

407 East Laurel Ave.  
Foley, AL 36535

(251) 943-1545  
Fax (251) 952-4014  
www.cityoffoley.org



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Sent To: *Lenora Dailey*  
 Street, Apt. No., or PO Box No.: *P.O. Box 119 3*  
 City, State, ZIP+4: *Foley, AL 36535*

PS Form 3800, August 2006 See Reverse for Instructions

**CERTIFIED MAIL**

August 16, 2013

Lenora Dailey  
P.O. Box 1193  
Foley, AL. 36535

RE: Violation of Ordinance 1095-09 805 East Verbena Avenue in Foley, Alabama.

Dear Mrs. Dailey:

The Foley City Council, in regular session July 15, 2013 approved Resolution 13-0384 declaring the above property in violation of the Lot Clearing and Weed Removal Ordinance. Enclosed is a copy of the Notice of Public Hearing pursuant to the Code of Alabama Sections 11-67-20 through 11-67-28. The public hearing will be held on **Monday, September 16, 2013** at 5:30 p.m. in the City of Foley's Council Chambers located at 407 East Laurel Avenue, Foley Alabama to discuss the violation.

The City of Foley is supplying you with a list of Alabama Agriculture and Industries Board Certified contractors who also hold business licenses with the City of Foley. The City does not guarantee or recommend their work. If you remove the weeds, grass or other vegetative growth, the City will stop the abatement proceedings. However, failure to do so will ensure that City forces will remove the nuisance and the costs incurred by the City will result in a lien against your property.

Your cooperation in this matter is greatly appreciated.

Sincerely,  
*Katy Taylor*  
Katy Taylor  
Assistant City Clerk

Enclosures

Posted 08-20-2013

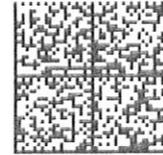
**Foley** *City of*

P.O. Box 1750  
Foley, Alabama 36536

**CERTIFIED MAIL™**



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 **UNCLAIMED**

*Lenora Dailey  
P.O. Box 1193  
Foley, AL. 36535*

JUL 10 5 2013

JUL 10 2013

7/24

AUG 03

AUG 20 2013



## City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

### Signature Copy

Resolution: 13-0384-RES

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File Number: 13-0807

Enactment Number: 13-0384-RES

A RESOLUTION SETTING A PUBLIC HEARING  
DECLARING WEEDS TO BE A PUBLIC NUISANCE  
AND ORDERING ITS ABATEMENT AT 805 E VERBENA AVE

WHEREAS, there have been complaints about the growth of grass, weeds and other vegetative growth located at 805 East Verbena Avenue, Foley, Alabama, Tax Parcel ID# 54-08-28-4-000-001.008, and

WHEREAS, investigations by City forces have substantiated the growth is of the type and character that can be a public nuisance as defined in the State of Alabama Code, 1975, §11-67-21, and City Ordinance 1095-09, and

WHEREAS, the City Council of Foley will now give notice as prescribed by the State of Alabama Code, 1975, §11-67-22 and §11-67-23, of a Public Hearing to be held to determine if the area should be declared a public nuisance and give the property owners an opportunity to remove the growth of grass, weeds and other vegetative growth.

NOW, THEREFORE BE IT RESOLVED by the Foley City Council in regular session 15th day of July, 2013, as follows:

Section 1: Notice of public hearing on the matter shall be given by certified mail, return receipt requested to the property owners. The notice shall be set for 5:30 p.m. Monday, August 19, 2013.

Section 2: Notice shall also be given in The Onlooker once a week for two consecutive weeks. The first notice shall be published at least fourteen (14) days prior to the date scheduled for the public hearing in Section 1 of this resolution.

Section 3: Two signs shall be conspicuously posted on the properties described in this resolution. The wording of the signs shall be not less than one inch in height and shall be substantially in the form of the notice contained in Section 11-67-23 of the State of Alabama Code. The notice shall be posted at least seven days prior to the time for the public hearing to hear objections to declaring the property, as described in this resolution, a public nuisance.



President's Signature

JW Frankel

Date

7-16-13

Attest by City Clerk

Victoria Southern

Date

7-16-2013

Mayor's Signature

[Signature]

Date

7/16/2013

CITY OF FOLEY  
COMPLAINT FORM

incident #  
76925

ENVIRONMENTAL:

- GRASS/WEEDS
- TRASH/DEBRIS
- TREES
- PUBLIC NUISANCE
- CONSTRUCTION
- LITTER
- ENVIRONMENTAL
- SMOKING
- RIPARIAN

BUILDING:

- DILAPIDATED BUILDING
- NO PERMIT

ZONING:

- HISTORIC DISTRICT
- ZONING
- SIGNS

ENGINEERING:

- DRAINAGE

OTHER \_\_\_\_\_

R-1C  
114936

DATE: 5-24-2013

LOCATION: 805 E Verbena Av

NOTES: (COMPLAINANT NAME & COMPLAINT) Natasha Lamar - 504-8018-801 E Verbena  
grass overgrown

CONTACT: \_\_\_\_\_

INSPECTION DATE: 5/28/13 STAFF: AED  PHOTOS TAKEN

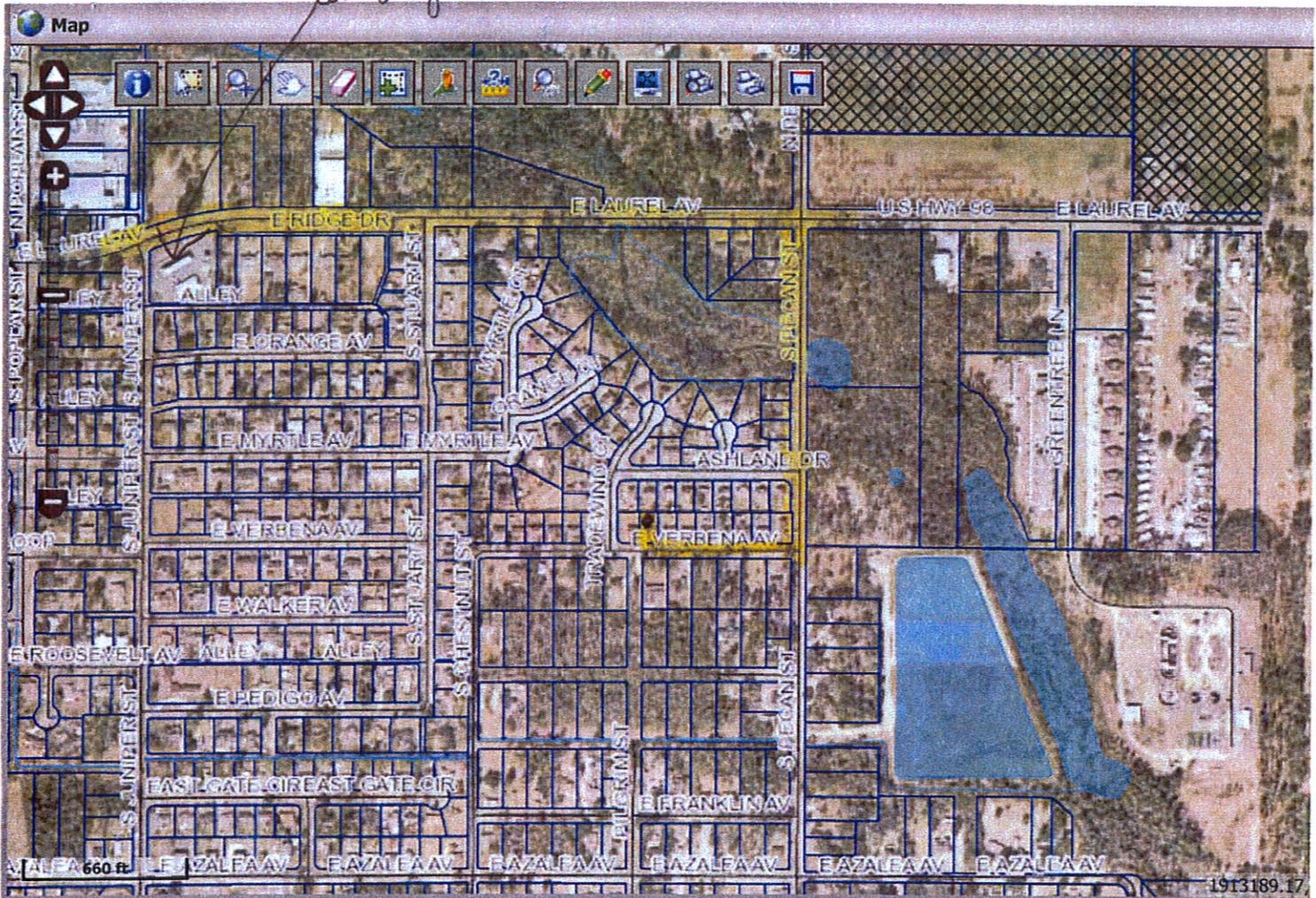
FINDINGS: grass & weeds overgrown; letter mailed (AED)

Re-inspect 6-17-13  
6/17/13 - reinspected; grass not cut  
Cancel Level

TASK:

- 1 PERSONAL CONTACT
- 2 LETTER
- 3 STOP WORK
- 4 CITATION
- NO VIOLATION

DATE CLOSED: \_\_\_\_\_



PIN - 114936  
 Par Num - 001.008  
 Acreage - 0.219  
 Subdivision - 01WE  
 Lot -  
 Street Name - VERBENA AVE E  
 Street Number - 805  
 Improvement - RES,UTIL

Follow the  
 "Yellow highlighted  
 Road"  
 Lot

Name - DAILEY, LENORA T  
 Address1 - P O BOX 1193  
 Address2 -  
 Address3 -  
 City - FOLEY  
 State - AL  
 Zip - 36535

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**Summary**

<b>Parcel</b>	05-54-08-28-4-000-001.008	<b>Zoning</b>	R-1C
<b>PIN</b>	114936	<b>Flood Zone</b>	X
<b>Tax District</b>	N/A	<b>Voter District</b>	District 2
<b>Property Address</b>	805 E VERBENA AV	<b>Historic District</b>	No
<b>Neighborhood</b>	FOLEY	<b>City Limits</b>	Yes
<b>Subdivision</b>	01WE	<b>3-Mile Jurisdiction</b>	Yes
<b>Sec/Twp/Rng</b>	28/7S/4E	<b>Garbage Route</b>	Tuesday & Friday
<b>Lot Dimension</b>	75X127	<b>Recycle Route</b>	Friday
		<b>Yard Debris Route</b>	Friday

[View Property Appraisal](#)  
[View Tax Record](#)

**Owner**

<b>Owner Name:</b>	DAILEY, LENORA T	<b>Deed Type</b>	
<b>Owner Address</b>	P O BOX 1193	<b>Book</b>	0594
	FOLEY, AL 36535	<b>Page</b>	0001315
		<b>Last Deed Date</b>	0/0/0

**Previous Owner**

The data referenced in this online mapping and GIS application is derived from the GIS Division of the City of Foley Community Development Department, the Southeast Regional Planning Commission, the Baldwin County Geographic Database and other public and private sources. These sources are generally considered to be dependable; however, the City of Foley makes no attempt to verify or confirm any information provided by any source, and the City of Foley makes no warranties, expressed or implied, as to the accuracy, completeness, currentness, reliability, or suitability for any particular purpose of the information displayed on this map. Independent verification is advised. The City of Foley and its servants, and employees assume no liability or responsibility for the use of this map and expressly disclaim any liability and any damages that may arise from their reliance on this map. The City of Foley expressly disclaims any representation as to the validity, accuracy, and currentness of any municipal corporate limits, 3-mile jurisdiction lines, and/or planning jurisdiction lines displayed on this map.

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5/28/13 805 E Verbena Ave.  
photos by: Austin Duffie





City of

**FOLEY**

**COMMUNITY DEVELOPMENT DEPARTMENT**

200 NORTH ALSTON STREET

Foley, Alabama 36535

[www.cityoffoley.org](http://www.cityoffoley.org)

(251) 952-4011

FAX (251) 971 -3442

May 29, 2013

Lenora Dailey  
PO Box 1193  
Foley, AL 36535

Dear Sir/Madam:

A complaint has been received concerning the overgrown grass and weeds becoming a public nuisance at 805 E Verbena Ave in Foley, Alabama. This lot is further described as PIN 114936 on the Baldwin County Tax Maps.

The City of Foley Ordinance No. 1095-09 Regarding the Clearing and Maintenance of Lots that Constitute a Public Nuisance Section 4-104 states that a nuisance may be declared when grass and weeds which bear seeds of a wingy or downy nature, which attain a large growth so as to become a fire menace when dry, or otherwise noxious or dangerous. Private property owners should take regular steps to maintain the property in a manner to prevent the nuisance.

A visual inspection, conducted on May 28, 2013 revealed that the above described property was overgrown by grass and weeds which may constitute a public nuisance. Please be advised that as of this date you are placed on notice that this violation must be corrected within 10 days from your receipt of this letter. Failure to do so may result in a Resolution by the City Council that finds and declares that the weeds, grass and other vegetation are a public nuisance and orders the abatement of the nuisance subject to its findings after a public hearing.

If you have any questions or concerns please contact our office at 251-952-4011.

Sincerely,

Austin B. Duffie  
Environmental Assistant  
City of Foley

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

COUNCIL MEMBERS: J. Wayne Trawick: Vera Quaites: Raloh G. Hellmich: Cecil R. Blackwell: Charles Ebert III