

LEAVENWORTH COUNTY, KANSAS
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February 4, 2015

**TESTIMONY BEFORE THE SENATE COMMITTEE ON COMMERCE
REGARDING SENATE BILL No. 84; DILAPIDATED OF ABANDONED
STRUCTURES**

To the Honorable Senator Julia Lynn,
and Members of the Committee

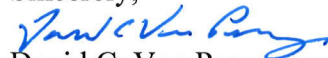
Dear Senators,

I appear before you this morning on behalf of the board of county commissioners of Leavenworth County, Kansas, to present to you a matter of concern regarding problem of dilapidated or abandoned structures located in within platted subdivisions of counties. This matter is addressed in Senate Bill No. 84, but affords relief only to cities and not counties.

Leavenworth county has had difficulty in dealing with dilapidated and abandoned residential structures located within platted subdivisions in the county and outside of the boundaries of the cities of the county. Current statutory relief for the counties in dealing with this blight is limited to injunctive relief. This relief often falls short of addressing the blight to a subdivision caused by dilapidated or abandoned structures.

Leavenworth county requests that this committee consider an amendment to the bill that would affect K.S.A. 12-1751, a statutory provision within the Chapter and Article of K.S.A. 12-750, the subject of Senate Bill No. 84, to afford to counties the ability to deal with dilapidated or abandoned structures that cities are afforded by K.S.A. 12-1751. The proposed amendment (attached) would limit a counties authority under K.S.A. 12-1751 to only those structures **located within a platted subdivision of the county.** The amendment proposed by Leavenworth county is not intended to, nor do we believe it would, affect any agricultural or livestock operations within the state, but would afford counties such as Leavenworth the ability to more ably deal with this problem.

Sincerely,



David C. Van Parys
Leavenworth County Counselor

**AMENDMENT TO K.S.A 12-1751 FOR THE PURPOSE OF ALLOWING COUNTIES
TO ADDRESS THE ISSUE OF UNSAFE, DANGEROUS OR ABANDONED
STRUCTURES IN SUBDIVISIONS LOCATED IN THE UNINCORPORATED AREAS
OF THE COUNTY**

12-1751. Same; powers of governing body.

(a) The governing body of any city shall have the power to cause the repair or removal of, or to remove any structure located within the city, which may have become unsafe or dangerous.

(b) The governing body of any city shall have the power to cause the rehabilitation of or to rehabilitate any abandoned property within the city

(c) The provisions of this act may be exercised by any county provided that the structure is located within a platted subdivision located in the unincorporated area of the county.