



Roll Call Number

Agenda Item Number

49 A

Date April 10, 2023

ABATEMENT OF PUBLIC NUISANCE AT 1083 22nd ST.

WHEREAS, the property located at 1083 22nd St., Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, KI Properties LLC, and the Mortgage Holder, Community Choice Credit Union, were notified more than thirty days ago to repair or demolish the main structure and as of this date have failed to abate the nuisance.

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

The main structure on the real estate legally described as the West 115.66 feet of the North 75 feet of Lot 8 in Block 2 in COTTAGE GROVE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1083 22nd St., has previously been declared a public nuisance;

The City Legal Department, through Special Counsel Ahlers & Cooney, P.C., 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 structure.

Moved by _____ to adopt.

Second by _____

FORM APPROVED:

Kristine Stone, Special Counsel
Ahlers & Cooney, P.C.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

CERTIFICATE

I, LAURA BAUMGARTNER, 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

49A





49A

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	1083 22ND ST				
City	DES MOINES	Zip	50311	Jurisdiction	Des Moines
District/Parcel	030/00877-000-000	Geoparcel	7824-05-131-001	Status	Active
School	Des Moines	Nbhd/Pocket	DM95/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Cary Halfpop, ICA 515-286-2279		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

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



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	KI PROPERTIES LLC	2016-11-18	16275/888

Legal Description and Mailing Address

W 115.66F N 75F LOT 8 BLK 2 COTTAGE GROVE	KI PROPERTIES LLC 33411 335TH ST WAUKEE, IA 50263-7034
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Current Values

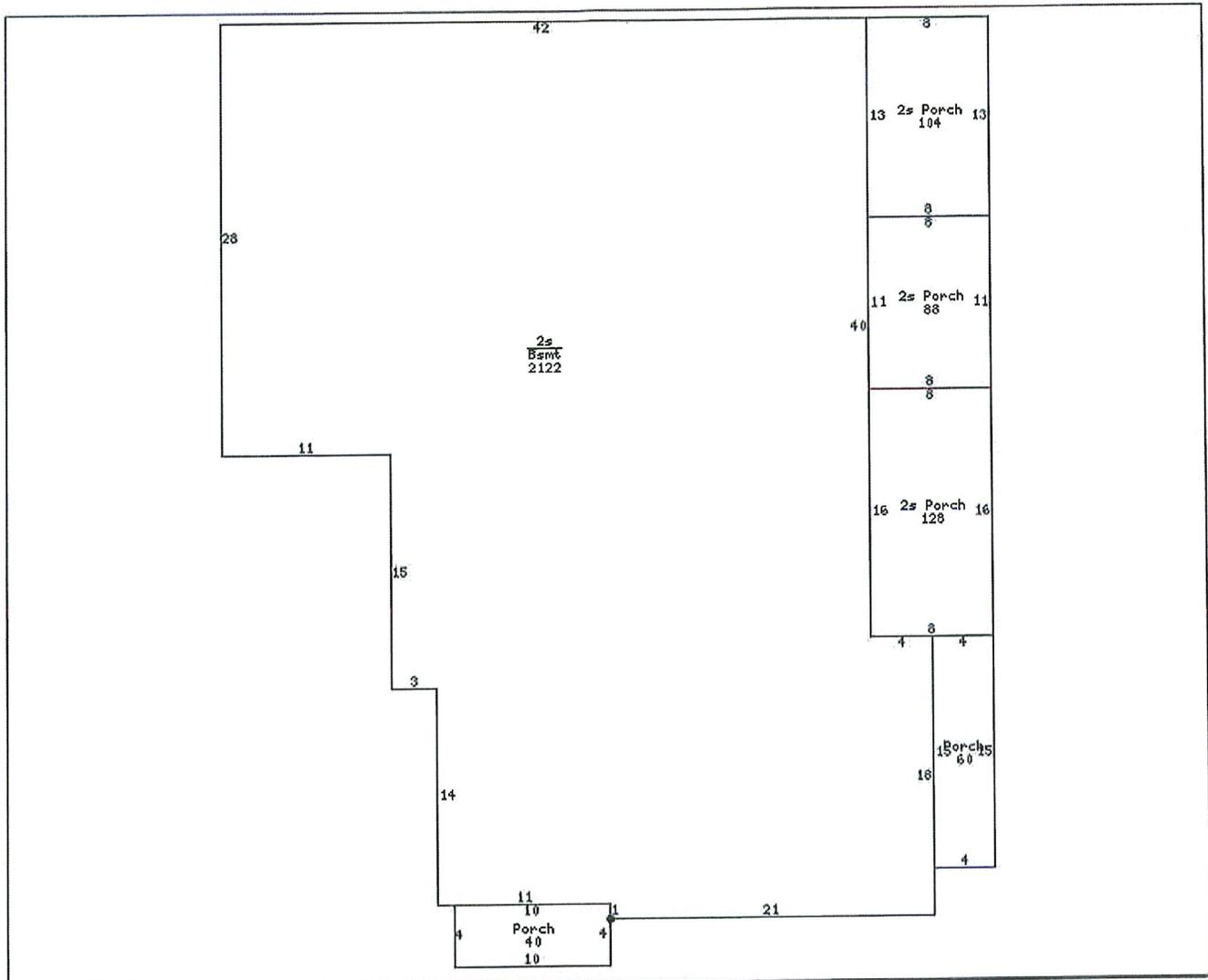
Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential 3+	Full	\$12,300	\$110,700	\$123,000

Unadjusted Cost Report

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N5	N5 Neighborhood District		Residential

Land					
Square Feet	8,700	Acres	0.200	Frontage	75.0
Depth	116.0	Topography	Blank	Shape	Rectangle
Vacancy	Blank	Unbuildable	Blank		
Residences - 1 Record					
Residence #1					
Occupancy	Conversion	Residence Type	2 Stories	Year Built	1882
Number Families	6	Grade	4+00	Condition	Below Normal
Total Square Foot Living Area	4244	Main Living Area	2122	Upper Living Area	2122
Basement Area	2122	Finished Basement Area 1	1200	Finished Basement Quality 1	Living Quarters
Total Basement Finish	1200	Open Porch Area	740	Exterior Wall Type	Metal Siding
Roof Type	Hip	Roof Material	Asphalt Shingle	Heating	Steam Heated Water
Air Conditioning	0	Number Bathrooms	6		



Commercial Summary

Occupancy	Apartment Conversion	Age, Weighted	1882	Total Story Height	2
Land Area	8,700	Gross Area	4,244	Finished Area	4,244
Unfinished Bsmt Area	2,122	Finished Bsmt Area	1,200	Number of Units	6
Primary Group	Residence Conversion	Percent Primary Group	100.00	Percent Secondary Group	0.00
Grade, Weighted	4/Grade 4	Bldg Class, Weighted	5/Metal	Condition, Weighted	BN/Below Normal
Ground Floor Area	2,122				

Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
DSMBLC HOLDINGS INC	KI PROPERTIES LLC	<u>2016-11-17</u>	\$225,000	Deed	<u>16275/888</u> Multiple Parcels

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
MARTIN, HELEN I	DSMBLC HOLDINGS INC	<u>2013-03-08</u>	\$155,000	Deed	<u>14691/768</u> Multiple Parcels

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
DSMBLC HOLDINGS INC	KI PROPERTIES LLC	2016-11-17	2016-11-18	Warranty Deed Corporate	<u>16275/888</u>
MARTIN, HELEN I	DSMBLC HOLDINGS INC	2013-03-08	2013-03-11	Warranty Deed	<u>14691/768</u>
JACKMAN, STEPHANIE J (Trustee) STEPHANIE J JACKMAN TRUST	MARTIN, HELEN I	2013-01-25	2013-01-29	Trustee Special Warranty Deed	<u>14633/977</u>

Permits - 4 Records

Year	Type	Permit Status	Application	Reason	Reason1
2016	Pickup	No Add	2013-07-02	Review Value	BOARD OF REVIEW
2015	Pickup	Pass	2013-07-02	Review Value	BOARD OF REVIEW
2014	Pickup	Pass	2013-07-02	Review Value	BOARD OF REVIEW
2003	Pickup	Complete	2003-03-17	Review Value	REVAL

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<u>Board Action</u>	Multi-Residential	Full	\$12,300	\$110,700	\$123,000
2021	<u>Assessment Roll</u>	Multi-Residential	Full	\$12,300	\$110,700	\$123,000
2019	<u>Assessment Roll</u>	Multi-Residential	Full	\$11,200	\$89,800	\$101,000
2017	<u>Assessment Roll</u>	Multi-Residential	Full	\$11,200	\$72,300	\$83,500
2015	<u>Assessment Roll</u>	Multi-Residential	Full	\$9,500	\$66,000	\$75,500
2013	<u>Board Action</u>	Multi-Residential	Full	\$9,500	\$57,500	\$67,000
2013	<u>Assessment Roll</u>	Multi-Residential	Full	\$9,500	\$107,500	\$117,000
2011	<u>Assessment Roll</u>	Multi-Residential	Full	\$9,500	\$107,500	\$117,000
2009	<u>Assessment Roll</u>	Multi-Residential	Full	\$9,500	\$122,000	\$131,500
2007	<u>Assessment Roll</u>	Multi-Residential	Full	\$9,500	\$122,000	\$131,500
2006	<u>Assessment Roll</u>	Multi-Residential	Full	\$8,500	\$123,000	\$131,500
2005	<u>Assessment Roll</u>	Multi-Residential	Full	\$8,500	\$96,500	\$105,000
2003	<u>Assessment Roll</u>	Multi-Residential	Full	\$7,380	\$85,420	\$92,800
2001	<u>Assessment Roll</u>	Multi-Residential	Full	\$6,960	\$59,300	\$66,260
1999	Assessment Roll	Multi-Residential	Full	\$8,800	\$59,300	\$68,100
1995	Assessment Roll	Multi-Residential	Full	\$8,500	\$54,900	\$63,400
1993	Assessment Roll	Multi-Residential	Full	\$8,140	\$52,260	\$60,400

Yr	Type	Class	Kind	Land	Bldg	Total
1993	Was Prior Year	Multi-Residential	Full	\$8,140	\$48,910	\$57,050

This template was last modified on Thu Jun 3 19:39:49 2021 .

49A



City of Des Moines
400 Robert D. Ray Drive
Des Moines, IA 50309

Case Number: NUIS-2022-000222	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 11/07/2022
	Date of Notice: 12/28/2022
Date of Inspection: 12/08/2022	

COMMUNITY CHOICE CREDIT UNION
6163 NW 86TH ST STE 105
JOHNSTON IA 50131

Address of Property: 1083 22ND ST, DES MOINES IA 50311
Parcel Number: 782405131001

Legal Description: W 115.66F N 75F LOT 8 BLK 2 COTTAGE GROVE

Upon inspection of the property located at and locally known as the Address of Property shown above, located in Des Moines, Iowa, ("Property"), there was/were found to be violation(s) of the Municipal Code of the City of Des Moines, Iowa. It has been determined from that inspection that the dwelling currently constitutes a danger to health and safety to the public and is a public nuisance.

We are notifying you that you have the time set out in this notice (below under "Compliance Due Date") to abate the following violation(s) and complete the required remedial action.

VIOLATION(S)

Violation	Corrective Action	Compliance Due Date
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Violation	Corrective Action	Compliance Due Date
<p>60-191 - Vacation and Abatement Any structure, dwelling, mobile home, equipment, or premise declared to be a public nuisance and unfit for human habitation or use, and so designated by the administrator, shall immediately be vacated and the nuisance shall be abated. The owner(s) shall be responsible for the vacation and abatement of the nuisance at such owner's expense. If not complied by such owner(s), then the nuisance may be abated by the city at the owner's expense. As indicated by section 60-19, the owner of land upon which a mobile home sits is a responsible owner in the event that mobile home is declared to be a public nuisance. Both the owner of the mobile home and the owner of the land upon which the mobile home sits shall be responsible for vacation and abatement of the public nuisance.</p>	<p>Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.</p> <p>* HAVE A LICENSED ELECTRICAL CONTRACTOR INSPECT THE ENTIRE ELECTRICAL SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE ELECTRICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTRE. WORK MUST BE DONE BY A LICENSED ELECTRICAL CONTRACTOR.</p> <p>*HAVE A LICENSED MECHANICAL CONTRACTOR INSPECT THE ENTIRE MECHANICAL SYSTEM AND PROVIDE A COPY OF THE FINDING. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE MECHANICAL SYSTEM. THROUGHOUT THE ENTIRE STRUCTRE. WORK MUST BE DONE BY A LICENSED MECHANICAL CONTRACTOR</p> <p>* HAVE A LICENSED PLUMBING CONTRACTOR INSPECT THE ENTIRE PLUMBING SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE PLUMBING SYSTEM THROUGHOUT THE ENTIRE STRUCTRE. WORK MUST BE DONE BY A LICENSED PLUMBING CONTRACTOR.</p>	12/30/2022
<p>60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (10) Any building or structure, because of lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the administrator to be a threat to life or health.</p>	<p>MAIN STRUCTURE THROUGHOUT Vacate and secure the structure or premises, OR, demolish the structure after obtaining required demolition permit, OR, repair or replace insufficient construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause that is a threat to life or health.</p> <p>* REPLACE ELECTRICAL WIRES BY LICENSED ELECTRICAL CONTRACTOR, OBTAIN FINAL ON ELECTRICAL PERMIT</p> <p>*REPLACE ELECTRICAL SERVICE BY LICENSED ELECTRICAL CONTRACTOR, OBTAIN FINAL ON ELECTRICAL PERMIT.</p>	12/30/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(12) - Dangerous Structure or Premise - Abandoned Whenever the condition or maintenance of the premise creates a nuisance that endangers the health and safety of the residents or public.</p>	<p>MAIN STRUCTURE THROUGHOUT Demolish the abandoned structure or premises, OR, repair, replace, or renovate the abandoned building or structure to a state such that it is no longer a nuisance or hazard to the public.</p> <ul style="list-style-type: none"> * REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND DOOR JAMS AND MUST BE IN GOOD WORKING ORDER. * REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE. * REPAIR OR REPLACE ALL DAMAGED OR MISSING DOORS AND OR JAMS AS NEEDED. OBTAIN FINAL ON PERMIT REQUIRED IF CHANGING OPENING SIZE * REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. PERMIT REQUIRED IF CHANGING OPENING SIZE. * OBTAIN FINAL ON PERMIT TO REPAIR OR REPLACE OF ANY DAMAGED OR MISSING EXTERIOR WALLS. REPAIR OR REPLACE, IN COMPLIANCE WITH INTERNATIONAL RESIDENTIAL BUILDING CODE. * OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE DAMAGE DECKING, RAILING, JOIST, BEAMS, HANDRAIL, AND STAIRS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS. * OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS. * HAVE CONTRACTOR CHECK AND OBTAIN FINAL ON PERMIT REPLACE ALL DAMAGE AND DETERIORATED TRUSSES. * REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT * REPLACE ALL DAMAGED ROOFING 	12/30/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(13) - Unsafe or dangerous structure Any structure that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or contains unsafe equipment or is so damaged, decayed dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.</p>	<p>COMPONENTS BY LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED IF REPLACING SHEETING. * REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED SIDING. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT. POSSIBLE MORE VIOLATIONS.</p>	12/30/2022
<p>60-192(15) - Unsafe or dangerous structure Any structure that the administrator determines is unfit for human occupancy meaning that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.</p>	<p>MAIN STRUCTURE THROUGHOUT Repair or replace the unsafe or unlawful structure OR demolish the structure.</p>	12/30/2022
<p>60-192(2) - Dangerous Structure or Premise - Walking Surface For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (2) The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn or loose, torn or otherwise unsafe so as to not provide safe and adequate means of egress.</p>	<p>MAIN STRUCTURE THROUGHOUT Repair or replace walking surface of any aisle, passageway, stairway, exit, or other means of egress that is unsafe and does not provide safe and adequate means of egress.</p>	12/30/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(3) - Dangerous Structure or Premise - Damaged</p> <p>For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:</p> <p>(3) Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Repair or replace any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.</p>	12/30/2022
<p>60-192(4) - Dangerous Structure or Premise - Insufficient Strength or Stability</p> <p>For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:</p> <p>(4) Any portion of a building, or any member, appurtenance or ornamentation on the exterior of the structure that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Repair or replace any portion of a building, or any member, appurtenance, or ornamentation on the exterior of the structure that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.</p>	12/30/2022
<p>60-192(6) - Dangerous Structure or Premise - Unsafe</p> <p>For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:</p> <p>(6) The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR, demolish the structure after obtaining required permit, OR repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.</p>	12/30/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(7) - Dangerous Structure or Premise - Attractive Nuisance, Harbor for Vagrants For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (7) The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.</p>	<p>MAIN STRUCTURE THROUGHOUT Vacate and secure the structure, OR, repair or replace the building or structure that is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.</p>	12/30/2022
<p>60-192(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (9) A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise is determined by the administrator to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness of disease.</p>	<p>MAIN STRUCTURE THROUGHOUT Vacate and secure the structure or premises, OR, repair, replace, and/or sanitize any building or structure determined to be unsanitary, unfit for human habitation, or in such a condition that it is likely to cause sickness or disease.</p> <p>*HAVE A LICENSED MECHANICAL CONTRACTOR INSPECT THE ENTIRE MECHANICAL SYSTEM AND PROVIDE A COPY OF THE FINDING. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE MECHANICAL SYSTEM. THROUGHOUT THE ENTIRE STRUCTRE. WORK MUST BE DONE BY A LICENSED MECHANICAL CONTRACTOR * HAVE A LICENSED PLUMBING CONTRACTOR INSPECT THE ENTIRE PLUMBING SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE PLUMBING SYSTEM THROUGHOUT THE ENTIRE STRUCTRE. WORK MUST BE DONE BY A LICENSED PLUMBING CONTRACTOR.</p>	12/30/2022

Violation	Corrective Action	Compliance Due Date
<p>60-195 - Emergency Measures to Vacate If one or more of the following exists, the administrator is hereby authorized and empowered to order and require the owner(s) and/or occupant(s) to vacate the premises immediately:</p> <p>(1) There is imminent danger of failure of collapse of a building or structure that endangers life;</p> <p>(2) Any structure or part of a structure has fallen and life is endangered by occupation of the structure; or</p> <p>(3) There is actual or potential danger to the building occupants or those in proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment.</p>	<p>MAIN STRUCTURE THROUGHOUT Immediately vacate the building or structure.</p>	<p>12/30/2022</p>

If not occupied, the structure is to remain vacant and unoccupied until occupancy is authorized by this office.

If the structure 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 may seek a court order directing you to vacate the structure, pursuant to Section 60-191 and 60-192 of the Municipal Code of the City of Des Moines, Iowa.

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. Should you have any 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 over a year, there may be zoning issues, which may affect the renovation plans. Please contact the Development Zoning Division at (515) 283-4207 to determine if there is anything you should be aware of.

If you decide to demolish the building or take the structure down, you will need a demolition permit.

If you cannot renovate or demolish the structure, contact me to discuss allowing the City to remove the structure. There will be costs billed out to you and possibly a judgment. It may be cheaper for you to remove the structure yourself.

If you no longer own this property, please let us know.

Unpaid costs may be collected by personal judgment, collection, or assessment to be collected as a property tax.

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

Thank you for your help,

Respectfully,

A handwritten signature in cursive script that reads "C McClaran".

Charles McClaran
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4143
CWMcClaran@dmgov.org



City of Des Moines
 400 Robert D. Ray Drive
 Des Moines, IA 50309

Case Number: NUIS-2022-000222	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 11/07/2022
	Date of Notice: 11/14/2022
Date of Inspection: 11/07/2022	

KI PROPERTIES LLC
 KWON PAK
 33411 335TH ST
 WAUKEE IA 50263

Address of Property: **1083 22ND ST, DES MOINES IA 50311**
 Parcel Number: **782405131001**

Legal Description: **W 115.66F N 75F LOT 8 BLK 2 COTTAGE GROVE**

Upon inspection of the property located at and locally known as the Address of Property shown above, located in Des Moines, Iowa, ("Property"), there was/were found to be violation(s) of the Municipal Code of the City of Des Moines, Iowa. It has been determined from that inspection that the dwelling currently constitutes a danger to health and safety to the public and is a public nuisance.

We are notifying you that you have the **time set out in this notice (below under "Compliance Due Date")** to abate the following violation(s) and complete the required remedial action.

VIOLATION(S)

Violation	Corrective Action	Compliance Due Date
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<p>60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (10) Any building or structure, because of lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the administrator to be a threat to life or health.</p>	<p>MAIN STRUCTURE THROUGHOUT Vacate and secure the structure or premises, OR, demolish the structure after obtaining required demolition permit, OR, repair or replace insufficient construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause that is a threat to life or health.</p> <p>* REPLACE ELECTRICAL WIRES BY LICENSED ELECTRICAL CONTRACTOR, OBTAIN FINAL ON ELECTRICAL PERMIT</p> <p>*REPLACE ELECTRICAL SERVICE BY LICENSED ELECTRICAL CONTRACTOR, OBTAIN FINAL ON ELECTRICAL PERMIT.</p>	12/30/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(12) - Dangerous Structure or Premise - Abandoned Whenever the condition or maintenance of the premise creates a nuisance that endangers the health and safety of the residents or public.</p>	<p>MAIN STRUCTURE THROUGHOUT Demolish the abandoned structure or premises, OR, repair, replace, or renovate the abandoned building or structure to a state such that it is no longer a nuisance or hazard to the public.</p> <ul style="list-style-type: none"> * REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND DOOR JAMS AND MUST BE IN GOOD WORKING ORDER. * REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE. * REPAIR OR REPLACE ALL DAMAGED OR MISSING DOORS AND OR JAMS AS NEEDED. OBTAIN FINAL ON PERMIT REQUIRED IF CHANGING OPENING SIZE * REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. PERMIT REQUIRED IF CHANGING OPENING SIZE. * OBTAIN FINAL ON PERMIT TO REPAIR OR REPLACE OF ANY DAMAGED OR MISSING EXTERIOR WALLS. REPAIR OR REPLACE. IN COMPLIANCE WITH INTERNATIONAL RESIDENTIAL BUILDING CODE. * OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE DAMAGE DECKING, RAILING, JOIST, BEAMS, HANDRAIL, AND STAIRS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS. * OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS. * HAVE CONTRACTOR CHECK AND OBTAIN FINAL ON PERMIT REPLACE ALL DAMAGE AND DETERIORATED TRUSSES. * REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT * REPLACE ALL DAMAGED ROOFING 	12/30/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(13) - Unsafe or dangerous structure Any structure that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or contains unsafe equipment or is so damaged, decayed dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.</p>	<p>COMPONENTS BY LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED IF REPLACING SHEETING. * REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED SIDING. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT. POSSIBLE MORE VIOLATIONS.</p>	12/30/2022
<p>60-192(15) - Unsafe or dangerous structure Any structure that the administrator determines is unfit for human occupancy meaning that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.</p>	<p>MAIN STRUCTURE THROUGHOUT Repair or replace the unsafe or unlawful structure OR demolish the structure.</p>	12/30/2022
<p>60-192(2) - Dangerous Structure or Premise - Walking Surface For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (2) The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn or loose, torn or otherwise unsafe so as to not provide safe and adequate means of egress.</p>	<p>MAIN STRUCTURE THROUGHOUT Repair or replace walking surface of any aisle, passageway, stairway, exit, or other means of egress that is unsafe and does not provide safe and adequate means of egress.</p>	12/30/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(3) - Dangerous Structure or Premise - Damaged For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (3) Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.</p>	<p>MAIN STRUCTURE THROUGHOUT Repair or replace any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.</p>	12/30/2022
<p>60-192(4) - Dangerous Structure or Premise - Insufficient Strength or Stability For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (4) Any portion of a building, or any member, appurtenance or ornamentation on the exterior of the structure that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.</p>	<p>MAIN STRUCTURE THROUGHOUT Repair or replace any portion of a building, or any member, appurtenance, or ornamentation on the exterior of the structure that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.</p>	12/30/2022
<p>60-192(6) - Dangerous Structure or Premise - Unsafe For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (6) The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.</p>	<p>MAIN STRUCTURE THROUGHOUT Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR, demolish the structure after obtaining required permit, OR repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.</p>	12/30/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(7) - Dangerous Structure or Premise - Attractive Nuisance, Harbor for Vagrants For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (7) The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.</p>	<p>MAIN STRUCTURE THROUGHOUT Vacate and secure the structure, OR, repair or replace the building or structure that is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.</p>	12/30/2022
<p>60-192(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (9) A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise is determined by the administrator to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness of disease.</p>	<p>MAIN STRUCTURE THROUGHOUT Vacate and secure the structure or premises, OR, repair, replace, and/or sanitize any building or structure determined to be unsanitary, unfit for human habitation, or in such a condition that it is likely to cause sickness or disease.</p> <p>*HAVE A LICENSED MECHANICAL CONTRACTOR INSPECT THE ENTIRE MECHANICAL SYSTEM AND PROVIDE A COPY OF THE FINDING. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE MECHANICAL SYSTEM. THROUGHOUT THE ENTIRE STRUCTRE. WORK MUST BE DONE BY A LICENSED MECHANICAL CONTRACTOR * HAVE A LICENSED PLUMBING CONTRACTOR INSPECT THE ENTIRE PLUMBING SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE PLUMBING SYSTEM THROUGHOUT THE ENTIRE STRUCTRE. WORK MUST BE DONE BY A LICENSED PLUMBING CONTRACTOR.</p>	12/30/2022

Violation	Corrective Action	Compliance Due Date
<p>60-195 - Emergency Measures to Vacate If one or more of the following exists, the administrator is hereby authorized and empowered to order and require the owner(s) and/or occupant(s) to vacate the premises immediately:</p> <p>(1) There is imminent danger of failure of collapse of a building or structure that endangers life;</p> <p>(2) Any structure or part of a structure has fallen and life is endangered by occupation of the structure; or</p> <p>(3) There is actual or potential danger to the building occupants or those in proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment.</p>	<p>MAIN STRUCTURE THROUGHOUT Immediately vacate the building or structure.</p>	<p>12/30/2022</p>

If not occupied, the structure is to remain vacant and unoccupied until occupancy is authorized by this office.

If the structure 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 may seek a court order directing you to vacate the structure, pursuant to Section 60-191 and 60-192 of the Municipal Code of the City of Des Moines, Iowa.

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. Should you have any 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 over a year, there may be zoning issues, which may affect the renovation plans. Please contact the Development Zoning Division at (515) 283-4207 to determine if there is anything you should be aware of.

If you decide to demolish the building or take the structure down, you will need a demolition permit.

If you cannot renovate or demolish the structure, contact me to discuss allowing the City to remove the structure. There will be costs billed out to you and possibly a judgment. It may be cheaper for you to remove the structure yourself.

If you no longer own this property, please let us know.

Unpaid costs may be collected by personal judgment, collection, or assessment to be collected as a property tax.

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

Thank you for your help,

Respectfully,

A handwritten signature in black ink that reads "C McClaran". The signature is written in a cursive style with a large initial "C" and a stylized "McClaran".

Charles McClaran
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4143
CWMcClaran@dmgov.org