

**RESOLUTION NO. 2023-16**

**A RESOLUTION AUTHORIZING THE PUBLIC OFFICER TO ABATE CONDITIONS AT 416 NORTH WOOD STREET, CANEY, KANSAS, PURSUANT TO ARTICLE 2 OF THE HEALTH AND WELFARE CODE OF THE CITY OF CANEY.**

WHEREAS, Caney, Kansas (the "City") has adopted a Health and Welfare Code (the "Code"); and

WHEREAS, on or about July 26, 2023, the City's Public Officer caused a notice to be sent by certified mail to William Ellis and Nicole Ellis, regarding Code violations observed at 416 North Wood Street; and

WHEREAS, the Notice of Violation gave said persons 10 days to abate said conditions; and

WHEREAS, the conditions have not been abated and the property continues to be in violation of the Code; and

WHEREAS, pursuant to Section 2-807 of the Code, the City may adopt a resolution authorizing the Public Officer or other agents of the City to abate the conditions causing the violation at the end of 10 days following adoption of the resolution.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Caney, Kansas, that the Public Officer be and is hereby authorized and directed to abate the conditions at the subject property, causing said property to be in violation of the Code at the end of 10 days following adoption of this resolution.

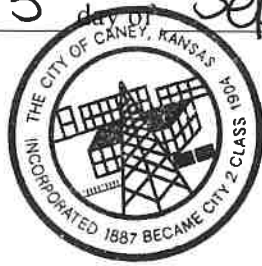
BE IT FURTHER RESOLVED that the costs incurred by the City for such abatement shall be charged against the owners of the property and may be assessed against the property in the manner provided in Section 2-809 of the Code.

BE IT FURTHER RESOLVED that a copy of this resolution shall be served upon the owners in one of the following manners:

- (1) By personal service;
- (2) By certified mail, postage prepaid, return receipt requested; or
- (3) If the whereabouts of such person is unknown and the same cannot be ascertained in the exercise of reasonable diligence, an affidavit to that effect shall be made by the public officer and filed with the City Clerk, and the serving of the resolution shall be made by publishing the same once each

week for two (2) consecutive weeks in the official city newspaper and by posting a copy of the resolution on the subject property.

Adopted this 5 <sup>day of</sup> September 2023.



  
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Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk