

TENTATIVE AGENDA
OTTUMWA BOARD OF HEALTH

MEETING NO. 6
Council Chambers, City Hall

July 2, 2019
5:30 O'clock P.M.

ROLL CALL: Council Member Streeby, Berg, Roe, Stevens and Mayor Pro Tem Dalbey.

Approval of Minutes 1. Approve the minutes from Meeting No. 5 on June 18, 2019 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 described as Lot 70 in Williams Park Addition to the City of Ottumwa, Wapello County, Iowa commonly known as 422 S. Ferry

422 S. Ferry

- A. Open hearing for comments.
- B. Close public hearing.
- C. Condemn the structures located at 422 S. Ferry, 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 422 S. Ferry.

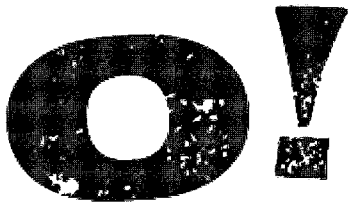
Condemnation Hearing 3. This is the time, place and date set to consider condemnation of the structures on the property described as Lot 12 in Block 1 in Manning's Second Addition to the City of Ottumwa, Wapello County, Iowa commonly known as 137 S. Van Buren.

137 S. Van Buren

- A. Open hearing for comments.
- B. Close public hearing.
- C. Condemn the structures located at 137 S. Van Buren, 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 137 S. Van Buren.

Adjourn 4. Adjournment.



[CITY OF]
O T T U M W A

FAX COVER SHEET

City of Ottumwa

DATE: 6/28/19 TIME: 8:15 AM NO. OF PAGES 2
(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 7/2/19

*** FAX MULTI TX REPORT ***

JOB NO. 0428
DEPT. ID 4717
PGS. 2

TX INCOMPLETE -----

TRANSACTION OK 96847834
96845832
916606271885
ERROR 96845892
96828482

Ottumwa Courier
KISS
KTVO
KBIZ/ KTWA
TOM FM



FAX COVER SHEET

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MEMO: Tentative Agenda for the Board of Health Meeting #6 to be held on 7/2/19

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JOB NO. 0428
DEPT. ID 4717
ST. TIME 06/28 07:58
SHEETS 2

FILE NAME
TX INCOMPLETE -----

TRANSACTION OK 96847834
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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 7/2/19

OTTUMWA BOARD OF HEALTH MINUTES

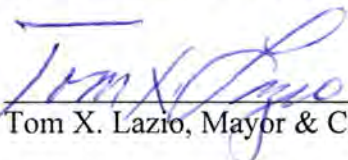
MEETING NO. 5
Council Chambers, City Hall

June 18, 2019
5:30 O'clock P.M.

Present were Council Member Stevens, Streeby, Berg, Dalbey, Roe and Mayor Lazio.

- Approval of Minutes
- 1006 Tuttle
1. Roe moved, seconded by Streeby to approve the minutes from Meeting No. 4 on May 21, 2019 as presented. All ayes.
2. This was the time, place and date set to consider condemnation of the structures on the property described as Lots 16, 17 and 18 in Harding Park Addition to the City of Ottumwa, Wapello County, Iowa commonly known as 1006 Tuttle. No objections were received. Streeby moved, seconded by Stevens to close the public hearing. All ayes.
- Dir. of Hlth. Insp. & Planning Flanagan stated property was placarded 2/5/19 due to a fire. The owner is deceased and there is no one to repair or demolish the house. Dalbey moved, seconded by Roe to condemn the structures located at 1006 Tuttle, 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. All ayes.
- Adjourn
3. Roe moved, seconded by Dalbey that the meeting adjourn. All ayes. Adjournment was at 5:33 P.M.

OTTUMWA BOARD OF HEALTH


Tom X. Lazio, Mayor & Chairman

ATTEST:


Christina Reinhard, City Clerk

FILED

2019 JUN 24 PM 4:29

CITY CLERK
OTTUMWA, IA

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: Jul 2, 2019

Jody Gates

Prepared By

Kevin C Flanagan

Department Head

Health & Inspections

Department

City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structure (s) on property described as Lot 70 in Williams Park Addition to the City of Ottumwa, Wapello County, Iowa, commonly known as 422 S. Ferry



****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) located at 422 S. Ferry, 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 property was placarded April 24, 2019 due to dilapidation. The Health Inspector noted that the house was collapsing and that the rear portion of the house is too dangerous to enter. The owner told the Health Inspector he intended to "walk away from the property" instead of repairing or removing the structure, therefore staff recommends the Board of Health condemn the structure.

Source of Funds: 151-3-342

Budgeted Item:



Budget Amendment Needed:



422 s ferry

OTTUMWA

Jody

CITY OF BRIDGES...RIVER OF OPPORTUNITY

NOTICE TO ABATE

May 9, 2019

VIA CERTIFIED AND REGULAR MAIL

Richard D. Fitzsimmons

Brenda Fitzsimmons

922 Lillian

Ottumwa, IA 52501

TO WHOM IT MAY CONCERN:

An inspection has previously been made of the placarded property at **422 S. Ferry, Ottumwa, IA** of which you are the registered owner(s) or in which you have a property interest.

It has been determined that by reason of dilapidation and failure to repair this property, this property constitutes a public nuisance.

The following abatement is needed to meet the minimum standards set forth in ordinance 2817-1994, an ordinance establishing the minimum standards governing the condition and maintenance of dwellings, etc.:

Abatement needed:

- 1) This nuisance must be abated by demolition within **thirty (30) days** from this date and the ground leveled to the contour of the surrounding earth.
- 2) The sewer must be terminated and capped within 3' of the property line.
- 3) The water service must be terminated at the connection to the main line.

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 2nd day of July, 2019 at 5:30 p.m. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, Iowa.

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0600 Fax 641-683-0613

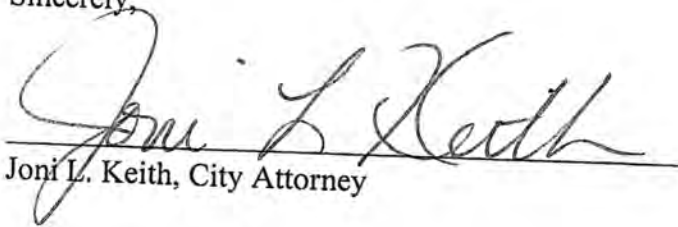
Notice to Abate

Page 2

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 641-683-0625 or by coming to Room 109 at City Hall.

Sincerely,

A handwritten signature in cursive script that reads "Joni L. Keith". The signature is written in black ink and is positioned above a horizontal line.

Joni L. Keith, City Attorney

Cc: Health Department Jody Gates
Building Inspector Zach Simonson

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL

TO: Richard D. Fitzsimmons and Brenda Fitzsimmons, Husband and Wife
Green Tree Financial Servicing Corporation N/K/A Ditech Mortgage Corporation A/K/A Ditech
Financial LLC

You are hereby notified that the structures located at **422 S. Ferry**, Ottumwa, IA have been determined to be a public nuisance, and that the nuisance must be abated by demolition with 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:

Lot 70 in Williams Park Addition to the City of Ottumwa, Wapello County, Iowa.

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 **July 2, 2019 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 May 9, 2019



Joni L. Keith
City Attorney



[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**

April 24, 2019

Richard Fitzsimmons
422 S Ferry
Ottumwa, IA 52501

91 7199 9991 7035 6854 9607

To whom it may concern:

An inspection was made on **April 24, 2019**, of the property located at **422 S Ferry**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

WILLIAMS PARK ADD LOT 70 (422 S FERRY)

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 **24th day of May, 2019**, 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 May 24, 2019**.

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

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 – 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 the 24th day of May, 2019** 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 24th day of April, 2019.

Sincerely,

Zach Simonson
Building Inspector
Health & Inspections :: City of Ottumwa, IA
641.683.0649

CERTIFIED #91 7199 9991 7035 6854 9607

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

Date of Investigation: April 24, 2019

DEFICIENCY LIST-422 S Ferry

1. This is an abandoned property. Keep the property secured until it has been repaired or demolish. 24-3-6
2. Demolish the structure and level the lot to contours of the surrounding earth or repair deficiencies below.
3. Scrape and repaint all loose and peeling paint on the exterior. IPMC 304.6
4. Repair soffit and fascia. IPMC 304.6
5. Repair gutters and downspouts. IPMC 304.7
6. Repair foundation and correct structural damage to walls, ceilings, floors and roof caused by foundation deterioration/collapse. IPMC 304.5
7. Repair roof. IPMC 304.7
8. Replace electrical service cable and repair service. IPMC 604.3
9. Provide legal utilities.
10. This is a partial inspection only. A complete inspection will be required and the house must meet the minimum standards of the code. Chapter 20
11. Keep grass and weeds below 10 inches. 24-3-10
12. Clean up incorrect outdoor storage of trash and debris. 24-3-12

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.



[CITY OF]

OTTUMWA

April 24, 2019

TRUITT ABSTRACTING COMPANY
127 East Second Street
Ottumwa IA. 52501

RE: TITLE SEARCH REQUEST 422 S FERRY

Mr. Truitt,

The City of Ottumwa is requesting a title search for condemnation on the following property:

422 S Ferry

Please include all lien holders, mortgage holders, tax certificate holders etc. with mailing addresses if available.

Return the completed search to Health and Inspections, Room 203, 105 East Third Street, Ottumwa IA 52501. Thank you for your assistance in this matter.

Sincerely,

Zach Simonson

Housing and Code Enforcement Inspector
Health Department :: City of Ottumwa, IA
641.683.0649



[CITY OF]

O T T U M W A

April 24, 2019

Alliant Energy
2901 Oak Meadow Drive
Ottumwa, IA 52501

Mid-American Energy
302 S. Vine St.
Ottumwa, IA 52501

Ottumwa Water Works
230 Water Works Drive
P.O. Box 20
Ottumwa, IA 52501

To Whom It May Concern:

Please, be informed that a placard was placed on **April 24, 2019**, at **422 S Ferry** stating that the dwelling unit is "Unfit for Human Habitation" by the City of Ottumwa, Health Department.

Thank you for your cooperation in this matter.

Sincerely,

Zach Simonson
Building Inspector
Health & Inspections :: City of Ottumwa, IA
641.683.0649



[CITY OF]
O T T U M W A

April 22, 2019

Richard Fitzsimmons
422 S Ferry
Ottumwa, IA 52501

Re: 422 S Ferry

Richard Fitzsimmons:

A progress inspection on your placarded property at **422 S Ferry** has been scheduled for **May 2, 2019 at 9:00a.m.** You or a representative must be present during this inspection. If you must reschedule the inspection, call this office at 641-683-0650. Rescheduled inspections should take place within seven (7) days of the original inspection date.

Sincerely,

Zach Simonson
Building Inspector
Health Department :: City of Ottumwa, IA
641.683.0649



















OTTUMWA

CITY OF BRIDGES...RIVER OF OPPORTUNITY

Sec 20-9 (1) Vacate placarded dwelling. Ordinance 3122-2017
(1) Any dwelling, dwelling unit, rooming unit or portion thereof, placarded as being unfit for human habitation by the director, shall be vacated immediately, or as ordered by the director. No one is to be in the placarded dwelling, dwelling unit, rooming unit or portion thereof without the express written permission of the director.

Permission is hereby granted the Placarded Property located at 422 S Ferry
between the hours of 9:00 a.m. and 8:00 p.m. daily from
4/22/19 to 5/22/19 for the purpose preparing the property to be habitable.
This permission expires 5/22/19 at 8 a.m./p.m.
(date) (time)

Additional time can be requested after the expiration date shown.
The undersigned hereby understands and agrees to the conditional permission. Any violation of this agreement will void this permission and leave the undersigned subject to further legal action.

Rachel Peterson, Anthony Peterson and family
or contact Taylor Rose

[Signature]
(person receiving permission) 4/29/19
(date)

[Signature]
Kevin Flanagan, Director of Health and Inspections 4/29/19
(date)

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

422 Lillian St.

04/29/2019

COMPLAINT INSPECTION FORM

COMPLAINANT:
NAME: Staff
ADDRESS: _____
PHONE: _____

DATE COMPLAINT MADE: 4/22/19
DATE INVESTIGATED: 4/23/19

OCCUPANT PER WATER WORKS:

COMPLAINT ABOUT:
NAME: _____
ADDRESS: 422 S Ferry
PHONE: _____

RENTAL? YES NO # UNITS _____

CASE NO. TAGE-4-19-23136

DEED HOLDER:
NAME: Richard Fitzsimons
ADDRESS: 422 S Ferry
CITY/STATE: Ottawa, IL
PHONE: _____

CONTRACT BUYER:
NAME: _____
ADDRESS: _____
CITY/STATE: _____
PHONE: _____

COMPLAINT: _____

INVESTIGATION REVEALED: Multiple Ch. 20 deficiencies, List attached

ACTION TAKEN: Recorded 4/24/19. Posted and sent placard notice and deficiency list. Sent utility notice. Ordered title search. Scheduled inspection for 5/2/19 @ 9am. Posted notice REC 5/2/19 -BJ

INVESTIGATED BY: BJ

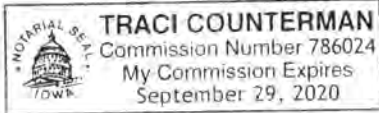
FOLLOW UP DATE: 5/2/19

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

422 S Ferry
City of Ottumwa hereto attached was
published in said newspaper for 1 consecutive weeks to-wit. 6/18/19 Subscribed and sworn to
before me, and in my presence, by the said 18th day of June, 2019



Traci Counterman

Notary Public

In and for Wapello County

Printer's fee \$16.77

COPY OF ADVERTISEMENT

PUBLIC NOTICE TO: Richard D. Fitzsimmons and Brenda Fitzsimmons, Husband and Wife Green Tree Financial Servicing Corporation N/K/A Ditech Mortgage Corporation A/K/A Ditech Financial LLC You are hereby notified that the structures located at 422 S. Ferry, Ottumwa, IA have been determined to be a public nuisance, and that the nuisance must be abated by demolition within 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: Lot 70 in Williams Park Addition to the City of Ottumwa, Wapello County, Iowa. 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 July 2, 2019 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 May 9, 2019 Joni L. Keith City Attorney

PH - 422 S. Ferry
Condemnation hearing
BOH



6363 College Boulevard, Suite 100
Overland Park, KS 66211
913.663.7600
southlaw.com
offices in
Missouri • Kansas • Nebraska • Iowa

FILE

2019 JUN 24 PM 12:31

CITY CLERK
OTTUMWA, IA

Notice of Intent to Present Evidence at Condemnation Hearing

June 21, 2019

Via FedEx

To: City of Ottumwa City Clerk
105 E. Third Street
Ottumwa, IA 52501

RE: Condemnation Notice for 422 S. Ferry, Ottumwa, Iowa

Dear City Clerk:

I represent Ditech Financial, LLC, a mortgagee with a lien interest on property located at 422 S. Ferry, Ottumwa, Iowa. My client is in receipt of a Condemnation Notice which has set a condemnation hearing for July 2, 2019, at 5:30 p.m.

Ottumwa Code of City Ordinances 20-4(k)(1)(d) requires any interested party wishing to present evidence at the hearing to file a written statement with the City Clerk setting forth reasons why condemnation should not occur.

By this correspondence, I am hereby providing notice on behalf of my client, Ditech Financial, LLC, that it may proceed with presenting evidence against condemnation at the hearing set for July 2, 2019. The condemnation action should not be ordered by the board of health in the event that there is evidence to establish that the property at 422 S. Ferry, Ottumwa, Iowa is not a public nuisance, or, alternatively, that reasonable actions are being undertaken to abate any nuisance. Ditech Financial, LLC intends to present any evidence at the hearing tending to establish that there is no nuisance or that actions are being taken to abate the nuisance.

Please file this Notice in your usual manner, and return a filed stamped copy to the undersigned in the enclosed postage paid envelope.

Respectfully submitted,
SouthLaw, P.C.

/s/ Rodney W. Kleitsch

Rodney W. Kleitsch AT0009037
1401 50th Street, Suite 120
West Des Moines, IA 50266
(515) 223-7325, ext. 362
(515) 223-7276 (Fax)
Rodney.Kleitsch@southlaw.com
Attorneys for Ditech Financial, LLC



13160 Foster, Suite 100
Overland Park, KS 66213-2660



US POSTAGE

\$00.50⁰⁰

First-Class

Mailed From 50266

06/21/2019

032A 0061808302

SouthLaw, P.C.
Attn: Rodney W. Kleitsch
1401 50th St., Suite 100
West Des Moines, IA 50266

FILED

CITY OF OTTUMWA

Staff Summary

** ACTION ITEM **

Council Meeting of: Jul 2, 2019

Health & Inspections
Department

Jody Gates
Prepared By
Kevin C Flanagan
Department Head



City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structure (s) on property described as Lot 12 Block 1 in Manning's Second Addition to the City of Ottumwa, Wapello County, Iowa, commonly known as 137 S. Van Buren



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) located at 137 S. Van Buren, 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 property was placarded September 13, 2018 due to dilapidation. Inspectors attempted to get the owners to repair the property but no one submitted a repair plan or responded to requests to repair or remove the structure. Staff recommends the Board of Health condemn the structure.

OTTUMWA

CITY OF BRIDGES...RIVER OF OPPORTUNITY

Jody

NOTICE TO ABATE

May 3, 2019

VIA CERTIFIED AND REGULAR MAIL

Mr. Thomas Anthony Rimmer
Unknown Spouse, if any
911 South Hancock
Ottumwa, Iowa 52501

Ms. Donna M. Mendoza
Mr. Gerardo C. Mendoza
425 N. Hancock
Ottumwa, Iowa 52501

TO WHOM IT MAY CONCERN:

An inspection has been made of the placarded property at **137 S. Van Buren, Ottumwa, IA** of which you are the registered owner(s) or in which you have a property interest.

It has been determined that by reason of dilapidation and failure to repair this property, this property constitutes a public nuisance.

The following abatement is needed to meet the minimum standards set forth in ordinance 2817-1994, an ordinance establishing the minimum standards governing the condition and maintenance of dwellings, etc.:

Abatement needed:

- 1) This nuisance must be abated by demolition within **thirty (30) days** from this date and the ground leveled to the contour of the surrounding earth.
- 2) The sewer must be terminated and capped within 3' of the property line.
- 3) The water service must be terminated at the connection to the main line.

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 2nd day of July, 2019 at 5:30 p.m. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, Iowa.

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0600 Fax 641-683-0613

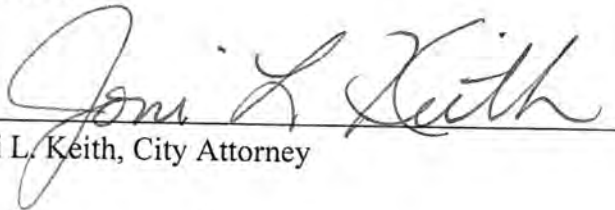
Notice to Abate

Page 2

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 641-683-0625 or by coming to Room 109 at City Hall.

Sincerely,



Joni L. Keith, City Attorney

Cc: Health Department Jody Gates
Building Inspector Zach Simonson

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL

TO: Thomas Anthony Rimmer and Unknown Spouse, if any
Donna M. Mendoza and Gerardo C. Mendoza
Wapello County, Iowa

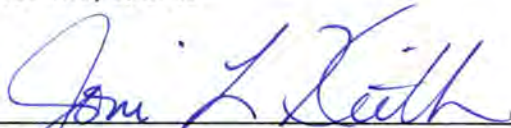
You are hereby notified that the structures located at **137 S. Van Buren**, Ottumwa, IA have been determined to be a public nuisance, and that the nuisance must be abated by demolition with thirty (30) days of this notice and the lot cleaned and leveled. You are further notified that the legal description of the above property is as follows:

Lot 12 in Block 1 in Manning's Second Addition to the City of Ottumwa, Wapello County, Iowa.

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 **July 2, 2019 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 May 3, 2019



Joni L. Keith
City Attorney



CITY OF BRIDGES

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

September 13, 2018

91 7199 9991 7035 6854 6231

Thomas Anthony Rimmer and Donna Mendoza
137 S Van Buren
Ottumwa, IA 52501

Thomas Anthony Rimmer and Donna Mendoza:

An inspection was made on **September 13, 2018**, of the property located at **137 S Van Buren**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

MANNING'S 2ND ADD LOT 12 BLK 1 (137 S VAN BUREN)

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 **13th day of October, 2018**, 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 October 13**.

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

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 – 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 the 13th day of October, 2018** 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 13th day of September 2018.

Sincerely,

Zach Simonson
Building Inspector
Health & Inspections :: City of Ottumwa, IA
641.683.0649

CERTIFIED #91 7199 9991 7035 6854 6231

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

OTTUMWA

CITY OF BRIDGES...RIVER OF OPPORTUNITY

October 16, 2018

TRUITT ABSTRACTING COMPANY
127 East Second Street
Ottumwa IA. 52501

RE: TITLE SEARCH REQUEST 2010 BERTHA

Mr. Truitt,

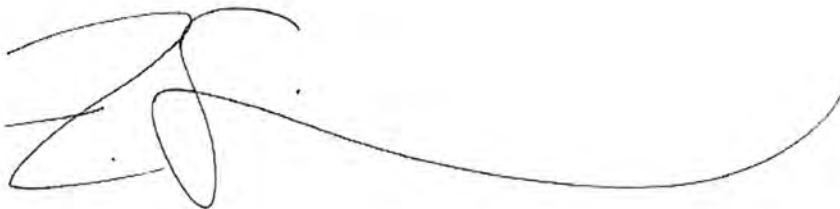
The City of Ottumwa is requesting a title search for condemnation on the following property:

137 S Van Buren

Please include all lien holders, mortgage holders, tax certificate holders etc. with mailing addresses if available.

Return the completed search to Health and Inspections, Room 203, 105 East Third Street, Ottumwa IA 52501. Thank you for your assistance in this matter.

Sincerely,



Zach Simonson
Housing and Code Enforcement Inspector
Health Department :: City of Ottumwa, IA
641.683.0649

Date of Investigation: September 13, 2018

DEFICIENCY LIST-137 S Van Buren

- 1. Demolish the structures and level the site to the contours of the surrounding earth. 20-3**

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,



Zach Simonson
Building Inspector
Health & Inspections :: City of Ottumwa, IA
641.683.0649



September 13, 2018

Alliant Energy
2901 Oak Meadow Drive
Ottumwa, IA 52501

Mid-American Energy
302 S. Vine St.
Ottumwa, IA 52501

Ottumwa Water Works
230 Water Works Drive
P.O. Box 20
Ottumwa, IA 52501

To Whom It May Concern:

Please, be informed that a placard was placed on **September 13, 2018**, at **137 S Van Buren** stating that the dwelling unit is "Unfit for Human Habitation" by the City of Ottumwa, Health Department.

Thank you for your cooperation in this matter.

Sincerely,

Zach Simonson
Building Inspector
Health & Inspections :: City of Ottumwa, IA
641.683.0649

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0610 Fax 641-683-0609

COMPLAINT INSPECTION FORM

COMPLAINANT:
NAME: Staff
ADDRESS: _____
PHONE: _____

DATE COMPLAINT MADE: _____
DATE INVESTIGATED: 9/13/18

OCCUPANT PER WATER WORKS:

COMPLAINT ABOUT:
NAME: _____
ADDRESS: 137 S Van Buren
PHONE: _____

RENTAL? YES NO # UNITS _____

CASE NO. _____

DEED HOLDER:
NAME: Thomas Anthony Kinner
Donna Mendoza
ADDRESS: 137 S Van Buren
CITY/STATE: Attumng IA
PHONE: _____

CONTRACT BUYER:
NAME: _____
ADDRESS: _____
CITY/STATE: _____
PHONE: _____

COMPLAINT:

INVESTIGATION REVEALED: Multiple building and housing ~~code~~ deficiencies,
list attached

ACTION TAKEN: Placarded property. Sent placard notice. Sent utility notice.
Posted notice RIC 10/16/18

INVESTIGATED BY: ZJ

FOLLOW UP DATE: 10/16/18

**CITY OF OTTUMWA
HEALTH DEPARTMENT
COVER SHEET**

PLACARDED
PROPERTY

ADDRESS: 137 S. VAN BUREN

OWNER: Thomas Timothy A. Rimmer

Donna Mendoza

137 S. Van Buren

Ottumwa IA

CASE NO. TAGE-9-18-22582

MANAGER: _____

TELEPHONE: _____

PLACARDED
PROPERTY

10/16/18	Requested title search. RIC 10/20/18 ZS
10/18/18	Received title search. Sent condemnation memo. No change on the property. RIC 11/20/18 ZS
11/21/18	No change. RIC 12/26/18 ZS
12/26/18	No change. RIC 1/28/19 ZS
1/28/19	No change. Schedule prog. insp. next mo. RIC 2/28/19 ZS
3/11/19	Scheduled inspection and posted notice. RIC 3/11/19 @ 1pm
3/11/19	No show. Someone removed the posted notice. RIC 3/11/19
	RIC 4/18/19 ZS Prepare condemnation at that time.
4/18/19	No change. RIC 4/18/19 Sent new condemnation memo. RIC 5/21/19 ZS
5/15/19	Posted notice to abate. RIC 5/21/19 ZS
5/22/19	Posted another notice to abate. RIC 5/22/19 Due Las Vegas. RIC 6/25/19



