

**SB276 ENROLLED**



1 SB276  
2 HG5EI36-2  
3 By Senator Weaver (N & P)  
4 RFD: Shelby County Legislation  
5 First Read: 10-Feb-26



## SB276 Enrolled

1 Enrolled, An Act,

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3 Relating to the City of Alabaster; to provide for the  
4 abatement of plants which become a nuisance under certain  
5 conditions; to provide for notice to property owners; to  
6 provide for the assessment of costs for abatement; to provide  
7 for the collection of costs; and to provide for liens in  
8 certain circumstances.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. (a) The Mayor of the City of Alabaster shall  
11 designate a city official or employee to serve as the  
12 enforcing official for public nuisances related to plants in  
13 the city.

14 (b) The enforcing official may serve written notice  
15 upon the owner of any property in the city informing the owner  
16 that a nuisance is located on the property and ordering the  
17 abatement of the nuisance.

18 (c) (1) The written notice shall require the owner to  
19 complete the abatement of the nuisance within 14 days from  
20 service of the notice. Upon finding that the difficulty of the  
21 abatement or other unusual factors necessitate additional  
22 time, the enforcing official may provide the owner up to 28  
23 days from service of the notice to complete the abatement.

24 (2) The written notice shall notify the owner that, in  
25 lieu of completing the abatement within the time stated in the  
26 notice, the owner may appear at a hearing before the  
27 administrative official to determine whether the conditions on  
28 the property constitute a public nuisance that should be



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29 abated. The owner shall notify the enforcing official of the  
30 owner's intent to appear at the hearing within five days of  
31 service of the written notice. The hearing shall take place at  
32 least 10 days after service of the written notice.

33 (3) The written notice shall apprise the owner of the  
34 facts of the alleged nuisance, including a description or  
35 address of the property that provides reasonable notice of its  
36 location; the address of the enforcing official; and the date,  
37 time, and place of the hearing before the administrative  
38 official.

39 (d) (1) The enforcing official, on or before the date of  
40 service of the written notice on the owner, shall post the  
41 written notice in a conspicuous place on the property on which  
42 the nuisance is located.

43 (2) The enforcing official shall serve the owner with  
44 the written notice in one of the following methods:

45 a. By hand delivering it to the owner.

46 b. By mailing it to the owner at the owner's last known  
47 address by first class mail.

48 c. By leaving it at the owner's residence or place of  
49 business with an individual of suitable age and discretion  
50 residing or employed at that location.

51 d. If the owner is not an individual, by delivering it  
52 to an agent of the owner.

53 (3) Service by first class mail is complete upon  
54 mailing.

55 (e) (1) The enforcing official may rely upon information  
56 appearing on record in the office of the county tax collector,



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57 tax assessor, or revenue commissioner to establish the  
58 identity of any owner of property and to establish the owner's  
59 last known address. Use of this information shall be deemed  
60 conclusive and sufficient proof of the information.

61 (2) The enforcing official may use any additional means  
62 of providing notice that he or she deems appropriate,  
63 including, but not limited to, posting notice in one or more  
64 public places within the city or publishing notice in a  
65 newspaper of general circulation in the city.

66 Section 2. (a) The city council shall designate an  
67 individual other than the enforcing official to serve as the  
68 administrative official for the purposes of this act.

69 (b) Upon receipt of an owner's intent to appear at a  
70 hearing, the administrative official shall suspend the order  
71 to abate.

72 (c) The administrative official, upon agreement with  
73 the owner, may reschedule the hearing or continue the hearing  
74 for good cause.

75 (d) A hearing held pursuant to this act shall be open  
76 to the public. Any interested party may present evidence or  
77 testimony. The city shall keep a record of the proceedings as  
78 part of the city's public records.

79 (e) Within five days after the conclusion of a hearing,  
80 the administrative official shall render a written decision on  
81 the merits of the proposed abatement. The administrative  
82 official shall deliver the written decision to the owner and  
83 the enforcing official by personal service or by first class  
84 mail.



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85 (f) If the administrative official determines that a  
86 nuisance does not exist, the notice to abate is void. The  
87 determination does not bar any subsequent public nuisance  
88 notice at the same property.

89 (g) If the administrative official determines that a  
90 nuisance does exist, the written decision shall inform the  
91 owner that the nuisance must be abated within 14 days from  
92 service of the determination. Upon finding that the difficulty  
93 of the abatement or other unusual factors necessitate  
94 additional time, the administrative official may provide the  
95 owner up to 28 days from service of the determination to  
96 complete the abatement.

97 (h) An owner, within 10 days after receipt of a  
98 determination, may appeal the determination to the circuit  
99 court by filing with the circuit court clerk a notice of  
100 appeal and bond for security of costs in the form and amount  
101 approved by the circuit clerk. Upon receipt of an adequate  
102 notice of appeal and bond, the circuit clerk shall serve a  
103 copy of the notice of appeal on the city clerk and the appeal  
104 shall be docketed in the circuit court and shall be a  
105 preferred case. Upon receipt of the notice, the city clerk  
106 shall file with the circuit clerk a copy of the finding and  
107 determination of the administrative official. Any trial shall  
108 be held without a jury.

109 Section 3. (a) If a nuisance is not abated within the  
110 time permitted by the enforcing official's non-suspended  
111 notice or, following a hearing attended by the owner, within  
112 the time permitted by the administrative official's



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113 determination, then the city may enter upon the property and  
114 abate the nuisance or contract for the abatement of the  
115 nuisance. However, if an appeal has been filed pursuant to  
116 this act, then the city may not abate the nuisance until the  
117 determination or judgment authorizing abatement becomes final  
118 as provided by law.

119 (b) Upon completion of abatement work by or under  
120 contract with the city, the enforcing official shall create an  
121 itemized list of the city's expenses in abating the nuisance,  
122 including, but not limited to, the cost of labor, value of the  
123 use of equipment, advertising expenses, postage,  
124 administrative expenses, legal expenses, or materials  
125 purchased.

126 (c) The itemized statement and a notice of the time  
127 fixed by the city council to consider the assessment of the  
128 costs against the property shall be sent by first class mail  
129 to the last known address of the owner of the property at  
130 least five days before the fixed time.

131 (d) At the fixed time, the city council shall receive  
132 and consider the itemized statement and any objections which  
133 may be raised by the owner of the property. The council may  
134 modify the statement as necessary. Following all due  
135 consideration, the council may adopt a resolution assessing  
136 the appropriate costs. The costs stated in the resolution  
137 shall constitute a lien on the property and shall be referred  
138 to as a weed lien on the property.

139 (e) The city council shall provide a copy of any  
140 resolution adopted pursuant to this section to the county



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141 revenue commissioner. The county revenue commissioner shall  
142 add the costs of the weed lien to the next regular bill for  
143 taxes levied against the property subject to the weed lien,  
144 and the costs shall be collected and remitted to the city at  
145 the same time and in the same manner as ordinary municipal ad  
146 valorem taxes are collected and remitted. The weed lien shall  
147 be subject to the same penalties and the same procedure under  
148 foreclosure and sale in the case of delinquency as ordinary  
149 municipal ad valorem taxes. However, in a foreclosure and sale  
150 resulting solely due to a delinquency caused by a weed lien,  
151 the city shall reimburse the county for all costs associated  
152 with the foreclosure and sale unless the costs are collected  
153 at the time of the sale as part of the sale.

154           Section 4. When a weed lien has been filed with the  
155 revenue commissioner against a lot or parcel of land pursuant  
156 to this act, a subsequent redemption of the lot or parcel by a  
157 person authorized to redeem, or a sale of the lot or parcel by  
158 the state, shall include payment of any outstanding weed lien.  
159 Upon full payment of a weed lien as part of a redemption or  
160 sale, the lien shall be extinguished. If a weed lien is not  
161 paid as part of a redemption or sale, it shall remain a valid  
162 and enforceable lien against the property until satisfied.

163           Section 5. This act shall become effective on October  
164 1, 2026.



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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB276  
Senate 17-Feb-26  
I hereby certify that the within Act originated in and passed  
the Senate.

Patrick Harris,  
Secretary.

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House of Representatives  
Passed: 24-Feb-26

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By: Senator Weaver