



**Roll Call Number**

**Agenda Item Number**

39F

**Date** October 24, 2022

**ABATEMENT OF PUBLIC NUISANCE AT 5411 SE 6<sup>th</sup> STREET**

WHEREAS, the property located at 5411 SE 6<sup>th</sup> Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholders, Chong W. Lim and In Sun Lim, were notified more than thirty days ago to repair or demolish the main structure and as of this date have failed to abate the nuisance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure on the real estate legally described as Lot 12 in JORDAN MANOR PLAT No. 2, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 5411 SE 6<sup>th</sup> Street, has previously been declared a public nuisance;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisance, and should the owner(s) fail to abate the nuisance, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structure.

Moved by \_\_\_\_\_ to adopt.  
Second by \_\_\_\_\_

FORM APPROVED:

  
\_\_\_\_\_  
Judy K. Parks-Kruse, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

**CERTIFICATE**

I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

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



**City of Des Moines**  
 400 Robert D. Ray Drive  
 Des Moines, IA 50309

<b>Case Number: NUIS-2022-000188</b>	
<b>Notice of Violation</b>	<b>Case Type: Public Nuisance</b>
	<b>Case Opened: 08/26/2022</b>
	<b>Date of Notice: 08/31/2022</b>
	<b>Date of Inspection: 08/26/2022</b>

IN SUN LIM  
 13856 HAWTHORN DR  
 CLIVE IA 50325

Address of Property: **5411 SE 6TH ST, DES MOINES IA 50315**  
 Parcel Number: **782427255003**  
 Legal Description: **LT 12 JORDAN MANOR PLAT 2**

Upon inspection of the property located at and locally known as the Address of Property shown above, located in Des Moines, Iowa, ("Property"), there was/were found to be violation(s) of the Municipal Code of the City of Des Moines, Iowa. It has been determined from that inspection that the dwelling currently constitutes a danger to health and safety to the public and is a public nuisance.

We are notifying you that you have the **time set out in this notice (below under "Compliance Due Date")** to abate the following violation(s) and complete the required remedial action.

**VIOLATION(S)**

<b>Violation</b>	<b>Corrective Action</b>	<b>Compliance Due Date</b>
<b>135-2 C - Outbuilding and Detached Garage</b> A fully enclosed building on a lot that is detached from the principal structure on the same lot. A principal structure is required, unless otherwise stated.	Remove the outbuilding and/or detached garage should the primary structure be removed.	10/10/2022

39F

**60-191 - Vacation and Abatement**

Any structure, dwelling, mobile home, equipment, or premise declared to be a public nuisance and unfit for human habitation or use, and so designated by the administrator, shall immediately be vacated and the nuisance shall be abated. The owner(s) shall be responsible for the vacation and abatement of the nuisance at such owner's expense. If not complied by such owner(s), then the nuisance may be abated by the city at the owner's expense. As indicated by section 60-19, the owner of land upon which a mobile home sits is a responsible owner in the event that mobile home is declared to be a public nuisance. Both the owner of the mobile home and the owner of the land upon which the mobile home sits shall be responsible for vacation and abatement of the public nuisance.

Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.

10/10/2022

**60-192(1) - Dangerous Structure or Premise - Door, Stairway, Exit**

For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:

(1) Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.

Repair or replace any door, aisle, passageway, stairway, exit, or other means of egress that does not conform to the approved building or fire code.

10/11/2022

Main Structure:

REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND DOOR JAMS AND MUST BE IN GOOD WORKING ORDER.

REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. PERMIT REQUIRED IF CHANGING OPENING SIZE.

UNSAFE TO GAIN ACCESS INTO STRUCTURE, POSSIBLE MORE VIOLATIONS.

**60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction**

For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:

(10) Any building or structure, because of lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the administrator to be a threat to life or health.

Vacate and secure the structure or premises, OR,  
demolish the structure, after obtaining required demolition permit, OR,  
repair or replace insufficient construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause that is a threat to life or health.

10/11/2022

Main Structure:

HAVE A LICENSED ELECTRICAL CONTRACTOR INSPECT THE ENTIRE ELECTRICAL SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE ELECTRICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED ELECTRICAL CONTRACTOR. OBTAIN FINAL ON ELECTRICAL PERMIT.

**60-192(5) - Dangerous Structure or Premise - Dilapidated or Deteriorated**

For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:

(5) The building or structure, or part of a structure, because of dilapidation, deterioration, decay, faulty construction, the removal of movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

Repair or replace the building or structure, or part of a structure which is likely to partially or completely collapse because of dilapidation, deterioration, decay, faulty construction, the removal of movement of some portion of the ground necessary for the support, or for any other reason, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

10/11/2022

Main Structure:

UNSAFE TO GAIN ACCESS INTO STRUCTURE, POSSIBLE MORE VIOLATIONS.

OBTAIN FINAL ON PERMIT AND REPAIR OR REPLACE DAMAGE DECKING, RAILING, JOIST, BEAMS, HANDRAIL, AND STAIRS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS

REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. PERMIT REQUIRED IF CHANGING OPENING SIZE.

UNSAFE TO GAIN ACCESS INTO STRUCTURE, POSSIBLE MORE VIOLATIONS.

**60-192(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation**

For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:

(9) A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise is determined by the administrator to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness of disease.

Vacate and secure the structure or premises, OR, repair, replace, and/or sanitize any building or structure determined to be unsanitary, unfit for human habitation, or in such a condition that it is likely to cause sickness or disease.

10/11/2022

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**60-194 - Defacing and Removing Placard**

No person shall deface or remove the placard, except as authorized by the administrator.

Replace or restore defaced or removed placard.

10/10/2022

**60-195 - Emergency Measures to Vacate**

If one or more of the following exists, the administrator is hereby authorized and empowered to order and require the owner(s) and/or occupant(s) to vacate the premises immediately:

- (1) There is imminent danger of failure of collapse of a building or structure that endangers life;
- (2) Any structure or part of a structure has fallen and life is endangered by occupation of the structure; or
- (3) There is actual or potential danger to the building occupants or those in proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment.

Immediately vacate the building or structure. 10/10/2022

If not occupied, the structure is to remain vacant and unoccupied until occupancy is authorized by this office.

If the structure is occupied, it must be **vacated immediately**. If procedures to vacate the premises are not undertaken immediately upon receipt of this notice, and in no case later than seven (7) days, the City may seek a court order directing you to vacate the structure, pursuant to Section 60-191 and 60-192 of the Municipal Code of the City of Des Moines, Iowa.

**ALL ELECTRICAL, MECHANICAL, PLUMBING, AND STRUCTURAL COMPONENTS IN NEED OF REPLACEMENT OR REPAIR, ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET CITY CODES.** Should you have any questions regarding permits, contact the Permit and Development Center at (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike manner.

If you plan to renovate the structure and it has been vacant for over a year, there may be zoning issues, which may affect the renovation plans. Please contact the Development Zoning Division at (515) 283-4207 to determine if there is anything you should be aware of.

If you decide to demolish the building or take the structure down, you will need a demolition permit.

If you cannot renovate or demolish the structure, contact me to discuss allowing the City to remove the structure. There will be costs billed out to you and possibly a judgment. It may be cheaper for you to remove the structure yourself.

If you no longer own this property, please let us know.

Unpaid costs may be collected by personal judgment, collection, or assessment to be collected as a property tax.

Should you have any questions, feel free to call. I can usually be reached between 8:00 a.m. and 9:00 a.m., Monday through Friday.

Thank you for your help,

Respectfully,

NUIS-2022-000188

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Scott Clauson  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
SAClauson@dmgov.org



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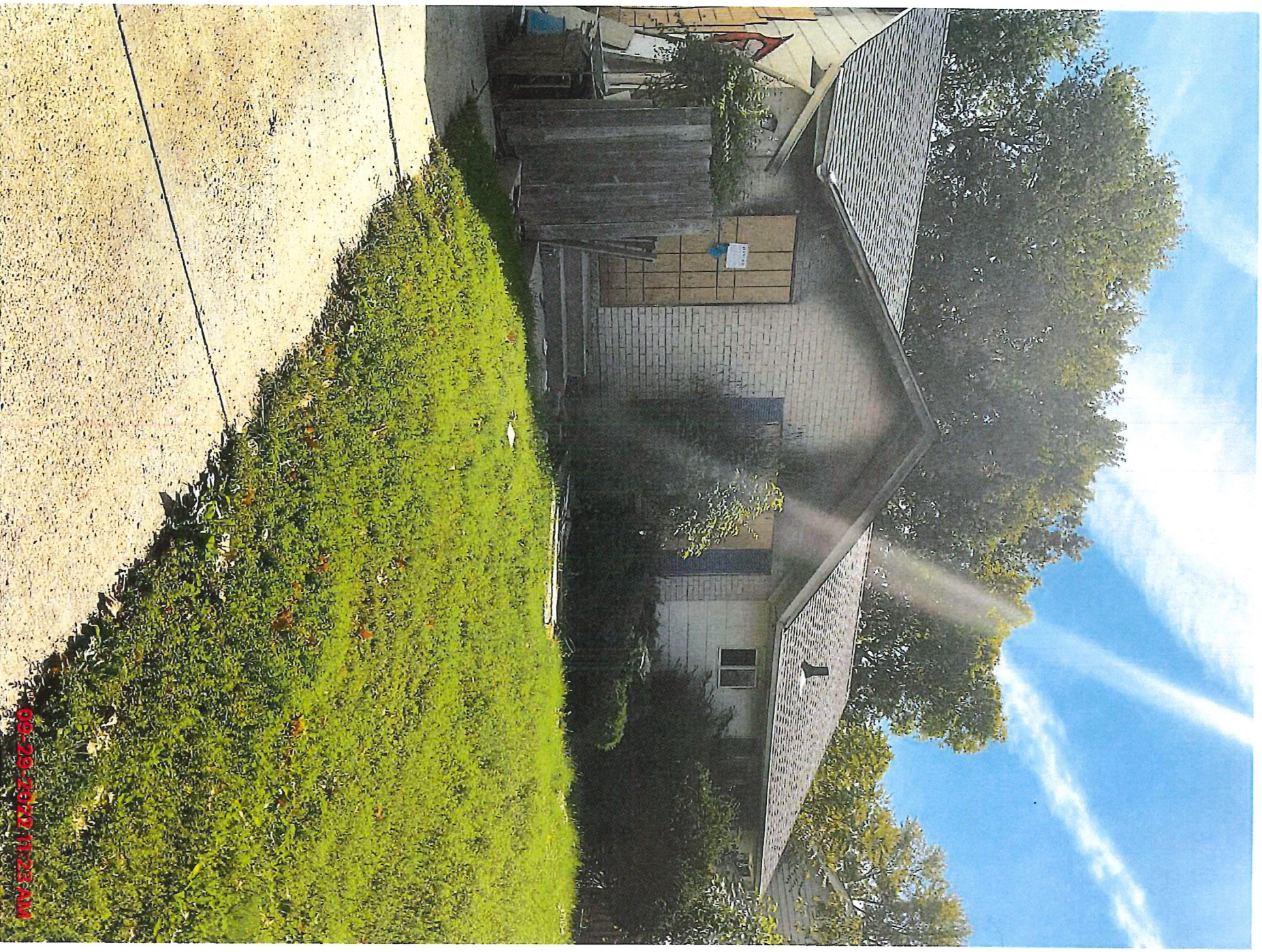
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10/10/2022

39F



Scott Clauson  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
SAClauson@dmgov.org



5411 SE 6th St



5411 SE 6th St

# Polk County Assessor

111 Court Avenue #195  
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386  
[polkweb@assess.co.polk.ia.us](mailto:polkweb@assess.co.polk.ia.us)

Location					
Address	5411 SE 6TH ST				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	120/02818-049-000	Geoparcels	7824-27-255-003	Status	<a href="#">Active</a>
School	Des Moines	Nbhd/Pocket	DM40/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	South Des Moines	Appraiser	Andrew Rand 515-286-3368		

### Map and Current Photos - 1 Record

Click on parcel to get a new listing

5400	5401	5400
5406	5407	5406
5410	5411	5410
5414	5415	5414
5418	5419	5418

SE 6TH ST

[Bigger Map](#) [Polk County GIS](#)  
[Google Map](#) [Pictometry](#)



### Historical Photos

### Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	LIM, CHONG W	1994-08-25	<a href="#">7076/40</a>
Title Holder	2	LIM, IN SUN		

### Legal Description and Mailing Address

LT 12 JORDAN MANOR PLAT 2	CHONG W LIM 13856 HAWTHORN DR CLIVE, IA 50325-8706
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### Current Values

Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$26,300	\$96,700	\$123,000

### [Market Adjusted Cost Report](#)

### Auditor Adjustments to Value

Category	Name	Information
<a href="#">2022 Homestead Credit</a>	LIM, CHONG W	Application #50479

**Zoning - 1 Record**

Zoning	Description	SF	Assessor Zoning
N3A	N3a Neighborhood District		Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>			

**Land**

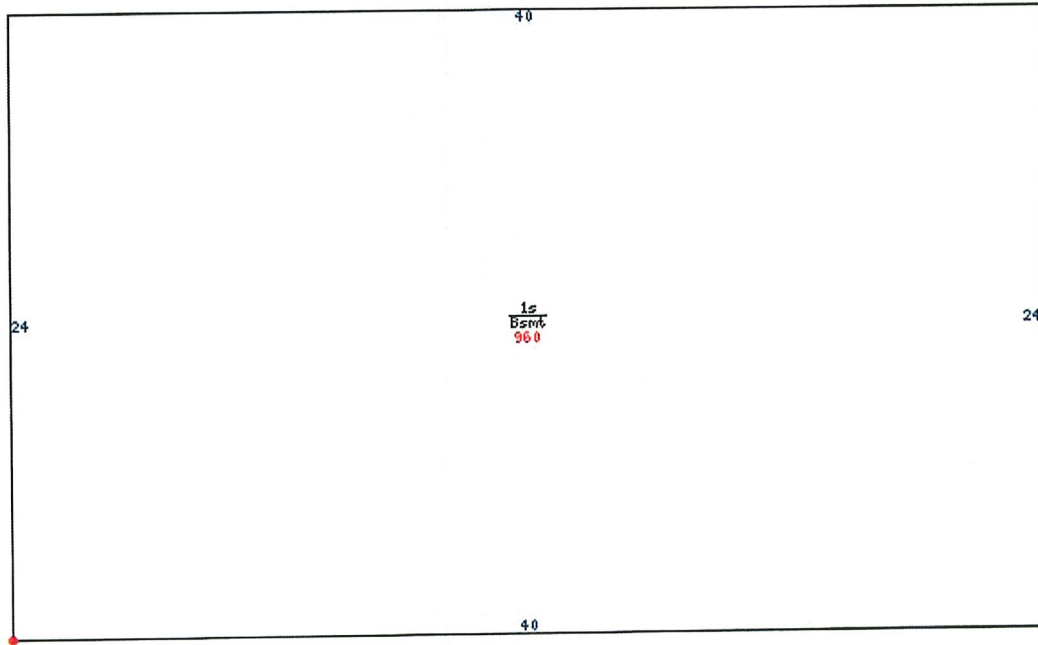
<b>Square Feet</b>	8,568	<b>Acres</b>	0.197	<b>Frontage</b>	63.0
<b>Depth</b>	136.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		

**Residences - 1 Record**

**Residence #1**

<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story	<b>Building Style</b>	Ranch
<b>Year Built</b>	1970	<b>Number Families</b>	1	<b>Grade</b>	4+00
<b>Condition</b>	Normal	<b>Total Square Foot Living Area</b>	960	<b>Main Living Area</b>	960
<b>Basement Area</b>	960	<b>Veneer Area</b>	224	<b>Foundation</b>	Poured Concrete
<b>Exterior Wall Type</b>	Hardboard	<b>Roof Type</b>	Gable	<b>Roof Material</b>	Asphalt Shingle
<b>Heating</b>	Gas Forced Air	<b>Air Conditioning</b>	100	<b>Number Bathrooms</b>	1
<b>Bedrooms</b>	3	<b>Rooms</b>	5		





**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Residential	Full	\$26,300	\$96,700	\$123,000
2019	<a href="#">Assessment Roll</a>	Residential	Full	\$24,500	\$90,700	\$115,200
2017	<a href="#">Assessment Roll</a>	Residential	Full	\$21,100	\$79,900	\$101,000
2015	<a href="#">Assessment Roll</a>	Residential	Full	\$19,500	\$75,300	\$94,800
2013	<a href="#">Assessment Roll</a>	Residential	Full	\$19,400	\$76,600	\$96,000
2011	<a href="#">Assessment Roll</a>	Residential	Full	\$19,400	\$77,000	\$96,400
2009	<a href="#">Assessment Roll</a>	Residential	Full	\$19,800	\$78,500	\$98,300
2007	<a href="#">Assessment Roll</a>	Residential	Full	\$20,500	\$85,000	\$105,500
2005	<a href="#">Assessment Roll</a>	Residential	Full	\$17,500	\$72,500	\$90,000
2003	<a href="#">Assessment Roll</a>	Residential	Full	\$16,620	\$69,040	\$85,660
2001	<a href="#">Assessment Roll</a>	Residential	Full	\$17,910	\$61,600	\$79,510
1999	Assessment Roll	Residential	Full	\$11,430	\$56,270	\$67,700
1997	Assessment Roll	Residential	Full	\$10,380	\$51,110	\$61,490
1995	Assessment Roll	Residential	Full	\$9,850	\$48,510	\$58,360
1993	Assessment Roll	Residential	Full	\$8,780	\$43,240	\$52,020
1991	Assessment Roll	Residential	Full	\$8,780	\$40,760	\$49,540
1991	Was Prior Year	Residential	Full	\$8,780	\$36,840	\$45,620