

Whereupon, Council member \_\_\_\_\_ moved that the following resolution be adopted:

**Resolution 2025-80**

**A RESOLUTION CONFIRMING OR REVERSING A NUISANCE  
ABATEMENT ORDER**

**WHEREAS**, pursuant to Section 145.03(1) of the Eagle Grove Municipal Code of Ordinances, a Notice of Violation was served to the registered deed owner of 710 NE 4<sup>th</sup>, Eagle Grove, Iowa; and,

**WHEREAS**, pursuant to the Eagle Grove Municipal Code of Ordinances Chapter 50, the deed owner of 710 NE 4<sup>th</sup>, Eagle Grove, Iowa has requested a hearing in front of the City Council to contest the nuisance; and,

**WHEREAS**, the City Council having been provided with pictures, notices, and documentation regarding the nuisance finds that the registered deed owner \_\_\_\_\_ or \_\_\_\_\_ in violation of Chapter 50.

**NOW, THEREFORE, BE IT RESOLVED**, the City Council hereby declares that a nuisance \_\_\_\_\_ exist at 710 NE 4<sup>th</sup>, Eagle Grove, Iowa.

**BE IT FURHTER RESOLVED**, that the City Council directs the City Administrator/Clerk to abate the nuisance itself and assess the costs against the property owner and/or issue a municipal infraction seeking, among other things, civil penalties of \$750.00 for the first offense each day that the nuisance remains past the aforementioned deadline per current municipal code should the Council confirm a nuisance exist.

The motion was seconded by Council member \_\_\_\_\_ and after due consideration thereof, the roll was called and the following Council members voted:

Ayes:

Nays:

Whereupon, the Mayor declared said Resolution duly passed and adopted this 7<sup>th</sup> day of July, 2025.

\_\_\_\_\_  
Michael Boyd  
Mayor

ATTEST:

\_\_\_\_\_  
Bryce Davis, City Clerk

## City Of Eagle Grove

210 East Broadway P.O. Box 165, Eagle Grove, IA 50533

### NOTICE OF VIOLATION

**Date:** 6/18/2025

**To:** Mark Bernsmeier

Property owner / Current resident

**Address:** 710 NE 4<sup>th</sup>

The purpose of this notice is to inform you that you are in violation of the Eagle Grove Municipal Code as described below: Junk Vehicle

Chapter: 51.04

**Address in violation:** 710 NE 4<sup>th</sup> Eagle Grove Iowa 50533

**Corrective action needed: Removal of the 1984 Pontiac Fiero and the green SUV behind it. They both appear to be junk vehicles and non-operational.**

**If you wish to contest this notice you must do so in writing within 48 hours of receiving this at city hall 121 north commercial Eagle Grove Iowa.**

Failure to correct the violation within 5 days may cause the City to abate the nuisance itself and assess the costs against the property owner. Alternatively, the City may issue a municipal infraction seeking, among other things, civil penalties of \$750 for a first offense, \$1,000 for a second offense, and each day that the nuisance remains past the aforementioned deadline constitutes a repeat offense.

**NOTE:** For the violation to be considered corrected, you must complete the corrective action as explained above. If you have any questions as to what is considered to be a violation of the Code, please contact the Eagle Grove City Hall.

**Request for Hearing:** Any person ordered to abate a nuisance may have a hearing with the Council as to whether a nuisance exists. A request for a hearing must be made in writing and delivered to the Clerk within the time stated on the notice, or it will be conclusively presumed that a nuisance exists, and it must be abated as ordered. The hearing will be before the Council at a time and place fixed by the Council. The findings of the Council shall be conclusive and, if a nuisance is found to exist, it shall be ordered abated within a reasonable time under the circumstances.

I received a notice of violation on two vehicles that stated "They both appear to be 'junk' vehicles and 'non-operational'". It was a 1984 Pontiac Fiero and a green SUV (1993 Ford Explorer) behind it. Both vehicles are insured, registered, and both are operational. They run and they are able to be driven. They are not "junk".

Mark Busner