

## CHAPTER 150

## DANGEROUS BUILDINGS

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**150.01 TITLE.** These regulations shall be known as the “Uniform Code for the Abatement of Dangerous Buildings,” may be cited as such and will be referred to herein as “this Code.”

**150.02 PURPOSE AND SCOPE.** It is the purpose of this code to provide a just, equitable and practicable method, to be cumulative with and in addition to, any other remedy provided by the Building Code, Housing Code or otherwise available at law, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants may be required to be repaired, vacated or demolished. The provisions of this code shall apply to all dangerous buildings, as herein defined, which are now in existence or which may hereafter become dangerous in the City.

**150.03 ALTERATIONS, ADDITIONS AND REPAIRS.** All buildings and structures which are required to be repaired under the provisions of this code shall be subject to the provisions of Section 104(a) and (b) of the Building Code.

**150.04 ENFORCEMENT, GENERAL.**

1. Administration. The Building Official is hereby authorized to enforce the provisions of this code.
2. Inspections. The Housing Official, the Fire Inspector, and the Building Official and their authorized representatives, are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this code.
3. Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the Building Official or any authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the Building Official or authorized

representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by this code, provided that if such building or premises be occupied, such official shall first present proper credentials and request entry; and if such building or premises be unoccupied, the official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the Building Official or authorized representative shall have recourse to every remedy provided by law to secure entry. When the Building Official or authorized representative shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made herein provided, to promptly permit entry therein by the Building Official or authorized representative for the purpose of inspection and examination pursuant to this code. "Authorized representative" includes the officers named in subsection 2 of this section and their authorized inspection personnel.

**150.05 ABATEMENT OF DANGEROUS BUILDINGS.** All buildings or portions thereof which are determined after inspection by the Building Official to be dangerous as defined in this code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in Section 150.10 of this chapter.

**150.06 VIOLATIONS.** It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this code.

**150.07 INSPECTION OF WORK.** All buildings or structures within the scope of this code and all construction or work for which a permit is required shall be subject to inspection by the Building Official in accordance with and in the manner provided by this code and Sections 305 and 306 of the Building Code.

**150.08 BOARD OF APPEALS.** In order to provide for final interpretation of the provisions of this code and to hear appeals provided for hereunder, appeals may be taken to the Building Board of Appeals. The rules and regulations for conducting business and rendering decisions and findings established for the Building Board of Appeals shall apply to all appeals made under this code.

**150.09 DEFINITIONS.**

1. General. For the purpose of this code, terms, phrases, words and their derivatives shall be construed as specified either in this chapter or as specified in the Building Code or the Housing Code. When terms are not defined, they shall have their ordinary accepted meanings within the context in which they are used.

- A. “Building Code” means the Marion Building Code as set forth in Chapter 160 of this Code of Ordinances.
  - B. “Dangerous building” means any building or structure deemed to be dangerous under the provisions of this section.
  - C. “Housing Code” means the Marion Housing Code as set forth in Chapter 165 of this Code of Ordinances.
2. “Dangerous building” means any building or structure which has any or all of the conditions or defects hereinafter described, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants are endangered:
- A. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
  - B. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as not to provide safe and adequate means of exit in case of fire or panic.
  - C. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
  - D. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.
  - E. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
  - F. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
  - G. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

H. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.

I. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

J. Whenever the exterior wall or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.

K. Whenever the building or structure, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.

L. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to (i) become an attractive nuisance to children; (ii) become a harbor for vagrants, criminals or immoral persons; or (iii) as to enable persons to resort thereto for the purpose of committing unlawful or immoral acts.

M. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of the City, as specified in the Building Code or the Housing Code, or of any law or ordinance of the State or City relating to the condition, location or structure of buildings.

N. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

O. Whenever 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, air or sanitation facilities, or otherwise is determined by the Building Official or Housing Official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

P. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the Fire Inspector to be a fire hazard.

Q. Whenever any building or structure is in such condition as to constitute a public nuisance known to the common law or in equity jurisprudence.

R. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

#### **150.10 NOTICES AND ORDERS RE BUILDINGS.**

1. Commencement of Proceedings. Whenever the Building Official has inspected or caused to be inspected any building and has found and determined that such building is a dangerous building, said official shall commence proceedings to cause the repair, vacation or demolition of the building.

2. Notice and Order. The Building Official shall issue a notice and order directed to the record owner of the building. The notice and order shall contain:

A. The street address and legal description sufficient for identification of the premises upon which the building is located.

B. A statement that the Building Official has found the building to be dangerous with a brief and concise description of the conditions found to render the building dangerous under the provisions of Section 150.09.

C. A statement of the action required to be taken as determined by the Building Official.

(1) If the Building Official has determined that the building or structure must be repaired, the order shall require that all required permits be secured therefor and the work physically commenced within such time (not to exceed 60 days from the date of the order) and completed within such time as the Building Official shall determine is reasonable under all of the circumstances.

(2) If the Building Official has determined that the building or structure must be vacated, the order shall require that the building or structure be vacated within a time certain from the date of the order as determined by the Building Official to be reasonable.

(3) If the Building Official has determined that the building or structure must be demolished, the order shall require that the building be vacated within such time as the Building Official shall determine is reasonable (not to exceed 60 days from the date of the order), that all required permits be secured therefor within 60 days from the date of the order, and that the demolition be completed within such time as the Building Official shall determine is reasonable.

D. Statements advising that if any required repair or demolition work (without vacation also being required) is not commenced within the time specified, the Building Official (i) will order the building vacated and posted to prevent further occupancy until the work is completed, and (ii) may proceed to cause the work to be done and charge the costs thereof against the property or its owner.

E. Statements advising (i) that any person having any record title of legal interest in the building may appeal from the notice and order or any action of the Building Official to the Board of Appeals, provided the appeal is made in writing as provided in this code and filed with the Building Official within 30 days from the date of service of such notice and order; and (ii) that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

3. Service of Notice and Order. The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner and posted on the property; and one copy thereof shall be served on each of the following if known to the Building Official or disclosed from official public records, the holder of any mortgage or deed of trust or other lien or encumbrance of record; the owner or holder of any lease of record; the holder of any other estate or legal interest of record in or to the building or the land on which it is located. Failure of the Building Official to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed on said person by the provisions of this section.

4. Method of Service. Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at his or her address as it appears on the last equalized assessment roll of the County or as known to the Building Official. If no address of any such person so appears or is known to the Building Official, then a copy of the notice and order shall be mailed, addressed to such person, at the address of the building involved in the proceedings. The failure of any such person to receive such notice shall not

affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided shall be effective on the date of mailing.

5. Proof of Service. Proof of service of the notice and order shall be certified at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the time, date, and manner in which service was made. The declaration, together with any receipt card returned in acknowledgement of receipt by certified mail shall be affixed to the copy of the notice and order retained by the Building Official.

**150.11 RECORDATION OF NOTICE AND ORDER.** If compliance is not had with the order within the time specified therein, and no appeal has been properly and timely filed, the Building Official shall file in the office of the County Recorder a certificate describing the property and certifying (i) that the building is a dangerous building and (ii) that the owner has been notified. Whenever the corrections ordered shall thereafter have been completed or the building demolished so that it no longer exists as a dangerous building on the property described in the certificate, the Building Official shall file a new certificate with the County Recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer dangerous, whichever is appropriate.

**150.12 REPAIR, VACATION AND DEMOLITION.** The following standards shall be followed by the Building Official (and by the Board of Appeals if an appeal is taken) in ordering the repair, vacation or demolition of any dangerous building or structure:

1. Any building declared a dangerous building under this order either shall be repaired in accordance with the current Building Code or shall be demolished at the option of the building owner.
2. If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or its occupants, it shall be ordered to be vacated.

**150.13 NOTICE TO VACATE.**

1. Posting. Every notice to vacate shall, in addition to being served as provided in subsection 150.10(3), be posted at or upon each exit of the building and shall be in substantially the following form:

<p><b><i>DO NOT ENTER – UNSAFE TO OCCUPY</i></b></p> <p><b><i>It is a misdemeanor to occupy this building, or to remove or deface this notice.</i></b></p> <p style="text-align: right;"><b><i>Building Official City of Marion</i></b></p>
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2. Compliance. Whenever such notice is posted, the Building Official shall include a notification thereof in the notice and order issued by the Building

Official under subsection 150.10(2), reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain in or enter any building which has been so posted, except that entry may be made to repair, demolish or remove such building under permit. No person shall remove or deface any such notice after it is posted until the required repairs, demolition or removal have been completed and a Certificate of Occupancy issued pursuant to the provisions of the Building Code.

#### **150.14 APPEALS.**

1. Form of Appeal. Any person entitled to service under subsection 150.10(3) may appeal from any notice and order or any action of the Building Official under this code by filing at the office of the Building Official a written appeal containing:

- A. A heading in the words: "Before the Board of Appeals of the \_\_\_\_\_ of \_\_\_\_\_."
- B. A caption reading: "Appeal of \_\_\_\_\_," giving the names of all appellants participating in the appeal.
- C. A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order.
- D. A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant.
- E. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside.
- F. The signatures of all parties named as appellants and their official mailing addresses.
- G. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

The appeal shall be filed within 30 days from the date of the service of such order or action of the Building Official, provided, however, that if the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or adjacent property and is ordered vacated and is posted in accordance with Section 150.13, such appeal shall be filed within 10 days from the date of service of the notice and order of the Building Official.

2. Process of Appeal. Upon receipt of any appeal filed pursuant to this section, the Building Official shall present it at the next regular or special meeting of the Board of Appeals.

3. Scheduling and Notice of Appeal for Hearing. As soon as practicable after receiving the written appeal, the Board of Appeals shall fix a date, time and place for the hearing of the appeal by the Board. Such date shall not be less than 10 days or more than 60 days from the date of appeal as filed with the Building Official. Written notice of the time and place of the hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the Secretary of the Board either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal.
4. Effect of Failure to Appeal. Failure of any person to file an appeal in accordance with the provisions of this section shall constitute a waiver of the right to an administrative hearing and adjudication of the notice and order or any portion thereof.
5. Scope of Hearing on Appeal. Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.
6. Staying of Order under Appeal. Except for vacation orders made pursuant to Section 150.12, enforcement of any notice and order of the Building Official issued under this code shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.

#### **150.15 HEARING APPEALS.**

1. Board of Appeals Action. The Building Board of Appeals by a majority vote, may sustain, modify or withdraw the notice or order. In granting an extension or variance of any notice or order, the Board shall observe the following condition: The Board may grant an extension of time for the compliance of any notice or order for not more than 18 months subject to appropriate conditions and provided that the Board makes specific findings of fact based on evidence relating to the following:
  - A. That there are practical difficulties or unnecessary hardships in carrying out the strict letter of any notice or order.
  - B. That such an extension is in harmony with the general purpose and intent of this chapter in securing the public health, safety and general welfare.
2. Form of Notice of Hearing. The notice to appellant shall be substantially in the following form but may include other information:
 

*“You are hereby notified that a hearing will be held before the Board of Appeals at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ at the hour of \_\_\_\_\_, upon the notice and order served upon you. You may present any relevant evidence and witnesses.”*

3. Conduct of Hearing; Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
4. Method and Form of Decision. The decision shall be in writing and shall contain findings of fact, a determination of the issues presented, and the requirements to be complied with. A copy of the decision shall be delivered to the appellant personally or sent by certified mail, postage prepaid, return receipt requested.
5. Effective Date of Decision. The effective date of the decision shall be as dated therein.

#### **150.16 COMPLIANCE WITH ORDERS.**

1. General. After any order of the Building Official or the Board of Appeals made pursuant to this code shall have become final, no person to whom any such order is directed shall fail, neglect or refuse to obey any such order.
2. Failure to Obey Order. If, after any order of the Building Official or Board of Appeals made pursuant to this code has become final, the person to whom such order is directed shall fail, neglect or refuse to obey such order, the Building Official may (i) cause such person to be prosecuted under subsection 1 of this section or (ii) institute any appropriate action to abate such buildings as a public nuisance.
3. Failure to Commence Work. Whenever the required repair or demolition is not commenced within 30 days after any final notice and order issued under this code becomes effective:
  - A. The Building Official may cause the building described in such notice and order to be vacated by posting at each entrance thereto a notice reading:

***DANGEROUS BUILDING – DO NOT OCCUPY***

***It is a misdemeanor to occupy this building,  
or to remove or deface this notice.***

***Building Official  
City of Marion***

- B. No person shall occupy any building which has been posted as specified in this subsection. No person shall remove or deface any such notice so posted until the repairs, demolition or removal ordered by the Building Official have been completed and a Certificate of Occupancy issued pursuant to the provisions of the Building Code.

C. The Building Official shall notify the City Council of the failure to commence work, and the City Council shall direct the Building Official on action to be taken. In addition to any other remedy herein provided, the Council may direct the Building Official to institute legal proceedings to cause the building to be repaired to the extent necessary to correct the conditions which render the building dangerous as set forth in the notice and order; or if the notice and order require demolition, to cause the building to be sold and demolished or demolished and the materials, rubble and debris therefrom removed and the lot cleaned. Any such repair or demolition work shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided in this code. Any surplus realized from the sale of any such building, or from the demolition thereof, over and above the cost of demolition and of cleaning the lot, shall be paid over to the person or persons lawfully entitled thereto.

**150.17 EXTENSION OF TIME TO PERFORM WORK.** Upon receipt of an application from the person required to conform to the order and an agreement by such person that said person will comply with the order if allowed additional time, the Building Official may, in such official's discretion, grant an extension of time, not to exceed an additional 120 days, to complete said repair, rehabilitation or demolition, if the Building Official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The Building Official's authority to extend time is limited to the physical repair, rehabilitation or demolition of the premises and will not in any way affect the time to appeal the notice and order.

**150.18 INTERFERENCE WITH REPAIR OR DEMOLITION WORK.** No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the City or with any person who owns or holds any estate or interest in any building which has been ordered repaired, vacated or demolished under the provisions of this code; or with any person to whom such building has been lawfully sold pursuant to the provisions of this code, whenever such officer, employee, contractor or authorized representative of the City, person having an interest or estate in such building or structure, or purchaser is engaged in the work of repairing, vacating and repairing, or demolishing any such building, pursuant to the provisions of this code, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this code.

**150.19 PERFORMANCE OF WORK.**

1. Procedure. Any work of repair or demolition is to be done pursuant to subsection 150.16(3)(C); the Building Official shall issue an order therefor to the Director of Public Services and the work shall be accomplished by personnel of the City or by private contract under the direction of said Director. Plans and specifications therefor may be prepared by said Director, or the Director may

employ such architectural and engineering assistance on a contract basis as the Director may deem reasonably necessary. If any part of the work is to be accomplished by private contract, standard public works contractual procedures shall be followed.

2. Costs. The cost of such work shall be paid by such City account as is appropriate by the Code of Iowa and may be made a special assessment against the property involved.

#### **150.20 REPAIR OR DEMOLITION; RECOVERY OF COST.**

1. Account of Expense, Filing of Report; Contents. The Director of Public Services shall keep an itemized account of the expenses incurred by the City in the repair or demolition of any building done pursuant to the provisions of subsection 150.16(3)(C). Upon completion of the work of repair or demolition, said Director shall prepare and file with the City Clerk a report specifying the work done, the itemized and total cost of the work, a description of the real property upon which the building or structure is or was located, and the names and addressees of the persons entitled to notice pursuant to subsection 150.10(3).

2. Report Transmitted to Council; Setting for Hearing. Upon receipt of said report, the Clerk shall present it to the Council for consideration. The Council shall fix a time, date and place of hearing said report and any protests or objections thereto. The Clerk shall cause notice of said hearing to be posted upon the property involved, published once in a newspaper of general circulation in the City, and served by certified mail, postage prepaid, addressed to the owner of the property as such owner's name and address appear on the last equalized assessment roll of the County, if such so appear, or as known to the Clerk. Such notice shall be given at least 10 days prior to the date set for hearing and shall specify the day, hour and place where the Council will hear and pass upon the Director's report, together with any objections or protests which may be filed as hereinafter provided by any person interested in or affected by the proposed charge.

3. Protests and Objections, How Made. Any person interested in or affected by the proposed charge may file written protests or objections with the Clerk at any time prior to the time set for the hearing on the report of the Director. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The Clerk shall endorse on every such protest or objection the date it was received. The Clerk shall present such protests or objections to the Council at the time set for the hearing, and no other protests or objections shall be considered.

4. Hearing of Protests. Upon the day and hour fixed for the hearing the Council shall hear and pass upon the report of the Director together with any such objections or protests. The Council may make such revision, correction or

modification in the report or the charge as it may deem just; and when the Council is satisfied with the correctness of the charge, the report (as submitted or as revised, corrected or modified) together with the charge, shall be confirmed or rejected. The decision of the Council on the report and the charge, and on all protests or objections shall be final and conclusive.

5. Special Assessment. If the Council orders that the charge shall be assessed against the property it shall confirm the assessment, cause the same to be recorded on the assessment roll, and thereafter said assessment shall constitute a special assessment against and a lien on the property.

6. Contest. The validity of any assessment made under the provisions of this chapter shall not be contested in any action or proceeding unless the same is commenced upon 30 days after the assessment is placed upon the assessment roll as provided herein. Any appeal from the final judgment in such action or proceeding must be perfected within 30 days after the entry of such judgment.

7. Authority for Installment Payment of Assessments with Interest. The Council, in its discretion, may determine that assessments in amounts of \$500.00 or more shall be payable in not to exceed ten equal annual installments. The Council's determination to allow payment of such assessments in installments, the number of installments, whether they shall bear interest, and the rate thereof shall be by a resolution adopted prior to the confirmation of the assessment.

8. Lien of Assessment.

A. Priority. Immediately upon its being placed on the assessment roll, the assessment shall be deemed to be complete, the several amounts assessed shall be payable, and the assessments shall be liens against the lots or parcels of land assessed, respectively. The lien shall be subordinate to all existing special assessment liens previously imposed upon the same property and shall be paramount to all other liens except for State, County and property taxes with which it shall be upon a parity. The lien shall continue until the assessment and all interest due and payable thereon are paid.

B. Interest. All such assessments remaining unpaid after 30 days from the date of recording on the assessment roll shall become delinquent and shall bear interest at the lawful rate for special assessments.

9. Report to Assessor and Tax Collector; Addition of Assessment to Tax Bill. After confirmation of the report, certified copies of the assessment shall be given to the Assessor and the Tax Collector acting for the City, who shall add the amount of the assessment to the next regular tax bill levied against the parcel for municipal purposes.

10. Filing Copy of Report with County Auditor. If the County Assessor and the County Tax Collector assess property and collect taxes for the City, a certified

copy of the assessment shall be filed with the County Auditor as by law provided. The descriptions of the parcels reported shall be those used for the same parcels on the County Assessor's map books for the current year.

11. Collection of Assessment; Penalties for Foreclosure. The amount of the assessment shall be collected at the same time and in the same manner as ordinary property taxes are collected; and shall be subject to the same penalties and procedure and sale in case of delinquency as provided for ordinary property taxes. All laws applicable to the levy, collection and enforcement of property taxes shall be applicable to such assessment. If the Council has determined that the assessment shall be paid in installments, each installment and any interest thereon shall be collected in the same manner as ordinary property taxes in successive years. If any installment is delinquent, the amount thereof is subject to the same penalties and procedure for sale as provided for ordinary property taxes.

12. Repayment of Repair. All money recovered by payment of the charge or assessment or from the sale of the property at foreclosure sale shall be paid to the City Treasurer, who shall credit the same to the City.

**150.21 CONFLICT OF ORDINANCES.** In any case where a provision of this chapter is found to be in conflict with the provision of any zoning, building, fire, safety or health ordinance or code of the City or State existing on the effective date of this chapter, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this chapter is found to be in conflict with a provision of any other ordinance or code of the City existing on the effective date of this chapter which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this chapter shall be deemed to prevail, and such other ordinances or codes are hereby declared to be repealed to the extent that they may be found in conflict with this chapter.