

STAFF REPORT

DATE: 04/02/2026

TO: Bel Aire City Council
FROM: Paula Downs
RE: Abatement Workshop

STAFF COMMUNICATION

FOR MEETING OF	4/14/2026
CITY COUNCIL	
INFORMATION ONLY	

SUMMARY: City of Bel Aire Abatement Case Discussion

General Information:

The current code violation enforcement process for the City of Bel Aire is as follows:

1. Verify the code violation;
2. Open a case for the code violation and attempt to contact residents and/or owner via phone or letter;
3. Initial contact potential solutions are discussed, and resource information is provided;
4. After contact is made or attempted, an initial code compliance letter is provided with an agreed upon timeline for compliance. If contact is not made, the follow up timeline is 15 days;
5. If property is in compliance the case is closed;
6. If the property is not in compliance a second non-compliance letter is provided with a 10-day timeframe for follow up;
7. After 10-day time frame if the property is in compliance the case is closed; and
8. If no contact or compliance has been completed next steps are proceeding with Abatement.

The City has not moved forward with the abatement process for code violation cases to date. The abatement process is used for extreme and chronic cases affecting the health and safety of the public.

The City currently has an abatement case that is past the second non-compliance violation letter. This property is a long-term chronic case that needs to move through the abatement process.

Types of Abatement Issues:

1. Tall grass & dead/diseased trees;
2. Inoperable vehicles, campers, boats and trailers;
3. Dilapidated/Abandoned/Unmaintained structures;
4. Bulky waste on the exterior of the home;
5. Combination of one or more issues.

Way to Identify Code Violation:

1. Front yard- can view;
2. Back yard- may receive a complaint and can see the backyard or issue is visible through fence (chain link) or above fence (overgrown grass, dead trees, etc.);
3. Inside the home- must be invited in to view the premises.

Abatement Process- State Statute Requirements (handout provided)**Next Steps:**

1. Follow the abatement process
2. City will fund the clean-up of the property to make it safe for neighbors
3. City will send invoice to property owner for payment reimbursement
4. City will assess the costs like a special assessment if owner does not pay invoice
5. If property is on the unpaid tax rolls, then property will be eligible for sale
6. Sale of property will result in the city being reimbursed for a share of the cost expended

Staff Recommendation: Staff recommends moving forward with the abatement process for the identified property to ensure the health and safety of the public.



Abatement Process

1. Statement from professionals with all details and if the property is safe
 - a. Meetings
 - b. Mailings
 - c. Conditions
2. Resolution
 - a. Based on the statement that governing body
 - b. Point of Resolution is to establish a public hearing
3. After Resolution approves we publish
 - a. #1-Have to publish for example: Wednesday after Tuesday meeting with certified mail sent out on Friday.
 - b. #2 Have to publish for example: Wednesday the following week
 - c. Within three days of publishing, must be mailed certified to every property owner, agent owner, occupant, bank
 - d. City is responsible for requesting and paying for owners list- including banks, etc. Have to figure out if the mortgage company shows up as an owner or how to get information on anyone who has financial interest in the property- is it at the Register of Deeds
4. After publication and notification after the second publication then City Council meeting has to be after 30 days
5. Public hearing at City Council- we talk about the statements
 - a. How they decide has to be reasonable
 - b. Can't say "we do or don't want to do" something based on money- we are doing it for health, etc.
 - c. Can't play financial advisor- can't talk about how to pay for it or how to get reimbursed
 - d. Staff has to provide options for what we are going to do.
6. Resolution #2 to approve- same process but only have to publish once and send certified letter- posted on the property
 - a. Resolution will include all items that will be disposed of
 - b. Detail what is in plain sight
7. Once approved no protest petition period
8. Resolution #3- is what we did or what has been done on the property- publish NO mail