

TENTATIVE AGENDA  
OTTUMWA BOARD OF HEALTH

MEETING NO. 2  
Council Chambers, City Hall

August 15, 2023  
5:30 O'clock P.M.

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

Approval of Minutes 1. Approve the minutes from Meeting No. 1 on June 20, 2023 as presented.

RECOMMENDATION: Approve the minutes.

Condemnation Hearing 831 Lillian 2. This is the time, place and date set to consider condemnation of the structures on the property located at 831 Lillian in the City of Ottumwa, Wapello County, Iowa.

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 831 Lillian, 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 831 Lillian.

Condemnation Hearing 903 Silk 3. This is the time, place and date set to consider condemnation of the structures on the property located at 903 Silk in the City of Ottumwa, Wapello County, Iowa.

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 903 Silk, 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 903 Silk.

Condemnation Hearing 442 S. Moore 4. This is the time, place and date set to consider condemnation of the structures on the property located at 442 South Moore in the City of Ottumwa, Wapello County, Iowa.

- A. Open hearing for comments.
- B. Close the public hearing.

- C. Condemn the structures located at 442 S. Moore, order prompt demolition, removal and leveling of the lot and direct all costs attendance 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 442 S. Moore.

Adjourn

5. Adjournment.



CITY OF  
OTTUMWA

**FAX COVER SHEET**

City of Ottumwa

DATE: 8/11/2023 TIME: 9:05 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 #2 to be held on 8/15/2023 at 5:30 P.M.

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\*\*\* FAX MULTI TX REPORT \*\*\*  
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JOB NO.	3501	
DEPT. ID	4717	
PGS.	3	
TX INCOMPLETE	-----	
TRANSACTION OK	916416847834	Ottumwa Courier
	916606271885	KTVO
	916416823269	Ottumwa Waterworks
ERROR	916416828482	Tom FM



CITY OF  
OTTUMWA

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MEMO: Tentative Agenda for the Board of Health Meeting #2 to be held on 8/15/2023 at 5:30 P.M.

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\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
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JOB NO.	3501	
DEPT. ID	4717	
ST. TIME	08/11 09:08	
SHEETS	3	
FILE NAME		
TX INCOMPLETE	-----	
TRANSACTION OK	916416847834	Ottumwa Courier
	916606271885	KTVO
	916416823269	Ottumwa Waterworks
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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 #2 to be held on 8/15/2023 at 5:30 P.M.

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OTTUMWA BOARD OF HEALTH MINUTES

MEETING NO. 1  
Council Chambers, City Hall

June 20, 2023  
5:30 O'clock P.M.

The meeting convened at 5:30 P.M.

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

Approval of Minutes 1. Galloway moved, seconded by McAntire to approve mins. from Mtg. No. 10 on Dec. 6, 2022 as presented. Motion carried 4-1. Absent: Roe.

530 W. Woodland 2. This was the time, place and date set to consider condemnation of the structures located at 530 W. Woodland in the City of Ottumwa, Wapello County, IA. Zoning & Housing Coordinator Rusch reported the structure was placarded Sept. 9, 2022 due to a house fire. The structure has remained open to elements and no progress has been made while the house continues to deteriorate. No current repair plan on file. Galloway moved, seconded by Hull to close the public hearing. Motion carried 4-1. Absent: Roe.

McAntire moved, seconded by Galloway to condemn the structures located at 530 W. Woodland, 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. Motion carried 4-1. Absent: Roe.

Adjourn 3. There being no further business, Galloway moved, seconded by Pope that the mtg. adjourn. Motion carried 4-1. Absent: Roe.

Adjournment was at 5:33 P.M.



ATTEST:

*Christina Reinhard*

Christina Reinhard, CMC, City Clerk

OTTUMWA BOARD OF HEALTH

*Richard W. Johnson*

Richard W. Johnson, Mayor and Chairman



received  
8-9-23 1115A

Item No. 2.



# CITY OF OTTUMWA

## Staff Summary

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

Council Meeting of : August 15, 2023

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 831 Lillian.

\*\*\*\*\*

**\*\*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 831 Lillian 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 831 Lillian was placarded August 18, 2022. The property was placarded due to no utilities and poor living conditions. The Department has had to perform three extensive cleanup on the exterior of the property during the duration of this file. Individuals have been arrested for being in a placarded property without permission. The house has been open to the elements during the duration of the file with a lot of activity not directed towards progress to the structure. 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 ]

OTTUMWA

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

August 18, 2022

Kelly Williams  
PO Box 839  
Ottumwa, IA 52501

91 7199 9991 7035 6855 5387

**To Whom It May Concern:**

An inspection was made on **August 18, 2022**, of the property located at **831 Lillian**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

COWANS 2ND ADD LOT 19 BLK 3 (831 LILLIAN)

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 **September 19, 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 **September 19, 2022**.

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 September 19, 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 Simonson at 641-683-0694 for this service.**

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, **August 18, 2022.**

Respectfully,



**Jeremy Lipe**  
Building Inspector  
Building & Code Enforcement :: City of Ottumwa  
641.683.0650

CERTIFIED #91 7199 9991 7035 6855 5387



[ CITY OF ]

O T T U M W A

**Date of Placard Inspection: August 18, 2022**  
**DEFICIENCY LIST-831 Lillian**

### **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 or replace damaged or missing storm doors. 20-7-15
4. Repair or replace damaged or missing windows. 304.13
5. Repair or replace damaged or missing storm windows and screen unless windows are weather resistant material. 304.13 20-7-15
6. Repair loose, worn or damaged deck boards, railings, steps, etc. on front porch. 304.15
7. Trim back all overgrown plant growth in yard. Dispose of any yard waste or tree debris. 302.1
8. Repair or demolish outbuildings to meet current code. 302.7
9. Cease prohibited burning. 24-3-9 31½-4
10. Dispose of all construction or building material waste, solid waste, parts, junk, refuse, rubbish and debris in yard. 302.1
11. Keep the property secure from any unauthorized persons and from harboring vermin. 20-3-L
12. Properly seed yard with grass. 302.2
13. Keep the grass kept below 10" 24-3-10

### **Interior**

1. Clean and sanitize all floors, ceilings and walls. 305.1
2. Clear out clutter to provide accessibility per fire code. 702
3. Have property professionally treated for pest infestations. 309.4
4. Repair and replace damaged and missing drywall, mudding joints, sanding smooth and painting. Providing an uninterrupted, cleanable wall and ceiling covering. 305.3
5. Repaint all chipping and peeling paint. 305.3
6. Provide an uninterrupted, cleanable floor covering via floor sealant, vinyl, tile, or carpet. 305.3
7. Repair or replace interior doors where required. 304.18 20-7-14
8. Repair or replace exterior doors to properly seal out the elements and to have deadbolt locks. 304.18



9. Repair basement staircase and provide required hand railing. 301.10 304.12 307.1
10. Repair foundation to be plumb and free from open cracks and breaks. 304.5
11. Cease the use of extension cords as permanent electrical circuits. 605.4
12. Have licensed electrician bring electrical system to current electrical code, including hardwired smoke alarms. 604.3
13. Have licensed plumber bring plumbing system to current code and make any changes to plumbing system. 504.1
14. Have licensed HVAC technician bring HVAC system to current code and make any changes to the HVAC system. 603.1 607.1

**(The exterior nuisance violations that have already been addressed by this department regarding but not limited to prohibited outdoor storage must still be abated by the dates given in those corresponding notices.)**

**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.

*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 ]  
O T T U M W A

## NOTICE TO ABATE

July 14, 2023

Kelly Williams  
831 Lillian  
P.O. Box 839  
Ottumwa, Iowa 52501  
***Deed Holder***

Wapello County, Iowa  
c/o County Auditor  
101 W. 4th Street  
Ottumwa, IA 52501  
***Lienholder***

### SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on August 18, 2022, of the placarded property located at **831 Lillian, Ottumwa Iowa** 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 15<sup>th</sup> day of August, 2023 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

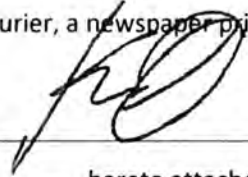


# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

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

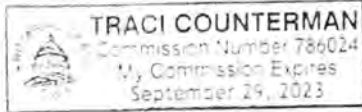
831 Lillian Notice  
City of Ottumwa



hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 7/20/23

Subscribed and sworn to before me, and in my presence, by the said 20th day of July, 2023



Notary Public

In and for Wapello County

Printer's fee \$20.34

## COPY OF ADVERTISEMENT

CONDEMNATION NOTICE  
VIA CERTIFIED AND REGU-  
LAR MAIL TO: Kelly Williams;  
Wapello County, Iowa; You are  
hereby notified that the struc-  
tures located at 831 Lillian,  
Ottumwa, IA has been deter-  
mined 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 leve-  
led. You are further notified  
that the legal description of the  
above property is as follows:  
COWANS 2ND ADD LOT 19  
BLK 3 (831 LILLIAN) You are  
further notified that if the nu-  
sance is not abated within 30  
days of the date of this notice,  
a public hearing for condemna-  
tion of the structure(s) located  
on the premises described  
above will be held by the Ot-  
tumwa Board of Health on  
August 15th, 2023 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, Ot-  
tumwa, IA 52501 within five (5)  
days of the publication of this  
notice. TAKE NOTICE AND  
GOVERN YOURSELF AC-  
CORDINGLY! DATED July 14,  
2023 Jake Rusch Zoning and  
Housing Coordinator City of  
Ottumwa, Iowa





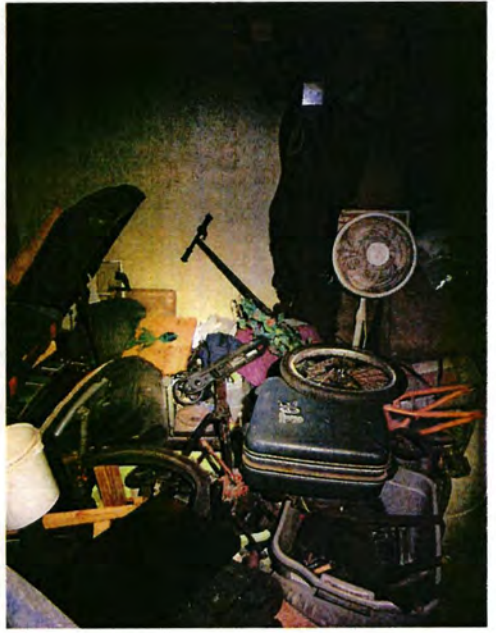
8/18/22





7/21/22





7/21/23





7/21/23



**CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL**

TO: Kelly Williams; Wapello County, Iowa;

You are hereby notified that the structures located at **831 Lillian**, Ottumwa, IA has 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:

**COWANS 2ND ADD LOT 19 BLK 3 (831 LILLIAN)**

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 August 15<sup>th</sup>, 2023 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 14, 2023**

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Jake Rusch  
Zoning and Housing Coordinator  
City of Ottumwa, Iowa

received  
8923 1115A

Item No. 3.

hearing

# CITY OF OTTUMWA

## Staff Summary

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

Council Meeting of: August 15, 2023

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 903 Silk.

\*\*\*\*\*

**\*\*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 903 Silk 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 903 Silk was placarded November 11, 2022. The property was placarded due to no utilities and poor living conditions. The Department has had to perform an extensive cleanup on the exterior of the property and two junk motor vehicle campers were removed. The house has been open to the elements during the duration of the file with a lot of activity not directed towards progress to the structure. 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 ]  
O T T U M W A

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

November 2, 2022

Larry Morris  
903 Silk  
Ottumwa, IA 52501

91 7199 9991 7035 6855 5684

**To Whom It May Concern:**

An inspection was made on **November 2, 2022**, of the property located at **903 Silk**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

HARDING PARK ADD LOT 31 BLK 5 (903 SILK)

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 **December 5, 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 **December 5, 2022**.

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 December 5, 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 Simonson at 641-683-0694 for this service.**

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, **November 2, 2022.**

Respectfully,



**Jeremy Lipe**  
Building Inspector  
Building & Code Enforcement :: City of Ottumwa  
641.683.0650

CERTIFIED #91 7199 9991 7035 6855 5684



[ CITY OF ]

OTTUMWA

**Date of Placard Inspection: November 2, 2022**  
**DEFICIENCY LIST-903 Silk**

### **Exterior**

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 or replace damaged or missing storm doors. 20-7-15
4. Repair or replace damaged or missing windows. 304.13
5. Repair or replace damaged or missing storm windows and screen unless windows are weather resistant material. 304.13 20-7-15
6. Trim back all overgrown plant growth in yard. Dispose of any yard waste or tree debris. 302.1
7. Repair roof to code to prevent any leaking. 304.7
8. Keep the property secure from any unauthorized persons and from harboring vermin. 20-3-L
9. Remove debris, solid waste, junk, etc. from the property. 305.1
10. Keep the grass kept below 10" 24-3-10

### **Interior**

1. Provide all required utilities, gas, water and electric. 404.1, 505.4, 602.2 and 505.1
2. Have licensed electrician bring electrical system to current electrical code, including hardwired smoke alarm. 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. Remove paint from windows to meet required natural light. 402

**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.





[ CITY OF ]  
O T T U M W A

## NOTICE TO ABATE

July 14, 2023

Larry A. Morris  
903 Silk  
Ottumwa, Iowa 52501  
*Deed Holder*

State of Iowa  
Iowa Attorney General  
1305 E. Walnut  
Des Moines, Iowa 50319  
*Lienholder*

### SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on November 2, 2022, of the placarded property located at **903 Silk, Ottumwa, Iowa** 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 15<sup>th</sup> day of August, 2023 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

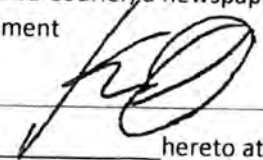
# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

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

903 Silk Notice

City of Ottumwa



hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 7/20/23

Subscribed and sworn to before me, and in my presence, by the said 20th day of July, 2023



Notary Public

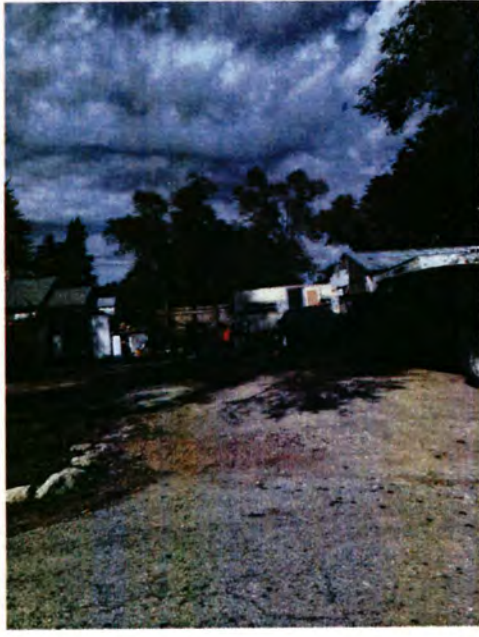
In and for Wapello County

Printer's fee \$20.34

## COPY OF ADVERTISEMENT

CONDEMNATION NOTICE  
VIA CERTIFIED AND REGU-  
LAR MAIL TO: Larry Morris;  
State of Iowa; You are hereby  
notified that the structures lo-  
cated at 903 Silk, Ottumwa, IA  
has 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 prop-  
erty is as follows: HARDING  
PARK ADD LOT 31 BLK 5  
(903 SILK) You are further no-  
tified 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 August 15th,  
2023 at 5:30 p.m. in the Coun-  
cil 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 14, 2023 Jake  
Rusch Zoning and Housing  
Coordinator City of Ottumwa,  
Iowa





10/6/27

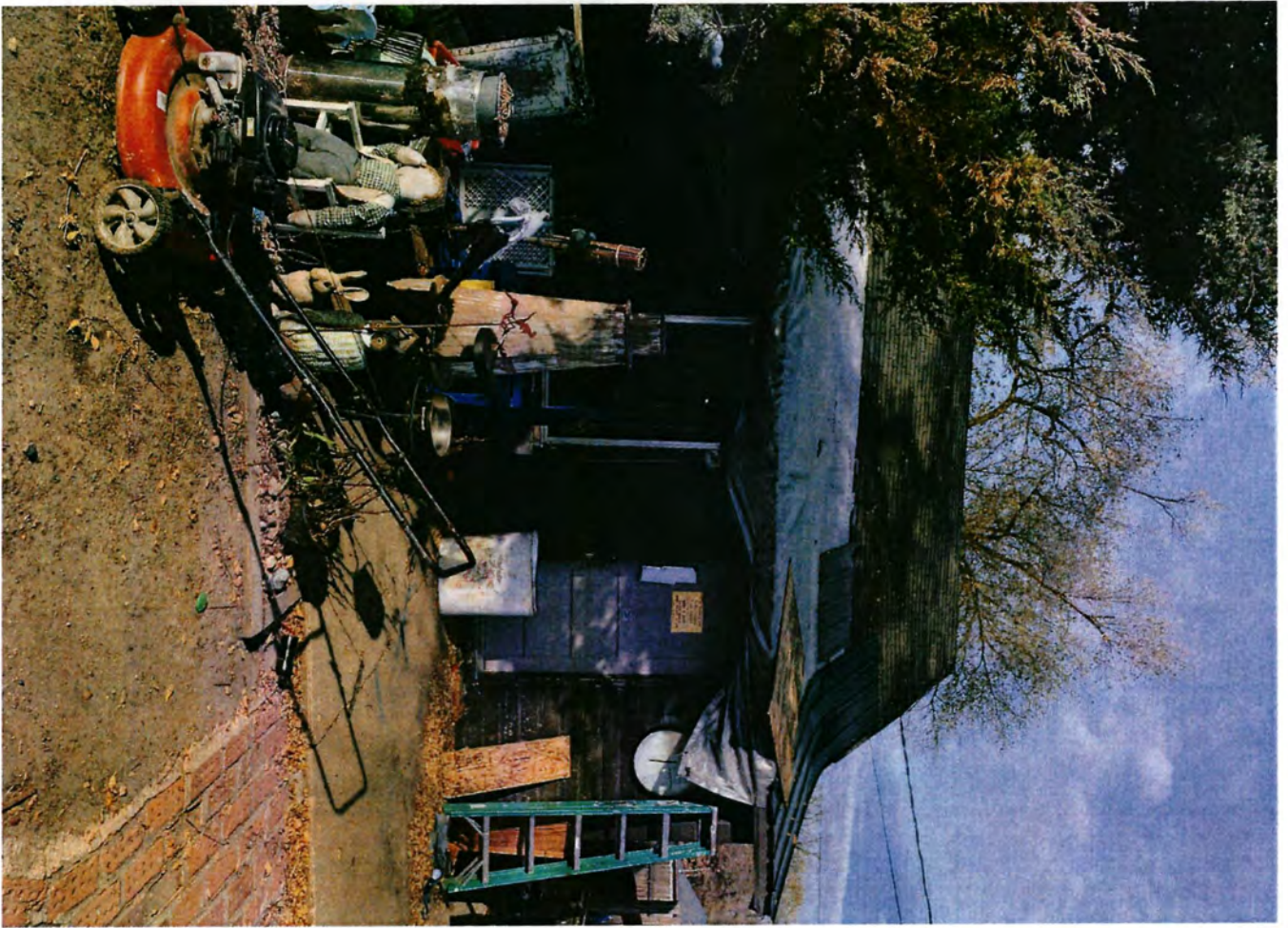




903 silk

5/18/23





903 Silk

11/3/22



**CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL**

TO: Larry Morris; State of Iowa;

You are hereby notified that the structures located at **903 Silk**, Ottumwa, IA has 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:

**HARDING PARK ADD LOT 31 BLK 5 (903 SILK)**

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 **August 15<sup>th</sup>, 2023 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 14, 2023**

---

Jake Rusch  
Zoning and Housing Coordinator  
City of Ottumwa, Iowa

received  
8-9-23 1115A

RECEIVED

# CITY OF OTTUMWA

## Staff Summary

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

Council Meeting of: August 15, 2023

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 442 S Moore.

\*\*\*\*\*

**\*\*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 442 S Moore 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 442 S Moore was placarded March 21, 2023. The property was placarded due to no utilities and poor living conditions. On April 12, 2023 there was a structure fire that caused significant damage. The house has been open to the elements during the duration of the file. 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 ]  
OTTUMWA

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

March 27, 2023

**Joyce Ann Johnson – In Trust For Benefit Of  
Johnny Mac Kempf  
317 W Fifth St  
Ottumwa, IA 52501**

91 7199 9991 7035 6855 5981

**John Kempf  
616 E Main St  
Ottumwa, IA 52501**

**To Whom It May Concern:**

An inspection was made on **March 21, 2023**, of the property located at **442 S Moore**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

WILLIAMS 2ND ADD LOT 24 BLK 11 (442 S. MOORE)

and which the records of the Wapello County Iowa Records' 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 **April 27, 2023**, 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 **April 27, 2023**.

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 April 27, 2023** 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, **March 27, 2023.**

Respectfully,



**Jeremy Lipe**  
Building Inspector  
Building & Code Enforcement :: City of Ottumwa  
641.683.0650

CERTIFIED #91 7199 9991 7035 6855 5981

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



[ CITY OF ]

OTTUMWA

**Date of Placard Inspection: March 21, 2023**

**DEFICIENCY LIST-442 S Moore**

### **Exterior/Yard**

1. **Repair damaged / worn roof by removing old shingles and other materials and replacing with approved roofing materials to be of weather tight condition. 304.7**
2. **Repair or replace all damaged or missing siding. 304.6**
3. **Repair or replace all damaged or missing soffit and fascia. 304.6**
4. **Scrape and repaint all chipping and peeling paint, or provide exterior protection from the elements, siding, trim, soffit and fascia. 304.6**
5. **Remove and replace all rotted and / or water damaged material. 305**
6. **Repair or replace damaged or missing doors. 304.18**
7. **Provide deadbolt locks to entry doors. 304.18**
8. **Repair or replace damaged or missing windows. 304.13**
9. **Repair or replace damaged or missing storm windows and screen unless windows are weather resistant material. 304.13 20-7-15**
10. **Cease from using extension cords through windows, doorways or and / or as permanent electrical circuits. 604.3 605.4**
11. **Trim back all overgrown plant growth in yard. Dispose of any yard waste or tree debris. 302.1**
12. **Dispose of all prohibited outdoor storage, waste and debris in yard / keep free of such nuisance violations. 24-3-12, 302.1**
13. **Remove any vehicle(s) and prevent any future vehicles from being on the placarded property. 20-3**
14. **Keep the grass kept below 10". 24-3-10**
15. **Keep the property secure from any unauthorized persons and from harboring vermin. 20-3-L**

### **Interior**

1. **Provide all required utilities, gas, water and electric. 401.1, 505.4, 602.2 and 505.1**
2. **Repair and replace damaged and missing drywall, mudding joints, sanding smooth and painting. Providing an uninterrupted, cleanable wall and ceiling covering. 305.3**
3. **Replace damaged or missing doors. 304.18**
4. **Repair / level weak, damaged, uneven, sagging and humped floors. 305.3**
5. **Provide an uninterrupted, cleanable floor covering via floor sealant, vinyl, tile, or carpet. 305.3**





[ CITY OF ]  
O T T U M W A

## NOTICE TO ABATE

July 14, 2023

Joyce Ann Johnson in Trust for the  
benefit of Johnny Mac Kempf  
317 W 5th Street  
Ottumwa, Iowa 52501  
***Deed Holder***

ACC 690 LLC  
c/o Todd Queck  
3161 SE 22nd Street  
Des Moines, Iowa 50320  
***Tax Sale Certificate Holder (No. 2021-  
00508) via Registered Agent***

State of Iowa  
Iowa Attorney General  
1305 E. Walnut  
Des Moines, Iowa 50319  
***Lienholder***

Wapello County, Iowa  
c/o County Auditor  
101 W. 4th Street  
Ottumwa, IA 52501  
***Lienholder***

### SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on March 21, 2023, of the placarded property located at **442 S Moore, Ottumwa, Iowa** 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,  
City of Ottumwa  
105 East Third Street, Ottumwa, Iowa 52501  
Telephone 641-683-0618 Fax 641-683-0609



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 15<sup>th</sup> day of August, 2023 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

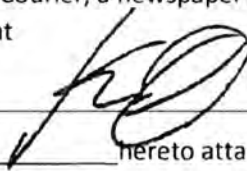
I, Kyle Ocker, being duly sworn on my oath, say I am the General Manager of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

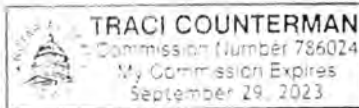
442 S. Moore St Notice

City of Ottumwa

was published in said newspaper for 1 consecutive week's to-wit: 7/20/23

Subscribed and sworn to before me, and in my presence, by the said 20th day of July, 2023

 hereto attached





Notary Public

In and for Wapello County

Printer's fee \$22.33

## COPY OF ADVERTISEMENT

CONDEMNATION NOTICE  
VIA CERTIFIED AND REGU-  
LAR MAIL TO: Joyce Ann  
Johnson in Trust for the benefit  
of Johnny Mac Kempf; ACC  
690 LLC; State of Iowa Iowa  
Attorney General; Wapello  
County Iowa; You are hereby  
notified that the structures lo-  
cated at 442 S Moore,  
Ottumwa, IA has been deter-  
mined 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 level-  
ed. You are further notified  
that the legal description of the  
above property is as follows:  
WILLIAMS 2ND ADD LOT 24  
BLK 11 (442 S. MOORE) You  
are further notified that if the  
nuisance is not abated within  
30 days of the date of this no-  
tice, a public hearing for  
condemnation of the structure  
(s) located on the premises de-  
scribed above will be held by  
the Ottumwa Board of Health  
on August 15th, 2023 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, Ot-  
tumwa, IA 52501 within five (5)  
days of the publication of this  
notice. TAKE NOTICE AND  
GOVERN YOURSELF AC-  
CORDINGLY! DATED July 14,  
2023 Jake Rusch Zoning and  
Housing Coordinator City of  
Ottumwa, Iowa





442 S. moore

5/16/23





442 S. Moore

5/18/23



**CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL**

TO: Joyce Ann Johnson in Trust for the benefit of Johnny Mac Kempf; ACC 690 LLC; State of Iowa  
Iowa Attorney General; Wapello County Iowa;

You are hereby notified that the structures located at **442 S Moore**, Ottumwa, IA has 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:

**WILLIAMS 2ND ADD LOT 24 BLK 11 (442 S. MOORE)**

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 August 15<sup>th</sup>, 2023 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 14, 2023**

---

Jake Rusch  
Zoning and Housing Coordinator  
City of Ottumwa, Iowa