Council Communication

Department: Community Development	Resolution _____	City Council: 12-17-18

Subject/Title

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 upon properties and directing them to be collected in the same manner as a property tax.

Background/Discussion

This item is a resolution assessing $8,093.00 in unpaid costs of weed abatement against these properties. It is recommended that Council pass this resolution.

The properties were inspected by personnel of the Building Division and found to contain weeds, brush and/or debris in violation of City Ordinance 4.19.010 or 8.54.010. The titleholder of record was notified by mail of the violation and given at least seven (7) days to abate the nuisance.

Upon failure of the owner to comply with the notice the property was referred to the City contractor who abated the weeds, brush and/or debris. The City was billed for this work and has paid the contractor. We have in turn sent a statement to the titleholder of record requesting payment of this amount plus the cost to the City for enforcing the ordinance. To date, payment has not been received and at least ten (10) days have elapsed from the date of billing.

The Council has for the past thirty-seven years assessed all costs of weed abatement against other properties.

City ordinance states that these unpaid costs "may be assessed, therefore, there are two major alternatives possible:

1. Take no action: The cost of the abatement at these properties will be paid from the general fund. The cost will be spread among all taxpayers including the vast majority who care for their property and keep it cut.

2. Assess the costs to the specific property: The responsible property owner will bear the cost of failing to comply with City ordinance (unless they choose not to pay the taxes). In addition to all costs incurred, an additional $5.00 has been added to each amount to help pay for the extra work involved in the assessment process.

Recommendation

Brandon Garrett, Director of the Community Development Department is recommending that the Council adopt alternative 2: Assessment of all costs against the properties. This resolution accomplishes this alternative.

Attachments

1. Weed Abatement - 4th Quarter - 2018 Lien List

Submitted by: Cindy Clark, Administrative Secretary
Approved by: Brandon Garrett, Director