

1 HB598
2 117288-3
3 By Representatives Scott, Robinson (O), Rogers and Hinshaw
4 RFD: County and Municipal Government
5 First Read: 18-FEB-10

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 Relating to municipalities; to add Section
9 11-67-60.1 to the Code of Alabama 1975, to authorize the
10 municipal governing body of a municipality to adopt alternate
11 procedures for overgrown grass and weeds to be declared to be
12 a public nuisance and to provide for the abatement of the
13 nuisance; and to provide exceptions to the provisions of the
14 bill relating to liens.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Section 11-67-60.1 is added to the Code
17 of Alabama 1975, to read as follows:

18 §11-67-60.1.

19 (a) In the case of any overgrown grass or weeds
20 which may be abated pursuant to this article, in addition to
21 the procedures provided in this article, the municipal
22 governing body of a municipality may adopt alternate
23 procedures different from the procedures provided in this
24 article to declare overgrown grass or weeds to be a public
25 nuisance and abated pursuant to the procedures provided in the
26 ordinance. After the abatement of any overgrown grass or weeds

1 pursuant to the procedures provided in the ordinance, the
2 costs of abatement shall be assessed and collected as a weed
3 lien in the same manner as provided in Section 11-67-66, Code
4 of Alabama 1975. The municipality may assess the costs
5 authorized against any lot or lots or parcel or parcels of
6 land purchased by the State of Alabama or any purchaser at any
7 sale for the nonpayment of taxes and where an assessment is
8 made against a lot or lots or parcel or parcels of land, a
9 subsequent redemption thereof by a person authorized to redeem
10 or sale thereof by the state, shall not operate to discharge,
11 or in any manner affect the lien of the municipality for the
12 assessment, but a person redeeming the property or purchaser
13 at a sale by the state of any lot or lots or parcel or parcels
14 of land upon which an assessment has been levied, whether
15 prior to or subsequent to a sale to the state or purchaser for
16 the nonpayment of taxes, shall take the same subject to the
17 assessment.

18 b. The provisions of this bill relating to the
19 discharge of liens shall not apply to property acquired by the
20 State Land Bank through the Department of Revenue.

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

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

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on County and Mu-
nicipal Government 18-FEB-10

Read for the second time and placed
on the calendar 25-FEB-10

Read for the third time and passed
as amended 23-MAR-10

Yeas 97, Nays 0, Abstains 0

Greg Pappas
Clerk