



Nuisance FAQs

What is a nuisance?

A nuisance is the legal term for an act, or failure to act, that interferes in the use or enjoyment of property. In Kansas, the State Legislature has granted municipalities the authority to abate nuisances under [KSA 12-1617e](#). These regulations establish the basic procedures that all municipalities must follow regarding nuisance claims. **Municipalities retain the right to establish what constitutes a nuisance in their community.** Therefore, nuisances can vary depending on the jurisdiction.

What are some examples of nuisances in Mission Hills?

The following are unlawful nuisances in the City of Mission Hills:

- Odors
- Animal Carcasses
- Sight Hazards (overgrown shrubs, trees, or other plants)
- Dead Trees
- Diseased Trees
- Disrepair/Dilapidated Structures
- Harboring Pests
- Pest Infestation
- Littering
- Watercourse impediments
- Abandoned Vehicles
- All Weeds

*** This list is not exclusive. Please refer to Chapter 6 of the [City of Mission Hills' Code of Ordinances](#).

Can there be multiple nuisances?

Yes. A property can have multiple nuisances. If multiple nuisances are found at one time, then the initial notification letter will list all nuisances which require action. If the nuisances are found at different time periods, then a letter describing each nuisance will be sent. For example, a property will receive separate letters for nuisances that occurred in May and October.

What do I do if I think there's a nuisance at someone's property?

If you believe a property has a nuisance, you can call City Hall (913-362-9620), go to the City's website (www.missionhillks.gov) and click on Report an Issue, or on the SeeClickFix app to report it and have it investigated.

What happens after I report a nuisance?

After a nuisance is reported, the City will send a building inspector to verify if the issue is indeed a nuisance. Residents who report the issue on the City's website or through the SeeClickFix app will be updated accordingly as to what the result of the inspection was. Once a nuisance is confirmed, the City works directly with the property owner moving forward to abate the issue.



How do I know if I have nuisance on my property?

If you have a nuisance on your property, then you will receive correspondence from the City describing the location and nature of the nuisance.

A nuisance letter has been issued, what next?

Upon receipt of the letter, the property owner has 10 days to either abate the nuisance or show that they have demonstrated due diligence to abate the nuisance. For example, if the abatement of a nuisance requires the service of a contractor and the contractor cannot provide the service within the 10 day period.

What happens if I don't fix the nuisance within the 10 day period?

If a property owner has neither abated their nuisance nor demonstrated that they have done their due diligence, then the City will abate the nuisance at the cost to the property owner. No additional notice will be provided prior to the abatement of the nuisance. The property owner will receive a notice letter and invoice from the City for the cost of abating the nuisance. The property owner has 30 days upon receipt of this notice to make their payment.

What happens if I don't make my payment at the end of the 30 day period?

If a property owner fails to make their payment at the end of the 30 day period, then the City will either add the cost of the abatement to the owner's property taxes via a special assessment or seek remediation through Johnson County District Court.

Where can I make a payment for failing to abate a nuisance?

Property owners can either send payment to the City via certified mail or pay directly at City Hall.

Are City Employees allowed on property to investigate nuisances?

Yes. Sections 6-110 and 6-111 of the City of Mission Hills' Code of Ordinances give staff right of entry during reasonable hours and states any interference with the City's abatement of nuisances a misdemeanor offense punishable by a fine of \$500.

How are weed nuisances handled?

Weed nuisances are handled in a slightly different manner due to the potential frequency of occurrences. The notification process is the same as mentioned above, however, the property will only receive one notification for nuisance weed violations per calendar year. All other weed nuisances on the property can be immediately abated by the City. The cost of abatement will then be assessed by the City and added as a special assessment to property owner's property tax assessment.



What counts as a weed?

The City of Mission Hills' Code of Ordinances defines a weed as any of the following:

1. A plant of no value and usually of rank growth that tends to overgrow or choke more desirable plants and includes plants which bear or may bear seed of a downy or wingy nature;
2. Noxious weeds, which includes kudzu, field bindweed, Russian knapweed, hoary cress, quack grass, canadian thistle, leafy spurge, burragweed, pignut, musk, thistle, Johnson grass, poison ivy, poison oak and poison sumac; or
3. Indigenous grasses on or about residential property which, because of its length has a blighting influence on the neighborhood. Any such indigenous grasses shall be presumed to be blighting if they exceed eight (8) inches in length.