

# HB280 INTRODUCED



1 HB280  
2 QVI8411-1  
3 By Representatives Almond, Brinyark, Lamb  
4 RFD: County and Municipal Government  
5 First Read: 13-Feb-25



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SYNOPSIS:

Under existing law, a municipality may commence an action to abate or enjoin a public nuisance.

This bill would authorize a county or public institution of higher education to commence an action to abate or enjoin a public nuisance.

This bill would also authorize a county, municipality, or public institution of higher education to seek reimbursement for expenses incurred related to an improperly permitted event.

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 counties, municipalities, and public institutions of higher education in ~~the State of Alabama~~ this



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29 state may commence an action ~~in the name of the city~~ to abate  
30 or enjoin any public nuisance injurious to the health, morals,  
31 comfort, or welfare of the community or any portion ~~thereof~~  
32 the community.

33 (b) If an action commenced pursuant to subsection (a)  
34 involves a public nuisance created by an event that was not  
35 properly permitted by the appropriate local governing  
36 authority, the court shall order every person that  
37 participated in the promotion or organization of the event to  
38 compensate the plaintiff for all expenses incurred by the  
39 local governing authority related to the abatement of the  
40 nuisance, including, but not limited to, the provision of  
41 public safety, traffic control, and sanitation services. In  
42 addition, the court shall award court costs and reasonable  
43 attorney fees to a prevailing plaintiff."

44 Section 2. This act shall become effective immediately.