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Wm B. Norton
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July 5, 2013

City of Muscatine
 Community Development
 City Hall
 215 Sycamore Street
 Muscatine, Iowa 52761-3840

Re: Notice of Nuisance Appeal and Request for Hearing

Greetings:

On behalf of Jason and Hope Curry we are Appealing and Requesting a Hearing on the Notice to Abate Nuisance issued to Jason and Hope Curry on or about June 26, 2013. (See Enclosed).

When Officer Pickering was presenting Mr. Curry with the Notice, Mr. Curry inquired as to which vehicle Officer Pickering was citing. Officer Pickering identified a Black 1985 Chevrolet Camaro as the offending vehicle.

Title 9, Chapter 4, Section 1(A)(11) states, "A junked or obsolete car of motor vehicle shall be a car or motor vehicle or a portion thereof, not in running condition or not licensed for the current year as provided by law. (Emphasis Added).

** Enclosed please find a Certificate of Title and a Registration Receipt for the offending vehicle indicating that it is licensed for the current year as provided by law.

We formally Appeal and Request a hearing on this matter before the City Council as provided by Code.

Sincerely,


 Timothy L. Baumann
 Attorney at Law

Cc: File
 Patrick T. Burk

** The Certificate of Title and Registration Receipt were received but have not been included on the website due to personal information contained on the documents.



City Hall, 215 Sycamore St.
Muscatine, IA 52781-3840
(563) 262-4141
Fax (563) 262-4142

**COMMUNITY DEVELOPMENT
NOTICE TO ABATE NUISANCE**

**Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement**

June 26th, 2013

Jason & Hope Curry
9914 CO. Rd. G44X
Muscatine, Ia. 52761

Dear Mr. & Mrs. Curry,

Please be advised that the continued use of the property located at **4200 Hwy 61 S.**, for the storage of junk and/or salvage constitutes a nuisance as defined in Title 9, Chapter 4, Section 1 (A) (12) of the City Code of Muscatine which reads, "All lots or parcels of land upon which junk, refuse, garbage, or filth is allowed to accumulate." Junk is further defined under Subsection A (15) of the same Title and Chapter as follows, "**Junk' means any metal or wood, whether usable or not, stored in a manner that it constitutes a health or safety hazard.**"

You are also in violation of Title 9, Chapter 4, Section 1 (A) (11) of the Code which reads, "Any unused, abandoned, junked, or obsolete cars or motor vehicles whether on private or public property. **A junked or obsolete car or motor vehicle shall be a car or motor vehicle or a portion thereof, not in running condition or not licensed for the current year as provided by law.**" This section violation refers to the automobile(s) stored on this property.

With this in mind, you are hereby ordered to **ABATE A NUISANCE** within ten (10) days of receipt of this order by removing all junk and/or salvage and any unlicensed and/or inoperable vehicles located on your property. Failure to comply with this order may result in additional action being taken to assure compliance with local law.

You have the right to appeal the determination that the condition of this property constitutes a nuisance by requesting a hearing before the City Council. The request must be in writing and delivered to the City Clerk within ten (10) days from the date of this order or it will be conclusively presumed a nuisance exists and it must be abated as ordered.

If you have any questions concerning this order or if I may assist you in any way, please contact my office at 262-4141, prior to the imposed deadline.

Your cooperation in this matter is both expected and appreciated.

Sincerely,

Grant W. Pickering
Community Services Officer
Code Enforcement
City of Muscatine