

RESOLUTION NO. 10-2024

**RESOLUTION DIRECTING THE REPAIR OR REMOVAL OF AN
ALLEGED UNSAFE AND DANGEROUS STRUCTURE(S)
AND ACCESSORY STRUCTURE(S)**

WHEREAS, by resolution adopted on **JANUARY 9TH, 2024**, the governing body of the City of Fort Scott directed that a hearing be held in the Board of Commissioners room in City Hall, in the City of Fort Scott, Kansas, on **FEBRUARY 20TH, 2024 at 6:15 P.M.** for the purpose of hearing evidence with reference to the physical condition of the structure(s) and accessory structure(s) located at: **PARCEL #006-127-25-0-40-16-005.00-0 - G50-GUNN & MARR'S ADDITION, LOT 7 BLK 1 IN BOURBON COUNTY, IN THE CITY OF FORT SCOTT, KANSAS OTHERWISE KNOWN AS 515 S. HEYLMAN, FORT SCOTT, KS 66701.**

WHEREAS, on the date fixed for said hearing evidence was submitted by the Codes Administrator and other representatives of the City which shows the above-described structure(s) and accessory structure(s) to be unsafe and dangerous, and,

WHEREAS, notice of said hearing has been duly given to the owner(s), his or their agent(s), and lienholders of record and any occupant of such structure(s) and accessory structure(s) and all others having an interest in said premises, as provided by K.S.A. 12-1752, as amended by Section I of Chapter 185 of the 1968 Kansas Session Laws, and the following appearances were made at the hearing by such persons, and

WHEREAS, as said hearing the governing body did find that such above-described structure(s) and accessory structure(s) is unsafe and dangerous;

NOW, THEREFORE, ON THE 20TH DAY OF FEBRUARY, 2024 AT 6:15 P.M. BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FORT SCOTT, KANSAS:

Section 1. That the structure(s) and accessory structure(s) located on: **PARCEL #006-127-25-0-40-16-005.00-0 - G50-GUNN & MARR'S ADDITION, LOT 7 BLK 1 IN BOURBON COUNTY, IN THE CITY OF FORT SCOTT, KANSAS OTHERWISE KNOWN AS 515 S. HEYLMAN, FORT SCOTT, KS 66701** is unsafe and dangerous and should be repaired or removed and the premises made safe and secure as hereinafter set forth.

Section 2. This structure(s) and accessory structure(s) must be brought up to the 2012 International Building Code of the City of Fort Scott by D/A. A copy of the specifications for the rehabilitation of the property in Fort Scott has been furnished to the owner.

Section 3. The owner(s) of said structure(s) (and accessory structure(s)) shall commence the repair or removal of said structure(s) by N/A and shall diligently prosecute the same until the work is completed. Said owner(s) shall fill in any basement or other excavation located upon the premises and take any other action necessary to leave such premises in a safe condition.

Section 4. If the owner(s) of said structure(s) and accessory structure(s) shall fail to commence the repair or removal of such structure and accessory structure by said N/A, or having commenced shall fail to diligently prosecute the same thereafter, the City of Fort Scott shall proceed to raze and remove such structure(s) and accessory structure(s) and make the premises safe and secure or shall let the same to contract, all as provided by K.S.A. 12-1775, as amended by Section 2, of Chapter 185 of the Kansas Session Laws.

Section 5. In the event such structure(s) and accessory structure(s) is razed by the City, the net cost to the City shall be assessed as a special assessment against the land on which the structure(s) and accessory structure(s) was located.

Section 6. This resolution shall be published once in the official City newspaper.

Section 7. This resolution shall be in full force and effect from and after the date of its adoption and approval.

INTRODUCED, ADOPTED AND APPROVED ON FEBRUARY 20TH, 2024.

ATTEST:



[Signature]
Lisa A. Lewis, City Clerk

[Signature]
Tracy Dancer, Mayor