

# PROPOSED CHANGES TO MCEB RULES

## ARTICLE VI – ORDER OF BUSINESS

1. Call to Order
2. Minutes Approval
3. Citizens to be Heard re Items Not on the Agenda
4. Public Hearings
5. Unfinished Business
6. New Business
7. Nuisance Abatement Lien Filings and Nuisance Abatement Cases
8. Adjourn

## ARTICLE VIII – HEARING PROCEDURES

**Section 8:** A property owner may appeal a nuisance violation to the Municipal Code Enforcement Board.

1) The appeal must be made in writing and filed with the Board Secretary within five days of the posting of the property with notice of a nuisance violation.

2) Appeals of nuisance violation notices shall be presented by the appellant, who shall have the burden of showing that the condition described in the notice did not exist or of showing why the condition should not be remedied by the city at the expense of the appellant. If the owner, agent or representative, fails to appear before the board at the designated time to present the appeal, then the owner shall be deemed to have authorized the city to take such remedial action as is necessary to abate the nuisance.

When the City presents a nuisance case for abatement and maintenance, the Board Chair will inquire if the owner, agent or representative is present. If the owner, agent or representative fails to appear before the board at the designated time, the owner shall be deemed to have admitted the violation and acquiesced to the City's request to enter onto the property to abate and maintain the nuisance. The board may thereafter enter an order on a single motion finding the owner in violation of the City of Clearwater Code and allowing the City to enter the property to abate and maintain the nuisance. If the owner, agent or representative does appear before the board at the designated time then the normal hearing procedures will govern the administration of the case.

If the City presents multiple nuisance cases for abatement and maintenance during a hearing, the Board Chair is authorized to make a single roll-call to inquire if any owners, agents or representatives are present. The board may then enter separate orders on a single motion for all cases in which the owner, agent or representative is not present finding the individual owner in violation of the City of Clearwater Code and allowing the City to enter the property to abate and maintain the nuisance.