

13745
RESOLUTION _____

**A RESOLUTION DECLARING A PUBLIC NUISANCE RELATING TO OVERGROWN
GRASS/WEEDS AT 5177 Terry Heights Road**

WHEREAS, the City of Pinson is authorized by state law, including but not limited to § 11-67-80 of the *Code of Alabama*, to abate nuisances within the City, such as an abundance of weeds and vegetation that is injurious to the general public health, safety, and general welfare;

WHEREAS, it has been brought to the attention of this City Council that weeds and vegetation located at 5177 Terry Heights Road are injurious to the general public health, safety, and general welfare;

WHEREAS, prior written notice being given pursuant to Ordinance No. 2011-09, on August 19th, 2013, this City Council conducted a public hearing regarding this matter;

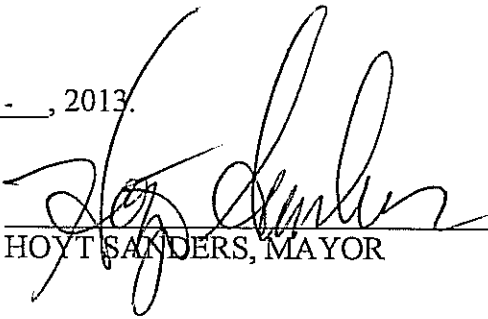
WHEREAS, at the public hearing on September 5th, 2013 this City Council provided an opportunity to hear any and all evidence, objections, and protests concerning the removal of such weeds, and further received evidence concerning the conditions on the real property described herein; and

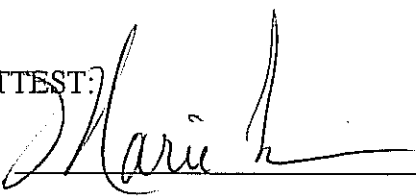
WHEREAS, based upon such evidence, this City Council concludes that the condition of the real property at issue is injurious to the general public health, safety, and general welfare by providing breeding grounds and shelter for rats, mice, snakes, mosquitoes, and other vermin, insects, or pests; attaining heights and dryness that constitute a fire threat and/or hazard; bearing wingy or downy seeds, when mature, that cause the spread of weeds and, when breathed, irritation to the throat, lungs, and eyes of the public; or hiding debris, such as broken glass or metal, that could inflict injury on a person going upon the property; being unsightly; and/or a growth of grass of weeds, other than ornamental plant growth, that exceeds 12 inches in height.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PINSON, ALABAMA on September 5th, 2013 at 7:00 p.m., as follows:

1. This resolution concerns real property located at **5177 Terry Heights Road**, in Pinson, Alabama, also referred to as Jefferson County Tax Parcel ID: 9-21-2-0-26.000.
2. The abundance of overgrown weeds and vegetation on said property is hereby declared to be a public nuisance subject to abatement by the City pursuant to Ordinance No. 2011-09 and § 11-67-80 of the *Code of Alabama*.
3. It is hereby ordered that such offending conditions to be removed and abated. The Mayor is hereby authorized to cause municipal agents to enter upon said property to abate the nuisance, and/or to enter into a contract (the cost of which is not to exceed \$500.00) in order to abate the nuisance. An account shall be kept of the cost of abating and removing the nuisance and a written account thereof shall be presented to the City Council for confirmation and further action.

ADOPTED this the 5th day of Sept., 2013.

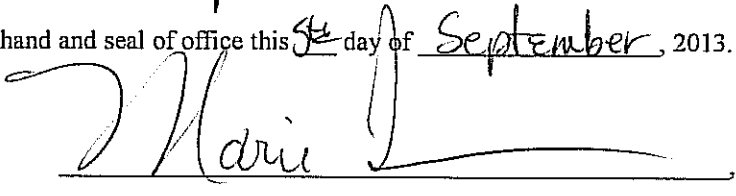

HOYT SANDERS, MAYOR

ATTEST:  _____, CITY CLERK/TREASURER

CERTIFICATION OF CITY CLERK/TREASURER

STATE OF ALABAMA)
JEFFERSON COUNTY)
I, Marie Turner, City Clerk/Treasurer of the City of Pinson, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly adopted by the City Council of the City of Pinson, Alabama, on the 5th day of Sept., 2013.

Witness my hand and seal of office this 5th day of September, 2013.

 _____, City Clerk/Treasurer