



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 8, 2011

Madam Speaker:

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 268**, MUNICIPAL ENFORCEMENT REGARDING PROPERTY MAINTENANCE, by Representative M. Morley, with the following amendments:

1. *Page 2, Lines 37 through 42:*

37 (1) designate[;] and regulate the abatement of[~~-, injurious and noxious weeds,~~
garbage,
38 refuse, or any unsightly or deleterious objects or structures, and may]:
39 (a) ~~{ the growth and spread of injurious and noxious }~~ weeds;
40 (b) garbage and refuse;
41 (c) ~~{ unsightly or deleterious objects }~~ a public nuisance ; or
42 (d) ~~{ unsightly or deleterious structures }~~ an illegal object or structure ;
and

2. *Page 2, Lines 49 through 54:*

49 (i) may, subject to Subsection (1)(b), direct the inspector to examine and investigate
50 real property for:
51 (A) ~~{ the growth and spread of injurious and noxious }~~ weeds;
52 (B) garbage and refuse;
53 (C) ~~{ unsightly or deleterious objects }~~ a public nuisance ; or
54 (D) ~~{ unsightly or deleterious structures }~~ an illegal object or structure ;
and

3. *Page 4, Line 118 through Page 5, Line 121:*

118 (ii) notify the property owner:
119 (A) that failure to pay the expenses described in Subsection (1)(b)(i)(B) may result in
a
120 lien on the property ~~{ on a parity with and collectible at the same time and in the~~

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same manner as
121 general property taxes} in accordance with Section 10-11-4;

4. *Page 7, Lines 184 through 192:*

184 (2) Subject to Subsection (3), the unpaid costs and expenses, upon their certification
185 under Subsection (1) {~~-.~~} ~~:~~
(a) become a lien on the property {~~on a parity with and collectible at the~~
same
186 time and in the same manner as general property taxes that are a lien on the
property.} ~~;~~ and
(b) have the force and effect of a valid judgment of the district court.
187 (3) If the county treasurer is unable to include the costs and expenses in the tax
notice
188 for the year in which they are incurred by a municipality, the costs and expenses shall:
189 (a) be carried over to the tax notice for the following year; and
190 (b) become a lien {~~on the property on a parity with and collectible at the same~~
time and
191 in the same manner as general property taxes that are a lien on the property for the
year
192 described in Subsection (3)(a).} described in Subsection (2).

Respectfully,

R. Curt Webb
Committee Chair

Voting: 9-0-3

3 HB0268.HC1.WPD 2/8/11 4:34 pm /JTW VA/JTW

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