

ORDINANCE NO. 15,399

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Sections 60-310 and 60-377, relating to referral of residential public nuisance structures and certification of costs.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by amending Sections 60-310 and 60-377, relating to referral of residential public nuisance structures and certification of costs, as follows:

Sec. 60-310. Referral to city council.

Residential structures and/or accessory structures determined to be public nuisances under this article, which are not brought into compliance in the time required and against which no emergency procedure for removal has been undertaken pursuant to section 60-311 shall be referred to the city council.

- (1) If the city council finds that a public nuisance exists and confirms the action of the neighborhood inspection division officer, it shall direct the legal department to file an action for nuisance abatement in district court.
- (2) If the city council finds that the residential structure is not a public nuisance it shall revoke the determination of the neighborhood inspection division officer and direct such other action as it finds appropriate.

Sec. 60-377. Certification of costs.

- (a) When action has been taken pursuant to section 60-375 the costs of the action shall be reported to the city council.
- (b) If such costs are to be certified to the county treasurer for assessment against the property, notice of the hearing on such proposed action and the council meeting at which it is to be taken shall be given to the owner of the property, and after such hearing the city council may certify such costs to the county treasurer.
- (c) If such costs are to be collected from the owner of the property, upon receipt of advice of such costs the legal department shall commence the appropriate action.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Carol J. Moser, Deputy City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 15-1449), passed by the City Council of said City at a meeting held August 24, 2015 signed by the Mayor on August 24, 2015 and published and provided by law in the Business Record on September 11, 2015. Authorized by Publication Order No. 9318.

Diane Rauh, City Clerk