

**CITY OF BAYOU LA BATRE
RESOLUTION 2013-005**

**RESOLUTION DECLARING WEEDS UPON SPECIFIED
PROPERTY ARE A PUBLIC NUISANCE AND DECLARING
CITY'S INTENTION TO PROVIDE FOR THE ABATEMENT THEREOF**

WHEREAS, pursuant to §11-67-21, et seq., of the Code of Alabama the City Council of the City of Bayou La Batre, Alabama finds as follows;

THAT the weeds growing upon the street, sidewalk and/or private property described herein are of a wingy and/or downy nature and/or have attained a large growth and have become a fire menace, are noxious and dangerous and a threat to public health and safety and are a nuisance to the public; and

THAT the presence of such overgrown weeds are a fire hazard, a public safety hazard and said conditions endanger the safety of the public; and

THAT, by reason of the foregoing, the weeds, grass, stubble, refuse and/or other material growing or existing upon the private property hereinafter described, and upon any streets and/or sidewalks adjacent thereto constitute a recurrent public nuisance and should be abated as such.

THAT the private property, together with the streets and/or sidewalks adjacent thereto as referred to herein, is more particularly described as follows, to-wit: 13950 Jernberg Avenue, Bayou La Batre, Alabama, Key Number 01336370, Parcel Number R024407263006029, Lots 18, 19, 20 & 21, Blk 1 Henderson Place DBK 156 NS P 590-591 #Sec 26 T7S R3W #MP44 07 26 3 006;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAYOU LA BATRE, ALABAMA that pursuant to the findings by this Council that the weeds, grass, stubble and/or refuse in and upon the real property hereinabove described constitute and are hereby declared a public nuisance which should be abated; and

THAT a public hearing on this matter will be held by the City Council on the _____ day of _____, 2013 at _____ p.m. at City Hall and any and all property owners having any objections to the aforesaid proposed removal of weeds may appear before the City Council and show cause why said weeds should not be removed in accordance with this resolution.

The City Clerk is hereby directed to give notice of the City's intent to abate said condition to the property owners by U.S. Mail certified, return receipt requested, to publish notice of the City's intent in the Mobile Press Register once a week for two consecutive weeks and to cause two (2) signs to be conspicuously posted upon said real property and said notice shall be in the following form:

Notice is hereby given that on the _____ day of _____, 2013 at _____ p.m., at City Hall, the City Council of the City of Bayou La Batre will consider a resolution regarding the weeds growing upon and/or in front of the property known as 13950 Jernberg Avenue, Bayou La Batre, Alabama, and more particularly described in the resolution, a copy of which is on file in the office of the City Clerk; and at said time and place will determine whether the weeds constitute a public nuisance which shall be abated by the removal of the noxious or dangerous weeds; and, if so, will order the abatement and removal of the nuisance by City authorities, in which case the cost of abatement and removal shall be assessed upon the land from which or in front of which the weeds are removed, and the cost shall be added to the next regular bill for taxes levied against the respective lots and lands for municipal purposes. The amounts shall be collect at the same time and in the same manner as ordinary municipal taxes are collected. The amounts shall be subject to the same commissions and fees and the same procedure for foreclosure and sale in case of delinquency as provided for ordinary municipal taxes.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BAYOU LA BATRE, ALABAMA ON THIS THE 11th DAY OF APRIL, 2013.


IDA MAE COLEMAN
CHAIRMAN PRO-TEMPORE

ATTEST:


DONNA GAINEY, CITY CLERK