

RESOLUTION 30-2024

WHEREAS the City of Leon, Kansas, has determined that this property has an exterior condition (yard) & (structure) that is a blight to the neighborhood that exists upon the following described real estate as defined in the Code of the City, Section 8-301 and Section 8-608: 315 W North St., Leon, Ks. 67074.;

WHEREAS the owner(s), Charles and Teresa Jimenez, were notified of such by the City in writing numerous times since October 2023 and failed to abate the conditions fully as requested;

WHEREAS the owner(s), Charles and Teresa Jimenez, have been notified numerous times in the year 2024 about the non-compliance with the current city codes and have failed to abate the conditions fully as requested;

WHEREAS the Leon Code Enforcement/Public Officer, Geri Ebersohl, determined the property is a blight to the neighborhood and community and has conditions that are injurious to the health, safety, or general welfare of the residents of the community or conditions that are detrimental to adjoining property, the neighborhood or the city on June 27, 2024;

WHEREAS the owner(s), Charles and Teresa Jimenez, were certified mailed on July 3, 2024, 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, or 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), Charles and Teresa Jimenez, signed for the certified letter on July 10, 2024;

WHEREAS the owner(s), Charles and Teresa Jimenez, did not request a public hearing within the allotted given but instead worked with the Code Enforcement Officer to try to become compliant;

WHEREAS the owner(s), Charles and Teresa Jimenez, did not become fully compliant with the current city codes and, from a document requested per the Kansas Open Records Act, the city was made aware of the Butler County of Kansas findings in 2019 and 2023 of the property;

WHEREAS, per the owner(s), Charles and Teresa Jimenez's writing stated they bought the property @ Sheriff sale;

WHEREAS per the owner(s) Charles and Teresa Jimenez, per their admission, the property is only, in their opinion, worth \$15,000;

WHEREAS the County personnel who held the hearing, with Charles and Teresa Jimenez appearing in person, said the property needs major house repair, no heat/AC system, and a damaged floor and hole in the roof. There is no working bathroom at the time of purchase, and they would have to repair that and a hole in the roof from leaking; there is no heating unit. The outbuildings were made from rotting wood and were not in good repair;

WHEREAS the County, at the time, adjusted the property value of the buildings from \$40,200 to \$14,880, a difference of \$25,320 for tax revenue allotted to the same entities everyone else is required to pay while having their properties in compliance with the city codes.

WHEREAS the City of Leon governing body has allowed Charles and Teresa Jimenez numerous extensions and more time, also in the past, as they requested to alleviate the conditions but has failed to do so entirely;

WHEREAS the City of Leon did, at their own cost, have the yard brought to compliance by hiring someone to do so;

WHEREAS the City of Leon governing body allows thirty (30) days to provide a signed written report, at their cost, from a Licensed Structural Inspector to show the structures located at 315 W. North St., Leon, Kansas fit to be lived in or used as the purpose that was listed at the time of sale and not inhabitable;

WHEREAS the City of Leon governing body will begin abatement processes if the inspection report is not received within thirty (30) days from this passage of the Resolution;

WHEREAS if the report shows the structure(s) is not habitable, the process of abatement will begin thirty (30) days after the report is provided if the governing body does not approve a plan of repair;

Whereas if the report shows the house is habitable, the governing body will allow thirty (30) from the inspection report to present a plan to correct all non-compliance items with the property and present it to the governing body to approve or correct;

WHEREAS the City of Leon Code allows, in addition to or as an alternative to prosecution, the above set out conditions in this Resolution;

THEREFORE, be it resolved by the Governing Body of the City of Leon, Kansas, that the City, if after the times given, it is necessary to abate the conditions to improve the premises to eliminate the conditions, will 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, if it is resolved by the Governing Body of the City of Leon, Kansas, the public officer may file a complaint in the municipal court against any person found to violate Section 8-301 and Section 8-608. Upon such complaint in the municipal court, if found to violate Section 8-301 and Section 8-608 shall upon conviction, be punished by a fine of not less than \$100 nor more than \$100, 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 4th day of November 2024.

Kristina Semisch

Kristina Semisch, Mayor

ATTEST:

Jodie Laidler

Jodie Laidler, City Clerk

