

1 HB319
2 116612-1
3 By Representatives Bridges and Laird
4 RFD: County and Municipal Government
5 First Read: 19-JAN-10

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8 SYNOPSIS: Under existing law, a municipality may
9 declare overgrown grass and weeds to be a public
10 nuisance and provide for the abatement of the
11 nuisance and the assessment of costs of the
12 abatement against the owner of the property.

13 This bill would authorize the city council
14 of a Class 7 municipality, to adopt by municipal
15 ordinance alternative procedures to provide for
16 overgrown grass and weeds to be declared to be a
17 public nuisance and provide for the abatement of
18 the nuisance.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT

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24 Relating to Class 7 municipalities; to authorize the
25 city council of the municipality to adopt procedures for
26 overgrown grass and weeds to be declared to be a public
27 nuisance and to provide for the abatement of the nuisance.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. In any Class 7 municipality, in the case
3 of any overgrown grass or weeds which may be abated pursuant
4 to Article 4, commencing at Section 11-67-60, Chapter 67, of
5 Title 11, Code of Alabama 1975, the city council may adopt
6 procedures different from the procedures provided in Article 4
7 to declare overgrown grass or weeds to be a public nuisance
8 and abated pursuant to the procedures provided in the
9 ordinance. After the abatement of any overgrown grass or weeds
10 pursuant to the procedures provided in the ordinance, the
11 costs of abatement shall be assessed and collected as a weed
12 lien in the same manner as provided in Section 11-67-66, Code
13 of Alabama 1975. The municipality may assess the costs
14 authorized against any lot or lots or parcel or parcels of
15 land purchased by the State of Alabama or any purchaser at any
16 sale for the nonpayment of taxes and where an assessment is
17 made against a lot or lots or parcel or parcels of land, a
18 subsequent redemption thereof by a person authorized to redeem
19 or sale thereof by the state, shall not operate to discharge,
20 or in any manner affect the lien of the municipality for the
21 assessment, but a person redeeming the property or purchaser
22 at a sale by the state of any lot or lots or parcel or parcels
23 of land upon which an assessment has been levied, whether
24 prior to or subsequent to a sale to the state or purchaser for
25 the nonpayment of taxes, shall take the same subject to the
26 assessment.

1 Section 2. All laws or parts of laws which conflict
2 with this act are repealed.

3 Section 3. This act shall become effective
4 immediately following its passage and approval by the
5 Governor, or its otherwise becoming law.