

City of Fall River

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To: House Committee on Local Government, State of Kansas
From: Alleen VanBebber, City Attorney, Fall River, Kansas
Subject: HB 2404, Testimony in Support

I submit this testimony at the direction of the Governing Body of the City of Fall River, a city of the third class in Greenwood County. The Governing Body asks that this testimony be included with that of the League of Municipalities at your scheduled March 23 hearing.

The current statutory authority, K.S.A. 12-1750 *et seq.*, too often precludes us from reasonable attempts to attract nonprofit rehabilitators. Property can be vacant and damaged for years without meeting the nebulous definition of “abandoned.” In the meantime, roofs fall in, plumbing and electrical systems are stripped, broken doors and windows go unrepaired, and the structures become opportunities for those coming and going for purposes of alcohol, drugs, and vandalism. Safety of children, both from human mischief and from deteriorating construction, is at risk. The passage of time can soon turn a private rehabilitation opportunity into nothing but a city demolition problem. Sometimes, owners disappear and are not readily found. Sometime, non-resident owners simply do not respond. Other times, known owners pay just enough of delinquent taxes on residential or commercial property to evade the term “abandoned,” although no one has worked there, lived there, or cared for the property for years.

We believe the provisions of HB 2404 are flexible enough to help alleviate blight and help the city attract nonprofit housing organizations, without infringing on due process or property rights recognized by the State of Kansas. We are a very small city in a rural area. But we have access to good schools and health facilities. And we are close enough to area job opportunities to make our city desirable to those who might benefit from housing and business opportunities, if we could provide them. Like many small cities, we are working hard with few resources to deal with blight, as well as to attract residents and employers. We support SB31 as a fair and justifiable statutory resource, for cities of all sizes.