

RESOLUTION 2023-17

A RESOLUTION EXERCISING THE AUTHORITY PROVIDED BY 11-40-10, 11-47-117, 11-47-131, 11-47-140, AND TITLE 11, CHAPTER 53 OF THE CODE OF ALABAMA 1975 AND ORDERING THE TOWN OF MAGNOLIA SPRINGS DESIGNATED REPRESENTATIVE TO ABATE NUISANCES TO REMOVE A PUBLIC NUISANCE LOCATED AT 14685 CAMELIA STREET IN MAGNOLIA SPRINGS, ALABAMA.

WHEREAS, pursuant to Section 11-47-117 of Code of Alabama 1975, the Town of Magnolia Springs has the power to prevent injury or annoyances from anything dangerous or offensive or unwholesome and to cause all nuisances to be abated and assess the cost of abating the same against the person creating or maintaining the same;

WHEREAS, during the April 27th, 2021, regular meeting, the Town Council of Magnolia Springs designated Councilmember Steve Mobley as the Town Representative to inspect, notify, and abate nuisances in the Town as set for in Ordinance No. 2007-14;

WHEREAS, on March 22, 2023, property owner Jacob Michael Carter (“Property Owner”) was notified that the overgrown weeds and/or grass were a nuisance and necessitated removal due to the unsightly condition;

WHEREAS, Property Owner failed to comply with the notice to abate the nuisance;

WHEREAS, on June 16, 2023, property owner Jacob Michael Carter (“Property Owner”) and Truist Bank was notified of the failure to comply with notice to abate nuisance and was notified of a public hearing on June 27, 2023;

WHEREAS, on Jun 27, 2023, a public hearing was held by the Town Council due to the Property Owner’s refusal to comply with the notice to abate nuisance;


BE IT RESOLVED by the Town Council of Magnolia Springs, during the regular meeting, that, pursuant to the authority granted the Town of Magnolia Springs in 11-40-10, 11-47-117, 11-47-131, 11-47-140, and Title 11, Chapter 53 of the Code of Alabama 1975, and to protect the general public from any lot or tract of land in the Town of Magnolia Springs that is unlawfully unsightly or dangerous, producing material annoyance, inconvenience, discomfort, or hurt, so as to interfere with the comfortable enjoyment of life and/or property, it is ORDERED that the Town Representative to Abate Nuisances remove the overgrown weeds and/or grass on the property located at 14685 Camelia Street in Magnolia Springs, Alabama, and otherwise known as parcel number 05-55-08-28-0-000-043.000 in the records of the Office of Revenue Commissioner of Baldwin County, Alabama in accordance with Ordinance No. 2007-14, An Ordinance Defining Real Property Nuisances and Unsafe Buildings, Establishing a Procedure for the Abatement of

Said Nuisances and Unsafe Buildings, and Providing Penalties for Violations of its Provisions within 14 days.

Approved and adopted this 27th day of June 2023.


Kim Koniar, Mayor

ATTEST:


Hannah Driskell, Town Clerk

