**RESOLUTION NO. 22-266**

**A RESOLUTION AUTHORIZING THE CITY CLERK TO CERTIFY ASSESSMENTS AGAINST PROPERTIES TO THE POTTAWATTAMIE COUNTY TREASURER FOR UNREIMBURSED COSTS INCURRED BY THE CITY FOR THE ABATEMENT OF WEEDS AND THE REMOVAL OF SOLID WASTE NUISANCES UPON PROPERTIES AND DIRECTING THEM TO BE COLLECTED IN THE SAME MANNER AS A PROPERTY TAX.**

**WHEREAS,** Council Bluffs' City Ordinance No. 4849, passed and approved by the Council Bluffs City Council on April 15, 1988, requires all property owners within the City of Council Bluffs, Iowa, to cut or destroy all weeds exceeding 18 inches in height; and

**WHEREAS,** Council Bluffs' City Ordinance No. 5219 and 5220, passed and approved by the Council Bluffs City Council on May 22, 1995, requires all property owners to abate any solid waste nuisance upon public right-of-way of materials stored for more than 24 hours, or materials stored on private property for more than 3 days; and

**WHEREAS,** all property owners in Council Bluffs were notified of the above requirements, and owners of properties out of compliance with the above requirements were notified, given time to remediate matters, and subsequently failed to abate or remove the nuisances in the allotted time; and

**WHEREAS,** the City, through its contractors, has attempted to cut or destroy all weeds exceeding 18 inches and/or has removed all solid waste materials in violation; and

**WHEREAS,** more than ten days have elapsed since the City has billed each property owner by mail for the cost of abatement of weeds or solid waste materials from their properties; and

**WHEREAS,** the cost of abatement or removal on these properties has been incurred by the City and remains unpaid; and

**WHEREAS,** the City Council may have these unpaid costs assessed against the properties pursuant to CBMC 4.19.030 and 10.02.070 as authorized by Iowa Code §364.

**NOW, THEREFORE, BE IT RESOLVED**
**BY THE CITY COUNCIL**
**OF THE**
**CITY OF COUNCIL BLUFFS, IOWA**

That the unreimbursed costs incurred by the City for the abatement of weeds and solid waste materials found upon the properties be assessed against said properties; and

**BE IT FURTHER RESOLVED**

That the City Clerk is hereby authorized, empowered and directed to certify assessments against said properties to the Pottawattamie County Treasurer to be collected in the same manner as a property tax.

ADOPTED
AND October 24, 2022.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk