RESOLUTION NO. 2022-162

RESOLUTION OF THE COUNTY COMMISSION OF BALDWIN COUNTY, ALABAMA

EXERCISING THE AUTHORITY PROVIDED AT 11-53A-24 OF THE CODE OF ALABAMA 1975 AND ORDERING THE BALDWIN COUNTY BUILDING OFFICIAL TO DEMOLISH AND REMOVE A PUBLIC NUISANCE LOCATED AT 24217 COUNTY ROAD 87, ROBERTSDALE, ALABAMA.

WHEREAS, pursuant to Section 34-14A-12 of the Code of Alabama 1975, the Baldwin County Commission may condemn buildings, parts of buildings, or structures dangerous to the public and prohibit the use thereof and abate the same as a nuisance utilizing the same authority and procedures as municipalities pursuant to Section 11-53A-20 to 11-53A-26 of the Code of Alabama, 1975;

WHEREAS, during the October 17, 2006, regular meeting, this honorable county governing body, pursuant to Section 34-14A-12 of the Code of Alabama 1975 and Sections 11-53A-20 to 11-53A-26 of the Code of Alabama, 1975, designated the Baldwin County Building Official to be the appropriate county official to exercise the authority and perform the duties as hereinabove provided and further designated the Baldwin County Administrator as the county administrative officer for the purpose of any hearing that may be requested by the public subject to Section 11-53A-23 of Code of Alabama 1975;

WHEREAS, two structures on the property located at 24217 County Road 87, Robertsdale, in Baldwin County, Alabama (the "Property") are in a severe state of disrepair;

WHEREAS, the structures on the Property have created dangerous and unsafe conditions for the public;

WHEREAS, on April 20, 2022, property owner Julian Dunnam ("Property Owner") was notified that the two structures located on the Property necessitated removal or abatement due to the dangerous conditions;

WHEREAS, the Property Owner has failed to comply with the notice to abate the unsafe structures;

WHEREAS, on September 20, 2022, a public hearing was held by the County Commission to allow the owner of record an opportunity to be heard in regard to noncompliance with the notice issued by the Baldwin County Building Official and said public hearing revealed that the owner was indeed noncompliant with said notice.

NOW THEREFORE, BE IT RESOLVED by the Baldwin County Commission, in regular session assembled, that, pursuant to the authority granted the Baldwin County Commission in Section 11-53A-24 of the Code of Alabama 1975, and to protect the health, safety and welfare of the public, it is ORDERED that the Baldwin County Building Official demolish and remove the two public nuisance structures located at 24217 County Road 87, Robertsdale, Alabama, and otherwise known as parcel number 05-40-08-28-0-000-020.001 in the records of the Office of the Revenue Commissioner of Baldwin County, Alabama, subject to the following conditions:

Within ____ days commencing September 20, 2022, the subject structures on the property must be demolished and removed by the Property Owner. All debris and materials from the structures must be disposed of in compliance with federal, state, and local laws. Should the Property Owner fail to demolish and remove the structures within ____ days, the Baldwin County Building Official shall demolish and remove the structures pursuant to Alabama law with county labor and equipment or by provision from a private contractor.

DONE, under the Seal of Baldwin County, Alabama, as affixed on this the 20th day of September 2022.

BALDWIN COUNTY COMMISSION

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By: JAMES E. BALL
Its: Chairman

ATTEST:

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RON CINK
Budget Director/Interim County Administrator

STATE OF ALABAMA
COUNTY OF BALDWIN

I, JAMES E. BALL, Chairman of the Baldwin County Commission, do hereby certify that the foregoing is a true and correct copy of a resolution of the Baldwin County Commission adopted at its meeting on September 20, 2022, and that the same is in full force and effect.

WITNESS my hand and seal this the 20th day of September 2022.

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By: JAMES E. BALL
Its: Chairman