

Date October 7, 2013

RESOLUTION LEVYING ASSESSMENTS FOR FEES, FINES, PENALTIES, COSTS AND INTEREST IMPOSED IN THE ENFORCEMENT OF THE NEIGHBORHOOD INSPECTION RENTAL CODE AND PROVIDING FOR THE PAYMENT THEREOF
(Schedule No. 2013-10, Activity ID 20-2014-009)

WHEREAS, the fees, fines, penalties, costs and interest itemized in the accompanying schedule have been imposed by the City upon the owners of rental property in the enforcement of the Neighborhood Inspection Rental Code; and,

WHEREAS, each of the owners of the rental property listed in the accompanying schedule have been given notice of the following:

- The amount due from them for the fees, fines, penalties, costs and interest identified in such schedule;
- Their right to appeal the calculation of the amounts due, and the process to make such appeal;
- That if the total amount due from them was not paid within thirty days of when due, or in the event of a timely appeal if not paid within 10 business days of final action on that appeal by the Housing Appeals Board, then:
 - The owner will be charged a late payment penalty in the amount of \$25.00;
 - Interest shall thereafter accrue on the unpaid balance at the rate of 1.5% per month; and,
 - That the City may certify the unpaid balance, accrued interest and late payment penalty to the County Treasurer for collection against the rental property in the same manner as a property tax; and,

WHEREAS, more than 30 days has expired from the date each of the fees, fines, penalties, and costs itemized in the accompanying schedule were originally due, and more than 10 business days has expired from the date of final action by the Housing Appeals Board on any appeals that were timely taken from the calculation of the amounts due; and,

WHEREAS, the fees, fines, penalties, costs and interest itemized in the accompanying schedule remain unpaid; and,

WHEREAS, the City Council of the City of Des Moines desires to exercise the authority granted to it by Iowa Code §364.17 to certify the fees, fines, penalties, costs and interest itemized in the accompanying schedule as a lien against the rental property for collection in the same manner as a property tax; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

10

Date October 7, 2013

1. That the accompanying *Schedule of Fees, Fines, Penalties, Costs and Interest Imposed in the Enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2013-10, Activity ID 20-2014-009*, is hereby approved, confirmed and adopted with the amounts shown thereof assessed and levied against each property for collection in the same manner as a property tax.

2. That such assessments shall be payable in one installment; shall bear interest at 9.0% per annum which is the maximum rate allowed by Iowa Code Chapter §74A; the one installment of each assessment shall become due and payable on July 1, 2014, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. However, said assessment shall be payable at the office of the County Treasurer of Polk County, Iowa, in full or in part and without interest within thirty days after the first date of publication of the Notice of Filing of Schedule.

3. The City Clerk is hereby authorized and directed to certify the accompanying schedule to the County Treasurer of Polk County, Iowa, and to publish the accompanying Notice of Filing of Schedule once each week for two consecutive weeks in the Des Moines Register. The first publication of said Notice shall be made within fifteen days after the date of such certification. On or before the second publication of the Notice the Community Development Department, under the direction of the City Clerk, shall send a copy of the Notice by mail to each property owner whose property is subject to assessment, as shown by the records in the office of the county auditor, all as provided and directed by Iowa Code Section 384.60.

Moved by _____ to adopt.

JEB FORM APPROVED: Roger K. Brown
 Roger K. Brown
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED				APPROVED

 Mayor

CERTIFICATE
 I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 City Clerk

Schedule of Fees, Fines, Penalties, Costs and Interest Imposed in the Enforcement of the Neighborhood Inspection Rental Code

Special Assessment Schedule

Acceptance and Levy:

Type 29 (Housing)
Schedule No. 2013-10
Activity ID 20-2014-009
To Council
Acceptance 10/7/2013

Notice to Property Owners:

Published 10/9/2013
and 10/16/2013
Mail 10/10/2013
Rate of Interest 9.00%
Last Date to Pay
without Interest 11/8/2013
Number of
Payments 1
Roll Call # 13-

City Clerk



ASSESSMENT SCHEDULE NO: 2013-10

Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
090/03507-000-000 E 8.33 F LOT 6 & ALL LOT 7 KINGMAN ESTATE	29-01531-00	2820 KINGMAN BLVD T - GUZMAN, JORGE T - GUZMAN, MARY E	09/11/2013 Rental Inspection	\$ 381.25	\$ 35.00 \$ 35.00	\$ 416.25
080/05070-000-000 W 300 F LOT 52 OAKLAND PLAT 2	29-01532-00	1615 ARLINGTON AVE T - REAVIS, MILDRED M T - REAVIS, VICKIE L	09/11/2013 Rental Inspection	\$ 327.00	\$ 35.00 \$ 35.00	\$ 362.00
030/01492-000-000 S 45 F LOT 48 & 49 DRAKE UNIVERSITY 3RD ADD	29-01533-00	1103 24TH ST T - DEVICK, SHANE J T - DEVICK, SARAH E	09/11/2013 Rental Inspection	\$ 275.00	\$ 35.00 \$ 35.00	\$ 310.00
TOTALS				\$ 983.25	\$ 105.00	\$ 1,088.25

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST PROPERTIES FOR UNPAID RENTAL INSPECTION COSTS
SCHEDULE NO. 2013-10
ACTIVITY ID NO: 20-2014-009**

To: The Owners of the following described real estate situated in the City of Des Moines, Iowa:

LOCAL AND LEGAL DESCRIPTION

090/03507-000-000	2820 KINGMAN BLVD	E 8.33 F LOT 6 & ALL LOT 7 KINGMAN ESTATE
030/01492-000-000	1103 24TH ST	S 45 F LOT 48 & 49 DRAKE UNIVERSITY 3RD ADD
080/05070-000-000	1615 ARLINGTON AVE	W 300 F LOT 52 OAKLAND PLAT 2

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST PROPERTIES FOR UNPAID RENTAL INSPECTION COSTS
SCHEDULE NO. 2013-10
ACTIVITY ID NO: 20-2014-009**

You are hereby notified that the schedule of assessments against said property for enforcement of the neighborhood inspection rental code, Activity ID 20-2014-009, (Community Development Department) now being assessed on Schedule 2013-10, has been adopted and levied by the City Council of Des Moines, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Polk County, Iowa.

Assessments are payable in one installment, with interest on the unpaid balance, all as provided in Section 384.65, City Code of Iowa.

You are further notified that assessments may be paid in full or in part without interest at the office of the County Treasurer of Polk County, Iowa, at any time within thirty (30) days after the date of the first publication of this Notice of the Filing of the Schedule of Assessments with the County Treasurer. Unless said assessments are paid in full within said thirty-day period, all unpaid assessments will draw annual interest at 9.00 percent, commencing on the date of the adoption of the assessment schedule.

All said properties have been assessed for the cost of fees, fines, penalties, costs, and interest imposed in the enforcement of the neighborhood inspection rental code: the amount of each assessment having been set out in the Schedule of Assessments, which is now on file in the office of the County Treasurer of Polk County, Iowa. For further information you are referred to said schedule of assessments.

This notice given by direction of the Council of the City of Des Moines, Iowa, as prescribed by Section 364.17 of the City Code of Iowa.

LAST DAY TO PAY ASSESSMENT IN FULL OR IN PART AT THE POLK COUNTY TREASURER'S OFFICE WITHOUT INTEREST IS November 08, 2013.

IF YOU HAVE ANY QUESTIONS ON THIS ASSESSMENT, CALL 283-4250.

PUBLISHED IN THE DES MOINES REGISTER
10/9/2013 and 10/16/2013

This Notice is given by authority of the Council of the City of Des Moines, Iowa.

NOTE: PLEASE MAIL THE ENCLOSED INSERT ALONG WITH YOUR PAYMENT TO:

POLK COUNTY TREASURER
111 COURT AVENUE
DES MOINES, IA 50309-2298

MAKE CHECK PAYABLE TO THE POLK COUNTY TREASURER.

PLEASE DO **NOT** SEND PAYMENT TO THE CITY OF DES MOINES.