

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

99-280

SYNOPSIS -

AGENDA:

JUNE 21, 1999

SUBJECT:

CLEAN-UP OF JUNK
AND DEBRIS

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

SUBMITTED BY:

JAMES GRANT
COMMUNITY
DEVELOPMENT
DIRECTOR

This proposed ordinance will allow staff to remove property that has been abandoned on the right-of-way in the city. This change will define items left on the right-of-way to be abandoned and to be a nuisance. It will allow the clean-up of junk and debris from the right-of-way 48 hours after it comes to the attention of staff. The ordinance allows for the clean-up to occur without prior notification to the owner of the real estate adjacent to the right-of-way on which the nuisance is found. The costs of the clean-up will be assessed against the real estate adjacent to the right-of-way as a property tax. The owner of the real estate will be notified of the costs to be assessed. The owner will be given the opportunity to appeal the assessment to an Administrative Hearing Officer.

FISCAL IMPACT -

None.

RECOMMENDATION -

Approve the proposed Amendment to Chapter 17 of the Municipal Code.

BACKGROUND -

Chapter 17 currently requires that a notice be given to the owner of the real estate. The notice gives the owner 48 hours to remove the nuisance. If, after notice, the nuisance is not abated, staff arranges for the removal. The staff requested an ordinance which would expedite the removal of property abandoned on the right-of-way and allow for the collection of costs as an assessment against the real estate with the property tax. This amendment allows for removal without notice and establishes a

hearing process for appeals of the assessment to the real estate.

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