

**ORDINANCE NO. 2016-02**

**AUTHORIZING THE CHEROKEE COUNTY TREASURER TO SEPARATELY OFFER AND SELL AT THE ANNUAL TAX SALE DELINQUENT TAXES ON PARCELS THAT ARE ABANDONED PROPERTY AND ARE ASSESSED AS RESIDENTIAL PROPERTY OR AS COMMERCIAL MULTIFAMILY HOUSING PROPERTY AND THAT ARE, OR ARE LIKELY TO BECOME, A PUBLIC NUISANCE.**

**WHEREAS**, Iowa Code §446.19B, provides that the Board of Supervisors of a county may adopt an ordinance authorizing the County Treasurer to separately offer and sell at the annual tax sale delinquent taxes on parcels that are abandoned property and are assessed as residential property or as commercial multifamily housing property and that are, or are likely to become, a public nuisance; and

**WHEREAS**, the Board of Supervisors has determined that it is in the best interest of Cherokee County that such an ordinance be adopted.

**NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF SUPERVISORS AS FOLLOWS:**

The County Treasurer is authorized to separately offer and sell at the annual tax sale delinquent taxes on parcels that are abandoned property and are assessed as residential property or as commercial multifamily housing property and that are, or are likely to become, a public nuisance, as provided in Section 496.19B of the Code of Iowa as the same may be amended from time to time. Any ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjunction shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

This ordinance shall become effective upon its passage, approval and publication as required by law. It applies to parcels first offered for sale as provided in Section 446.19B of the Code of Iowa at the tax sale held in June, 2017, and in subsequent years.

Read First Time and Passed: <sup>SPJB</sup> 9:02 Oct 18, 2016

Read Second Time and Passed: waived

Final Reading and Passage: <sup>SPJB</sup> 9:04 Oct 18, 2016

Date of Publication: 10-5-2016

Passed, approved and adopted by the Board of Supervisors of Cherokee County, Iowa, on this 18 day of October, 2016.

CHEROKEE COUNTY  
BOARD OF SUPERVISORS

Dennis Bush  
Dennis Bush, Chairman

ATTEST:

Kris Glienke  
Kris Glienke, Auditor

It was moved by Supervisor Mongan and seconded by Supervisor Peck that the foregoing Ordinance be adopted. The motion was duly put to vote of the Board of Supervisors, the ayes and nays were called and the vote thereon was as follows:

AYES: Simonsen, Mongan, Lundquist, Peck, Bush

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Whereupon the Chairman declared the motion duly carried and the Ordinance duly adopted.

**CERTIFICATE**

I, Kris Glienke, Auditor of the Board of Supervisors of Cherokee County, Iowa, hereby certify that the foregoing is a true copy of a Ordinance adopted by the Board of Supervisors of Cherokee County, Iowa, at a regular meeting of the Board of Supervisors held on the 18 day of October, 2016, and the vote thereon as recorded in the records of the Board of Supervisors now in my custody.

Dated this 18 day of October, 2016.

Kris Glienke  
Kris Glienke, Auditor