

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SS/SCS/HCS/House Bill No. 271, Page 7, Section 59.100, Line 15,

2 by inserting after all of said line the following:

3 "67.398. 1. The governing body of any city or  
 4 village, or any county having a charter form of government,  
 5 or any county of the first classification that contains part  
 6 of a city with a population of at least three hundred  
 7 thousand inhabitants, or any county of the first  
 8 classification with more than one hundred one thousand but  
 9 fewer than one hundred fifteen thousand inhabitants, may  
 10 enact ordinances to provide for the abatement of a condition  
 11 of any lot or land that has the presence of a nuisance  
 12 including, but not limited to, debris of any kind, weed  
 13 cuttings, cut, fallen, or hazardous trees and shrubs,  
 14 overgrown vegetation and noxious weeds which are seven  
 15 inches or more in height, rubbish and trash, lumber not  
 16 piled or stacked twelve inches off the ground, rocks or  
 17 bricks, tin, steel, parts of derelict cars or trucks, broken  
 18 furniture, any flammable material which may endanger public  
 19 safety or any material or condition which is unhealthy or  
 20 unsafe and declared to be a public nuisance.

21 2. The governing body of any home rule city with more  
 22 than four hundred thousand inhabitants and located in more  
 23 than one county may enact ordinances for the abatement of a  
 24 condition of any lot or land that has vacant buildings or  
 25 structures open to entry.

26           3. Any ordinance authorized by this section shall  
27 provide for service to the owner of the property and, if the  
28 property is not owner-occupied, to any occupant of the  
29 property of a written notice specifically describing each  
30 condition of the lot or land declared to be a public  
31 nuisance, and which notice shall identify what action will  
32 remedy the public nuisance. Unless a condition presents an  
33 immediate, specifically identified risk to the public health  
34 or safety, the notice shall provide a reasonable time, not  
35 less than ten days, in which to abate or commence removal of  
36 each condition identified in the notice. Written notice may  
37 be given by personal service or by first-class mail to both  
38 the occupant of the property at the property address and the  
39 owner at the last known address of the owner, if not the  
40 same. Upon a failure of the owner to pursue the removal or  
41 abatement of such nuisance without unnecessary delay, the  
42 building commissioner or designated officer may cause the  
43 condition which constitutes the nuisance to be removed or  
44 abated. If the building commissioner or designated officer  
45 causes such condition to be removed or abated, the cost of  
46 such removal or abatement and the proof of notice to the  
47 owner of the property shall be certified to the city clerk  
48 or officer in charge of finance who shall cause the  
49 certified cost to be included in a special tax bill or added  
50 to the annual real estate tax bill, at the collecting  
51 official's option, for the property and the certified cost  
52 shall be collected by the city collector or other official  
53 collecting taxes in the same manner and procedure for  
54 collecting real estate taxes. If the certified cost is not  
55 paid, the tax bill shall be considered delinquent, and the  
56 collection of the delinquent bill shall be governed by the  
57 laws governing delinquent and back taxes. The tax bill from  
58 the date of its issuance shall be deemed a personal debt

59 against the owner and shall also be a lien on the property  
60 from the date the tax bill is delinquent until paid."; and  
61 Further amend the title and enacting clause accordingly.