



*Sedgwick County...
working for you*



Metropolitan Area Building and Construction Department

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To: Chair Thompson, Kansas House Committee on Local Government

Re: SB 52; the Sedgwick county urban area nuisance abatement act

From: Christopher W. Labrum, Director of the Wichita-Sedgwick County Metropolitan Area Building and Construction Department ("MABCD")

Chair Thompson and members of the Committee, my name is Chris Labrum and I am the Director of the Wichita-Sedgwick County Metropolitan Area Building and Construction Department, the department tasked with handling nuisance complaints in the unincorporated area of Sedgwick County. I am writing as a Sedgwick County staff member in support of a bill to establish the Sedgwick county urban area nuisance abatement act.

Neither the Board of County Commissioners of Sedgwick County nor Sedgwick County staff have any interest in taking private property. Instead, we seek a reasonable authorization of power to clean up dangerous nuisance properties that impact the health and safety of neighbors on a day-to-day basis. While many property owners are willing and able to comply with Sedgwick County's requests to abate nuisance conditions on their property, there are sometimes property owners who are unwilling and/or unable to abate these nuisance conditions.

Under current Kansas law, Sedgwick County's hands are often tied on these properties. If the property owner fails to clean-up the nuisance, there is currently not any type of backstop to ensure the health and safety of those who live near these nuisance properties. Without any governmental power to abate these nuisances, nuisance conditions can linger indefinitely, sometimes for many years.

Sedgwick County would not utilize nuisance abatement powers for minor or run-of-the-mill nuisance offenses. Instead, if the proposed bill is enacted, Sedgwick County would analyze the dangers and risks posed by the property to decide whether to pursue nuisance abatement. For example, a deteriorated, abandoned, and structurally unsound house in a densely populated improvement district or a halfway burned-down structurally unstable house in the same area may justify action to keep the condition from worsening. It is especially concerning that these types of buildings can become unsafe attractive nuisances for children.

If Sedgwick County would be afforded nuisance abatement authority, our department would work through a process that would provide many opportunities for property owners to abate any nuisance before Sedgwick County would exercise self-help powers. After all, we would always prefer that property owners handle

these nuisance conditions on their own without government intervention, but experience has taught us that sometimes this does not happen.

Nobody would want to live next to one of these severe nuisance properties. However, if you did live next to one of these properties and the owner had failed to remove the nuisance conditions, chances are that you would look to your local government for assistance. Sedgwick County is asking for a tool to be responsive to the public health, safety, and welfare needs of those who live next to these nuisance properties.

Sedgwick County requests your support for this bill. Thank you for your consideration.

A handwritten signature in black ink, appearing to read 'C. Labrum', with a long horizontal flourish extending to the right.

CHRIS W. LABRUM
Director, MABCD