

1 SB207
2 148237-1
3 By Senator Beasley
4 RFD: Governmental Affairs
5 First Read: 14-FEB-13

2
3
4
5
6
7
8 SYNOPSIS: Under existing general law, all
9 municipalities may abate overgrown grass or weeds
10 as a nuisance and the cost of the abatement may be
11 assessed against the property as a weed lien. The
12 procedures generally provide for notice on the
13 property and notice to the owner. Thereafter, the
14 owner may request a hearing before the council and
15 the council is required to approve the abatement.

16 Also, under existing law, a Class 7
17 municipality by ordinance may adopt alternate
18 procedures to declare overgrown grass or weeds to
19 be a public nuisance and abated. Thereafter, the
20 costs may be assessed against the property in the
21 same manner as provided above.

22 This bill would provide that the law
23 relating to Class 7 municipalities would apply to
24 all municipalities.

25
26 A BILL
27 TO BE ENTITLED

1 AN ACT

2
3 To amend Section 11-67-80 of the Code of Alabama
4 1975, relating to municipalities and authorizing Class 7
5 municipalities to adopt alternate procedures to abate
6 overgrown grass and weeds as a public nuisance and providing
7 for the assessment of the costs of abatement as a weed lien,
8 to provide that the law would be applicable to all
9 municipalities.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 11-67-80 of the Code of Alabama
12 1975, is amended to read as follows:

13 "§11-67-80.

14 "~~In any Class 7 municipality, in the case of any~~
15 overgrown grass or weeds which may be abated pursuant to
16 Article 2, commencing at Section 11-67-20, of this chapter, or
17 Article 4, commencing at Section 11-67-60, of this chapter,
18 ~~the city council~~ a municipality may adopt procedures different
19 from the procedures provided in Article 2 or Article 4 to
20 declare overgrown grass or weeds to be a public nuisance and
21 abated pursuant to the procedures provided in the ordinance.
22 After the abatement of any overgrown grass or weeds pursuant
23 to the procedures provided in the ordinance, the reasonable
24 costs of abatement shall be assessed and collected as a weed
25 lien in the same manner as provided in Section 11-67-66. The
26 municipality may assess the reasonable costs authorized
27 against any lot or lots or parcel or parcels of land purchased

1 by the State of Alabama or any purchaser at any sale for the
2 nonpayment of taxes, and where an assessment is made against a
3 lot or lots or parcel or parcels of land, a subsequent
4 redemption thereof by a person authorized to redeem or the
5 sale thereof by the state shall not operate to discharge, or
6 in any manner affect the lien of the municipality for the
7 assessment. A person redeeming the property or purchaser at a
8 sale by the state of any lot or lots or parcel or parcels of
9 land upon which an assessment has been levied, whether prior
10 to or subsequent to a sale to the state or purchaser for the
11 nonpayment of taxes, shall take the same subject to the
12 assessment."

13 Section 2. This act shall become effective
14 immediately following its passage and approval by the
15 Governor, or its otherwise becoming law.