

GENERAL

Ordinance Fact Sheet

180574

Ordinance Number

Brief Title	Approval Deadline	Reason
<u>Authorizing Waiver of Nuisance Liens</u>		
1826 Forest Avenue Kansas City, Missouri		

Details	Positions/Recommendations														
<p>Reason for Legislation</p> <p>To authorize the City Manager to discharge special tax bills, including the cost of tax collection, accrued interest and attorneys' fees, in the amount of \$14,096.03 and waive the resulting liens on the property.</p> <p>On July 17, 2018 the Lien Waiver Review Committee, according to the standards and procedures established by the City Manager in Administrative Regulation No. 7-3 ("AR"), unanimously voted to approve an application requesting the waiver of liens attached to 1826 Forest Avenue upon a determination that a public benefit will be gained by doing so.</p> <p>Pursuant to sections 48-83(1) and 6.2.6 of the AR, for all nuisance abatement lien waiver requests over a cumulative \$5,000.00 per parcel, the Lien Waiver Review Committee shall forward a recommendation to the City Council for approval in the form of an ordinance.</p>	<table><tr><td>Sponsor</td><td>City Planning and Development</td></tr><tr><td>Programs, Departments, or Groups Affected</td><td>City Planning and Development; Neighborhoods and Housing Services; and Finance</td></tr><tr><td>Applicants / Proponents</td><td>Applicant City Department City Planning & Development Department Other</td></tr><tr><td>Opponents</td><td>Groups or Individuals None Known Basis of opposition</td></tr><tr><td>Staff Recommendation</td><td><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against</td></tr><tr><td>Board or Commission Recommendation</td><td>By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)</td></tr><tr><td>Council Committee Actions</td><td><input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass</td></tr></table>	Sponsor	City Planning and Development	Programs, Departments, or Groups Affected	City Planning and Development; Neighborhoods and Housing Services; and Finance	Applicants / Proponents	Applicant City Department City Planning & Development Department Other	Opponents	Groups or Individuals None Known Basis of opposition	Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against	Board or Commission Recommendation	By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)	Council Committee Actions	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass
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<p>Discussion (explain all financial aspects of the proposed legislation, including future implications, any direct/indirect costs, specific account numbers, ordinance references, and budget page numbers.)</p> <p>The City issued a special tax bill for a board up at the property on October 1, 2012. The balance of the tax bill, account number 1978424448, is \$454.25.</p> <p>The City issued a special tax bill for a re-inspection of the property on December 1, 2013. The balance of the tax bill, account number 0233593984, is \$75.00.</p> <p>The City issued a special tax bill for the abatement of trash and weeds at the property on December 24, 2014. The balance of the tax bill, account number 0449395840, is \$10,110.42.</p> <p>The City issued a special tax bill for a board up at the property on July 29, 2016. The balance of the tax bill, account number 1259322496, is \$328.32.</p> <p>The City issued a special tax bill for a board up at the property on February 14, 2017. The balance of the tax bill, account number 1133673600, is \$1,174.86.</p> <p>The City issued a special tax bill for a board up at the property on April 18, 2017. The balance of the tax bill, account number 1795259520, is \$529.20.</p> <p>The City issued a special tax bill for a board up at the property on May 2, 2018. The balance of the tax bill, account number 1120468096, is \$514.08.</p>															

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Details

Pursuant to Sections 48-66(c) and 48-84(b), special tax bills issued to recover costs associated with the abatement and enforcement of nuisances from the date of their issuance shall be deemed a personal debt against the person or persons who were the owners of record of the property and also a lien on the property until paid.

According to section 3.2 of the AR, a lien waiver shall not be granted to a property owner who owned the property at the time the nuisance code violation was abated by the City.

Pursuant to Section 48-83(6), discharge by the Council or City manager of all or any portion of the special tax bills will not constitute a discharge of all or any portion of the personal debt against the owner at the time the nuisance code violation was abated by the City.

Pursuant to Section 48-83(3) and 3.2 of the AR, the discharge of all or any portion of a special tax bill and the waiver of the resulting lien shall be made only upon a determination that a public benefit will be gained by doing so. The Lien Waiver Review Committee made such a determination in public session on July 17, 2018.

Section 3.1 of the AR outlines the policy of the Lien Waiver Review Committee, noting that such procedures are in place for the discharge and abatement of liens on real property in order to encourage investment on properties where liens deter development.

Policy/Program Impact

Policy or Program Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	None

Finances

Cost & Revenue Projections -- Including Indirect Costs	Decrease of \$14,096.03 in expected revenue.
Financial Impact	None
Fund Source (s) and Appropriation Account Codes	NA
Is this Ordinance or Resolution Good for the Children?	Yes, the development will improve the economic viability and security of the neighborhood and surrounding community.

Applicable Dates:**Fact Sheet Prepared by:**

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Reviewed by:

Andrew Bonkowski, Law Department

Reference Numbers