



**House County and Municipal Government Reported  
Substitute for HB280**

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A BILL  
TO BE ENTITLED  
AN ACT

Relating to public nuisances; to amend Section 6-5-122, Code of Alabama 1975; to further provide for actions to abate or enjoin a public nuisance.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 6-5-122, Code of Alabama 1975, is amended to read as follows:

"§6-5-122

(a) All municipalities and public institutions of higher education in ~~the State of Alabama~~ this state may commence an action ~~in the name of the city~~ to abate or enjoin any public nuisance injurious to the health, morals, comfort, or welfare of the community or any portion thereof of the community.

(b) (1) If an action commenced pursuant to subsection (a) involves a public nuisance created by an event that was not properly permitted by the appropriate local governing authority, the court shall order every person that participated in the promotion or organization of the event to compensate the plaintiff for all expenses incurred by the local governing authority related to the abatement of the



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29 nuisance, including, but not limited to, the provision of  
30 public safety, traffic control, and sanitation services. In  
31 addition, the court shall award court costs and reasonable  
32 attorney fees to a prevailing plaintiff.

33 (2) A property owner, business owner, property manager,  
34 or landlord that is not participating in or involved in the  
35 promotion of an event may not be held liable for any action  
36 brought pursuant to this subsection."

37 Section 2. This act shall become effective immediately.