

TENTATIVE AGENDA  
OTTUMWA BOARD OF HEALTH

MEETING NO. 6  
Council Chambers, City Hall

September 6, 2022  
5:30 O'clock P.M.

ROLL CALL: Council Member Pope, Roe, Galloway, McAntire, Hull and Mayor Johnson.

Approval of Minutes 1. Approve the minutes from Meeting No. 5 on July 5, 2022 as presented.

RECOMMENDATION: Approve the minutes.

Condemnation Hearing 2. This is the time, place and date set to consider condemnation of the structures on the property located at 115 S. Adella in the City of Ottumwa, Wapello County, Iowa.

115 S. Adella

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 115 S. Adella, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

RECOMMENDATION: Approve the condemnation of the structures located at 115 S. Adella.

Condemnation Hearing 3. This is the time, place and date set to consider condemnation of the structures on the property located at 1019 W. Third Street in the City of Ottumwa, Wapello County, Iowa.

1019 W. Third

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 1019 W. Third Street, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

RECOMMENDATION: Approve the condemnation of the structures located at 1019 W. Third Street.

Condemnation Hearing 4. This is the time, place and date set to consider condemnation of the structures on the property located at 510 North Court Street in the City of Ottumwa, Wapello County, Iowa.

510 N. Court

- A. Open hearing for comments.

- B. Close the public hearing.
- C. Condemn the structures located at 510 North Court Street, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

RECOMMENDATION: Approve the condemnation of the structures located at 510 North Court Street.

Adjourn

5. Adjournment.



[ CITY OF ]  
O T T U M W A

**FAX COVER SHEET**

City of Ottumwa

DATE: 9/2/22 TIME: 9:00 AM NO. OF PAGES 3  
(Including Cover Sheet)

TO: News Media CO: \_\_\_\_\_

FAX NO: \_\_\_\_\_

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Board of Health Meeting #6 to be held on 9/6/2022 at 5:30 P.M.

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\*\*\* FAX MULTI TX REPORT \*\*\*  
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JOB NO. 1748  
DEPT. ID 4717  
PGS. 3

TX INCOMPLETE -----  
TRANSACTION OK -----

ERROR 96847834  
916606271885  
96823269  
96828482

Ottumwa Courier  
KTVO  
Ottumwa Waterworks  
Tom FM



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FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Board of Health Meeting #6 to be held on 9/6/2022 at 5:30 P.M.

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\*\*\* TX REPORT \*\*\*  
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JOB NO. 1748  
DEPT. ID 4717  
ST. TIME 09/02 09:05  
SHEETS 3  
FILE NAME  
TX INCOMPLETE -----  
TRANSACTION OK -----  
ERROR 96847834  
916606271885  
96823269  
96828482

Ottumwa Courier  
KTVO  
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CITY OF  
OTTUMWA

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FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Board of Health Meeting #6 to be held on 9/6/2022 at 5:30 P.M.

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\_\_\_\_\_  
\_\_\_\_\_

OTTUMWA BOARD OF HEALTH MINUTES

MEETING NO. 5  
Council Chambers, City Hall

July 5, 2022  
5:30 O'clock P.M.

The meeting convened at 5:30 P.M.

Present were Council Member Pope, Roe, Galloway, McAntire, Hull and Mayor Johnson.

Approval of Minutes 1. Galloway moved, seconded by Pope to approve mins. from Mtg. No. 4 on June 21, 2022 as presented. All ayes.

309 Mer Rouge 2. This was the time, place and date set to consider condemnation of the structures located at 309 Mer Rouge in the City of Ottumwa, Wapello County, IA. Comm. Dev. Dir. Simonson reported the structure was placarded Oct. 31, 2021 for living conditions, lack of utilities, and a structure fire. The owner mentioned to staff that he is unable to make repairs to the property. Roe moved, seconded by Pope to close the public hearing. All ayes.

Roe moved, seconded by McAntire to condemn the structures located at 309 Mer Rouge, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including admin. costs, to be assessed against the property and/or collected from the owner or owners thereof. All ayes.

437 N. Court 3. This was the time, place and date set to consider condemnation of the structures located at 437 N. Court (AKA 439 N. Court) in the City of Ottumwa, Wapello County, IA. Simonson reported the structure was placarded May 8, 2021 due to living conditions and a structure fire. The owner continued to live in the house without utilities. No progress has been made and the house continues to deteriorate. Galloway moved, seconded by Hull to close the public hearing. All ayes.

Hull moved, seconded by Roe to condemn the structures located at 437 N. Court (AKA 439 N. Court), order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including admin. costs, to be assessed against the property and/or collected from the owner or owners thereof. All ayes.

Adjourn 4. There being no further business, Pope moved, seconded by McAntire that the mtg. adjourn. All ayes.

Adjournment was at 5:35 P.M.

OTTUMWA BOARD OF HEALTH

Richard W. Johnson

Richard W. Johnson, Mayor and Chairman

ATTEST:

Christina Reinhard

Christina Reinhard, CMC, City Clerk



**CITY OF OTTUMWA**  
**Staff Summary**

2022 NOV 20 11:00 AM

**\*\* ACTION ITEM \*\***

Council Meeting of: Sept 6, 2022

Jake Rusch

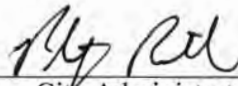
Prepared By

Building and Code Enforcement

Department

Zach Simonson 

Department Head



City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structure(s) on the property described as 115 S Adella.

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**\*\*Public hearing required if this box is checked.\*\***

---The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda---

RECOMMENDATION: Open public hearing  
Receive comments  
Close public hearing  
Condemn the structure(s) at 115 S Adella order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

DISCUSSION: The structure located at 115 S Adella was placarded November 19, 2020. The property was placarded for no Utilities, exterior conditions, and squatters. The owner of the property on record never reached out to our department and never showed for any inspections. A search Warrant was executed and the house was deemed unfit and in a state of disrepair. No progress has been made and the house continues to deteriorate. The City has had to mow the property this year. There is no current repair plan or permission. Condemnation notice was served by certified mail and posting notice on the property and in the Ottumwa Courier.





CITY OF BRIDGES

**NOTICE OF DWELLING OR BUILDING  
DETERMINED TO BE UNFIT FOR HUMAN HABITATION  
AND AN ORDER TO CORRECT**

November 20, 2020

Emma Lee Strait  
115 S Adella  
Ottumwa, Iowa 52501

91 7199 9991 7035 6855 3109

Occupant:

An inspection was made on **November 20, 2020**, of the property located at **115 S Adella**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

**R.S.SMITH'S 4TH ADD LOT 6 BLK 13 (115 S ADELLA)**

and which the records of the Wapello County Iowa Recorders' Office reveal ownership to be in your name, or that you have a property interest in.

It is in the opinion of the Housing Code Inspector of the City of Ottumwa, Iowa, under authority of Section 364.17 of the Code of Iowa, and Section 20-3 (K), of the Ottumwa Municipal Code, that said building(s) located on said property is (are) in a condition or in effect dangerous and detrimental to life and health and unfit for human habitation. Therefore, you are hereby given notice of said condition and ordered to correct the situation by doing the following before the **20th day of December , 2020**, to wit:

**DEFICIENCY LIST ATTACHED**

**Repair plan required.** In the event that the repairs or demolition cannot be completed within thirty days, a repair plan must be submitted for approval **prior to December 20th.**

Provide a timetable for repair that is separated into thirty (30) day periods (30 days, 60 days, 90 days, etc.) outlining what repairs are to be completed during each period. There should be a maximum allowance of six (6) months for all repairs to be completed. There is a ninety (90) day maximum time limit for demolition. **All wiring, plumbing, furnace**

City of Ottumwa  
105 East Third Street, Ottumwa, Iowa 52501  
Telephone 641-683-0650 Fax 641-683-0609

– **AC repair/replacement, etc. require permits, by licensed contractors.** Contact this office, for permit requirements.

**No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.**

**A copy of this notice** and order was this date posted in a conspicuous place in the above said building(s), along with a placard stating said structure(s) is not to be occupied until released by the Inspector.

Failure to make the above said corrections before **12:00 o'clock Noon on the 20th day of December, 2020** may result in the declaration by the undersigned pursuant to Section 364.17 of the Code of Iowa, and Section 20-3 (0), of the Ottumwa Municipal Code that said building(s), is (are) a public nuisance.

You may appeal this order by filing a written appeal with the Inspection Board of Review, Municipal Building, Ottumwa, Iowa, within **(15) days** after you have received this notice and order. If you have any questions pertaining to this matter contact me by coming to Room 203 at City Hall or by calling 641-683-0650.

**Per City Policy #26, you may remove this property from the mandatory trash service and billing for as long as the property remains placarded. Contact Kevin Flanagan at 641-683-0694 for this service.**

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, this **20th day of November 2020.**

Sincerely,

**Jacob Rusch**

Building Inspector

Health & Inspections :: City of Ottumwa, IA

641.683.0650

CERTIFIED #91 7199 9991 7035 6855 3109

City of Ottumwa  
105 East Third Street, Ottumwa, Iowa 52501  
Telephone 641-683-0650 Fax 641-683-0609



CITY OF BRIDGES

**Date of Investigation: Nov 19, 2020**

**DEFICIENCY LIST-115 S Adella**

1. **Secure property within 7 days.**
2. **Rehabilitate property to meet current building codes.**
3. **Provide legal Utilities.**
4. **This is a partial inspection only. A complete inspection will be required. 20**
5. **Keep the property secured until it has been repaired or demolished. 24-3-6**

**No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.**

This unit must be inspected and meet minimum housing code standard before it can be released and occupied. Application for a building permit on a placarded house must be accompanied by an updated deficiency list. No structure will be released from the tag list without the necessary permits being taken out before construction starts. Repair or replace all rot, decay or dilapidation that may occur until the structure is released.

*Electrical, Plumbing, Heating and certain Building repairs require permits. Check with the Health Department at 641-683-0650 or by coming to room 203 in City Hall before doing any work that might require a permit.*

Sincerely,

**Jacob Rusch**

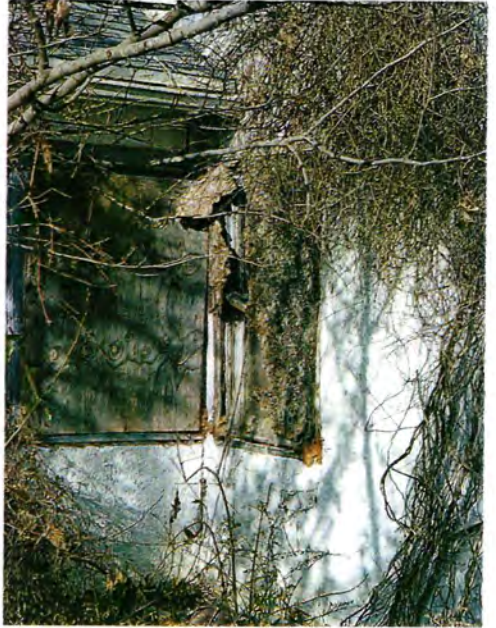
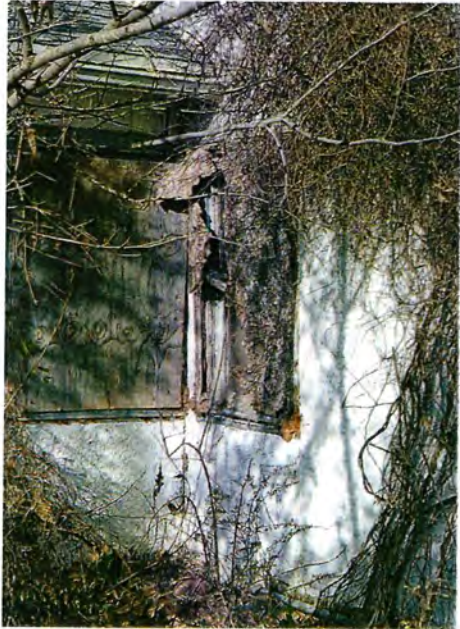
Building Inspector

Health & Inspections :: City of Ottumwa, IA

641.683.0650

City of Ottumwa  
105 East Third Street, Ottumwa, Iowa 52501  
Telephone 641-683-0650 Fax 641-683-0609









6/21/22





1.12.17





| CITY OF |  
O T T U M W A

## NOTICE TO ABATE

July 25, 2022

**Mary Parish**

5706 Mayfair Street SW  
Cedar Rapids, Iowa 52404

**Destiny Boeve**

Southern Hills Speciality Care  
444 North West View Drive  
Osceola, IA 50213,

**Louise Brown**

101 2<sup>nd</sup> Avenue  
Murray, Iowa 50174

**Forrest Holdings Inc.**

Tax Sale Certificate 2021 00363  
Mike Klemme (registered agent)  
520 4<sup>th</sup> Street SW Suite A  
Le Mars, Iowa 51031

### SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on July 25,2022 of the placarded property located at **115 S Adella, Ottumwa, IA** of which you are the registered owner(s) or in which you have a property interest.

**Abandoning a property without being connected to all or one of the following utility services: electrical, gas or water, failure to maintain the property and failure to keep the property secure from unauthorized persons constitutes a public nuisance.**

The following abatement is needed to meet the minimum standards set forth in ordinance 3127-2017, an ordinance establishing the minimum standards governing the condition and maintenance of dwellings, etc.:

Abatement needed:

- 1) Repair Structure to the standard of the Housing Code as Identified in the Deficiency list or,
- 2) Demolish the Structure(s) and level to the contours of the surrounding earth.

We are hereby requesting your cooperation in abating this nuisance within the time allotted. Failure to do so will result in further legal action to be taken against you and the property. This action will include a condemnation referral to the Board of Health.

City of Ottumwa  
105 East Third Street, Ottumwa, Iowa 52501  
Telephone 641-683-0618 Fax 641-683-0609



**In the event that this order has not been complied with, a public hearing for condemnation will be held by the Ottumwa Board of Health on the 6th day of September, 2022 at 5:30 P. M. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, IA.**

**At such hearing the Board of Health may condemn the structure and order prompt demolition, removal, and leveling of such property and direct that all costs attendant to such action, including administrative costs, be assessed against the property or collected from the owner or owners thereof.**

If you wish to contest this action, you may do so by filing a written statement with the City Clerk to the Board of Health **within five (5) days** of the receipt of this letter.

If you have any questions in regard to this matter, you may contact this office by calling 641-683-0650 or by coming to room 203 at City Hall.

Sincerely,

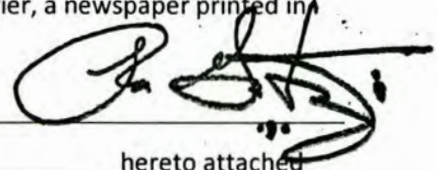
Jake Rusch  
Zoning and Housing Coordinator  
City of Ottumwa  
641.683.0650

# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

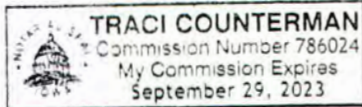
Condemnation Notice: Parish; Boeve; Brown; Forrest Holding Inc.  
City of Ottumwa



hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 8/6/22

Subscribed and sworn to before me, and in my presence, by the said 6th day of August, 2022



Notary Public

In and for Wapello County

Printer's fee \$19.67

## COPY OF ADVERTISEMENT

CONDEMNATION NOTICE VIA  
CERTIFIED AND REGULAR  
MAIL

TO: Mary Parish; Destiny  
Boeve; Louise Brown; Forrest  
Holding Inc.;

You are hereby notified that the  
structures located at 115 S  
Adella, Ottumwa, IA have been  
determined to be a public nuisance,  
and that the nuisance  
must be abated by demolition  
within thirty (30) days of this  
notice and the lot cleaned and  
leveled. You are further notified  
that the legal description of the  
above property is as follows:

R.S.SMITH'S 4TH ADD LOT 6  
BLK 13 (115 S ADELLA)

You are further notified that if  
the nuisance is not abated within  
30 days of the date of this  
notice, a public hearing for  
condemnation of the structure(s)  
located on the premises  
described above will be held by  
the Ottumwa Board of Health on  
September 6th, 2022 at 5:30  
p.m. in the Council Chambers of  
City Hall, 105 East Third Street,  
Ottumwa, Iowa. If you wish to  
contest this action, you must do  
so by filing a written statement  
with the City Clerk, 105 East  
Third Street, Ottumwa, IA 52501  
within five (5) days of the  
publication of this notice.

TAKE NOTICE AND GOVERN  
YOURSELF ACCORDINGLY!

DATED July 25, 2022

Jake Rusch  
Zoning and Housing  
Coordinator  
City of Ottumwa, Iowa

PH - Both condemnations  
115 S. Adella

**CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL**

TO: Mary Parish; Destiny Boeve; Louise Brown; Forrest Holding Inc.;

You are hereby notified that the structures located at **115 S Adella**, Ottumwa, IA have been determined to be a public nuisance, and that the nuisance must be abated by demolition within thirty (30) days of this notice and the lot cleaned and leveled. You are further notified that the legal description of the above property is as follows:

**R.S.SMITH'S 4TH ADD LOT 6 BLK 13 (115 S ADELLA)**

You are further notified that if the nuisance is not abated within 30 days of the date of this notice, a public hearing for condemnation of the structure(s) located on the premises described above will be held by the **Ottumwa Board of Health on September 6th, 2022 at 5:30 p.m.** in the Council Chambers of City Hall, 105 East Third Street, Ottumwa, Iowa. If you wish to contest this action, you must do so by filing a written statement with the City Clerk, 105 East Third Street, Ottumwa, IA 52501 within five (5) days of the publication of this notice.

**TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY!**

**DATED July 25, 2022**

---

Jake Rusch  
Zoning and Housing Coordinator  
City of Ottumwa, Iowa



# CITY OF OTTUMWA

## Staff Summary

2022 AUG 26 10:26 AM

**\*\* ACTION ITEM \*\***

Council Meeting of: Sept 6, 2022

Jake Rusch

Prepared By

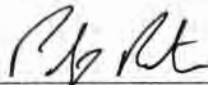
Building and Code Enforcement

Department

Zach Simonson



Department Head



City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structure(s) on the property described as 1019 W Third.

\*\*\*\*\*

**\*\*Public hearing required if this box is checked.\*\***

\*\*\*The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.\*\*\*

RECOMMENDATION: Open public hearing  
Receive comments  
Close public hearing  
Condemn the structure(s) at 1019 W Third order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

DISCUSSION: The structure located at 1019 W Third was placarded May 6, 2021. The property was placarded for no Utilities and poor living conditions. There were many missed progress inspections and the property was open to the elements and squatters during the duration of the file. The garage and side of the house caught fire in this year. No progress has been made and the house continues to deteriorate. There is no current repair plan or permission. Condemnation notice was served by certified mail and posting notice on the property and in the Ottumwa Courier.



CITY OF BRIDGES

**NOTICE OF DWELLING OR BUILDING  
DETERMINED TO BE UNFIT FOR HUMAN HABITATION  
AND AN ORDER TO CORRECT**

May 10, 2021

James Guyette  
1019 W Third  
Ottumwa, Ia 52501

91 7199 9991 7035 6855 3789

Occupant:

An inspection was made on **May 6, 2021**, of the property located at **1019 W Third**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

**HINSEY & HEDRICK'S 1ST ADD. NW 91' SE 101' LOT 3 (1019 W THIRD**

and which the records of the Wapello County Iowa Recorders' Office reveal ownership to be in your name, or that you have a property interest in.

It is in the opinion of the Housing Code Inspector of the City of Ottumwa, Iowa, under authority of Section 364.17 of the Code of Iowa, and Section 20-3 (K), of the Ottumwa Municipal Code, that said building(s) located on said property is (are) in a condition or in effect dangerous and detrimental to life and health and unfit for human habitation. Therefore, you are hereby given notice of said condition and ordered to correct the situation by doing the following before the **10th day of June, 2021**, to wit:

**Repair plan required.** In the event that the repairs or demolition cannot be completed within thirty days, a repair plan must be submitted for approval **prior to June 10th**.

Provide a timetable for repair that is separated into thirty (30) day periods (30 days, 60 days, 90 days, etc.) outlining what repairs are to be completed during each period. There should be a maximum allowance of six (6) months for all repairs to be completed. There is a ninety (90) day maximum time limit for demolition. **All wiring, plumbing, furnace**

City of Ottumwa  
105 East Third Street, Ottumwa, Iowa 52501  
Telephone 641-683-0650 Fax 641-683-0609

– **AC repair/replacement, etc. require permits, by licensed contractors.** Contact this office, for permit requirements.

No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.

**A copy of this notice** and order was this date posted in a conspicuous place in the above said building(s), along with a placard stating said structure(s) is not to be occupied until released by the Inspector.

Failure to make the above said corrections before **12:00 o'clock Noon on the 10th day of June, 2021** may result in the declaration by the undersigned pursuant to Section 364.17 of the Code of Iowa, and Section 20-3 (0), of the Ottumwa Municipal Code that said building(s), is (are) a public nuisance.

You may appeal this order by filing a written appeal with the Inspection Board of Review, Municipal Building, Ottumwa, Iowa, within **(15) days** after you have received this notice and order. If you have any questions pertaining to this matter contact me by coming to Room 203 at City Hall or by calling 641-683-0650.

**Per City Policy #26, you may remove this property from the mandatory trash service and billing for as long as the property remains placarded. Contact Zach Simonson at 641-683-0694 for this service.**

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, this **10th day of May 2021.**

Sincerely,

**Jacob Rusch**

Building Inspector

Health & Inspections :: City of Ottumwa, IA

641.683.0650

CERTIFIED #91 7199 9991 7035 6855 3789





CITY OF BRIDGES

**Date of Investigation: May 10, 2021**

**DEFICIENCY LIST-1019 W THIRD**

1. **Repair and provide legal utilities.**
2. **Repair roofing system.**
3. **Clean and sanitize house and property.**
4. **Repair broken windows, siding, and chipping paint.**
5. **Repair ceilings, wall, and floors where needed.**
6. **Rehabilitate property to meet current building code**
7. **This is a partial inspection only. A complete inspection will be required. 20**
8. **Keep the property secured until it has been repaired or demolished. 24-3-6**

**No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.**

This unit must be inspected and meet minimum housing code standard before it can be released and occupied. Application for a building permit on a placarded house must be accompanied by an updated deficiency list. No structure will be released from the tag list without the necessary permits being taken out before construction starts. Repair or replace all rot, decay or dilapidation that may occur until the structure is released.

*Electrical, Plumbing, Heating and certain Building repairs require permits. Check with the Health Department at 641-683-0650 or by coming to room 203 in City Hall before doing any work that might require a permit.*

Sincerely,

**Jacob Rusch**

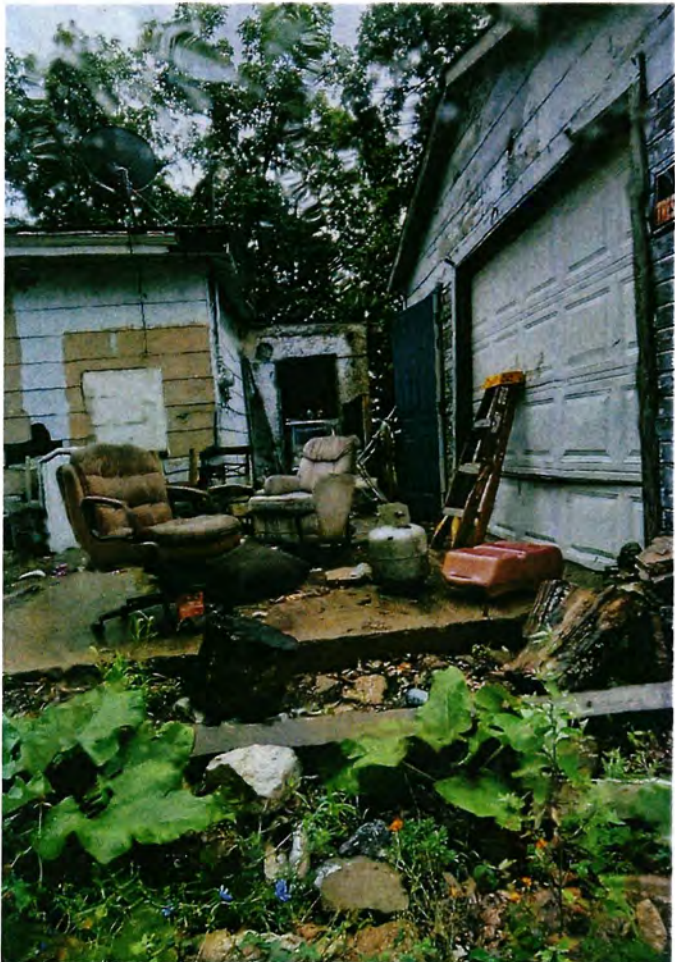
Building Inspector

Health & Inspections :: City of Ottumwa, IA

641.683.0650

City of Ottumwa  
105 East Third Street, Ottumwa, Iowa 52501  
Telephone 641-683-0650 Fax 641-683-0609





















[ CITY OF ]  
O T T U M W A

**NOTICE TO ABATE**

July 25, 2022

*File*

<b>James F. Guyette</b> <i>Deed Holder</i> 1019 W. 3 <sup>rd</sup> Street Ottumwa, IA 52501	<b>ACC 337 LLC</b> Tax Sale Certificate No. TSC 2021-243 c/o Todd Queck 3161 SE 22 <sup>nd</sup> Des Moines, IA 50320
<b>Martin and Shannon Wilson,</b> <b>husband and wife</b> <i>Contract Buyers</i> 1019 W. 3 <sup>rd</sup> Street Ottumwa, IA 52501	

**SENT VIA CERTIFIED MAIL**

To Whom it May Concern,

An inspection was made on July 25,2022 of the placarded property located at **1019 W Third, Ottumwa, IA** of which you are the registered owner(s) or in which you have a property interest.

**Abandoning a property without being connected to all or one of the following utility services: electrical, gas or water, failure to maintain the property and failure to keep the property secure from unauthorized persons constitutes a public nuisance.**

The following abatement is needed to meet the minimum standards set forth in ordinance 3127-2017, an ordinance establishing the minimum standards governing the condition and maintenance of dwellings, etc.:

Abatement needed:

- 1) Repair Structure to the standard of the Housing Code as Identified in the Deficiency list or,
- 2) Demolish the Structure(s) and level to the contours of the surrounding earth.

We are hereby requesting your cooperation in abating this nuisance within the time allotted. Failure to do so will result in further legal action to be taken against you and the property. This action will include a condemnation referral to the Board of Health.

**In the event that this order has not been complied with, a public hearing for condemnation will be held by the Ottumwa Board of Health on the 6<sup>th</sup> day of September, 2022 at 5:30 P. M. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, IA.**

**At such hearing the Board of Health may condemn the structure and order prompt demolition, removal, and leveling of such property and direct that all costs attendant to such action, including administrative costs, be assessed against the property or collected from the owner or owners thereof.**

If you wish to contest this action, you may do so by filing a written statement with the City Clerk to the Board of Health **within five (5) days** of the receipt of this letter.

If you have any questions in regard to this matter, you may contact this office by calling 641-683-0650 or by coming to room 203 at City Hall.

Sincerely,

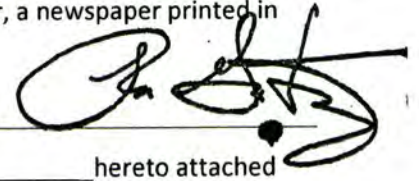
Jake Rusch  
Zoning and Housing Coordinator  
City of Ottumwa  
641.683.0650

# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

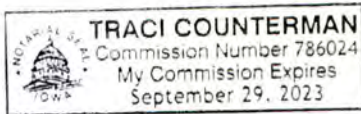
Condemnation Notice: James Guyette; Martin & Shannon Wilson; ACC 337 LLC  
City of Ottumwa



hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 8/16/22

Subscribed and sworn to before me, and in my presence, by the said 16th day of August, 2022



Notary Public

In and for Wapello County

Printer's fee \$20.10

## COPY OF ADVERTISEMENT

CONDEMNATION NOTICE VIA  
CERTIFIED AND REGULAR  
MAIL

TO: James F Guyette; Martin  
and Shannon Wilson; ACC 337  
LLC;

You are hereby notified that the  
structures located at 1019 W  
Third, Ottumwa, IA have been  
determined to be a public nuisance,  
and that the nuisance  
must be abated by demolition  
within thirty (30) days of this  
notice and the lot cleaned and  
leveled. You are further notified  
that the legal description of the  
above property is as follows:

HINSEY & HEDRICK'S 1ST  
ADD. NW 91' SE 101' LOT 3  
(1019 W THIRD)

You are further notified that if  
the nuisance is not abated with-  
in 30 days of the date of this  
notice, a public hearing for con-  
demnation of the structure(s)  
located on the premises  
described above will be held by  
the Ottumwa Board of Health on  
September 6th, 2022 at 5:30  
p.m. in the Council Chambers of  
City Hall, 105 East Third Street,  
Ottumwa, Iowa. If you wish to  
contest this action, you must do  
so by filing a written statement  
with the City Clerk, 105 East  
Third Street, Ottumwa, IA 52501  
within five (5) days of the publi-  
cation of this notice.

TAKE NOTICE AND GOVERN  
YOURSELF ACCORDINGLY!  
DATED July 25, 2022

Jake Rusch  
Zoning and Housing  
Coordinator  
City of Ottumwa, Iowa

PH-BOH Condemnation  
1019 W Third



**CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL**

TO: James F Guyette; Martin and Shannon Wilson; ACC 337 LLC;

You are hereby notified that the structures located at **1019 W Third, Ottumwa, IA** have been determined to be a public nuisance, and that the nuisance must be abated by demolition within thirty (30) days of this notice and the lot cleaned and leveled. You are further notified that the legal description of the above property is as follows:

**HINSEY & HEDRICK'S 1ST ADD. NW 91' SE 101' LOT 3 (1019 W THIRD)**

You are further notified that if the nuisance is not abated within 30 days of the date of this notice, a public hearing for condemnation of the structure(s) located on the premises described above will be held by the **Ottumwa Board of Health on September 6th, 2022 at 5:30 p.m.** in the Council Chambers of City Hall, 105 East Third Street, Ottumwa, Iowa. If you wish to contest this action, you must do so by filing a written statement with the City Clerk, 105 East Third Street, Ottumwa, IA 52501 within five (5) days of the publication of this notice.

**TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY!**

**DATED July 25, 2022**

---

Jake Rusch  
Zoning and Housing Coordinator  
City of Ottumwa, Iowa

# CITY OF OTTUMWA

## Staff Summary

2022 AUG 26 11:31 AM

**\*\* ACTION ITEM \*\***

Council Meeting of: Sept 6, 2022

Jake Rusch

Prepared By

Building and Code Enforcement

Department

Zach Simonson *ZS*

Department Head

*[Signature]*

City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structure(s) on the property described as 510 N Court.

\*\*\*\*\*

**\*\*Public hearing required if this box is checked.\*\***

\*\*\*The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.\*\*\*

RECOMMENDATION: Open public hearing  
Receive comments  
Close public hearing  
Condemn the structure(s) at 510 N Court order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

DISCUSSION: The structure located at 510 N Court was placarded March 16, 2022. The property was placarded for severe structure damage. The owner has not showed any effort in repairing this property since October of 2021 when a deficiency list was made during an inspection. The house continues to deteriorate and is vacant. There is no current repair plan or permission. Condemnation notice was served by certified mail and posting notice on the property and in the Ottumwa Courier.



[ CITY OF ]  
O T T U M W A

**NOTICE OF DWELLING OR BUILDING  
DETERMINED TO BE UNFIT FOR HUMAN HABITATION  
AND AN ORDER TO CORRECT**

3/16/2022,

91 7199 9991 7035 6855 4670

**Kenneth Kent,  
5715 Captain John Smith Loop,  
N Fort Myers FL, 33917**

**Kenneth,**

An inspection was made on **3/16/2022**, of the property located at **510 N. Court**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

ELLIOTT'S ADD LOT 1 EX PT NE OF TERRACE DR (510 N COURT)

and which the records of the Wapello County Iowa Recorders' Office reveal ownership to be in your name, or that you have a property interest in.

It is in the opinion of the Housing Code Inspector of the City of Ottumwa, Iowa, under authority of Section 364.17 of the Code of Iowa, and Section 20-3 (K), of the Ottumwa Municipal Code, that said building(s) located on said property is (are) in a condition or in effect dangerous and detrimental to life and health and unfit for human habitation. Therefore, you are hereby given notice of said condition and ordered to correct the situation by doing the following before **4/16/2022**, to wit:

**DEFICIENCY LIST ATTACHED**

**Repair plan required.** In the event that the repairs or demolition cannot be completed within thirty days, a repair plan must be submitted for approval prior to **4/16/2022**.

Provide a timetable for repair that is separated into thirty (30) day periods (30 days, 60 days, 90 days, etc.) outlining what repairs are to be completed during each period. There

City of Ottumwa  
105 East Third Street, Ottumwa, Iowa 52501  
Telephone 641-683-0650 Fax 641-683-0609

3/16/22



should be a maximum allowance of six (6) months for all repairs to be completed. There is a ninety (90) day maximum time limit for demolition. **All wiring, plumbing, furnace – AC repair/replacement, etc. require permits, possibly by licensed contractors.** Contact this office, for permit requirements.

**No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.**

**A copy of this notice** and order was this date posted in a conspicuous place in the above said building(s), along with a placard stating said structure(s) is not to be occupied until released by the Inspector.

Failure to make the above said corrections before **12:00 o'clock Noon on 4/16/2022** may result in the declaration by the undersigned pursuant to Section 364.17 of the Code of Iowa, and Section 20-3 (0), of the Ottumwa Municipal Code that said building(s), is (are) a public nuisance.

You may appeal this order by filing a written appeal with the Inspection Board of Review, Municipal Building, Ottumwa, Iowa, within **(15) days** after you have received this notice and order. If you have any questions pertaining to this matter contact me by coming to Room 203 at City Hall or by calling 641-683-0650.

**Per City Policy #26, you may remove this property from the mandatory trash service and billing for as long as the property remains placarded. Contact Zach Simionson at 641-683-0694 for this service.**

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, **3/16/2022**.

Respectfully,

Jeffrey Hamann  
Building Inspector  
hamannj@ottumwa.us

CERTIFIED #91 7199 9991 7035 6855 4670

City of Ottumwa  
105 East Third Street, Ottumwa, Iowa 52501  
Telephone 641-683-0650 Fax 641-683-0609

3/16/22



[ CITY OF ]

O T T U M W A

**Date of Placard Inspection: 3/16/2022,  
DEFICIENCY LIST-510 N. Court,**

#### **Exterior/Yard**

1. **Repair or replace all damaged siding. 304.6**
2. **Scrape and repaint all chipping and peeling paint, or provide exterior protection from the elements, siding, trim, soffit and fascia. 304.6**
3. **Repair loose, worn or damaged deck boards on porch. 304.15**
4. **Dispose of all construction or building material waste and debris in yard. 302.1**
5. **Repair all water damaged structure to meet minimum of the current building code. 304.5**

#### **Interior**

1. **Repair and replace damaged and missing drywall, mudding joints, sanding smooth and painting. Providing an uninterrupted, cleanable wall and ceiling covering. 305.3**
2. **Have licensed electrician bring electrical system to current electrical code, including hardwired smoke alarms. 604.3**
3. **Have licensed plumber bring plumbing system to current code and make any changes to plumbing system. 504.1**
4. **Have licensed HVAC technician bring HVAC system to current code and make any changes to the HVAC system. 603.1 607.1**
5. **Keep the property secure from unauthorized persons. 20-3-L**
6. **Keep the grass kept below 10" 24-3-10**

**This is an initial inspection only, further inspections will be required to release the placard.**

**No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.**

This unit must be inspected and meet minimum housing code standard before it can be released and occupied. Application for a building permit on a placarded house must be accompanied by an updated deficiency list. No structure will be released from the tag list without the necessary permits being taken out before construction starts. Repair or replace all rot, decay or dilapidation that may occur until the structure is released.

3/16/22





3/16/22





6/28/22





[ CITY OF ]  
O T T U M W A

## NOTICE TO ABATE

July 25, 2022

**Kenneth M. Kent**

***Deed Holder***

5715 Captain John Smith Loop  
N. Fort Myers, Florida 33917

### SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on July 25, 2022 of the placarded property located at **510 N. Court, Ottumwa, IA** of which you are the registered owner(s) or in which you have a property interest.

**Abandoning a property without being connected to all or one of the following utility services: electrical, gas or water, failure to maintain the property and failure to keep the property secure from unauthorized persons constitutes a public nuisance.**

The following abatement is needed to meet the minimum standards set forth in ordinance 3127-2017, an ordinance establishing the minimum standards governing the condition and maintenance of dwellings, etc.:

Abatement needed:

- 1) Repair Structure to the standard of the Housing Code as Identified in the Deficiency list or,
- 2) Demolish the Structure(s) and level to the contours of the surrounding earth.

We are hereby requesting your cooperation in abating this nuisance within the time allotted. Failure to do so will result in further legal action to be taken against you and the property. This action will include a condemnation referral to the Board of Health.

**In the event that this order has not been complied with, a public hearing for condemnation will be held by the Ottumwa Board of Health on the 6<sup>th</sup> day of**

City of Ottumwa  
105 East Third Street, Ottumwa, Iowa 52501  
Telephone 641-683-0618 Fax 641-683-0609

**September at 5:30 P. M. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, IA.**

**At such hearing the Board of Health may condemn the structure and order prompt demolition, removal, and leveling of such property and direct that all costs attendant to such action, including administrative costs, be assessed against the property or collected from the owner or owners thereof.**

If you wish to contest this action, you may do so by filing a written statement with the City Clerk to the Board of Health **within five (5) days** of the receipt of this letter.

If you have any questions in regard to this matter, you may contact this office by calling 641-683-0650 or by coming to room 203 at City Hall.

Sincerely,

Jake Rusch  
Zoning and Housing Coordinator  
City of Ottumwa  
641.683.0650

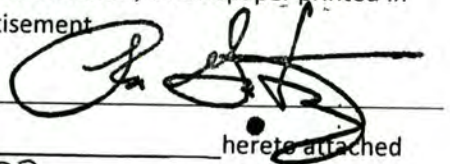


# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

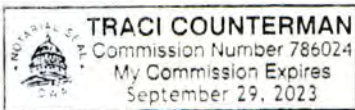
I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Condemnation Notice: Kenneth M Kent  
City of Ottumwa



hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 8/6/22  
Subscribed and sworn to before me, and in my presence, by the said 6th day of August, 2022



Notary Public

In and for Wapello County

Printer's fee \$19.23

## COPY OF ADVERTISEMENT

### CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL

TO: Kenneth M Kent

You are hereby notified that the structures located at 510 N Court, Ottumwa, IA have been determined to be a public nuisance, and that the nuisance must be abated by demolition within thirty (30) days of this notice and the lot cleaned and leveled. You are further notified that the legal description of the above property is as follows:  
ELLIOTT'S ADD LOT 1 EX PT NE OF TERRACE DR (510 N COURT)

You are further notified that if the nuisance is not abated within 30 days of the date of this notice, a public hearing for condemnation of the structure(s) located on the premises described above will be held by the Ottumwa Board of Health on September 6th, 2022 at 5:30 p.m. in the Council Chambers of City Hall, 105 East Third Street, Ottumwa, Iowa. If you wish to contest this action, you must do so by filing a written statement with the City Clerk, 105 East Third Street, Ottumwa, IA 52501 within five (5) days of the publication of this notice.

TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY!

DATED July 25, 2022

Jake Rusch

Zoning and Housing  
Coordinator  
City of Ottumwa, Iowa

PH-B0H Condemnation  
510 N. Court

**CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL**

TO: Kenneth M Kent

You are hereby notified that the structures located at **510 N Court**, Ottumwa, IA have been determined to be a public nuisance, and that the nuisance must be abated by demolition within thirty (30) days of this notice and the lot cleaned and leveled. You are further notified that the legal description of the above property is as follows:

**ELLIOTT'S ADD LOT 1 EX PT NE OF TERRACE DR (510 N COURT)**

You are further notified that if the nuisance is not abated within 30 days of the date of this notice, a public hearing for condemnation of the structure(s) located on the premises described above will be held by the **Ottumwa Board of Health on September 6th, 2022 at 5:30 p.m.** in the Council Chambers of City Hall, 105 East Third Street, Ottumwa, Iowa. If you wish to contest this action, you must do so by filing a written statement with the City Clerk, 105 East Third Street, Ottumwa, IA 52501 within five (5) days of the publication of this notice.

**TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY!**

**DATED July 25, 2022**

---

Jake Rusch  
Zoning and Housing Coordinator  
City of Ottumwa, Iowa