260401 Sub as amended

Section 3. That the City Manager is hereby directed to report to the City Council within 180 days on the implementation of regulations codified in Sections 1 and 2, above, including: staffing capacity necessary to administer fee assessment should the registration fee be approved by voters, costs associated with implementation, registration and compliance data, public feedback received, any unintended consequences of the ordinance and any recommendations for improvement.

Approved as to form:

Bret Kassen
Associate City Attorney

Authenticated as Passed

Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

JUL 30 2026
Date Passed

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 260401, AS AMENDED

Amending Chapter 56, Code of Ordinances, by repealing Article VI, Registration of vacant properties and foreclosing properties, and enacting a new article of like number and subject matter, including a new Section 56-583, Semiannual fees for chronically vacant nuisance property, vacant commercial property and vacant unimproved property, to expand vacant property registration to unimproved vacant land and vacant commercial property, add required disclosure of plans or intent for vacant property; establish procedures for investigating and identifying chronically vacant nuisance properties and assess a flat semiannual $200.00 fee for chronically vacant nuisance properties; escalating semiannual fees of $500.00 - $1,000.00 for vacant commercial properties, and escalating semiannual fees of $100.00 - $200.00 for vacant unimproved properties; establish financial hardship criteria and waiver procedures for owners unable to pay registration fees; amending Chapter 2, Code of Ordinances, Section 2-1722, to update payment provisions for non-installment assessments and special tax bills; and directing the City Manager to report to Council within 180 days.

WHEREAS, vacant and foreclosing properties often create health and safety hazards, attract vandalism and other criminal activity, lower property values, and impose extra costs on local governments for additional police, fire and other resources; and

WHEREAS, unimproved vacant land can pose many of the same risks as vacant improved properties, including attraction of illegal dumping, criminal activity, and blighting conditions that reduce property values and degrade the quality of life in surrounding neighborhoods; and

WHEREAS, the City has required owners of vacant or foreclosing properties to register those properties with the City pursuant to Chapter 56, Code of Ordinances, Article VI, but the existing registration framework applies only to improved residential properties with structures, leaving unimproved vacant properties outside its scope; and

WHEREAS, the City Council finds that expanding registration requirements to include unimproved vacant land and vacant commercial property is consistent with the purpose of Article VI and will improve the City's ability to identify, monitor, and engage with owners of all vacant properties; and

WHEREAS, RSMo. § 67.399 authorizes municipalities to establish a process by which an owner of property with a residential structure, or commercial property with multiple dwelling units, that is vacant for at least six months and characterized by housing code violations may be required to pay a registration fee upon a municipality's investigation and determination that such property meets these criteria; and

WHEREAS, the City desires to maintain its registration requirement for vacant properties, while enacting a new section, 56-583, Semiannual fee for chronically vacant nuisance property, vacant commercial property and vacant unimproved property, assessing escalating fees against the owner of any property that is, in any semiannual period, investigated and found to have met the criteria set forth in RSMo. § 67.399; and

WHEREAS, City's new proposed section, 56-583, authorizes City inspection and identification of any properties known or believed to meet the criteria set forth in RSMo. § 67.399, and the assessment of a fee for any such properties investigated and found to have met such criteria within a semiannual period, while requiring both notice to owners of this determination and affording them the opportunity to appeal this determination or avoid the fee by curing the conditions supporting this determination; and

WHEREAS, City's new proposed section, 56-583, requires that a list of chronically vacant nuisance property, vacant commercial property and vacant unimproved property be made available to the City's Fire Department and the Kansas City Police Department; and

WHEREAS, the City intends for its new proposed section, 56-583, to assist owners of any such properties in mitigating the conditions that often lead to health and safety hazards, vandalism and other criminal activity, and lower property values, both on their own properties and surrounding neighborhoods; and

WHEREAS, modern property intelligence software, such as platforms that integrate parcel data, code violation histories, ownership records, and market information, can substantially improve the City's capacity to identify unregistered vacant properties, prioritize enforcement, and track compliance across a large and diverse property inventory; and

WHEREAS, the City recognizes that some owners of vacant properties face financial hardship that limits their ability to pay registration fees or bring properties into compliance, and that assessing escalating fees against such owners is counterproductive to the goals of this article; and

WHEREAS, the City recognizes that certain categories of vacant property warrant exemption or relief from one or more requirements of this article, including public property and property used primarily for agricultural, environmentally beneficial, or public purposes, which are excluded from the definition of vacant property; property that is the subject of probate proceedings or title litigation; property that has been recently occupied by a person entitled to possession who intends to return; and property whose owner demonstrates financial hardship, for whom the City shall seek to connect with applicable rehabilitation, compliance, and disposition resources rather than impose fees; and NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 56, Code of Ordinances, is hereby amended by repealing Article VI, Registration of vacant properties and foreclosing properties, and by enacting a new Article VI entitled "Registration of vacant properties and foreclosing properties" to include amended Sections 56-571 through 56-583, to read as follows:

ARTICLE VI.
REGISTRATION OF VACANT PROPERTIES AND FORECLOSING PROPERTIES

Sec. 56-571. Purpose.

The purpose of this article is:

(1) To identify those properties in the city that are vacant or foreclosing and to gain contact information for code enforcement and emergency situations; and

(2) To protect neighborhoods from becoming blighted through the lack of adequate maintenance and security of vacant properties and foreclosing properties; and

(3) To address the active costs that unmanaged vacancy imposes on surrounding properties, neighborhoods, and the broader community; and

(4) To encourage property owners to return vacant properties to productive use by establishing a semiannual registration fee structure that makes continued vacancy less economically attractive than rehabilitation, sale, or other active reuse; and

(5) To ensure that the costs of inspecting and monitoring vacant properties are offset by fees assessed against the owners of those properties, rather than subsidized by the public.

Sec. 56-572. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning, and any words not defined here but defined elsewhere in this chapter shall have the meaning ascribed to them previously:

Agricultural means cultivated for food production.

Beneficiary means a lender under a note secured by a deed of trust.

Chronically vacant nuisance property means any real property that has been vacant for at least six (6) months, has two or more pending violations of this code within the preceding 12 months and is improved by a residential building type identified in section 88-110-04 of this code.

City means the City of Kansas City, Missouri.

Commercial property means any real property improved by a building or structure that is not identified as a residential building type in section 88-110-04 of this code.

Days means consecutive calendar days.

Deed of trust means an instrument by which title to real estate is transferred to a third-party trustee as security for a real estate loan. This definition includes any subsequent deeds of trust.

Default means the failure to fulfill a contractual obligation, monetary or conditional.

Department means the neighborhood services department of the city.

Director means the director of the neighborhood services department of the city or their authorized designee.

Director of Finance means the director of the finance department of the city or their authorized designee.

Dwelling unit means one or more rooms arranged, designed or used as independent living quarters for a single household. Buildings with more than one kitchen or more than one set of cooking facilities are deemed to contain multiple dwelling units unless the additional cooking facilities are clearly accessory and not intended to serve additional households.

Environmentally beneficial means benefiting the natural environment, improving stormwater retention, increasing water quality, reducing greenhouse gas emissions, using fewer potentially harmful or costly inputs, increasing biodiversity or providing habitats for wildlife.

Evidence of vacancy means any condition that, on its own or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions include but are not limited to: overgrown and/or dead vegetation; accumulation of newspapers, circulars, flyers and/or mail; past due utility notices and/or disconnected utilities; accumulation of trash, junk and/or debris; broken or boarded windows; abandoned vehicles and/or auto parts or materials; the absence of window coverings such as curtains, blinds and/or shutters; the absence of furnishings and/or personal items consistent with habitation; the percentage of overall square footage of any building that is unoccupied; the condition and value of any items in the property; the presence of rental or for sale signs on the property and/or statements by neighbors, passersby, delivery agents, or government employees that the property is vacant.

Foreclosing and *foreclosure* have the same meaning, that being the process by which a property, placed as security for a real estate loan, is prepared for sale to satisfy the debt if the borrower (trustor) under a deed of trust defaults.

Improved property means any parcel of real property located within the City that is improved by any building, structure, or dwelling unit;

Initiation of the foreclosure process means taking any of the following actions:

(1) Publication of a notice of sale; or

(2) Commencing a foreclosure action on a property in a court of law.

Local means within 50 road/driving miles distance of the city.

Mortgagee means the creditor, including but not limited to, service companies, lenders in a mortgage agreement and any agent, servant, or employee of the mortgagee, or any successor in interest and/or assignee of the mortgagee's rights, interests or obligations under the mortgage agreement.

Notice of default means a notice, issued pursuant to the applicable real estate security document or RSMo § 408.554, that a default has occurred under a deed of trust.

Owner means any person, mortgagee, or property trust trustee who alone or jointly or severally with others, with or without the right of possession, is entitled under any agreement to the control or direction of the management or disposition of the building or property or of any part of the building or property. Unless otherwise specifically provided, the owner, their agent for the purpose of managing, controlling or collecting rents and any other person managing or controlling a building or property in any part of which there is a violation of the provisions of this ordinance, shall be liable for any violation therein, existing or occurring, or which may have existed or occurred, at or during any time when such person is or was the person owning or managing, controlling, or acting as agent in regard to said buildings or property and is subject to injunctions, abatement orders or other remedial orders. The liabilities and obligations imposed on an owner shall attach to:

(1) Any mortgage company or any other person with or without an interest in the building or property who knowingly takes any action in any judicial or administrative proceeding that is intended to delay issuance or enforcement of any remedy for any violation of the property maintenance code then in existence; provided that with respect to fines such person shall be liable only for fines which accrue on or after the date of such action; and further provided that no liability shall be imposed under this ordinance for any action taken in any proceeding, including a proceeding to foreclose on a lien, that does not delay or prevent the prosecution of any action brought by the city to enforce the city's property maintenance code.

(2) A property trust trustee under a property trust, unless said trustee in a proceeding under said provisions of this ordinance discloses in a verified pleading or in an affidavit filed with the court, the name and last known address of each person who was a beneficiary of the trust at the time of the alleged violation and of each person, if any, who was then acting as agent for the purpose of managing, controlling or collecting rents, as the same may appear on the records of the trust.

Property means any real property, or portion thereof, located in the city, including improved and unimproved property.

Property trust trustee means one who holds title to a building, structure or property under a property trust with or without the right of possession, management or control.

Public property means property owned by federal, state or local government, or some political division or subordinate public corporation thereof, including but not limited to the Land Bank of Kansas City, Missouri or Kansas City, Missouri Homesteading Authority, and title to which is vested directly in the federal, state or local government, or some political division or subordinate public corporation thereof, or in some person holding exclusively for the benefit of the same.

Public purpose means used for the health, comfort and welfare of the public and not simply a particular group.

Registration period means June 1 of each year through May 31 of the subsequent year.

Securing means measures that assist in making the property inaccessible to unauthorized persons, including but not limited to the repairing of fences and walls, chaining/pad locking of gates, the repair or boarding of door, window or other openings.

Semiannual means occurring at a frequency once every six months or twice a year.

Trustee means the person, firm or corporation holding a deed of trust on a property as security for the payment of a debt.

Trustor means a borrower under a deed of trust, who deeds property to a trustee as security for the payment of a debt.

Unimproved property means any real property that is not improved by any building, structure, or dwelling unit.

Vacant means a property, other than public property or property used primarily for agricultural, environmentally beneficial or public purpose, that is lacking habitual presence of human beings who have a legal right to be on the property, or at which substantially all lawful business operations or residential occupancy has ceased. In determining whether a property is vacant, the director shall consider conditions that show evidence of vacancy, as defined in this article, and the percentage of the property on which those conditions exist; provided that multi-family residential property containing five or more dwelling units shall be considered vacant when the majority of all of the dwelling units become unoccupied and a majority remain unoccupied.

Sec. 56-573. Annual registration of vacant and/or foreclosing properties required.

(a) *Annual registration.* Effective 90 days after the Council's passage of Committee Substitute for Ordinance 260401, all owners of vacant and/or foreclosing property must register such property with the director in compliance with this section.

(1) For vacant property, such registration shall be due within 90 days of the property becoming and remaining vacant.

(2) For foreclosing property, such registration shall be due within 14 days of initiation of the foreclosure process as defined in this chapter.

All registrations submitted under this article shall expire on May 31 of each registration period for which they were submitted and shall be subject to renewal annually. Application for renewal of registration in any period will be accepted beginning June 1 and may be made without penalty through June 30.

(b) *Registration information and documentation required.* All owners of vacant and/or foreclosing property shall submit their registration and renewal upon forms provided by the director and include the following information and documentation:

(1) The common name of the property, if any, the exact street address of the property and the number of units in each building on the property.

(2) An identification of the owner(s) by full name, telephone number, mailing address, email address and date of birth. The mailing address may not be a P.O. Box. If the property is owned by a corporation, limited liability company, partnership, limited partnership, trust or real estate investment trust, the name and address of any of the following shall be provided:

a. For a corporation, a corporate officer and the chief operating officer;

b. For a partnership, the managing partner;

c. For a limited liability company, the managing or administrative member;

d. For a limited partnership, a general partner;

e. For a trust, a trustee; or

f. For a real estate investment trust, a general partner or an officer.

(3) Name and address of all lien holders and any other party with an ownership interest in the property.

(4) A notarized affidavit executed by a natural person, listing such person's full name, telephone number, mailing address and email address, stating that they have management control and responsibility for the property, will personally inspect the property's interior and exterior at least once per month and that they affirm compliance with all applicable federal, state, and local laws, including but not limited to applicable requirements in this code governing procurement of any required licenses and permits, and all nuisance, property maintenance, health, fire, building, electrical, mechanical, and plumbing codes. In addition, such natural person will specifically affirm in such affidavit that they will continually secure the vacant property in the following manner:

a. All windows, doors, and other openings shall be secured to prevent unauthorized or unlawful entry, using materials properly fitted, maintained and installed in a professional manner.

b. Each building shall be maintained in a weather-tight condition, including a sound roof free of leaks and structural failure and intact exterior walls and foundation without significant cracks, breaches or deterioration.

c. Compliance with the adopted International Fire Code, chapter 26 of this code, regarding National Fire Protection Association (NFPA) Hazard Identification Signs in conformance with NFPA 704 and applicable NFPA standards regarding placards marking vacant buildings to protect the safety of emergency responders.

d. All water lines shall be drained or otherwise secured to prevent leakage, pipe failure, or freezing. All utilities shall be properly disconnected or maintained in a safe condition.

e. The building and property shall be maintained free of:

i. accumulated litter, trash, rubbish or garbage, as those terms are defined in chapter 62 of this code; and

ii. excessive growth of vegetation, as that term is defined in chapter 48 of this code; and

f. Prompt repair of any condition not adhering to the above standards.

The lack of specific reference herein to any applicable requirements for such property under this code or other law shall not excuse any violation of the same, nor waive city's ability to take any and all enforcement and abatement measures toward the same, as permitted by this code or other law.

(5) The full name, telephone number, mailing address and email address of the natural person designated by the owner, to receive service of any notice, order or summons issued because of a violation of this code.

(6) The names, addresses, and phone numbers of designated employees or authorized representatives who may be contacted in the event of an emergency.

(7) The owner's current plans or intent for the property. Registrants shall check all that apply:

a. Active rehabilitation or renovation of any structure on the property;

b. Planned sale or transfer to a third party;

c. Holding for future use with no immediate development plans; or

d. Other, with a written explanation.

(8) The signature of the owner, an officer if the owner is a corporation, a partner if the owner is a partnership, and a member if the owner is a limited liability company.

(9) For foreclosing property, the owner shall also:

a. Certify that the property was inspected for occupancy and identify whether the property is vacant at the time of registration. If the property is not vacant at the time of registration, a monthly inspection shall be conducted by the owner to determine if the property has become vacant. If, upon subsequent inspection, a property is determined to be vacant, an updated registration form shall be filed with the city.

b. Send written notice addressed to the occupant of the property, sent via regular mail, postage pre-paid, stating that the foreclosure process has been initiated.

(c) The Director may, by rule, establish a simplified registration form for unimproved vacant property that collects the information most relevant to monitoring and engaging with owners of such parcels.

Sec. 56-574. Change in registration information.

The owner of a vacant or foreclosing property already registered with the city shall register any change to the previously submitted registration information within 30 days of said change.

Sec. 56-575. Notice on sale of property.

(a) Every owner selling a vacant or foreclosing property registered as provided in this article shall give notice in writing to the department within 30 days of the date such property is conveyed pursuant to an instrument required by law for the conveyance of such property to another party. This notice shall include the name and address of the buyer.

(b) The new owner shall have 30 days from the above date to file a new registration with the department.

Sec. 56-576. Notice on occupancy of property.

Every owner of a vacant or foreclosing property registered as provided in this article that ceases to be vacant, as that term is defined in this article, shall give notice in writing to the department within 30 days of the date on which the property ceased to be vacant.

Sec. 56-577. Inaccurate or incomplete registration information.

It shall be a violation of this code for an owner or a responsible person to provide inaccurate information for the registration of vacant or foreclosing properties or to fail to provide information required by the city for the registration.

Sec. 56-578. Affirmative defenses.

It shall be an affirmative defense to any citation or administrative penalty issued under this article that:

(1) The property is the subject of probate proceedings or its title is otherwise the subject of current litigation, not including foreclosure proceedings. This defense shall not be applicable for more than 24 months without permission of the director; or

(2) The property has been used as a residence by a person entitled to possession for a period of at least three months within the previous nine months, and the same person intends to resume residing at the property.

Sec. 56-579. Violations.

Any person or entity who fails to comply, or causes or permits any condition that fails to comply, with the requirements of this article shall be guilty of either an ordinance violation that shall be punishable in court as set forth in section 56-580 or, in the alternative, an administrative citation fine as provided in section 56-581. Each day during which any violation occurs or continues shall constitute a separate violation. Notwithstanding the provisions of this section or any other remedy provided in this article, the city may take any other action toward the property that is warranted by this code or applicable law, including actions to secure the property, issue notices of violation or to abate any condition(s) on the property or by filing a complaint for legal or injunctive relief in the appropriate court of competent jurisdiction.

Sec. 56-580. Court penalty for violation of article.

(a) Any person or entity convicted of a violation of this article shall be punished for that violation by a fine of not less than $200.00, but not more than $1,000.00, or by imprisonment of not more than 180 days or by both such fine and imprisonment. Whenever the penalty is to be a fine or a fine and imprisonment, the fine shall be no less than the minimum amount set out in the following schedule:

(1)	First offense	Not less than $200.00 but not more than $1,000.00
(2)	Second offense	Not less than $300.00 but not more than $1,000.00
(3)	Third offense	Not less than $500.00 but not more than $1,000.00
(4)	Fourth and subsequent offenses	$1,000.00

(b) Every day that a violation continues shall be considered a separate offense, for which the violator may be arrested, tried and convicted without necessity of further notice.

Sec. 56-581. Administrative citation fine for violation of article.

(a) As an alternative to formal court action, the penalty for any violation of this article may be imposed as an administrative citation fine in accordance with the amounts and schedule provided in section 56-36 of this code, provided that the amount of such fine for late registrations shall be $50.00 for the first 30 days and $100.00 for each additional 30 days.

(b) The procedure for imposing any administrative citation fine shall be in accordance with sections 56-289 through 56-295 of this code.

Sec. 56-582. Waiver of portion of administrative citation fines.

The director may waive a portion of the amount of administrative citation fines that have accumulated as a result of non-compliance with this article provided that the owner has properly registered the property and there are no other violations of chapter 56 or chapter 48 remaining on the property in question. In determining the amount to be waived, the director shall follow these guidelines:

(1) Waiving an amount equal to documented expenditures by the owner for repairs to the building, or for demolition.

(2) Waiving all but the amount required for demolition if the building is determined to be not feasible to repair and the owner chooses to have the city demolish it.

(3) Waiving all fines charged to an owner who vacated the property after receiving a notice of foreclosure.

(4) Waiving all fines if the property is donated to a local community development corporation, non-profit corporation, the Land Bank of Kansas City, Missouri or the Homesteading Authority of Kansas City, Missouri, that is willing to accept the property and submits written plans to correct existing code violations with a schedule acceptable to the director.

(5) Waiving all or a portion of administrative citation fines upon a finding of financial hardship. An owner may submit a written hardship application to the director on a form established by the director. The director shall waive administrative citation fines under this article upon a finding that:

a. The owner has reasonably demonstrated that there is no feasible alternative use for the property that could yield a reasonable economic return, and that such fines could not have been reasonably avoided by sale or lease of the property; and

b. The owner meets any one of the following criteria:

i. The owner, or an immediate family member residing at the property, has experienced death, serious illness, or a disabling injury within the preceding 12 months;

ii. The owner's household income is at or below 80 percent of the area median income, as established annually by the U.S. Department of Housing and Urban Development for the Kansas City metropolitan area;

iii. The owner is a current recipient of a public program, including Medicare, Medicaid, Supplemental Security Income (SSI), Social Security Disability Insurance (SSDI), Supplemental Nutrition Assistance Program (SNAP), Section 8/Housing Choice Voucher, or the Low Income Home Energy Assistance Program (LIHEAP);

iv. The owner personally owned and lived in the property as their primary home, does not own any other residential property, and had to leave because the property became unsafe or uninhabitable due to the same conditions the city is now citing; or

v. The owner has no prior delinquencies on any city fee, fine, tax, or special assessment within the preceding three years, and the violation giving rise to the fine was a first offense.

Upon a finding of financial hardship under this paragraph, the director shall notify the owner in writing of the waiver and shall provide the owner with written information about city programs and resources that may assist with property maintenance, rehabilitation or disposition. Participation in any such program shall not be required as a condition of the waiver. A hardship finding shall neither excuse the underlying code violations nor suspend the city's authority to abate conditions on the property.

(6) Except for paragraphs (3) and (5) of this section, no fines can be waived if there are unpaid special assessments pending against the property.

(7) Waiving all but $500 if the only infraction is failure to register the vacant property, and the property has now been registered.

Sec. 56-583. Semiannual fee for chronically vacant nuisance property, vacant commercial property and vacant unimproved property.

(a) *Semiannual fee*. This section will become effective 60 days after passage of a simple majority of voters and if the number of votes exceeds the number of votes cast in favor of the ballot question proposing the authorization of the fees provided in this section. The owner of any chronically vacant nuisance property, vacant commercial property or vacant unimproved property, whether registered or not, shall be required to pay a registration fee for each semiannual period in which the director has determined such property to qualify for such fee pursuant to this section.

(1) *Notice and fee amounts*. The director shall provide notice of such fee to the property owner at the last known address according to the records of the city and the land records of the recorder of deeds of the county wherein the property is located. Such notice shall state that the property has been determined one of the following properties subject to a semiannual fee in the following amount, that the fee can be assessed as a lien on the property if not paid, how the fee can be paid, and the process for appealing the director's determination, if applicable:

a. chronically vacant nuisance property, with a semiannual fee of $200.00;

b. vacant commercial property, with an escalating semiannual fee, per the following schedule, not to exceed a semiannual fee of $1,000.00:

1. First year: $500 semiannual fee;

2. Second year: $750 semiannual fee;

3. Third year and subsequent years: $1,000 semiannual fee;

c. vacant unimproved property, with an escalating semiannual fee, per the following schedule, not to exceed a semiannual fee of $200.00:

1. First year: $100 semiannual fee;

2. Second year: $150 semiannual fee;

3. Third year and subsequent years: $200 semiannual fee.

Upon any initial investigation and determination that such property is chronically vacant nuisance property subject to a fee under this section, the director shall state this determination in a report including their findings and recommendations and the grounds supporting the determination. Within five (5) business days of the director's completion of a written report with findings and a determination that a property is subject to the chronically vacant nuisance property fee, the director shall provide the owner the notice described in paragraph (a)(1) of this section. Notwithstanding paragraphs (a)(1)b. and c. of this section, no semiannual registration fee shall be assessed against any vacant commercial property or vacant unimproved property that is actively listed for sale with a licensed real estate broker for the first 12 months from initial property listing. Such property shall remain subject to all registration requirements of this article, and such owner shall provide proof of an active listing upon registration and renewal pursuant to section 56-572. Upon expiration, cancellation, withdrawal, or termination of such listing, the property shall become subject to the applicable fee schedule established by this section.

(2) *Reconsideration and revocation of fee for chronically vacant nuisance property or for financial hardship.* Upon notice pursuant to paragraph (a)(1) of this section that a property is subject to a vacant property registration fee described therein, an owner may seek reconsideration and revocation of such fee pursuant to the following procedures:

a. *Remedy and reconsideration for chronically vacant nuisance property.* Within 30 days of the director notifying the owner that the property is subject to a chronically vacant nuisance property fee pursuant to subparagraph (a)(1)a. of this section, the owner may complete any improvements to the property that may be necessary so that such property ceases to be chronically vacant nuisance property and may request from the director a reinspection of the property and a reconsideration of the levy of such fee.

b. *Reconsideration of any registration fee for financial hardship.* Property owners deemed subject to any fee pursuant to paragraph (a)(1) of this section may, within 30 days of the director's notification, submit a financial hardship application on a form established by the director. In determining whether the owner is entitled to a financial hardship, the director shall apply the provisions of section 56-582 of this code. An owner who is found to have provided materially false information in a hardship application shall have the waiver rescinded, and the fee shall become immediately due.

The director, upon a timely request for reconsideration, shall investigate and issue a written report with findings and a determination whether the property qualifies for revocation of the fee, either by ceasing to be chronically vacant nuisance property or due to financial hardship, in which case such fee shall be revoked. If the fee is revoked by the director, no such fee shall be assessed and the matter shall be deemed closed for such semiannual period. Within 5 days of the director's determination upon reconsideration, the city shall notify the property owner of such determination by mail at the last known address according to the records of the city and the land records of the recorder of deeds of the county wherein the property is located. The notice shall state that the fee has or has not been revoked, and, if it has not been revoked, that the fee can be assessed as a lien on the property if not paid, how the fee can be paid, and the process for appealing the reconsideration determination.

(b) *Appeal of initial fee determination or reconsideration determination to property maintenance appeals board.* Within 30 days of the notification of the initial determination in paragraph (a)(1) of this section, or within 30 days of the reconsideration notification in subparagraph (a)(2) of this section, the owner may appeal_such determination to the property maintenance appeals board as provided for in chapter 56, article II, division 6 of this Code. If, on appeal, the determination of the director is reversed, no such fee shall be assessed and the matter shall be deemed closed for such semiannual period.

(c) *List of vacant properties*. The director shall maintain a list of known chronically vacant nuisance properties, vacant commercial properties and vacant unimproved properties that shall be available to the city fire department and kansas city police department.

(d) *Accrual and assessment of fee*. If there is no timely appeal filed or if the director's determination that the property is subject to such fee is affirmed on appeal, the semiannual registration fee shall be levied on the beginning of the second calendar quarter after either the director's determination under paragraph (a)(1) of this section that such fee applies, the director's determination upon reconsideration that such fee shall not be revoked pursuant to paragraph (a)(2) of this section, or the property maintenance appeals board's affirmance of either determination on appeal, whichever is later.

(1) *Notice of assessment.* The registration fee shall be certified by the director to the director of finance as a special assessment represented by a special tax bill against the real property affected.

(2) *Liability created; collection; lien; waiver.* The special tax bill from the date of its issuance shall be deemed a personal debt against the person or persons who were the owners of record of the property at the time the director determined under paragraph (a)(1) of this section that such fee applies or when the director determined upon reconsideration that such fee shall not be revoked pursuant to paragraph (a)(2) of this section. If there was more than one owner of record of the property at such time, they shall be jointly and severally liable for the personal debt. The tax bill shall be paid as provided in section 2-1722 of this code. The city may initiate actions against such owner(s) to collect the personal debt once the special assessment becomes delinquent. After it has been delinquent for one year, the special tax bill shall also be a lien on the property until paid. The lien may be enforced by foreclosure proceedings in the same manner as delinquent real property taxes or by any method appropriate for the enforcement of special assessments

generally. The owner of the property against which the assessment was originally made shall be able to redeem the property in a foreclosure proceeding only by presenting payment of all registration fees and penalties and, if such property was assessed a fee as chronically vacant nuisance property, upon presenting evidence that the violations of this code have been cured. Upon bona fide sale of the property to an unrelated party, or upon an order from a court of competent jurisdiction conveying the property to an "organization," as defined in RSMo. Section 447.620, or "neighborhood organization" as defined in RSMo. Section 82.1027, the lien shall be considered released and the delinquent registration fee forgiven. Unrelated party shall mean a person or entity that is not a related party as defined under Section 267(b) of the Internal Revenue Code. The city manager is authorized to discharge any portion of such special tax bill pursuant to review of the city's lien waiver committee in accordance with the provisions of section 48-83 of this code.

Secs. 56-584-56-599. Reserved.

Section 2. That Chapter 2, Code of Ordinances, is hereby amended by repealing Section 2-1722, Payment of non-installment assessments and special tax bills, and enacting a new section of like number and subject matter to read as follows:

Sec. 2-1722. Payment of non-installment assessments and special tax bills.

The following provisions shall apply to all special assessments authorized by chapter 48 and chapter 56 of the Code of Ordinances to recover costs for nuisance abatements, to recover vacant property registration fees pursuant to section 56-583 of this code and to recover costs in vacating, closing, securing, repairing or demolishing dangerous buildings, except for special assessments authorized by subsection 56-546(c) of this code.

(1) *Thirty-day period to pay*. The assessment may be paid without penalty within 30 days from the date the assessment was issued.

(2) *Penalty on non-installment assessment when not paid in full within 30 days*. If any special assessment is not paid in full before the expiration of 30 days after the date of issuance of the assessment, the assessment shall be delinquent. If any assessment becomes delinquent, then the entire unpaid principal of the assessment will be subject to a one percent penalty per month until the assessment is paid in full. The penalty shall not exceed 25 percent.

(3) *Finance department to issue special assessments*. The department of finance shall issue all notices of special assessment described in this section, and shall be responsible for collection of all payments described in this section.

(4) *Ownership split or subdivision of lands subject to special assessment*. Full payment of the total assessment, including principal and penalty, for each respective lot, tract, or parcel must be made prior to any ownership split or subdivision of said lot, tract, or parcel.