ORDINANCE NO. 190 (2024/2025)

AN ORDINANCE TO AMEND CHAPTER 50: NUISANCE ABATEMENT PROCEDURE

BE IT ORDAINED by the City Council of the City of Kelley, Iowa, that:

SECTION 1. The Code of Ordinances is amended by adding #14: Accumulation of Junk AND #15: Failure to Maintain Structures under Chapter 50.02: entitled Nuisances Enumerated; the text of the revised section being set forth in Section 2 below.

SECTION 2. The text of the section shall be as follows:

50.02 NUISANCES ENUMBERATED. The following subsections include, but do not limit, the conditions that are deemed to be nuisances in the City:

14. ACCUMULATION OF JUNK. The accumulation of junk, may include but not limited to, refuse, trash, paper, cardboard, building materials, scrap lumber, inoperable or currently unlicensed vehicles or trailers; unused vehicle or machine parts or components; unused or unusable equipment, fixtures or appliances; unsightly or broken furniture, in the yard area; and any and all other similar items to the extent that the overall appearance is adversely impacting the economic fair market value of other properties in the immediate vicinity. (See also Chapter 51).

15. FAILURE TO MAINTAIN STRUCTURES. Failure to properly maintain one or more structures on the premises to the extent that the structures deteriorate to a sub-standard state of repair as evidenced by one or more of the following: broken or rotted siding, defective or missing shingles, broken, cracked or missing windows or doors or panes of glass in the window or doors; dilapidated structural members, foundation or chimney components; siding that is in serious need of re-painting to the extent that the lack of paint is substantial, immediately noticeable and renders the structure unsightly and constitutes an eyesore; all of which, taken together as a whole, renders the structure or structures or to the extent that the overall appearance of the structures may tend to adversely impact the economic fair market value of tother properties in the immediate vicinity. A failure to complete an addition or remodeling project in a reasonable time and as limited by the applicable building permit or other limitations of this Code, which failure to complete renders the premises unsightly and offensive to the senses is also a violation of this subsection.

SECTION 3. REPEALER. All ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision, or other portion of this Ordinance is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or the remaining sections or portions thereof which are not specifically adjudged invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be in effect after its final reading, passage, approval, and publication as provided by law.

Passed and approved by the Kelley City Council on this _____ day of _____, 2025.

_____

Jackie Sapp, Mayor

ATTEST:

_____

Jaeda Davies, City Clerk

First Reading: _____
Second Reading: _____
Third Reading: _____
Publication Date: _____