

**Resolution 2023-R-159**

***A RESOLUTION PLACING A WEED LIEN ON THE PROPERTY LOCATED AT 3520 STONEHENGE PLACE, IRONDALE, ALABAMA PURSUANT TO ALABAMA LAW***

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

**WHEREAS**, the property (hereafter “subject property”) located at the address listed below has an overabundance of grass and/or weeds present thereon:

- **3520 Stonehenge Place, Irondale, AL 35210**

**WHEREAS**, the grass and/or weeds located on the subject property constituted a threat to the health, safety, and welfare of the citizens of the City of Irondale that must be abated; and

**WHEREAS**, the subject property was declared to be a public nuisance by this City Council through Resolution Number 2023-R-68 passed by the Council on the 16th day of May, 2023; and

**WHEREAS**, following the passage of Resolution Number 2023-R-68 the City Council scheduled a public hearing on Tuesday, July 18, 2023 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 property; and

**WHEREAS**, the Irondale City Council did declare the weeds and/or grass located at the above address to be a public nuisance and did order this nuisance to be abated as provided under Alabama Law through Resolution Number 2023-R-96; and

**WHEREAS**, the City removed such grass and weeds on the subject property and submitted a Report of Costs in the amount of \$837.87 as shown on Exhibit A hereto for the cost of removal; and

**WHEREAS**, as required by Alabama Code §11-67-65, the City posted a copy of the Report of Costs for at least five (5) days prior to the consideration by the City Council of the Report of Costs contained in this resolution; and

**WHEREAS**, the City Council has heard this Report of Costs together with any objections which may be raised by any of the property owners liable to be assessed for the work of abating the nuisance and did not modifications necessary to the report; and

**WHEREAS**, as authorized by Alabama Code §11-67-66, the City Council desires to assess the amount contained in the Report of Costs as a weed lien against the subject property.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Irondale City Council in regular meeting, duly assembled, a quorum being present that the amount of \$837.87 shown on the Report of Costs is hereby declared to be a weed lien against the subject property located at 3520 Stonehenge Place, Irondale, Alabama 35210.

**BE IT FURTHER RESOLVED THAT** a copy of this resolution shall be given to the Jefferson County Tax Collector to add the weed lien cost of \$837.87 to the regular bill for taxes levied against the subject property, and thereafter, the costs shall be collected at the same time and in the same manner as ordinary municipal ad valorem taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as allowed by law.

**ADOPTED & APPROVED:** This the 17th day of October, 2023.

\_\_\_\_\_  
David Spivey, City Council President

**APPROVED:**

\_\_\_\_\_  
James D. Stewart, Jr., Mayor

**ATTESTED:**

\_\_\_\_\_  
Leigh Ann Allison, City Clerk

#### **CERTIFICATION**

I, Leigh Ann Allison, 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 October 17, 2023, as same appears in the minutes of record of said meeting.

\_\_\_\_\_  
Leigh Ann Allison, City Clerk

**EXHIBIT A**

**MAINTENANCE PERFORMED BY PUBLIC WORKS FOR ASSESSMENTS ON PROPERTY**

PROPERTY OWNER NAME James L Bain III -- According to Jefferson County Tax Map

ADDRESS 3520 Stonehenge Place Irondale, AL 35210

SUPERVISOR Randy Pate

**Type of work performed:**

- x            Grass/Weed Cutting/Rake Yard
- x            Tree Removal
- x            Cutting of Underbrush
- Debris/Garbage Removal
- 1/4          Tonnage Hauled to Landfill at \$37.89 per ton (1 ton minimum)

Total: 9.47

Work Performed By:	HOURS	SALARY RATE	TOTAL
1. <u>Ray Jenkins</u>	<u>2</u>	<u>16.31</u>	<u>32.62</u>
2. <u>Allyn Richardson</u>	<u>2</u>	<u>16.31</u>	<u>32.62</u>
3. <u>Tristan Pruitt</u>	<u>2</u>	<u>16.31</u>	<u>32.62</u>
4. <u>Cameron Starks</u>	<u>2</u>	<u>16.31</u>	<u>32.62</u>
5. <u>Samuel Delbridge</u>	<u>2</u>	<u>16.31</u>	<u>32.62</u>
6. <u>Wayne Miller</u>	<u>2</u>	<u>25.30</u>	<u>50.60</u>
7. <u>Don Lee</u>	<u>2</u>	<u>30.76</u>	<u>61.52</u>
8. <u>Randy Pate</u>	<u>2</u>	<u>43.00</u>	<u>86.00</u>
		<b>TOTAL</b>	<u>368.62</u>

Mobilization Charge \$250

**Equipment Used:**

1. <u>Tree Truck</u>	<u>2</u>	<u>20.95</u>	<u>41.90</u>
2. <u>Lawn Mower</u>	<u>2</u>	<u>26.00</u>	<u>52.00</u>
3. <u>Chain Saw</u>	<u>2</u>	<u>1.94</u>	<u>3.88</u>
4. <u>Pickup Truck</u>	<u>2</u>	<u>25.19</u>	<u>50.38</u>
5. <u>Pickup truck</u>	<u>2</u>	<u>26.24</u>	<u>52.48</u>
6. <u>Backpack Blower</u>	<u>2</u>	<u>1.55</u>	<u>3.10</u>
7. <u>Trailer</u>	<u>2</u>	<u>3.62</u>	<u>5.24</u>
8. <u>                    </u>	<u>          </u>	<u>          </u>	<u>          </u>

MISC COST TOTAL 208.98

TOTAL COST TO THE CITY 837.87

SIGNED: \_\_\_\_\_ DATE \_\_\_\_\_  
 PUBLIC WORKS DIRECTOR *Randy Pate* DATE 10-12-2023