

1 HB758
2 141903-1
3 By Representatives McMillan, Shiver, Faust and Baker
4 (Constitutional Amendment)
5 RFD: Baldwin County Legislation
6 First Read: 26-APR-12

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8 SYNOPSIS: This bill would propose a local
9 constitutional amendment relating to Baldwin County
10 to authorize municipalities in the county to adopt
11 ordinances to provide procedures for the abatement
12 of weeds in the municipality. The proposed
13 amendment would also authorize the Legislature by
14 local law to provide procedures for the abatement
15 of weeds in municipalities in the county.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
20

21 To propose an amendment to the Constitution of
22 Alabama of 1901, relating to Baldwin County, to authorize any
23 municipality in the county to adopt ordinances to provide
24 procedures for the abatement of weeds in the municipality and
25 to authorize the Legislature by local law to provide
26 procedures for the abatement of weeds in municipalities in the
27 county.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. The following amendment to the
3 Constitution of Alabama of 1901, is proposed and shall become
4 valid as a part of the Constitution when all requirements of
5 this act are fulfilled:

6 PROPOSED AMENDMENT

7 (a) In Baldwin County, any municipality in the
8 county may adopt ordinances providing for the abatement of
9 weeds which are a public nuisance in the municipality after
10 notice to the owner of the property listed on the tax records
11 of the county. The ordinance may provide for the abatement of
12 the nuisance and for liens on the property to recover the
13 costs of abatement pursuant to order of the municipality.

14 (b) In addition to or in lieu of any authority
15 granted to municipalities pursuant to subsection (a), the
16 Legislature by local law applicable in Baldwin County may
17 provide the procedures or the content of ordinances to provide
18 procedures for the abatement of weeds in municipalities in the
19 county.

20 Section 2. An election upon the proposed amendment
21 shall be held in accordance with Amendment 555 to the
22 Constitution of Alabama of 1901, now appearing as Section
23 284.01 of the Official Recompilation of the Constitution of
24 Alabama of 1901, as amended, and the election laws of this
25 state.

26 Section 3. The appropriate election official shall
27 assign a ballot number for the proposed constitutional

1 amendment on the election ballot and shall set forth the
2 following description of the substance or subject matter of
3 the proposed constitutional amendment:

4 "Relating to Baldwin County, proposing an amendment
5 to the Constitution of Alabama of 1901, to authorize any
6 municipality in the county to adopt ordinances to provide
7 procedures for the abatement of weeds in the municipality and
8 to authorize the Legislature by local law to provide
9 procedures for the abatement of weeds in municipalities in the
10 county.

11 "Proposed by Act _____."

12 This description shall be followed by the following
13 language:

14 "Yes () No ()."