

ORDINANCE NO. O21-72

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE CHAPTER 25 (NUISANCES), ARTICLE VI (DAMAGED BUILDINGS), BY ADDING SECTION 25-77 (SLUM PROPERTY DESIGNATION).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the Glendale City Code Chapter 25 (Nuisances), Article VI (Damaged Buildings), Section 25-77 (Slum Property Designation) is hereby added and will read as follows:

Chapter 25-Nuisances

Sec.25-77. - Slum Property Designation.

- A. The City Manager or designee may designate residential rental property as slum property consistent with and pursuant to the provisions of A.R.S. §33-1901 et seq., as and if amended.
- B. Notice of slum property designation shall be provided to all owners and lienholders of the affected property by delivery in hand or mailed certified mail return receipt requested to the addresses listed of record for the property. Such notice shall of the designation, the reason or reasons for the designation, and the procedure to appeal the designation. The effective date of the notice of slum property designation shall be the date of the designation.
- C. The City may record a notice of slum property designation with the County Recorder. A recorded notice shall run with the land. Failure to record a notice shall not affect the validity of the notice as to persons who receive the notice.
- D. The slum property designation shall be removed and a notice of removal of the slum property designation shall be recorded with the County Recorder when the conditions and violations that formed the basis of the designation have been corrected, as determined by the City of by the Court.

Sec. 25-77.1. - Assessment and Liens.

- A. The City Manager, or his designee, is authorized to impose assessments and liens pursuant to the provisions of A.R.S. tit. 33, ch. 17, art. 1 (A.R.S. §33-1901 et seq.).
- B. Notice of an assessment or lien shall be provided to all owners and lienholders of the affected property. Such notice shall inform of the amount of the assessment or lien, the reason for the

assessment or lien, and the procedure to appeal the assessment or lien. The effective date and manner of service shall be as described in Section 25-77B.

- C. The City May record an assessment or lien with the County Recorder or the Department of Transportation. A recorded assessment shall run with the land. Failure to record an assessment or lien shall not affect the validity of the assessment or lien as to persons who have notice thereof. The City shall release the assessment or lien upon receipt of payment.
- D. In the event that it is necessary to enforce an assessment or lien by sale, the sale shall be made from a judgement of foreclosure and order of sale. The City shall have the right to enforce an assessment or lien in the Superior Court, at any time after recording, but failure to enforce an assessment or lien shall not affect its validity. The recorded assessment or lien shall be prima facie evidence of the truth of all matters recited herein, and of the regularity of all proceedings prior to the recording. Prior assessments or liens for the purposes provided for in this ordinance shall not be a bar to subsequent assessments or liens, and any number of liens or assessments on the same property may be enforced in the same action.

Sec. 25-77.2.- Slum Property Designation Appeals Hearing Officer.

- A. There is created a Slum Property Designation Appeals Hearing Officer, hereinafter referred to as the "Hearing Officer," which is appointed by the City Manager.
- B. Appeals of a slum property designation or of an assessment or lien shall be heard by the Hearing Officer.

Sec 25-77.3. - Hearings.

- A. Any owner or lienholder aggrieved by a slum property designation or by an assessment or lien imposed pursuant to this article may appeal by filing a notice of appeal with the Development Services Department within thirty days of the effective date of the notice. The notice of appeal shall state appellant's relationship to the property, all grounds for the appeal, a mailing address, and a telephone number where the appellant can be notified of the time and place of the hearing.
- B. Upon receipt of a notice of appeal, the City shall set a hearing within not less than ten nor more than thirty days.
- C. Upon hearing an appeal, the hearing officer may affirm or reverse a slum property designation or affirm, reverse, or reduce an assessment or lien. (Ord. No. 1673, §1,3-26-91)
- D. Any determination by the hearing officer may only be appealed to the superior court.

Sec. 25-78-25-79.-Reserved.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale,
Maricopa County, Arizona, this 26th day of October, 2021.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager