

Date August 24, 2015

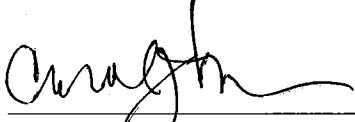
An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Sections 60-310 and 60-377, relating to referral of residential public nuisance structures and certification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

presented.

Moved by \_\_\_\_\_ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

  
 \_\_\_\_\_  
 Carol J. Moser  
 Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
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

## ORDINANCE NO. \_\_\_\_\_

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 ~~board of health~~ 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, ~~acting as the board of health.~~

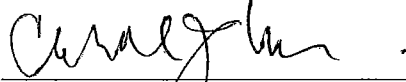
- (1) If the ~~board of health~~ city council finds that a public nuisance exists and confirms the action of the neighborhood inspection division officer, it shall direct the legal department to file an action for nuisance abatement in district court.
- (2) If the ~~board of health~~ city council finds 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 ~~board of health~~ 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 ~~board of health~~ 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