

**MINUTES OF THE
HOUSE POLITICAL SUBDIVISIONS
STANDING COMMITTEE**
Room 450 Utah State Capitol
February 8, 2011

MEMBERS PRESENT: Rep. R. Curt Webb, Chair
 Rep. Rebecca P. Edwards, Vice Chair
 Rep. Jack R. Draxler
 Rep. Michael T. Morley
 Rep. Jeremy A. Peterson
 Rep. Marie H. Poulson
 Rep. Stephen E. Sandstrom
 Rep. Jennifer M. Seelig
 Rep. Larry B. Wiley

MEMBERS ABSENT: Rep. Johnny Anderson
 Rep. James A. Dunnigan
 Rep. Dixon M. Pitcher

STAFF PRESENT: Joseph Wade, Policy Analyst
 Karen Mitchell, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Rep. Edwards called the meeting to order at 4:15 p.m.

MOTION: Rep. Wiley moved to approve the minutes of February 3, 2011. The motion passed unanimously with Rep. Anderson, Rep. Dunnigan, and Rep. Pitcher absent for the vote.

H.B. 268 Municipal Enforcement Regarding Property Maintenance (Rep. M. Morley)

Rep. Morley introduced the bill to the committee.

MOTION: Rep. Webb moved to amend the bill as follows:

1. Page 2, Lines 37 through 42:

- 37 (1) designate[;] and regulate the abatement of[~~injuriously 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

The motion to amend the bill passed unanimously with Rep. Anderson, Rep. Dunnigan, and Rep. Pitcher absent for the vote.

MOTION: Rep. Webb moved to amend the bill as follows:

1. 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 same~~
manner as

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

2. 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).

The motion to amend the bill passed unanimously with Rep. Anderson, Rep. Dunnigan, and Rep. Pitcher absent for the vote.

Spoke in favor of the bill: Lynn Pace, Salt Lake City Deputy Attorney
Mark Stratford, Ogden City
John Bond, Weber County Treasurer

MOTION: Rep. Sandstrom moved to pass out H.B. 268, as amended, with a favorable recommendation. The motion passed unanimously with Rep. Anderson, Rep. Dunnigan, and Rep. Pitcher absent for the vote.

MOTION: Rep. Morley moved to adjourn the meeting. The motion passed unanimously with Rep. Anderson, Rep. Dunnigan, and Rep. Pitcher absent for the vote.

Rep. Edwards adjourned the meeting at 4:30 p.m.

Rep. Curt Webb, Chair