



Roll Call Number

Agenda Item Number

42D

Date March 23, 2020

ABATEMENT OF PUBLIC NUISANCE AT 1426 WAYNE STREET

WHEREAS, the property located at 1426 Wayne Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, April Adams, was notified more than thirty days ago to repair or demolish the garage structure and as of this date has failed to abate the nuisance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The garage structure on the real estate legally described as Lot 17 in Block 3 in FOUNDRY ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1426 Wayne Street, has previously been declared a public nuisance;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisance, and should the owner(s) fail to abate the nuisance, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said garage structure.

Moved by _____ to adopt.

FORM APPROVED:

Megan Norberg, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	

CERTIFICATE

I, P. Kay Cmelik, 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.

Mayor

City Clerk

Polk County Assessor

111 Court Avenue #195
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	1426 WAYNE ST				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	110/02519-000-000	Geoparcel	7924-36-427-031	Status	Active
School	Des Moines	Nbhd/Pocket	DM08/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Andrew Rand 515-286-3368		

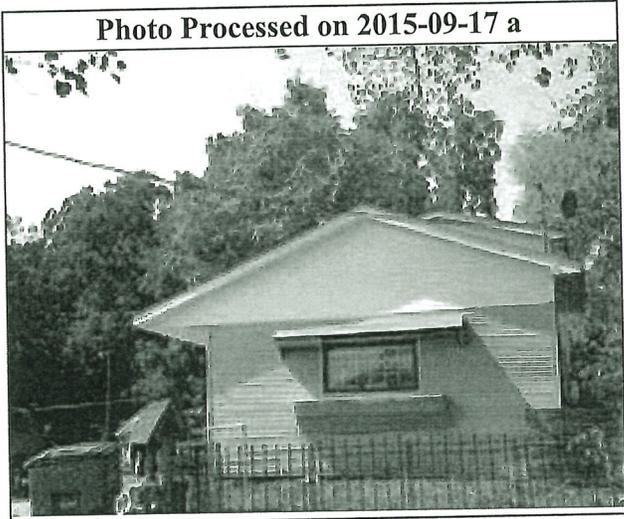
Map and Current Photos - 1 Record

Click on parcel to get a new listing

1441		
1431	1428	WAYNE ST
1429	1426	
1427	1424	
	1420	
	1418	

[Bigger Map](#) [Polk County GIS](#)
[Google Map](#) [Pictometry](#)

Photo Processed on 2015-09-17 a



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	ADAMS, APRIL	1990-07-25	6264/65

Legal Description and Mailing Address

LOT 17 BLK 3 FOUNDRY ADD	APRIL HARRIS 1426 WAYNE ST DES MOINES, IA 50316-2743
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Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$7,000	\$39,200	\$46,200

[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
2019 Homestead Credit	ADAMS, APRIL	Application #391744

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
R-2	One and Two Family Residential Districts		Residential

City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)

Land

Square Feet	5,000	Acres	0.115	Frontage	40.0
Depth	125.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #1

Occupancy	Single Family	Residence Type	1 Story Unfinished Attic	Building Style	Bungalow
Year Built	1906	Number Families	1	Grade	4-10
Condition	Normal	Total Square Foot Living Area	968	Main Living Area	968
Attic Floor and Stairs Area	100	Foundation	Masonry	Exterior Wall Type	Vinyl Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning Rooms	0	Number Bathrooms	2	Bedrooms	2
	4				

Year	Type	Permit Status	Application	Description
2010	Permit	Partial	2006-06-30	fix damage/fire (614 sf)
2010	Permit	Partial	2005-12-20	alterations/misc
2010	Permit	Partial	2005-01-28	fix damage/fire
2009	Permit	Pass/Partial	2008-07-07	fix damage/fire
2009	Permit	Pass/Partial	2006-06-30	fix damage/fire (614 sf)
2009	Permit	Pass/Partial	2005-12-20	alterations/misc
2009	Permit	Pass/Partial	2005-01-28	fix damage/fire
2008	Permit	Partial	2006-06-30	fix damage/fire (614 sf)
2008	Permit	Partial	2005-12-20	alterations/misc
2008	Permit	Partial	2005-01-28	fix damage/fire
2007	Permit	Pass/Partial	2006-06-30	fix damage/fire (614 sf)
2007	Permit	Pass/Partial	2005-12-20	alterations/misc
2007	Permit	Pass/Partial	2005-01-28	fix damage/fire
2006	Permit	Partial	2005-12-20	alterations/misc
2006	Permit	Partial	2005-01-28	fix damage/fire

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$7,000	\$39,200	\$46,200
2017	<u>Assessment Roll</u>	Residential	Full	\$6,400	\$32,600	\$39,000
2015	<u>Assessment Roll</u>	Residential	Full	\$5,800	\$30,100	\$35,900
2013	<u>Assessment Roll</u>	Residential	Full	\$5,400	\$28,200	\$33,600
2011	<u>Assessment Roll</u>	Residential	Full	\$6,100	\$14,800	\$20,900
2010	<u>Assessment Roll</u>	Residential	Full	\$6,400	\$14,500	\$20,900
2009	<u>Assessment Roll</u>	Residential	Full	\$6,400	\$11,700	\$18,100
2008	<u>Assessment Roll</u>	Residential	Full	\$6,400	\$11,700	\$18,100
2007	<u>Assessment Roll</u>	Residential	Full	\$6,400	\$6,400	\$12,800
2006	<u>Assessment Roll</u>	Residential	Full	\$5,100	\$6,000	\$11,100
2005	<u>Assessment Roll</u>	Residential	Full	\$5,100	\$29,300	\$34,400
2003	<u>Assessment Roll</u>	Residential	Full	\$4,370	\$24,920	\$29,290
2001	<u>Assessment Roll</u>	Residential	Full	\$5,030	\$21,210	\$26,240
1999	Assessment Roll	Residential	Full	\$1,560	\$17,590	\$19,150
1997	Assessment Roll	Residential	Full	\$1,410	\$15,930	\$17,340
1995	Assessment Roll	Residential	Full	\$1,270	\$14,310	\$15,580
1993	Assessment Roll	Residential	Full	\$1,160	\$13,020	\$14,180
1989	Assessment Roll	Residential	Full	\$1,160	\$12,540	\$13,700

This template was last modified on Sat Mar 4 12:31:48 2017 .



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**PUBLIC NUISANCE
NOTICE OF INSPECTION
NEIGHBORHOOD INSPECTION DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF DES MOINES, IOWA**

DATE OF NOTICE: December 18, 2019

DATE OF INSPECTION: November 01, 2019

CASE NUMBER: COD2019-07526

PROPERTY ADDRESS: 1426 WAYNE ST

LEGAL DESCRIPTION: LOT 17 BLK 3 FOUNDRY ADD

APRIL ADAMS A/K/A APRIL HARRIS
Title Holder
1426 WAYNE ST
DES MOINES IA 50316-2743

An inspection of the referenced property was conducted for its conformance to the Municipal Code of the City of Des Moines. It has been determined from that inspection that the dwelling currently constitutes not only a menace to health and safety, but is also a public nuisance. Accordingly, the dwelling will be placarded as unfit for human habitation pursuant to the Municipal Code of the City of Des Moines and the Code of Iowa.

If not occupied at the present time, the dwelling is to remain vacant and unoccupied until occupancy is authorized by this office. If the dwelling is occupied, it must be vacated immediately. If procedures to vacate the premises are not undertaken immediately upon receipt of this notice, and in no case later than seven (7) days, the City will issue a Municipal Infraction in accordance with Section 60-192 and 60-191 pursuant to the Municipal code of the City of Des Moines. Additionally, if the property had a Certificate of Inspection, it is hereby revoked.

Attached is a listing of the violations existing on the date of the inspection and a recommendation as to the remedial action required to correct such violations. The violations noted must be corrected within 30 days from date of notice. Failure to correct these violations will result in a request to the City Council to approve legal action. As a result of this public nuisance action there will be costs incurred by the City. Costs will be billed out when the nuisance has been abated. Failure to pay the costs will result in collection by assessment to the property or personal judgment.

ALL ELECTRICAL, MECHANICAL, PLUMBING, AND STRUCTURAL COMPONENTS IN NEED OF REPLACEMENT OR REPAIR, ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET CITY CODES.

Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have questions regarding permits, contact the Permit and Development Center at (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike manner. If you plan to renovate the structure and it has been vacant for a period in excess of one year, there may be zoning issues, which will affect the proposed use of the structure and/or real estate. Please contact the Development Zoning Division at (515) 283-4207 to determine what the legal use for the structure and/or the real estate is prior to commencement of any renovation.

If you believe the building is beyond repair and decide to remove it, all debris must be removed from the property and the basement excavation if any, filled in the manner required by the City. You are encouraged to arrange for this demolition yourself; however a demolition permit must be obtained from the Building Department. In the event you are unable to arrange for demolition, you may sign a waiver voluntarily authorizing the City to do so. However, the City may take a personal judgment against you for the costs of removal.

If you no longer own the property, notify us in writing of the name, address, and telephone number of the new owner. A copy of the real estate contract or deed, if it has not been recorded at the County Recorder's Office, shall likewise be furnished to the Neighborhood Inspection Division.

Should you have any questions, feel free to call. I can usually be reached between 8:00am and 9:00am, Monday through Friday.

Kevin Pyles

(515) 283-4122



Nid Inspector

DATE MAILED: 12/18/2019

MAILED BY: JDH

Areas that need attention: 1426 WAYNE ST

Component:	Soffit/Facia/Trim	Defect:	Deteriorated
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Repair/replace any rotted, missing or damaged areas.		
Component:	Shingles Flashing	Defect:	Deteriorated
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Replace roofing material. Per city code shingles limited to one layer. Any structural repairs will require a permit.		
Component:	Exterior Walls	Defect:	In disrepair
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Repair/replace any broken, missing , damaged or rotted siding.		
Component:	Windows/Window Frames	Defect:	In poor repair
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Repair/replace any missing, rotted or damaged windows/window frames and paint to match. Any repairs to the structure may require a building permit.		
Component:	Trusses	Defect:	In poor repair
Requirement:	Building Permit	Location:	Garage Throughout
Comments:	Repair/replace any damaged trusses.		
Component:	Soffit/Facia/Trim	Defect:	Absence of paint
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Scrape and paint		
Component:	Exterior Walls	Defect:	Absence of paint
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Scrape and paint		
Component:	Exterior Walls	Defect:	Improperly Installed
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Wrong materials used for exterior siding		

Component: Electrical System	Defect: In poor repair
Requirement: Electrical Permit	Location: Garage Throughout
Comments: Repair or replace	

Component: Windows/Window Frames	Defect: Improperly Installed
Requirement: Building Permit	Location: Garage Throughout
Comments: Install windows with buidling permit	

Component: Exterior Doors/Jams	Defect: Improperly Installed
Requirement: Building Permit	Location: Garage Throughout
Comments: Instal Doors with building permit	

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