

PROCEDURE FOR ABATEMENT OF WEEDS

Per Ordinance No. 0118-06/07 and §11-67-60 of the Alabama Code as revised 1975

STEP 1: CODE ENFORCEMENT OFFICER

Code Enforcement Officer identifies property as a nuisance and presents addresses of the lots to the City Attorney.

STEP 2: CITY ATTORNEY

City Attorney shall prepare a resolution declaring the condition of the property a nuisance. The resolution shall be presented to the City Council by the City Attorney during its regularly scheduled meeting.

STEP 3: CITY CLERK

NOTICE: Upon approval of the resolution by the City Council the City Clerk shall:

- (a) Notify the owner by certified mail, return receipt requested of a public hearing mailed at least twenty-one (21) days prior to the date of the hearing. Notice shall include:
 - i. the reason for the hearing; and
 - ii. the time, date, and place of hearing; and
 - iii. contractors that provide the service necessary to rectify the condition of the property in question and are registered with the Office of the Clerk; and
- (b) Give further public notice by publication in Selma Times Journal once a week for two (2) consecutive weeks, immediately following the passage of the resolution. A copy of the publication shall be placed in the file.

STEP 4: CODE ENFORCEMENT

Code Enforcement Officer shall post, conspicuously, two (2) signs on the property at least seven (7) days prior to the hearing date and time. Officer shall take pictures of said signs on property to be made part of the file.

STEP 5: CITY ATTORNEY

PUBLIC HEARING: The City Council shall conduct a Public Hearing on the scheduled hearing date. The Council shall consider all evidence, objections and protest at said Public Hearing. Upon consideration, the City Council shall decide whether or not a public nuisance exists. If a public nuisance exists the same shall be ratified by passage of a resolution and shall include instructions to proceed in the abatement of nuisance, i.e. abatement of weeds.

STEP 6: CODE ENFORCEMENT OFFICER

By and through passage of a resolution as described in Step 5, the Code Enforcement Officer is authorized and shall proceed in abating the nuisance

- STEP 6.1:** Cut grass.
- STEP 6.2:** Owner(s) may abate the weeds at his/her own expense, prior to the commencement of work by the City. [Otherwise, the City of Selma may proceed in the abatement of weeds.]
- STEP 6.3:** Code Enforcement Officer shall keep an account of all work and cost associated with the removal of weeds in front or about each plot of land determined to be a nuisance. Upon abatement of the nuisance a complete record, including any and all costs incurred by the City of Selma for abatement of weeds shall be presented to the Clerk.

STEP 7: CITY CLERK

The Office of the City Clerk shall generate a weed lien report and the same shall be posted on or near the Council Chamber door at least five (5) days prior the City Council's consideration.

STEP 8: CITY ATTORNEY

The City Attorney shall present the weed lien reports to the City Council requesting the Council to accept and approve said reports and file in the Office of the Judge of Probate of Dallas County, Alabama, a lien instrument known as "Notice of Public Assessment".

STEP 9: CITY ATTORNEY/TAX COLLECTOR

WEED LIEN: Upon the City Council's adoption of a resolution placing a weed lien on the property and the filing of the same, the City Attorney shall provide the tax collector with a copy of said lien. The Tax Collector is charged with the collection of Municipal Taxes and therefore shall update the property owner's records to reflect the weed lien.

STEP 10: TAX COLLECTOR

Tax Collector shall add the cost of the weed lien to the next regular bill for taxes levied against the property. The weed lien shall be collected at the same time and in the same manner as ordinary municipal and ad valorem taxes.

STEP 11: TAX COLLECTOR

If the weed lien is not paid, the Tax Collector shall proceed in the sale of the property in the same manner as liens resulting from delinquent/unpaid ad valorem taxes. Any and all costs associated with sale, i.e. publication cost, filing fees, etc. shall be included.