections before **12:00 o'clock Noon on 10/24/2020** may result in the declaration by the undersigned pursuant to Section 364.17 of the Code of Iowa, and Section 20-3 (0), of the Ottumwa Municipal Code that said building(s), is (are) a public nuisance.

You may appeal this order by filing a written appeal with the Inspection Board of Review, Municipal Building, Ottumwa, Iowa, within **(15) days** after you have received this notice and order. If you have any questions pertaining to this matter contact me by coming to Room 203 at City Hall or by calling 641-683-0650.

Per City Policy #26, you may remove this property from the mandatory trash service and billing for as long as the property remains placarded. Contact Kevin Flanagan at 641-683-0694 for this service.

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, **9/24/2020**.

Respectfully,

Jeffrey Hamann
Building Inspector
hamannj@ottumwa.us

CERTIFIED #91 7199 9991 7035 6855 2881

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609



[CITY OF]

O T T U M W A

Date of Placard: 9/23/2020,

DEFICIENCY LIST-218 S Willard,

1. Remove trash, bio-waste, garbage and junk from inside house and around property. 305.1
2. Remove floor coverings and replace with an uninterrupted, cleanable floor covering. 305.3
3. Repair water damage in kitchen. 305.3
4. Clean and sanitize entire house. 305.1
5. Provide gas, water and electric utility services. 401.1, 505.4, 602.2 and 505.1
6. Keep the property secure from unauthorized persons. 20-3-L
7. Keep the grass kept below 10" 24-3-10

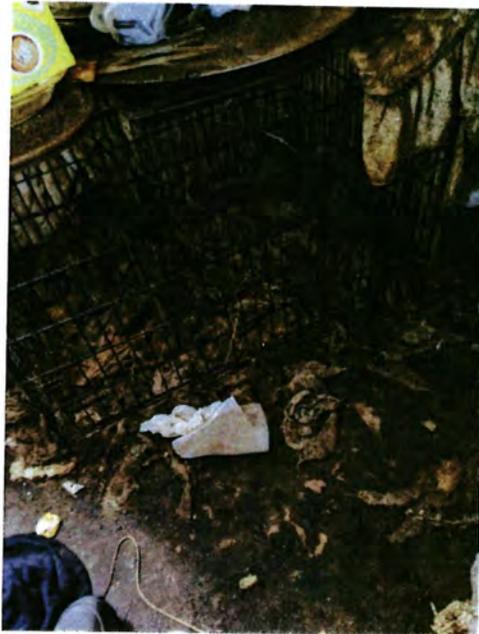
This is a partial inspection only, a full inspection will be required to release the placard.

No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.

This unit must be inspected and meet minimum housing code standard before it can be released and occupied. Application for a building permit on a placarded house must be accompanied by an updated deficiency list. No structure will be released from the tag list without the necessary permits being taken out before construction starts. Repair or replace all rot, decay or dilapidation that may occur until the structure is released.

Electrical, Plumbing, Heating and certain Building repairs require permits. Check with the Health Department at 641-683-0650 or by coming to room 203 in City Hall before doing any work that might require a permit.

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609



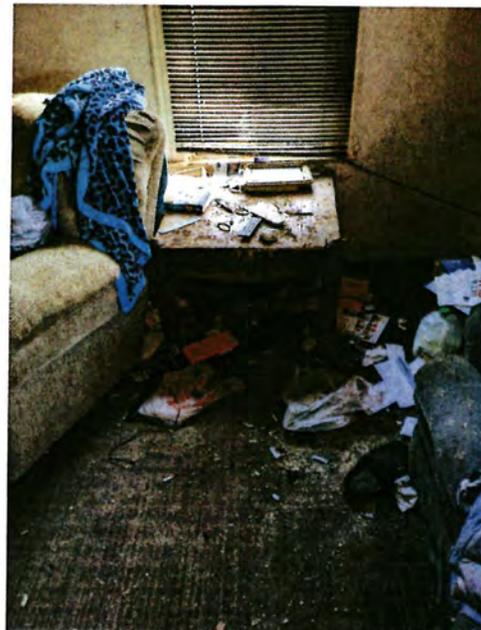
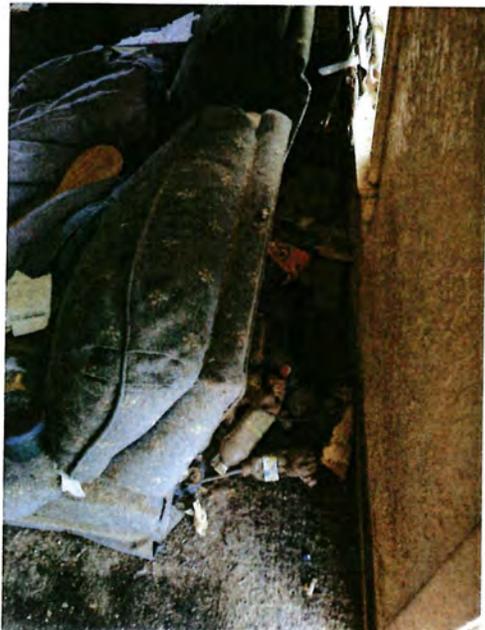
City of Ottumwa Inspection Report
641-683-0650

Project Name _____
Street Address 218 S Willard
Owner Zetta Marie VanNess Contractor _____
Date 9/23 to 20
Report _____
Placards Property permission sheet

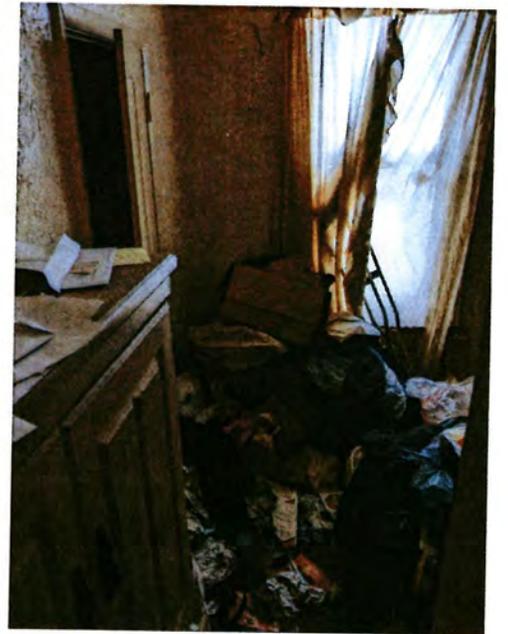
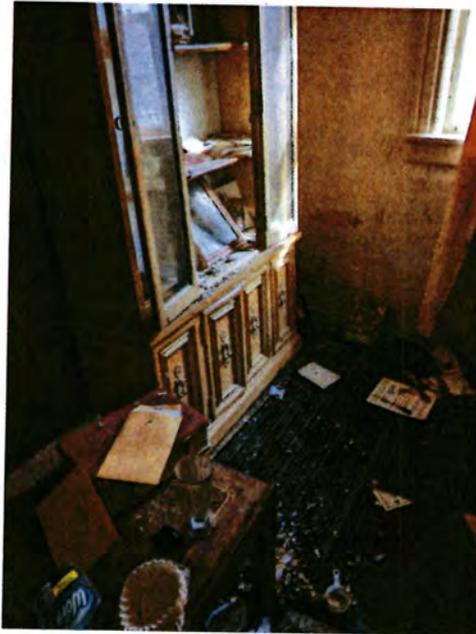
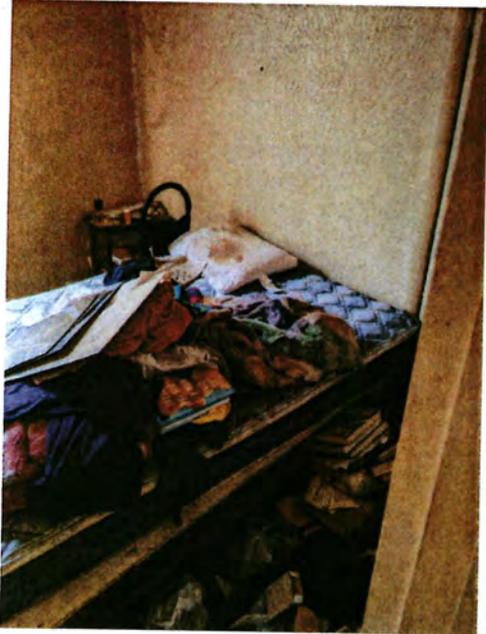
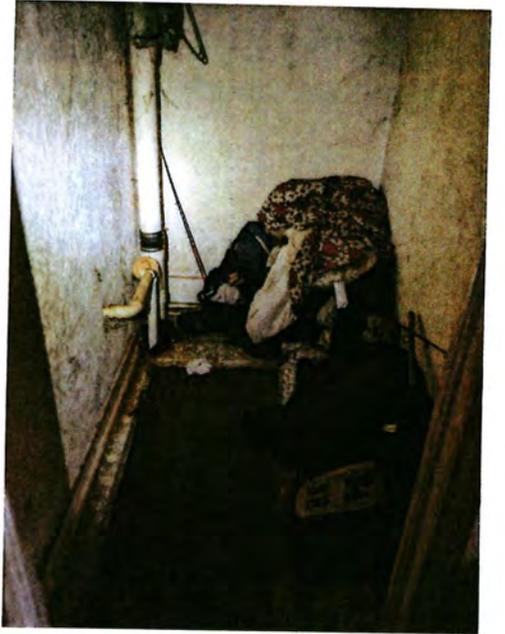
Permission to remove personal property from
218 S Willard

From 9/23/2020 to 9/29/2020
Time 7:00am to 7:00pm
Expires 9/29/2020 at 7:00pm

[Signature]
Inspector



9/23/20



9/23/20



9/23/20

PROOF OF PUBLICATION

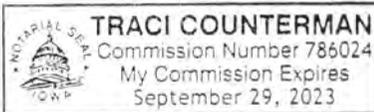
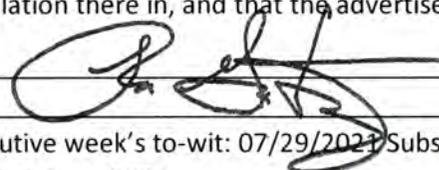
STATE OF IOWA
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Condemnation Notice – 218 S. Ward

City of Ottumwa

_____ hereto attached was published in said newspaper for 1 consecutive week's to-wit: 07/29/2021 Subscribed and sworn to before me, and in my presence, by the said 29th day of July, 2021



Notary Public

In and for Wapello County

Printer's fee \$ 17.14

COPY OF ADVERTISEMENT

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO: Zetta Marie Van Ness, Wapello County Treasurer You are hereby notified that the structures located at **218 S Willard**, Ottumwa, IA have been determined to be a public nuisance, and that the nuisance must be abated by demolition within thirty (30) days of this notice and the lot cleaned and leveled. You are further notified that the legal description of the above property is as follows: **Sadie E Mowreys Subdivision Lot 3** You are further notified that if the nuisance is not abated within 30 days of the date of this notice, a public hearing for condemnation of the structure(s) located on the premises described above will be held by the Ottumwa Board of Health on **August 17, 2021 at 5:30 p.m.** in the Council Chambers of City Hall, 105 East Third Street, Ottumwa, Iowa. If you wish to contest this action, you must do so by filing a written statement with the City Clerk, 105 East Third Street, Ottumwa, IA 52501 within five (5) days of the publication of this notice. **TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY! DATED July 16, 2021** Zach Simonson Director of Community Development City of Ottumwa, Iowa

*Condemnation Notice
218 S. Willard*

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of : Aug 17, 2021

Zach Simonson

Prepared By

Building and Code Enforcement
Department

Zach Simonson
Department Head



City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structure(s) on the property described as 306 E Park.



****Public hearing required if this box is checked.****



*****The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.*****

RECOMMENDATION: Open public hearing
Receive comments
Close public hearing
Condemn the structure(s) at 306 E Park, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

DISCUSSION: The Building and Code Enforcement Department, with assistance from the Police Department, executed a search warrant at this property on April 7, 2021. This property was placarded on April 7, 2021 for electrical and mechanical deficiencies, lack of utilities and illegal accessory structures. .

On June 27, 2021 the property suffered a significant fire which constituted a total loss of the primary building. The fire-damaged primary building and derelict accessory buildings remain in violation of the code. Notice of the condemnation hearing was sent by certified mail, posted on the property and published in the *Ottumwa Courier*.



[CITY OF]
O T T U M W A

**NOTICE OF DWELLING OR BUILDING
DETERMINED TO BE UNFIT FOR HUMAN HABITATION
AND AN ORDER TO CORRECT**

4/7/2021,

**Todd Downing, Amanda Strayer,
306 E Park,
Ottumwa, IA 52501**

91 7199 9991 7035 6855 3697

To whom it may concern,

An inspection was made on **4/7/2021**, of the property located at **306 E Park**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

MAHON'S 2ND SUB LOT 1 & N 1/2 VAC FELIX ST ADJ (306 E PARK)

and which the records of the Wapello County Iowa Recorders' Office reveal ownership to be in your name, or that you have a property interest in.

It is in the opinion of the Housing Code Inspector of the City of Ottumwa, Iowa, under authority of Section 364.17 of the Code of Iowa, and Section 20-3 (K), of the Ottumwa Municipal Code, that said building(s) located on said property is (are) in a condition or in effect dangerous and detrimental to life and health and unfit for human habitation.

Therefore, you are hereby given notice of said condition and ordered to correct the situation by doing the following before the **5/7/2021**, to wit:

DEFICIENCY LIST ATTACHED

Repair plan required. In the event that the repairs or demolition cannot be completed within thirty days, a repair plan must be submitted for approval prior to **5/7/2021**.

Provide a timetable for repair that is separated into thirty (30) day periods (30 days, 60 days, 90 days, etc.) outlining what repairs are to be completed during each period. There

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609

should be a maximum allowance of six (6) months for all repairs to be completed. There is a ninety (90) day maximum time limit for demolition. **All wiring, plumbing, furnace – AC repair/replacement, etc. require permits, possibly by licensed contractors.** Contact this office, for permit requirements.

No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.

A copy of this notice and order was this date posted in a conspicuous place in the above said building(s), along with a placard stating said structure(s) is not to be occupied until released by the Inspector.

Failure to make the above said corrections before **12:00 o'clock Noon on 5/7/2021** may result in the declaration by the undersigned pursuant to Section 364.17 of the Code of Iowa, and Section 20-3 (0), of the Ottumwa Municipal Code that said building(s), is (are) a public nuisance.

You may appeal this order by filing a written appeal with the Inspection Board of Review, Municipal Building, Ottumwa, Iowa, within **(15) days** after you have received this notice and order. If you have any questions pertaining to this matter contact me by coming to Room 203 at City Hall or by calling 641-683-0650.

Per City Policy #26, you may remove this property from the mandatory trash service and billing for as long as the property remains placarded. Contact Zach Simionson at 641-683-0694 for this service.

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, **4/7/2021**.

Respectfully,

Jeffrey Hamann
Building Inspector
hamannj@ottumwa.us

CERTIFIED #91 7199 9991 7035 6855 3697



CITY OF

OTTUMWA

**Date of Placard Inspection: 4/7/2021,
DEFICIENCY LIST-306 E. Park,**

Exterior/Yard

1. Remove all JMV, non-operating, non-licensed vehicles, trailers or campers from property. 24 ½
2. Remove all prohibited outdoor storage of indoor items. 24-3-12
3. Remove all junk, debris, waste and other rubbish from property. 24-3-12
4. Remove all illegal structures, walls, fencing. 302.7
5. Cease burning of all items except tree and yard debris. 31 1/2 -4
6. Cease use of extension cords as permanent electrical supply. 605.4
7. Dispose of all construction or building material waste and debris in yard. 302.1
8. Have licensed electrician make any alterations or repairs to the electrical system in garage or outdoor areas. 604.3

Interior

9. Provide all require utilities, gas, water and electric. 401.1, 505.4, 602.2 and 505.1
1. Remove all junk, trash, waste and other debris from interior of house. 305.1
2. Repair and replace damaged and missing drywall, mudding joints, sanding smooth and painting. Providing an uninterrupted, cleanable wall and ceiling covering. 305.3
3. Repaint all chipping and peeling paint on doors, and trim. 305.3
4. Provide an uninterrupted, cleanable floor covering via floor sealant, vinyl, tile, or carpet. 305.3
5. Ensure all kitchen and restroom facilities function. 20-7-14
6. Provide hard wired smoke alarms, one in each bedroom, one within six feet of each bedroom and a minimum of one per floor. A carbon monoxide detector
7. Install electrical receptacle covers. 604.3
8. Protect any loose electrical wiring from damage. 604.3
9. Have licensed electrician bring electrical system to current electrical code, including hardwired smoke alarms. 604.3
10. Have licensed plumber bring plumbing system to current code and make any changes to plumbing system. 504.1
11. Keep the property secure from unauthorized persons. 20-3-L
12. Keep the grass kept below 10" 24-3-10

4/13/21



[CITY OF]

OTTUMWA

NOTICE TO ABATE

July 16, 2021

Todd M. Downing
Contract Purchaser
306 E. Park
Ottumwa, Iowa 52501

Amanda K. Strayer
Contract Purchaser
306 E. Park
Ottumwa, Iowa 52501

Sarah Murphey
Title Holder
24489 215th St
Grundy Center, IA 50638

State of Iowa
Iowa Attorney General
1305 East Walnut
Des Moines, IA 50319

91 7199 9991 7035 6855 4052

91 7199 9991 7035 6855 4045

91 7199 9991 7035 6855 4038

91 7199 9991 7035 6855 4021

SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on July 16, 2021 of the placarded property located at **306 E. Park, Ottumwa, IA** of which you are the registered owner(s) or in which you have a property interest.

It has been determined that by reason of residing at a property without being connected to all or one of the following utility services: electrical, gas or water, failure to remove illegal fencing, failure to remove all junk, trash, and rubbish from inside and around the property, failure to remove all vehicles, trailers, or campers from placarded property, and failure to keep the property secure from unauthorized persons constitutes a public nuisance.

The following abatement is needed to meet the minimum standards set forth in ordinance 3127-2017, an ordinance establishing the minimum standards governing the condition and maintenance of dwellings, etc.:

Abatement needed:

- 1) Repair property to the standard of the Housing Code; or
- 2) Demolish all structures and level to the contours of the surrounding earth.

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0618 Fax 641-683-0609

We are hereby requesting your cooperation in abating this nuisance within the time allotted. Failure to do so will result in further legal action to be taken against you and the property. This action will include a condemnation referral to the Board of Health.

In the event that this order has not been complied with, a public hearing for condemnation will be held by the Ottumwa Board of Health on the 17th day of August, 2021 at 5:30 P. M. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, IA.

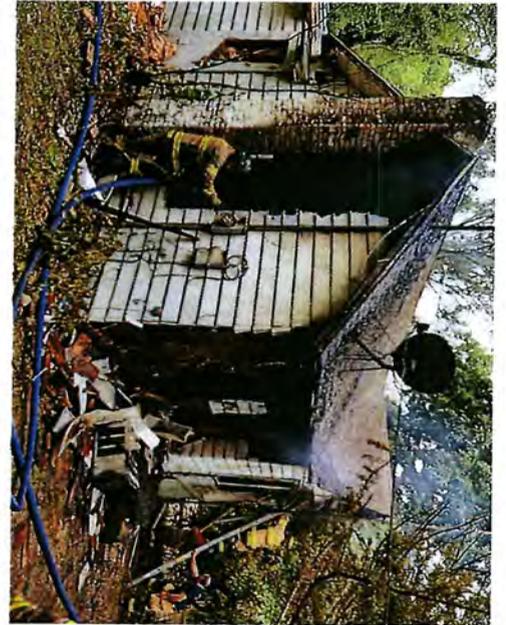
At such hearing the Board of Health may condemn the structure and order prompt demolition, removal, and leveling of such property and direct that all costs attendant to such action, including administrative costs, be assessed against the property or collected from the owner or owners thereof.

If you wish to contest this action, you may do so by filing a written statement with the City Clerk to the Board of Health **within five (5) days** of the receipt of this letter.

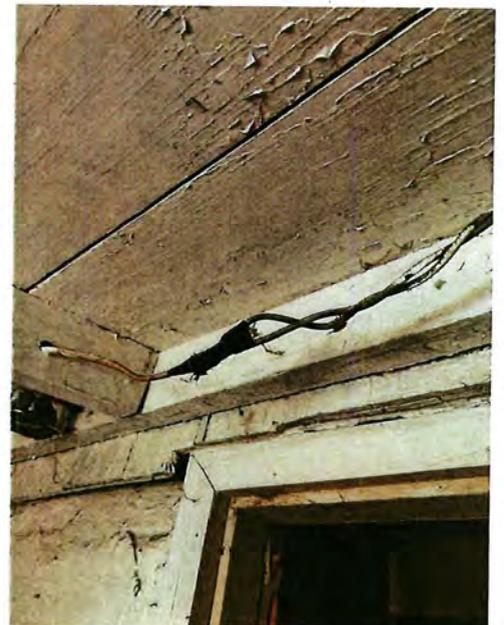
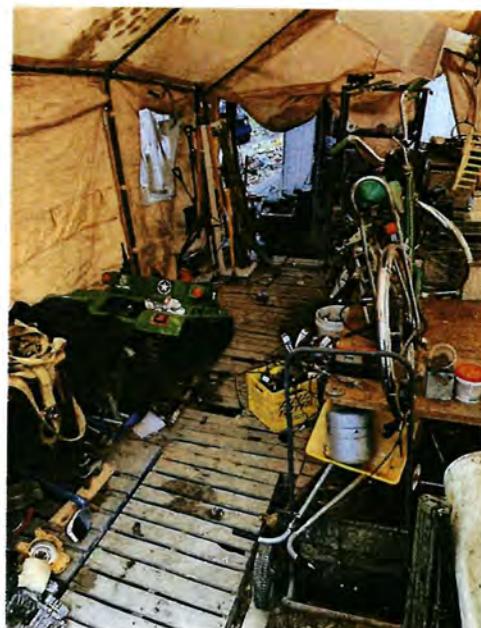
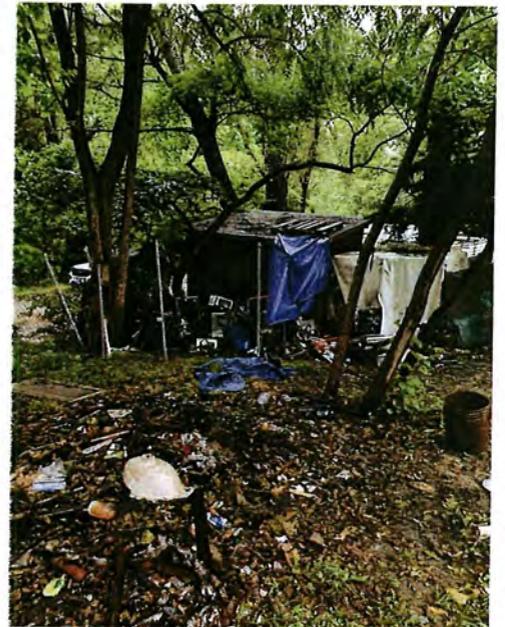
If you have any questions in regard to this matter, you may contact this office by calling 641-683-0650 or by coming to room 203 at City Hall.

Sincerely,

Zach Simonson
Director of Community Development
City of Ottumwa, IA



6/29/21



6/25/21

PROOF OF PUBLICATION

STATE OF IOWA
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Notice to Abate

City of Ottumwa

_____ hereto attached was published in said newspaper for 1 consecutive week's to-wit: 07/29/2021 Subscribed and sworn to before me, and in my presence, by the said 29th day of July, 2021



Traci Counterman

Notary Public

In and for Wapello County

Printer's fee \$ 37.20

COPY OF ADVERTISEMENT

NOTICE TO ABATE
July 16, 2021 **Todd M. Downing** Contract Purchaser
306 E. Park Ottumwa, Iowa
52501 **Amanda K. Strayer**
Contract Purchaser 306 E. Park
Ottumwa, Iowa 52501 **Sarah
Murphey** Title Holder 24489
215th St Grundy Center, IA
50638 **State of Iowa** Iowa
Attorney General 1305 East
Walnut Des Moines, IA 50319
SENT VIA CERTIFIED MAIL To
Whom it May Concern, An
inspection was made on July
16, 2021 of the placarded prop-
erty located at **306 E. Park,
Ottumwa, IA** of which you are
the registered owner(s) or in
which you have a property inter-
est. **It has been determined
that by reason of residing at a
property without being con-
nected to all or one of the fol-
lowing utility services: electrical,
gas or water, failure to
remove illegal fencing, failure
to remove all junk, trash, and
rubbish from inside and
around the property, failure to
remove all vehicles, trailers,
or campers from placarded
property, and failure to keep
the property secure from
unauthorized persons consti-
tutes a public nuisance.** The
following abatement is needed
to meet the minimum standards
set forth in ordinance 3127-
2017, an ordinance establishing
the minimum standards govern-
ing the condition and mainte-
nance of dwellings, etc.:
**and direct that all costs atten-
dant to such action, including
administrative costs, be
assessed against the prop-
erty or collected from the owner
or owners thereof.** If you wish
to contest this action, you may
do so by filing a written state-
ment with the City Clerk to the
Board of Health **within five (5)
days** of the receipt of this letter.
If you have any questions in
regard to this matter, you may
contact this office by calling
641-683-0650 or by coming to
room 203 at City Hall. Sincerely,
Zach Simonson Director of
Community Development City
of Ottumwa, IA

Notice to Abate
306 E. Park