

SESSION OF 2003

SUPPLEMENTAL NOTE ON SENATE BILL NO. 167

As Amended by House Committee on
Local Government

Brief*

SB 167 amends the law regarding nuisance abatement by cities. Cities are authorized to order owners of property to remove all nuisances, including rank grass, weeds, or other vegetation from any ground within the city. The bill also would add Douglas County to a law permitting a county to create a charter commission to develop a plan for reorganizing county government.

The bill makes certain clarifying amendments such as changing "notice" to "order." Further, the bill provides that if the owner of the property has been ordered to remove or abate a nuisance for the same property two or more times within a 24-month period, the governing body may provide notice of the issuance of any further orders to abate or remove a nuisance from such property by certified mail return receipt requested or personal service or other methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone communication, or first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail.

The bill also declares Douglas County an urban area for purposes of creating a charter commission to develop a plan for the reorganization of county government. The charter commission law currently applies only to Johnson County. The law is modified for Douglas County to allow the board of county commissioners to block the submission of the charter to voters if the board votes against the charter.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/klrld>

The Senate version of the bill would change the first mailing requirement when property owners are told to abate the nuisance to regular mail. The second mailing when property owners are notified of the total cost for the abatement would continue to require certified mail return receipt requested.

Background

The original bill was supported by the League of Kansas Municipalities.