

NUISANCE ABATEMENT

I. CITY ABATEMENT OPTION:

Nuisances which remain unabated after notice, may, at the option of the City, be removed, abated or destroyed by the City or its agents, after the following steps have been taken:

- A. If after fifteen (15) calendar days from the date a written notice is personally delivered to the property owner, or mailed to the property owner's address as shown in current official Cache County assessor records, no abatement of the nuisance has occurred, the designated enforcement officer shall provide a second ten (10) day notice to be delivered to the property owner by certified mail or personal service, which shall indicate the following:
 1. That if the property owner fails to abate the nuisance, the City shall take steps to abate the same;
 2. That the property owner may contract with the City to abate the nuisance and pay costs of the same;
 3. That if the City abates the nuisance all costs and expenses of abatement shall be billed and assessed against the property owner and if unpaid shall become collectable as a special assessment with property taxes;
 4. That the property owner has a right to appear before the City Council to show cause as to why he or she should not be forced to abate or pay for abatement of the nuisance; furthermore, that if the property owner desires such a hearing, a request for hearing, in writing, shall be given to the designated enforcement officer prior to expiration of the ten (10) day notice, and that abatement by the City will proceed if the property owner has not exercised this option to request a hearing;
 5. If said certified notice is returned as undeliverable, or is unclaimed by the property owner, nothing shall preclude the City from exercising its abatement option as specified herein.
- B. When the ten (10) day notice has expired without a request for hearing, the City's designated enforcement officer is authorized to remove, abate or destroy the nuisance. The designated enforcement officer is authorized to utilize City personnel to abate the nuisance or to contact the Mayor or City Manager in regard to contracting for an outside party to abate the nuisance.
- C. If the City abates any nuisance under the provisions of this chapter a statement of charges billed to the property owner shall be mailed or personally delivered to the property owner, within thirty (30) days of the date the nuisance has been abated.

- D. If payment is not received from the property owner within thirty (30) days, the amount billed shall, in accordance with state law, be assessed as a special assessment collectable against the subject property as other state, county and municipal taxes.
- E. If the property owner requests a hearing to show cause before the City Council, the hearing shall, if feasible, be placed on the agenda of the next regularly scheduled City Council meeting. The decision of the City Council shall be final. A ten (10) day period shall be given the property owner after the Council decision so that the property owner shall have additional opportunity to abate the nuisance or to pursue any legal remedies or defenses at the district court level.

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