

RESOLUTION NO. 2021-6

RESOLUTION ESTABLISHING THE NOTIFICATION AND ADMINISTRATIVE ABATEMENT PROCESS FOR NON-COMPLIANCE WITH ESTABLISHED CITY ORDINANCES AND RESOLUTIONS.

WHEREAS, The City Council of Woodward has passed Resolution No. 2021-5 Establishing Civil Penalties for Noncompliance with Established City Ordinances and Resolutions and;

WHEREAS, The City of Woodward has established Chapter 50 – “Nuisance Abatement Procedure” in the Code of Ordinances for Woodward, Iowa and;

WHEREAS, The City of Woodward has established Chapter 51 – “Junk and Junk Vehicles” in the Code of Ordinances for Woodward, Iowa and;

WHEREAS, The City of Woodward has established Chapter 151 – “Trees” in the Code of Ordinances for Woodward, Iowa and;

WHEREAS, The City of Woodward has established Chapter 155 – “Property Maintenance Code” in the Code of Ordinances for Woodward, Iowa and;

WHEREAS, Ordinance 19-392 amending the Section 155.06(1) Maintenance of Premises (Grass Height) declaring weeds or grasses in height of greater than six (6) inches, uncontrolled brush and tree growth, or any accumulations of dead weeds or grass are declared a nuisance and;

WHEREAS, Ordinance 19-395 amending the Section 155.06(11) Parking on Un-surfaced Portion of Yard and;

WHEREAS, This Resolution allows for the establishment of a remediation process for City Ordinance and Resolution non-compliance. This process may be in addition to any possible civil penalties and;

WHEREAS, This Resolution shall establish the following process of City Ordinance and/or Resolution non-compliance.

Informal Notification: Upon identification of non-compliance, the person(s) responsible for the property where the non-compliance resides will be informally notified by at least two city representatives. These representatives may consist of the Mayor, a current sitting City Council Member, the Public Works director and/or a member of the Woodward Police Department. Informal Notification can be completed verbally, in person or in writing. In general, the responsible party will have 7 days, (or as otherwise specified by Resolution or Ordinance), to correct, remove or address the non-compliance violation unless otherwise specified by Resolution or Ordinance for specific instances of non-compliance. If after 7 days, (or as otherwise specified by Resolution or Ordinance), remediation has not been completed, Formal Notification may occur.

Formal Notification: The person(s) responsible for the property where the non-compliance resides will be formally notified in writing. Notification may be served by personal service as provided by Rule of Civil Procedure 1.305, by certified mail addressed to the person(s) responsible at their last known mailing address, return receipt requested, or if service cannot be made by either method, by posting a notice in a conspicuous place on the property. If after 7 additional days, (or as otherwise specified by Resolution or Ordinance), action to correct, remove or address the non-compliance has not been completed, civil penalties may be assessed and additional abatement actions may be undertaken.

Each period of 7 days (or as otherwise specified by Resolution or Ordinance) that the non-compliance is permitted to exist constitutes a repeat offense.

Abatement Procedures for non-compliance Weeds and Grasses: If after both the Informal and Formal Notification periods have expired, the City Compliance Officer may direct that abatement actions take place with utilizing the contracted services or city public works staff, as deemed appropriate. Fees will be assessed at the contracted rate plus a \$35 administration fee.

Abatement Procedures for non-compliance Trees and Limbs: If after both the Informal and Formal Notification periods have expired, the City Compliance Officer may direct that abatement actions take place with utilizing the contracted services or city public works staff, as deemed appropriate. Fees will be assessed at the contracted rate plus a \$35 administration fee.


Abatement Procedures for non-compliance Junk: If after both the Informal and Formal Notification periods have expired, the City Compliance Officer may direct that abatement actions take place with utilizing the contracted services or city public works staff, as deemed appropriate. Fees will be assessed at the contracted rate plus a \$35 administration fee.

Abatement Procedures for non-compliance Junk Vehicles: If after both the Informal and Formal Notification periods have expired, the City Compliance Officer may direct that abatement actions take place with utilizing the contracted services or city public works staff, as deemed appropriate. Fees will be assessed at the contracted rate plus a \$35 administration fee.

SECTION ONE: The City of Woodward shall, and it does hereby, approve this Administrative Abatement Process for noncompliance of established City Ordinances and Resolutions.


SECTION TWO: That this Resolution shall be in full force and effect from April 12, 2021.

PASSED and APPROVED THIS 12th day of April, 2021.



Todd Folkerts, Mayor

ATTEST:



Angie Hoyt, City Clerk