

Resolution 2024-R-43

***A RESOLUTION PLACING A WEED LIEN ON THE PROPERTY LOCATED AT
2305 2nd AVENUE NORTH, 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:

- **2305 2nd Avenue North, Irondale, Alabama 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-145 passed by the Council on the 4th day of October, 2023; and

WHEREAS, following the passage of Resolution Number 2023-R-145 the City Council scheduled a public hearing on Tuesday, December 5th, 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-178; and

WHEREAS, the City removed such grass and weeds on the subject property and submitted a Report of Costs in the amount of \$2,007.71 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 City Council of the City of Irondale, Alabama in regular meeting, duly assembled, a quorum being present, that the amount of \$2,007.71 shown on the Report of Costs is hereby declared to be a weed lien against the subject property located at 2305 2nd Avenue North, Irondale, Alabama 35210.

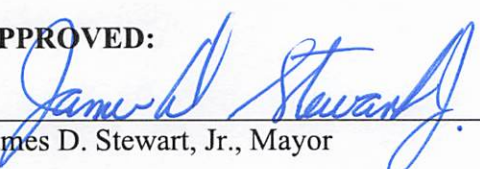
BE IT FURTHER RESOLVED THAT a copy of this resolution shall be given to the Jefferson County Tax Collector to add the weed lien cost of \$2,007.71 to the regular bill for taxes levied against the subject property, and thereafter, the costs shall be collected at the same time and in the same manner as 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 2nd day of April, 2024.



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 April 2, 2024, as same appears in the minutes of record of said meeting.



Leigh Ann Allison, City Clerk

EXHIBIT A

MAINTENANCE PERFORMED BY PUBLIC WORKS FOR ASSESMENTS ON PROPERTY

PROPERTY OWNER NAME Ivan Adams

ADDRESS 2305 2nd Ave N Irondale, AL 35210

SUPERVISOR Micheal Wallace

Type of Work Performed:

- Grass/Weed Cutting/Rake Yard
 - Tree Removal
 - Cutting of Underbrush
 - Debris/Garbage Removal
 - 2 Tonnage Hauled to Landfill at \$37.89 per ton (1 ton minimum)
- TOTAL** 75.78

Work Performed By:	HOURS	SALARY RATE	TOTAL
1. <u>Don Lee</u>	<u>7</u>	<u>29.29</u>	<u>205.03</u>
2. <u>Roy Watkins</u>	<u>2</u>	<u>17.13</u>	<u>34.26</u>
3. <u>Ron Nixon</u>	<u>4</u>	<u>17.13</u>	<u>68.52</u>
4. <u>Cameron Starks</u>	<u>4</u>	<u>17.13</u>	<u>68.52</u>
5. <u>Tristan Pruitt</u>	<u>4</u>	<u>17.13</u>	<u>68.52</u>
6. <u>Kauri Johnson</u>	<u>4</u>	<u>17.98</u>	<u>71.92</u>
7. <u>Andrew Mitchell</u>	<u>4</u>	<u>26.57</u>	<u>106.28</u>
8. <u>Richard Hunter</u>	<u>2</u>	<u>30.76</u>	<u>61.52</u>
TOTAL			<u>cont. pg. 2</u>

Mobilization Charge 250
Equipment Used

1. <u>Tree Truck</u>	<u>7</u>	<u>39.62</u>	<u>277.34</u>
2. <u>Chain Saw</u>	<u>2</u>	<u>1.96</u>	<u>3.92</u>
3. <u>Weed Eater</u>	<u>4</u>	<u>1.96</u>	<u>7.84</u>
4. <u>Backpack Blower</u>	<u>4</u>	<u>1.90</u>	<u>7.60</u>
5. <u>Lawn Mower</u>	<u>4</u>	<u>26.00</u>	<u>104.00</u>
6. <u>Pick Up Truck</u>	<u>4</u>	<u>16.68</u>	<u>66.72</u>
7. <u>Pick Up Truck</u>	<u>4</u>	<u>27.78</u>	<u>111.12</u>
8. <u>Knuckleboom</u>	<u>2</u>	<u>121.14</u>	<u>242.28</u>

MISC COST **TOTAL** 820.82

TOTAL COST TO THE CITY

SIGNED: *Micheal Wallace* DATE: 3/10/24
PUBLIC WORKS DIRECTOR *Gregory Mansfield* DATE: 3/18/24

MAINTENANCE PERFORMED BY PUBLIC WORKS FOR ASSESSMENTS ON PROPERTY

PROPERTY OWNER NAME Ivan Adams

ADDRESS 2305 2nd Ave N Irondale, AL 35210

SUPERVISOR Micheal Wallace

Type of Work Performed:

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

TOTAL _____

Work Performed By:	HOURS	SALARY RATE	TOTAL
1. <u>Michael Wallace</u>	<u>1</u>	<u>25.30</u>	<u>25.30</u>
2. <u>Osdresio Cole</u>	<u>4</u>	<u>19.83</u>	<u>79.32</u>
3. <u>Walter Beal</u>	<u>4</u>	<u>17.98</u>	<u>71.92</u>
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____

TOTAL 861.11

Mobilization Charge 250
Equipment Used

1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____

MISC COST _____ **TOTAL** _____

TOTAL COST TO THE CITY 2007.71

SIGNED: _____ DATE: _____

PUBLIC WORKS DIRECTOR _____ DATE: _____

Resolution 2023-R-145

A RESOLUTION DECLARING A WEED AND OTHER VEGETATION NUISANCE AND DIRECTING THE ABATEMENT OF SAID NUISANCE 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 the “subject property”) located at the address listed below has an overabundance of grass and/or weeds present thereon:

- **2305 2nd Avenue North, Irondale, Alabama 35210**

WHEREAS, the abundance of overgrown grass and/or weeds on the subject property 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;
- b) attaining heights and dryness that constitute a serious fire threat or hazard;
- 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;
- (d) hiding debris, such as broken glass or metal that could inflict injury on a person going upon the property;
- (e) being unsightly; and/or
- (f) exceeding 12 inches in height; and

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

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Irondale City Council in regular meeting, duly assembled, a quorum being present that the weeds and/or grass located at the following address is declared to be a public nuisance:

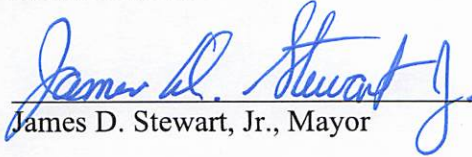
- **2305 2nd Avenue North, Irondale, Alabama 35210**

BE IT FURTHER RESOLVED, that the public nuisance located at the above described property is hereby ordered to be abated by the City of Irondale as provided under Alabama law.

ADOPTED & APPROVED: This the 4th 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 4th, 2023, as same appears in the minutes of record of said meeting.

Leigh Ann Allison, City Clerk

Resolution 2023-R-178

A RESOLUTION DECLARING A WEED AND OTHER VEGETATION NUISANCE AND DIRECTING THE ABATEMENT OF SAID NUISANCE 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:

2305 2nd Ave. N.

WHEREAS, the abundance of overgrown grass and/or weeds on the subject property 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;
- b) attaining heights and dryness that constitute a serious fire threat or hazard;
- 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;
- (d) hiding debris, such as broken glass or metal that could inflict injury on a person going upon the property;
- (e) being unsightly; and/or
- (f) exceeding 12 inches in height; and

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

WHEREAS, the subject property was declared to be a public nuisance by this City Council through Resolution Number 2023-R-145 passed by the Council on the 4th day of October 2023; and

WHEREAS, following the passage of Resolution Number 2023-R-145 the City Council scheduled a public hearing on December 5th, 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, all notices required by Alabama law were given; and

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

WHEREAS, no objections or protests regarding the proposed removal of the weeds and/or

grass on the subject property were filed with and/or presented to the City Council at this public hearing.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Irondale City Council in regular meeting, duly assembled, a quorum being present that the weeds and/or grass located at the following address is declared to be a public nuisance:

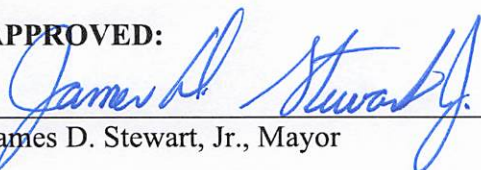
2305 2nd Ave. North

BE IT FURTHER RESOLVED, that the public nuisance located at the above described property is hereby ordered to be abated by the City of Irondale as provided under Alabama law.

ADOPTED & APPROVED: This the 5th day of December.

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 December 5th, 2023, as same appears in the minutes of record of said meeting.

Leigh Ann Allison, City Clerk