

RESOLUTION 05-2024

WHEREAS, the City of Leon, Kansas, has determined that this property has a junked motor vehicle on private property that is a health, safety, and general welfare of the citizens and a blight to the neighborhood that exists upon the following described real estate as defined in the Code of the City, Section 8-203(a)(1)(3): 302 East Charles Street, Leon, Kansas.

WHEREAS the owner(s), Clay Hardenbrook, has been notified of such by the City in writing and failed to abate the conditions fully as requested;

WHEREAS the owner, Clay Hardenbrook, has been cited in the past, failed to appear in the Municipal Court of Leon, Ks., and has been charged fines.

WHEREAS the Leon Code Enforcement/Public Officer, Geri Ebersohl, determined the property has a junked motor vehicle on private property that is a health, safety, and general welfare of the citizens and a blight to the neighborhood that exists for the residents of the community or conditions which are detrimental to adjoining property, the neighborhood or the city on May 30, 2024;

WHEREAS the owner(s), Clay Hardenbrook., was mailed certified notification of the city's determination that the property is a blight to the neighborhood and community and has conditions that are injurious to the health, safety, and general welfare of the residents of the community or conditions which are detrimental to adjoining property, the neighborhood or the city;

WHEREAS the owner(s), Clay Hardenbrook, failed to accept the certified mail. The letter was mailed 1<sup>st</sup> class on July 17, 2024.

WHEREAS the City of Leon governing body has allowed Clay Hardenbrook, more time, in the past, as he has requested to alleviate the conditions but have failed to do so;

WHEREAS the City of Leon Code allows in addition to or as an alternative to prosecution, the Code enforcement officer/Public officer to pursue abatement of the violation by adoption of a resolution authorizing the City to abate the conditions at the end of ten (10) days after the personal service of the owner and/or at the end of ten (10) business days after passage of the resolution;

WHEREAS the City of Leon has tried to certify mail to no avail and has had no response from 1st class mailing, the City of Leon will have this Resolution published in the official city newspaper([www.cityofleon.org](http://www.cityofleon.org)) for two consecutive weeks and post a copy of the resolution on the premises.

THEREFORE, be it resolved by the Governing Body of the City of Leon, Kansas, that the City, if after the additional ten (10) days, it is necessary to abate the conditions to improve the premises to eliminate the conditions, place a lien upon the property for the costs of the abatement that the city clerk certify such costs to the county clerk for assessment to the property taxes of the described property;

IN ADDITION, be it resolved by the Governing Body of the City of Leon, Kansas, that the public officer may file a complaint in the municipal court against any person found to be in violation of section 8-203(a)(1)(3). Upon such complaint in the municipal court, if found to be in violation of section 8-203(a)(1)(3) shall upon conviction be punished by a fine of not less than \$50 nor more than \$100 per day, or by imprisonment, for not more than 30 days, or by both such fine and imprisonment, for each offense. A separate offense shall be deemed committed on each day during or on which such violation is permitted to exist.

ADOPTED by the Governing Body of the City of Leon, Kansas, this 5<sup>th</sup> day of August 2024.

ATTEST:

  
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Jodie Laidler, City Clerk

  
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Kristina Semisch, Mayor