

Resolution 2023-R-19

A RESOLUTION PLACING A WEED LIEN ON THE PROPERTY LOCATED AT 775 ABIGALE LANE, 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:

- **775 Abigale Lane, 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 2022-R-190 passed by the Council on the 5th day of October, 2022; and

WHEREAS, following the passage of Resolution Number 2022-R-190 the City Council scheduled a public hearing on Tuesday, December 6, 2022 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 2022-R-190; and

WHEREAS, the City removed such grass and weeds on the subject property and submitted a Report of Costs in the amount of \$791.11 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 \$791.11 shown on the Report of Costs is hereby declared to be a weed lien against the subject property located at 775 Abigale Lane, 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 \$791.11 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 21st day of February, 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 February 21, 2023, as same appears in the minutes of record of said meeting.

Leigh Ann Allison, City Clerk

EXHIBIT A