

**Ordinance No. 2024-305**

AN ORDINANCE AMENDING THE CITY OF KEOTA, IOWA, 2017 MUNICIPAL CODEBOOK OF ORDINANCES – NUISANCES

**BE IT ENACTED** by the City council of the city of Keota, Iowa:

**SECTION 1.** Title III, Chapter 2, Section 7, 9, and 10 of the City of Keota, Iowa, 2017 Municipal Codebook of Ordinances, is hereby repealed and the following adopted in lieu thereof:

**3-2-7 REQUEST FOR HEARING AND APPEAL**

Any person ordered to abate a nuisance or condition may request a hearing before the City Council. A request for a hearing must be made in writing filed in person with the City Clerk's office within 5 business days from receiving notice of abatement. Failure to file a request for hearing within 5 business days results in forfeiture of a right to a hearing.

The City Council shall, at the request of a hearing, hold a hearing within 7 days from receipt of a hearing request.

**3-2-9 ABATEMENT BY MUNICIPALITY**

If the person notified to abate a nuisance or condition neglects or fails to abate as directed, the City may perform the required action to abate, keeping an accurate account of the expense incurred. The itemized expense account shall be filed with the City Clerk, who shall pay such expenses on behalf of the municipality. No person shall interfere with the Mayor, authorized city administrator, or contractor hired by the City of Keota while engaged in the enforcement of this chapter.

(Code of Iowa, Sec. 364.12(3)(h))

**3-2-10 COLLECTION OF COST OF ABATEMENT**

The Clerk shall mail a statement of the total expense incurred to the property owner who has failed to abide by the notice to abate, and if the amount shown by the statement has not been paid within ~~one month~~ 30 days, the City Clerk shall certify the costs to the County Treasurer and they shall then be collected with, and in the same manner, as general property taxes.

(Code of Iowa, Sec. 364.12(3)(h))

**SECTION 2. REPEALER.** That all other ordinances or parts of ordinances in conflict herewith are repealed.

**SECTION 3. SEVERABILITY CLAUSE.** That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Keota, Iowa, hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrased be declared unconstitutional.

**SECTION 4. WHEN EFFECTIVE.** This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved by the Keota City council on the 20<sup>st</sup> day of May, 2024.

  
ANTHONY CANSLER, MAYOR

First Reading: May 20, 2024

Voting to skip 2<sup>nd</sup> and 3<sup>rd</sup> Reading:

M Burroughs 2<sup>nd</sup> McDonald  
Ayl Conrada Bender  
Greiner Absent

ATTEST:

*Alycia A Horras*  
ALYCIA A HORRAS, CITY ADMINISTRATOR

<b>ROLL CALL VOTE</b>				
<b>COUNCIL MEMBER NAME</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>MIKE BENDER</b>	✓			
<b>KEITH CONRAD</b>	✓			
<b>MATT GREINER</b>				✓
<b>CURT BURROUGHS</b>	m ✓			
<b>HEATH MCDONALD</b>	2nd ✓			

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