

STATE OF ALABAMA)
COUNTY BLOUNT)
TOWN OF SNEAD)

Ordinance 2006-02

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SNEAD, ALABAMA,
AS FOLLOWS:**

SECTION ONE: Purpose

The purpose of this ordinance is to promote and protect the general public health, safety and welfare of the residents of this municipality by providing for the removal or demolition of unoccupied buildings and structures or parts of unoccupied buildings and structures, party walls and foundations when found by the Town Council of Snead to be unsafe to the extent of being a public nuisance from any cause.

SECTION TWO: Municipal Governing Body's Designee

The Town Council of the Town of Snead designates Jerry Hogeland as the municipal building official to exercise the authority and perform the duties delegated by this article.

SECTION THREE: Notice of Unsafe Condition

Whenever the Council appointed municipal building official finds that any building, structure, part of building or structure, party wall or foundation situated in the municipality is unsafe to the extent that it is a public nuisance, the official shall give the person or persons, firm, association or corporation last assessing the property for state taxes and all mortgagees of record, by certified or registered mail to the address on file in the tax collector's or revenue commissioner's office, notice to remedy the unsafe or dangerous condition of the building or structure or to demolish the same, within thirty (30) days or suffer the building or structure to be demolished by the municipality and the cost thereof assessed against the property. The notice will be sent by certified or registered mail. Within three (3) days of the date of mailing, the notice, or a copy thereof, will be posted at or within three (3) feet of an entrance to the building or structure. If there is no entrance, the notice will be posted at any location on the building or structure.

SECTION FOUR: Hearing and Appeal

Within thirty (30) days any person, firm or corporation having an interest in the building or structure may file a written request for a hearing before the Town Council of the Town of Snead, together with his or her objections to the finding of the municipal building official that the building or structure is unsafe to the extent of becoming a public nuisance. The filing of the request shall hold in abeyance any action on the finding of the municipal building official until determination thereon is made by the governing body. If a hearing is requested, it will be held between five (5) and thirty (30) days of the request.

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SECTION FOUR:

Upon holding the hearing, or in the event no hearing is timely requested, the Snead Town Council, after the expiration of thirty (30) days from the date the notice is given, shall determine whether or not the building or structure is unsafe to the extent that it is a public nuisance. If it is determined by the council that the building or structure is unsafe to the extent that it is a public nuisance, the council will order the building or structure to be demolished.

SECTION FIVE: Costs of demolition

Upon demolition of the building or structure, the municipal building official shall make a report to the Snead Town Council of the cost thereof and the Snead Council will adopt a resolution fixing the costs which it finds were reasonably incurred in the demolition and assessing the costs against the property. The proceeds of any moneys received from the sale of any salvaged materials from the building or structure will be used or applied against the cost of demolition. Any person, firm or corporation having an interest in the property may be heard at the meeting as to any objection to the fixing of the costs or the amounts thereof. The Town Clerk of the Town of Snead shall give notice of the meeting at which the fixing of the costs is to be considered by first class mail to all entities having an interest in the property whose address and interest is determined from the tax collector's or revenue commissioner's records on the property or is otherwise known to the clerk. The fixing of the costs by the Snead Town Council shall constitute a special assessment against the lot or lots, parcel or parcels of land upon which the building or structure was located and thus made and confirmed shall constitute a lien on the property for the amount of the assessment.

SECTION SIX: Assessment of the Costs

The assessment for the costs will be added to the tax bill of the property, collected as a tax, which will be remitted to the municipality.

SECTION SEVEN: Payment of Assessment

Payment of the assessment shall be made in the manner and as provided for the payment of municipal improvement assessments in Section 11-48-48, as the same has heretofore or may hereafter be amended. Any Class 2 municipality may use the provisions of Section 11-48-48.1 as the same has heretofore or may hereafter be amended.

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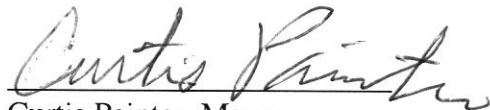
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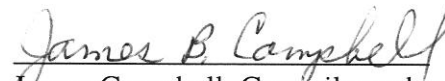
SECTION SEVEN:

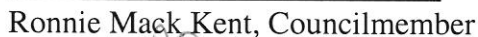
Upon the property owner's failure to pay the assessment the Mayor of the Town of Snead to collect the assessments shall proceed to collect the assessment as provided in Sections 11-48-49 to 11-48-60, inclusive. The Municipality may in the latter notice, elect to have the tax collector or the revenue commissioner collect the assessment by adding the assessment to the tax bill. Upon the election, the tax collector or revenue commissioner shall collect the assessment using all methods available for collecting ad valorem taxes.

IT IS HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SNEAD, ALABAMA, that this ordinance shall become effective immediately on its passage and publication as required by law. All Ordinances or parts of Ordinances in conflict with this ordinance are hereby repealed.

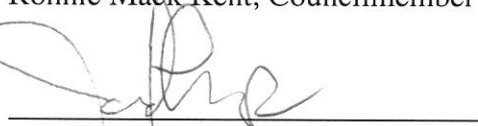
ADOPTED THIS THE 27th ^{PBW.} OF ~~February~~ 2006.


Curtis Painter, Mayor


James Campbell, Councilmember

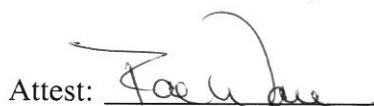

Ronnie Mack Kent, Councilmember


Phillip McHan, Councilmember


Jody Longshore, Councilmember


Dale Snead, Councilmember

I, the undersigned Town Clerk for the Town of Snead, Alabama, do hereby certify that the above and foregoing Ordinance was approved and adopted by the Town Council of the Town of Snead, Alabama on the 27th day February, 2006.

Attest: 
Rae Ware, Town Clerk