June 10, 2025

**VIA ORDINARY MAIL AND CERTIFIED**

**MAIL, RETURN RECEIPT REQUESTED**

Property Owner

Address

Address

RE: **NOTICE AND ORDER TO ABATE NUISANCES**

 **[property address], KINROSS, IOWA 52335**

Owner & Occupant:

The purpose of this Notice and Order to Abate Nuisances (“Notice and Order”) is to notify you that the residential property (“Property”) you own or occupy located at [address] in Kinross, Iowa, is in continuing violation of various provisions of the Code of Ordinances of the City of Kinross, Iowa (“City Code”). More specifically, as of the date of this Notice and Order, the Property constitutes a prohibited public nuisance in violation of City Code § 3-2-4 due to the following nuisance conditions (depicted in the enclosed photos):

|  |  |  |
| --- | --- | --- |
| **CODE** **SECTIONS** | **CODE TEXT** | **VIOLATION/****REQUIRED ACTION** |
| 3-2-2(11) | All weeds, vines, brush or other vegetation in any lawn or yard, including public parking or boulevard areas abutting private property, in an average excess of eight inches for developed properties and twelve inches for undeveloped properties.  | **VIOLATION:** There are areas of the property exhibiting a dense growth of vegetation, weeds and brush in excess of eight inches in height.**REQUIRED ACTION:** Cut and/or remove vegetation, weeds and brush in excess of eight inches and keep the Property free of the same going forward. |
| 3-2-1(9) | The accumulation of items including, but not limited to, the following: old or scrap rope, rags, batteries, paper, trash, rubber, debris, tires, waste, used lumber, or salvaged wood; inoperable machinery, electronics, or appliances or parts of such machinery, electronics, or appliances; iron, steel, or other old or scrap ferrous materials; old or discarded glass, tinware, plastic or old or discarded household goods or hardware, except if stored inside a completely enclosed structure. Neatly stacked firewood located on a side yard or rear yard is not considered a nuisance.  | **VIOLATION:** There is accumulated on the Property significant quantities of trash including but not limited to, multiple opened trash bags and miscellaneous household items. **REQUIRED ACTION:** Remove and properly dispose of all such items and maintain Property free of the same moving forward.  |

**YOU ARE HEREBY ORDERED TO TAKE THE REQUIRED ACTIONS SET FORTH ABOVE WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS NOTICE AND ORDER.**

Failure to comply with this Notice and Order will result in the City of Kinross filing a Municipal Infraction Citation against you in the Iowa District Court for Keokuk County, including but not limited to seeking injunctive relief and/or civil penalties of not more than $750 for each violation and not more than $1,000 for each repeat offense, with each day the violation occurs or is permitted to exist constituting a separate offense. Alternatively, or in addition, the City may file an action seeking an award of title to the Property to the extent it has been abandoned within the meaning of Iowa Code § 657A.10B.

The City does not, by virtue of this Notice and Order to Abate, seek administrative abatement of the above-referenced violations pursuant to City Code §§ 3-2-9 and, accordingly, will not entertain requests for a hearing pursuant to City Code § 3-2-7.

You have a right to request a hearing before the City Council pursuant to the provisions of City Code § 3-2-7 as to whether the above-referenced nuisance exists. Should you elect to exercise this right you must file a written request for a hearing with the City Clerk within seven (7) days of the date of this Notice and Order or it will be conclusively presumed that a nuisance exists, and it must be abated as ordered.

Questions regarding this Notice and Order should be directed to my attention.

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 Benjamin Mast, Mayor

 307 Ives St.

Kinross, IA 52335

[phone number]

[email]