

Resolution 2021-R-144

**A RESOLUTION FOR THE ABATEMENT OF NUISANCE
DUE TO WEEDS AND/OR GRASS**

WHEREAS, the *Code of Alabama* gives all municipalities the authority to abate weeds on property within their municipal city limits under §§ 11-67-60 through 11-67-67; and

WHEREAS, it has been determined that the properties (hereafter subject properties) located at the addresses listed below have an overabundance of grass and/or weeds present thereon:

- **5228 Cornell Drive, Irondale, AL 35210**
- **4589 Little River Road, Irondale, AL 35210**
- **2314 3rd Avenue South, Irondale, AL 35210**

WHEREAS, the abundance of overgrown grass and/or weeds on the subject properties is injurious to the general public health, safety and general welfare by:

- (a) providing breeding grounds and shelter for rats, mice, snakes, mosquitoes, and other vermin, insects and pests; or
- (b) attaining heights and dryness that constitute a serious fire threat or hazard; or
- (c) bearing wingy or downy seeds, when mature, that cause the spread of weeds and, when breathed, irritation to the throat, lungs, and eyes of the public; or
- (d) hiding debris, such as broken glass or metal that could inflict injury on a person going upon the property; or
- (e) being unsightly; or
- (f) growth of grass or weeds, other than ornamental plant growth, that exceeds twelve (12) inches in height; and

WHEREAS, such grass and/or weeds located on the subject properties constitute a threat to the health, safety, and welfare to the citizens of the City of Irondale and must be abated;

WHEREAS, the subject properties were declared to be a public nuisance by this City Council through Resolution 2021-R-114 passed by the Council on the 6th day of October, 2021;

WHEREAS, following the passage of Resolution 2021-R-114, the City Council scheduled a public hearing on Wednesday, November 17th, 2021, at 6:00 p.m. in the City Council Chambers to consider evidence, objections, and protests regarding the removal of the weeds on the subject properties;

WHEREAS, as required by Alabama Code §11-67-62:

- (a) notices of the public hearing were mailed by certified mail, return receipt

requested at least twenty-one (21) days from the date of the public hearing to all property owners of the subject properties appearing of record in the office of the tax assessor;

- (b) notice of the public hearing was advertised in The Birmingham News at least twenty (21) days prior to the hearing; and
- (c) two (2) signs were conspicuously posted on each of the subject properties at least seven (7) days prior to the public hearing date;

WHEREAS, the City Council convened for such public hearing at said time and date and heard and considered all evidence concerning the subject properties; and

WHEREAS, no objections or protests regarding the proposed removal of the weeds and/or grass on the subject properties were filed with and/or presented to the City of Irondale at this public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF IRONDALE, ALABAMA, that the public nuisance located on the subject properties is hereby ordered to be abated by the City of Irondale, Alabama as provided under Alabama law.

ADOPTED & APPROVED: This 17th day of November, 2021.

David Spivey, City Council President

APPROVED:

James D. Stewart, Jr., Mayor

ATTESTED:

Leigh Ann Allison, Acting City Clerk

CERTIFICATION

I, Leigh Ann Allison, the Acting City Clerk of the City of Irondale, Alabama, hereby certify that the above to be a true and correct copy of a resolution adopted by the City Council of the City of Irondale at its regular meeting held on the 17th day of November, 2021, as the same appears in the minutes of record of said meeting.

Leigh Ann Allison, Acting City Clerk