

ORDINANCE NO. 130772

Amending Chapter 48, Nuisance, and Chapter 56, Property Maintenance, Code of Ordinances, by repealing Sections 48-83 and 56-547 and enacting in lieu thereof new sections of like number and subject matter modifying the provisions for the waiver of special tax bills.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 48, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 48-83, Waiver of special tax bills, and enacting in lieu thereof a new section of like number and subject matter modifying the provisions for the waiver of special tax bills, to read as follows:

**Sec. 48-83. Waiver of special tax bills.**

Notwithstanding section 818 of the City Charter, a special assessment represented by a special tax bill against the real property affected may be discharged and the resulting lien on the real property may be abated.

- (1) The city manager, without approval by the council, is hereby authorized to discharge all or any portion of the special tax bills that exceed a combined amount of \$500.00 up to a total of \$5,000.00 (including the costs of tax collection, accrued interest and attorneys' fees) issued by the city for the costs of removing any nuisance pursuant to the nuisance code (chapter 48) against the real property affected and cause the abatement of the resulting liens on the real property. The city manager may discharge all or any portion of the special tax bills for an amount exceeding \$5,000.00, including the costs of tax collection, accrued interest and attorneys' fees, only after the council has authorized such action by ordinance.
- (2) The amount of the special tax bills, including the costs of tax collection, accrued interest and attorneys' fees, shall be determined as of the date of the application for discharge.
- (3) The discharge of all or any portion of the special tax bills and the waiver of the resulting lien, pursuant to this section, shall be made only upon a determination that a public benefit will be gained by doing so. The determination of public benefit shall be made according to procedures and standards established by the city manager.
- (4) Each request for the discharge of all or any portion of the special tax bills against real property and the waiver of the resulting lien shall first be reviewed by the lien waiver review committee, that has been appointed pursuant to chapter 56, in accordance with the procedures and standards

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established by the city manager and its written recommendation will be reported to the city manager or the council.

- (5) The city manager, without approval by the council or the lien waiver review committee, is authorized to discharge all or any portion of the special tax bills against real property that is acquired by the Kansas City, Missouri Homesteading Authority or the Land Bank of Kansas City, Missouri.
- (6) Discharge by the council or the 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.
- (7) The city manager is further authorized to promulgate rules and regulations for the administration of this section which may include the delegation of this authority.

Section 2. That Chapter 56, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 56-547, Waiver of special tax bills, and enacting in lieu thereof a new section of like number and subject matter modifying the provisions for the waiver of special tax bills, to read as follows:

**Sec. 56-547. Waiver of special tax bills.**

Pursuant to Section 67.410.1(5), RSMo., and notwithstanding Section 818 of the City Charter, a special assessment represented by a special tax bill against the real property affected may be discharged and the resulting lien on the real property may be abated and the personal debt represented by a special tax bill may be discharged.

- (1) The city manager, without approval by the council, is hereby authorized to discharge all or any portion of the special tax bill against the real property affected and cause the abatement of the resulting liens on the real property affected, for an amount not to exceed \$35,000.00, including the costs of tax collection, accrued interest and attorneys' fees, if any, issued by the city for the costs of demolishing, securing, repairing or cleaning up buildings or structures declared a dangerous building and a nuisance pursuant to the property maintenance code. The city manager may discharge all or any portion of the special tax bill for an amount exceeding \$35,000.00, including the costs of tax collection, accrued interest and attorneys' fees, only after the council has authorized such action by ordinance.
- (2) The amount of the special tax bill, including the costs of tax collection, accrued interest and attorneys' fees, shall be determined as of the date of the application for its discharge.

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- (3) The discharge of all or any portion of the special tax bill and the waiver of the resulting lien pursuant to this section shall be made only upon a determination that a public benefit will be gained by doing so. The determination of public benefit shall be made according to procedures and standards established by the city manager and this section.
- (4) Each request for the discharge of all or any portion of a special tax bill against real property and the waiver of the resulting lien shall first be reviewed by a lien waiver review committee appointed by the city manager in accordance with the procedures and standards established by the city manager and its written recommendation will be reported to the city manager or the council.
- (5) The city manager, without approval by the council or the lien waiver review committee, is authorized to discharge all or any portion of the special tax bills against real property that is acquired by the Kansas City, Missouri Homesteading Authority or the Land Bank of Kansas City, Missouri.
- (6) Discharge by the council or the city manager of all or any portion of a special tax bill will not constitute a discharge of all or any portion of the personal debt.
- (7) The city manager is further authorized to promulgate rules and regulations for the administration of this section which may include the delegation of this authority.

Approved as to form and legality:



Authenticated as Passed

  
Sly James, Mayor

  
Marilyn Sanders, City Clerk

OCT 17 2013

Date Passed

  
Christa Moss  
Assistant City Attorney