

RESOLUTION NO. 77-24

RESOLUTION FINDING PROPERTY LOCATED AT 703 2ND AVE SW IN THE CITY OF
DYERSVILLE TO BE A PUBLIC NUISANCE AND FINDING THAT CONDEMNATION IS
IN THE PUBLIC INTEREST

WHEREAS, on or about August 6, 2024, the Iowa District Court in and for Dubuque County found the structure on the property located at 703 2nd Ave SW in the City of Dyersville to be a Dangerous Building as defined by Chapter 145 of the Code of Ordinances of the City;

WHEREAS, Chapter 50 of the Code of Ordinances defines Dangerous Buildings as a nuisance and provides the procedure for abatement thereof;

WHEREAS, the property owner has not taken sufficient action to abate the nuisance, despite numerous and repeated opportunities and the property remains in the condition that was found by the court to be a Dangerous Building;

WHEREAS, the Council believes that it is in the best interest of the City to acquire the property pursuant to Iowa Code §364.12 to abate the nuisance either by rehabilitation of the structure if possible or by demolition if rehabilitation is not feasible.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
DYERSVILLE, IOWA:**

1. **Section 1.** This Council finds the structure on the property located at 703 2nd Ave SW in the City of Dyersville to be a Dangerous Building as defined by Chapter 145 of the Code of Ordinances of the City and a public nuisance as defined by Chapter 50 of the Code of Ordinances.
2. **Section 2.** This Council finds that it is in the best interest of the City to condemn the property pursuant to Iowa Code §364.12a in order to abate the nuisance, either by rehabilitation of the structure if possible or by demolition if rehabilitation is not feasible.
3. **Section 3.** The City is directed to order an appraisal of the property located at 703 2nd Ave SW in the City of Dyersville and to provide notice to the property owner of the day and time such appraisal will take place and to inform the property owner of his right to be present for the appraisal.

PASSED and APPROVED this 16th day of December 2024.

Jeff Jacque, Mayor

ATTEST:

Tricia L. Maiers, City Clerk