ORDINANCE NO. 1098

AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED AT LOT TEN (10), OF BLOCK NINE (9), OF THE ORIGINAL TOWNSITE OF BELLEVILLE, KANSAS COMMONLY KNOWN AND REFERRED TO AS 1606 N ST, BELLEVILLE KANSAS; AUTHORIZING THE FINANCING OF THE COSTS OF SUCH REMOVAL, AND THE LEVYING OF SPECIAL ASSESSMENTS AGAINST THE LOTS OR PARCELS OF LAND ON WHICH SUCH STRUCTURES ARE LOCATED.

WHEREAS, the governing body did after proper notice and hearing as provided by law make findings by Resolution No. 2026-028 dated the 28th day of September, 2026, that the structures hereinafter described are unsafe and dangerous and did direct the owner of such structures to repair or remove the same and make the premises safe and secure, together with a statement that if the owner failed to commence the repair or removal within the time fixed by such resolution or failed to diligently prosecute the same until the work was completed, the city would cause the structures to be razed and removed, and

WHEREAS, such resolution was published in the official city newspaper and copies of such resolution were mailed to each owner, agent lien-holder of record and occupant of such structures and all other parties having any legal or equitable interest in the property, or was otherwise served as required by law, and

WHEREAS, the owner has wholly failed to commence the removal of said structures;

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BELLEVILLE, KANSAS:

Section 1. The enforcing officer is hereby authorized and directed to cause the structures located at:

LOT TEN (10), OF BLOCK NINE (9), OF THE ORIGINAL TOWNSITE OF BELLEVILLE, KANSAS COMMONLY KNOWN AND REFERRED TO AS 1606 N ST,,

of said city to be razed and removed and the premises made safe and secure, and for this purpose is authorized to invite bids, negotiate a contract, or cause the work to be done by city employees.

Section 2. The enforcing officer shall keep an account of the costs of the work and may sell the salvage from such structures and shall keep an account of the receipts therefrom as provided by law.

Section 3. All costs incurred by the city in the razing and removal of such structures and the making of the premises safe and secure shall be paid from moneys received from the sale of salvage therefrom and all moneys in excess of that necessary to pay such cost shall, after the payment of all costs, be paid to the owner of the premises upon which said structures were located; PROVIDED, that if there is no salvage or if the proceeds received from the sale of the salvage are insufficient to pay the costs of such work, such costs or any portion thereof in excess of the amount received from the sale of salvage shall be assessed as a special assessment against the lots or parcels of land on which the structures were located and may be financed until the assessment is paid out of the general fund of the city and/or may be pursued as a personal debt pursuant to the procedure allowed by K.S.A. 12-1, 115 and any amendments thereto.

Section 4. This Ordinance shall be in full force and effect from and after its adoption and publication in the official city newspaper.

ADOPTED AND APPROVED by the Governing body, this 9th day of November, 2026.

James Doyle, Mayor

ATTEST:
Russell Piroutek, City Clerk