

## Steps to Blighted Property

**This process is in accordance with IPMC 2012, City Ordinance 360, and MS State Statute 21-19-11 Cleaning of private property**

**The Blighted Property Program has been charged with maintaining a database of blighted property and overseeing the process to address these issues.**

**1. Properties in violation of IPMC 2012 and/or Ordinance 360, identified by the City or neighbor complaints, are sent a courtesy letter with a 14 day response time.**

Responsible party: Blighted Property Personnel.

Notices must include as per IPMC 2012 Section 107:

- Description of real estate
- Violations and why notice issued
- Correction order with reasonable timeframe
- Statement of right to file lien according to Section 106.3

Method of service as per IPMC 2010 Section 107.3

- Regular mail

**2. IF no response, a registered letter is sent with a 30 day response time.**

Responsible party: Blighted Property Personnel.

Notices must include as per IPMC 2012 Section 107:

- Description of real estate
- Violations and why notice issued
- Correction order with reasonable timeframe
- Statement of right to file lien according to Section 106.3

Picture of current state of property is included if possible.

Method of service as per IPMC 2010 Section 107.3

- Certified to last known address

**3. If no response from registered letter, a request is made to City Clerk to schedule a blighted property meeting with the Board of Alderman.** The purpose of the meeting is to present these properties that remain unresolved, discuss whether property or land is considered to be a menace to public health, safety and welfare of community and determine next course of action. Information packets will be provided to each member of the Board by the Blighted Property Personnel before the meeting for review.

How the determination is made to present to the Board.

- The active properties are prioritized by these main issues:
  - Date file was opened
  - Number of complaints received
  - State of property related to public safety and health
  - Requests from the Board for consideration

Responsible party (Blighted Property Personnel) requests Board consideration via City Clerk.

**4. If Board determines the property to be a public menace, a written notice regarding a Board hearing is sent to the property owner by the City Clerk with the expectation that the owner will attend the hearing.**

Notice requirements per MS Code 21-19-11:

- Must be sent to property owner
- Language that informs owner of right to re-entry
- Include notice in the minutes of the City of Waveland Board Meeting

Required methods of notice per MS Code 21-19-11: Two weeks before hearing-

- Mail hearing notice to the address of the subject property and the address where the ad valorem tax notice is sent
- Post hearing notice on the property, City Hall and other city locations where such notices would be normally posted.

Other notice options per MS Code 21-19-11:

- Service of process by police officer
- If owner address is unknown, may post in newspaper

**5. Hearing is held. If as a result of the hearing the menace is found to exist and the property is deemed in need of cleaning, the governing body can order the owner to clean the property or the Board can proceed to have it cleaned.**

Minutes of hearing should include, at a minimum, the following documentation:

- a true copy of the notice to owner,
- documentation and finding that owner has been properly served,
- if owner not served, attempts at service and documentation of last known address of owner,
- a legal description of the property in question,
- description of the issues for which the owner was noticed to appear,
- findings of the Board.
- photos that support decision.
- penalties assessed.

**6. If owner does not appeal the decision, set a time frame (14 days) for a written plan to be sent to Board to outline plans.** Owner to appear at next month's Board meeting to discuss progress and timeline.

**7. If it is found that the owner is not adjudicating or progressing according to plans, the Board may refer issue to Building Inspection Officer for further action.**

Process developed from MS code, Waveland Ordinances, previous process as outlined by City Clerk and Fire Chief. Also comments/edits from M. Tucker, Prosecuting Attorney included.

Edited draft 5.28.2013. Reviewed and/or edited: 6/4/13, 9/6/2013, 12/5/2013, 1/29/2015 bc  
Finalized and Board of Aldermen unanimously voted to accept document on January 7, 2014.