

**COUNTY NUISANCE ABATEMENT**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Derek E. Brown**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill authorizes a county to regulate nuisance abatement or file a lien against a property for county expenses incurred while abating a nuisance.

**Highlighted Provisions:**

This bill:

▶ authorizes a county to:

- regulate nuisance abatement; and
- file a lien against a property for county expenses incurred while abating a nuisance.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**17-50-332**, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **17-50-332** is enacted to read:

**17-50-332**. Nuisance -- Lien.



28 (1) A county legislative body may adopt an ordinance regulating within the  
29 unincorporated areas of the county the abatement of a nuisance, including:

- 30 (a) injurious or noxious weeds;
- 31 (b) garbage or refuse;
- 32 (c) an abandoned building;
- 33 (d) an abandoned car;
- 34 (e) an unsightly or deleterious object or structure; or
- 35 (f) a health hazard.

36 (2) The ordinance described in Subsection (1) may:

- 37 (a) define terms;
- 38 (b) provide for notice to a property owner;
- 39 (c) set standards and procedures for abating a nuisance; or
- 40 (d) establish fines or penalties.

41 (3) A county legislative body may adopt an ordinance setting procedures for:

- 42 (a) (i) abating or correcting a nuisance if a property owner fails to comply with the  
43 county's nuisance abatement regulations; or
- 44 (ii) securing an abandoned building if a property owner fails to comply with the  
45 nuisance abatement regulations of the county;

46 (b) recovering from a property owner an expense incurred by the county under  
47 Subsection (3)(a); or

48 (c) ~~H~~→ **except as provided in Subsection (4),** ←~~H~~ recording on the county assessment roll  
48a a lien against the property of an owner who  
49 fails to pay an expense in accordance with Subsection (3)(b).

49a **→ (4) The county may not record a lien against a public building, structure, or**  
49b **improvement. ←H**

Legislative Review Note  
as of 1-17-11 8:10 AM

Office of Legislative Research and General Counsel

# FISCAL NOTE

H.B. 100

SHORT TITLE: **County Nuisance Abatement**

SPONSOR: **Brown, D.**

2011 GENERAL SESSION, STATE OF UTAH

## STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

## LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for local governments.

## DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.