

RESOLUTION NO. 2023-04

**A RESOLUTION MEMORIALIZING THE HEARING BY THE CITY COUNCIL OF THE CITY OF ST. GEORGE REGARDING THE OWNER OF CERTAIN PROPERTIES ON SPRUCE AND ASH STREETS IN ST. GEORGE TO SHOW CAUSE WHY SUCH STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED DEMOLISHED AS UNSAFE AND DANGEROUS STRUCTURES AS PROVIDED IN SECTIONS 108.1.1 THROUGH 108.1.5 OF THE CITY CODE**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ST. GEORGE, KANSAS:

WHEREAS, the City Council, during its regular meeting on January 12<sup>th</sup>, 2023, passed Resolution 2023-01 regarding the following properties within the City:

**Lots 56, 60, 67, 42, and 38, of the Ridge MHP, City of St. George, Pottawatomie County, Kansas;**

And commonly known as:

**517 Spruce St, 509 Spruce St, 514 Spruce St, 505 Ash St, and 513 Ash St, St. George, Kansas.; and**

WHEREAS, the City, in said Resolution, recognized the prior notices sent by the Public Officer of the City in December 2022 to the owners and lienholders of said properties, the details of said notices of the violations contained on these properties, and gave notice that a hearing was to be held on March 9, 2023 at 7:00 p.m. before the City Council; and

WHEREAS, Resolution 2023-01 was properly published and served upon the property owner as required by City Ordinance; and

WHEREAS, said hearing was held, representatives of the Owner were heard, public comment taken and the matter fully considered by the City Council; and

WHEREAS, upon due consideration, the City Council determined certain facts and issued an order as provided herein.

NOW, THEREFORE, the City Council finds and holds as follows:

1. Based upon facts produced at the hearing by the Public Officer, the public and the Owner's representatives, the nuisance conditions on the property noticed by the Public Officer are established as true and correct. Further, that for an inordinate period of time serious conditions of dilapidation, poor maintenance, structural failure and further irreparable damage exist on the properties at issue.
2. That the homes on these properties do not meet the City's requirements for the exterior condition of properties, as it is clear the exteriors of the homes are

dilapidated, open to the elements, and have trees and other growth causing other openings to the elements, leaving these properties in a state where they are uninhabitable.

3. That many of the mobile/manufactured homes on the property are of an age where they cannot be appropriately or legally repaired so as to meet modern design standards, presenting further dangers to the owner, occupants and the public.
4. The properties are a blighting influence on the neighborhood and the City, and the same devalue properties within the City.
5. That the representatives of the Owner admit that repairs and improvements are needed, but have provided no basis for the City to deem the properties as compliant so as to show cause while the City should not proceed.
6. As a result of these findings, and the manifest violations of Sections 108.1.1 through 108.1.5 of the adopted International Property Maintenance Code, and other sections of the City Code, as incorporated by City ordinance, the City Council holds that the properties above-listed are in violation of City ordinance, and the Owners of said properties have 90 days from the approval of this Resolution to fully abate the conditions by removal or demolishing of all offending structures, including any additional structures attached to the home or building. The mobile homes must be completely removed from the City and the lots restored to a condition that does not present a danger to the public, and avoids further nuisance violations.
7. If said Owners do not comply with this Resolution, that at the end of the 90-day period the City may, at a time of its choosing and through methods solely within its discretion, abate the nuisance conditions at the properties by demolition, removal or other action. The costs of this removal will be assessed against the property as allowed by law.

PASSED BY THE CITY COUNCIL on this 13th day of April, 2023.

  
TIM PRALLE, Mayor

ATTEST:

  
ELIZABETH WAGONER, City Clerk

