

# SENATE BILL REPORT

## EHB 1367

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As of February 26, 2014

**Title:** An act relating to assessments for nuisance abatement in cities and towns.

**Brief Description:** Authorizing assessments for nuisance abatement in cities and towns.

**Sponsors:** Representatives Kirby, Jinkins, Crouse, Green, Fey, Sawyer, Kochmar, Fitzgibbon and Pollet.

**Brief History:** Passed House: 2/13/14, 62-35.

**Committee Activity:** Governmental Operations: 2/27/14.

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### SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

**Staff:** Sam Thompson (786-7413)

**Background:** Cities and towns may determine, by ordinance, what constitutes a nuisance and remove nuisances through a procedure called abatement. A city may, for example, determine that piling of garbage on residential property constitutes a nuisance. If a landowner then piles garbage on residential property, the city may request the landowner to abate, i.e. remove, the garbage. If the landowner does not do so, the city may do so and request the landowner to pay the city's abatement costs. If the landowner does not pay the city's costs, the city may file a lien against the property to recover its abatement costs. This lien is junior in rank to tax liens.

Counties have similar authority, but may levy special assessments on property to recover their nuisance abatement costs. The assessment constitutes a priority lien, of equal rank with tax liens.

**Summary of Bill:** Cities and towns are granted authority to levy special assessments on property to recover their nuisance abatement costs. A city or town exercising its nuisance abatement authority must notify the property owner by regular mail that abatement is pending and that a special assessment may be levied to recover abatement costs. Before levying a special assessment, the city or town must notify the property owner and any identifiable mortgage holder by regular mail of the special assessment. The special assessment constitutes a lien of equal rank with tax liens.

**Appropriation:** None.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.