

1 SB396
2 117288-1
3 By Senator Waggoner
4 RFD: Governmental Affairs
5 First Read: 09-FEB-10

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8 SYNOPSIS: Under existing law, a municipality,
9 pursuant to certain specified procedures, may
10 declare overgrown grass and weeds to be a public
11 nuisance and provide for the abatement of the
12 nuisance and the assessment of costs of the
13 abatement against the owner of the property.

14 This bill would authorize the municipal
15 governing body to adopt by municipal ordinance
16 alternative procedures to provide for overgrown
17 grass and weeds to be declared to be a public
18 nuisance and provide for the abatement of the
19 nuisance.
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21 A BILL
22 TO BE ENTITLED
23 AN ACT
24

25 Relating to municipalities; to add Section
26 11-67-60.1 to the Code of Alabama 1975, to authorize the
27 municipal governing body of a municipality to adopt alternate

1 procedures for overgrown grass and weeds to be declared to be
2 a public nuisance and to provide for the abatement of the
3 nuisance.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

7 §11-67-60.1.

8 In the case of any overgrown grass or weeds which
9 may be abated pursuant to this article, in addition to the
10 procedures provided in this article, the municipal governing
11 body of a municipality may adopt alternate procedures
12 different from the procedures provided in this article to
13 declare overgrown grass or weeds to be a public nuisance and
14 abated pursuant to the procedures provided in the ordinance.
15 After the abatement of any overgrown grass or weeds pursuant
16 to the procedures provided in the ordinance, the costs of
17 abatement shall be assessed and collected as a weed lien in
18 the same manner as provided in Section 11-67-66, Code of
19 Alabama 1975. The municipality may assess the costs authorized
20 against any lot or lots or parcel or parcels of land purchased
21 by the State of Alabama or any purchaser at any sale for the
22 nonpayment of taxes and where an assessment is made against a
23 lot or lots or parcel or parcels of land, a subsequent
24 redemption thereof by a person authorized to redeem or sale
25 thereof by the state, shall not operate to discharge, or in
26 any manner affect the lien of the municipality for the
27 assessment, but a person redeeming the property or purchaser

1 at a sale by the state of any lot or lots or parcel or parcels
2 of land upon which an assessment has been levied, whether
3 prior to or subsequent to a sale to the state or purchaser for
4 the nonpayment of taxes, shall take the same subject to the
5 assessment.

6 Section 2. All laws or parts of laws which conflict
7 with this act are repealed.

8 Section 3. This act shall become effective
9 immediately following its passage and approval by the
10 Governor, or its otherwise becoming law.