



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Signature Copy

Resolution: 13-0384-RES

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 Frank

Date

7-16-13

Attest by City Clerk

Victoria Southern

Date

7-16-2013

Mayor's Signature

[Signature]

Date

7/17/2013

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

☐ OTHER _____

ZONING:

☐ HISTORIC DISTRICT

☐ ZONING

☐ SIGNS

ENGINEERING:

☐ DRAINAGE

DATE: 5-24-2013

LOCATION: 805 E Verbena AV

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

CONTACT: _____

INSPECTION DATE: 5/28/13 STAFF: ABD ☒ PHOTOS TAKEN

FINDINGS: _____

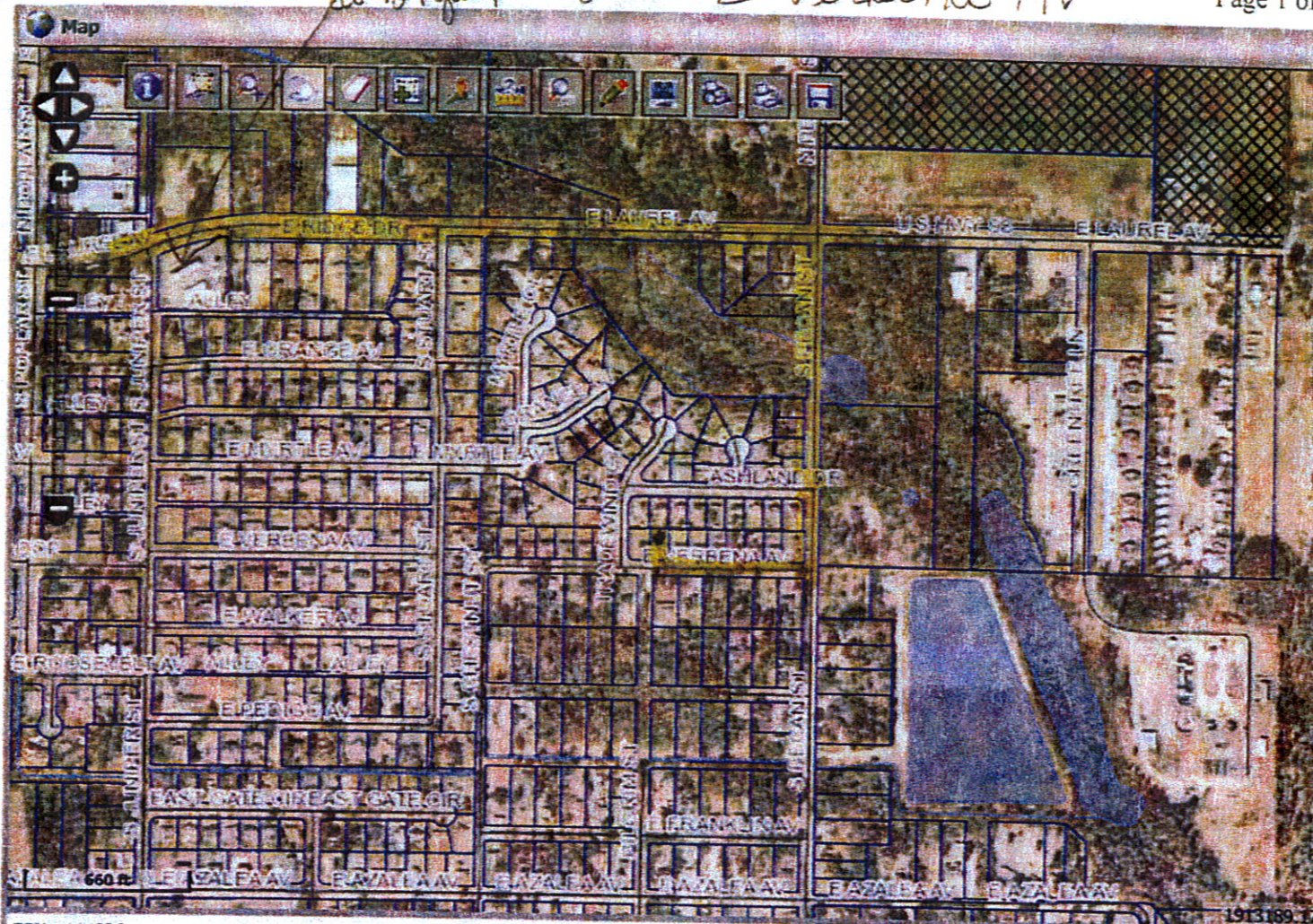
grass & weeds overgrown; letter mailed ABD

Re-inspect 6-17-13

6/17/13 - re-inspected; grass not cut

Correct Level

R-1C
114936



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

E "Follow the yellow highlighted Road"

(Lok)

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

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Summary

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

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

Owner

Owner Name:	DAILEY, LENORA T	Deed Type	
Owner Address	P O BOX 1193	Book	0594
		Page	0001315
	FOLEY, AL 36535	Last Deed Date	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 Regional Planning Commission, the Baldwin County Geographic Database and other public and private sources. These sources are generally considered to be 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, accuracy, completeness, currentness, reliability, or suitability for any particular purpose of the information displayed on this map. Independent verification is required for making any commitments. Measurements are approximate, and this data is not intended to substitute for an actual survey. Additionally, 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 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.

Last Data Upload: 5/23/2013 2:13:15 AM



photos by: Austin Duffie





City of

FOLEY

COMMUNITY DEVELOPMENT DEPARTMENT

200 NORTH ALSTON STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

FAX (251) 971-0444

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 80 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 Public Nuisance Section 4-104 states that a nuisance may be declared when grass and weeds which bear seed 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 with 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

407 East Laurel Ave.
Foley, AL 36535

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

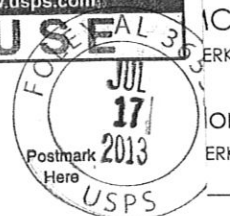
Foley
C L E R K S

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



July 17, 2013

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

Sent To	Lenora Dailey
Street, Apt. No., or PO Box No.	PO Box 1193
City, State, ZIP+4	Foley AL 36535

PS Form 3800, August 2006 See Reverse for Instructions

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, August 19, 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

Foley
City of

P.O. Box 1750
Foley, Alabama 36536

UNCLAIMED



7010 1060 0000 7216 6104

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

CERTIFIED MAIL™



U.S. POSTAGE >> PITNEY BOWES
ZIP 36535 \$ 006.11⁰
02 1W
0001371169 JUL 17 2013

AUG 05 2013

AUG 20 2013

AUG 13 2013

7/24

JUL 16 2013