

## What can you do to help the county eliminate public nuisances?

When a public nuisance (as defined in this brochure) occurs in your neighborhood, file a complaint with HCPH Environmental Public Health division. If the nuisance remains unabated 30 days after a county abatement notice has been received by the owner or occupant of the property in question, the health inspector may ask your assistance in identifying the owner/operator and acting as a witness in court. In addition to criminal prosecution sought by HCPH, you may file a civil suit in the county or district courts.

## What about abandoned property?

If the property in violation of the Neighborhood Nuisance Abatement Act is abandoned, a procedure known as a "title opinion" is conducted to determine the owner of the property. A notice is sent to the property owner named in the title opinion. If the site remains unabated and the notice to the owner is not received, a notice in a newspaper of general circulation may be run for two (2) consecutive days in a 10-day period. If the owner still does not respond to the notice, the nuisance may be abated by the county with the cost being charged to the owner and a lien placed on the property.

## 3 Ways to File a Complaint

1. Call: (713) 274-6300
2. Fax: (713) 274-6375
3. Online at: <http://mobileapp.hcphes.org>

### Please Help Us Help You

Before calling HCPH to file a complaint:

- obtain a correct address of the complaint site (name of street, street number, nearby cross street).
- obtain the legal description of the property in question, if possible (name of subdivision, lot number, block number).
- obtain the name and address of the owner and/or name of the occupant of the property in question, if possible.

### HCPH Environmental Public Health

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## NEIGHBORHOOD NUISANCE ABATEMENT ACT



## PROTECTING NEIGHBORHOODS IN UNINCORPORATED AREAS OF HARRIS COUNTY



Harris County  
**Public Health**  
Building a Healthy Community

## What is the Neighborhood Nuisance Abatement Act (NNAA)?

The NNAA is a law\* designed to abate public nuisances in unincorporated areas of Texas counties. \*Chapter 343 of the Texas Health and Safety Code.

## What does "abatement" mean?

Abatement is the elimination of a nuisance by removal, repair, rehabilitation or demolition.

## What constitutes a "public nuisance"?

Public nuisances are grouped into seven (7) categories:

1. Keeping, storing or accumulating trash on property in a neighborhood unless the trash is entirely contained in an enclosed container.
2. Keeping, storing, or collecting trash/junk or any unused, discarded or abandoned object, including newspapers, vehicles, refrigerators, stoves, furniture, tires and cans on property in a neighborhood for ten days or more, unless the trash or object is completely enclosed within a building or is not visible from a public street.
3. Maintaining property in a manner that leads to an unsanitary condition likely to attract mosquitoes, rodents, vermin or other disease-carrying pests.

4. Allowing weeds to grow on developed property in a neighborhood if such weeds are located within 300 feet of another residence or commercial business.

*What are weeds?* Weeds are any unplanted growth or matter that is over 36 inches in height or, regardless of height, may create an unsanitary condition or become a home for rodents, vermin or any other disease-carrying pests.

5. Maintaining a building in a manner that is structurally unsafe or creates a hazard to health, safety or public well-being because of poor maintenance, unsanitary condition, damage, fire hazard, or abandonment.
6. Maintaining a swimming pool on any property in a neighborhood that is not protected with a fence that is at least four feet high and that has a latched gate that cannot be opened by a child, or protected by a cover over the entire swimming pool that cannot be removed by a child.
7. Maintaining a swimming pool on abandoned and unoccupied property that is not protected by a pool cover over the entire pool that cannot be removed by a child, and a fence at least four feet high that has a latched and locked gate.

## Do the seven (7) listed categories of public nuisances apply to any location within the unincorporated areas of Harris County?

No. Categories 1, 2, 4 & 6 apply only to neighborhoods. A neighborhood is defined as a recorded, platted subdivision or any property next to a recorded, platted subdivision and within 300 feet of the platted subdivision.

## When does a nuisance become an offense?

A person commits an offense if the nuisance (as defined above) remains unabated after the 30th day from which a person receives a notice from a county official, agent or employee to abate the nuisance. Each subsequent day a violation occurs is a separate offense.

## What procedures are available to the county to eliminate nuisances?

If a person fails to abate a nuisance after 30 days from receiving a notice, criminal prosecution or civil action may be started.

