

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.