

**RESOLUTION NO. 2021-030**

**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 33801 US  
HIGHWAY 98, LILLIAN, 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, subject 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 1-53A-23 of Code of Alabama 1975;

**WHEREAS**, on March 15, 2019, a structure on the property located at 33802 US Highway 98, Lillian, in Baldwin County, Alabama (the "Property") caught fire and burned down;

**WHEREAS**, certain portions of the burned down structure remain on the Property and create dangerous and unsafe conditions for the public;

**WHEREAS**, on September 19, 2019 and June 8, 2020, property owners Timothy Lett and Jean Lett (collectively "Property Owners") were notified that the structure located on the Property necessitated removal or abatement due to its dangerous condition;

**WHEREAS**, the Property Owners have failed to comply with the notice to abate the unsafe structure;

**WHEREAS**, on December 15, 2020, 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 owners were 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 at 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 public nuisance located at 33802 US Highway 98, Lillian, Alabama, and otherwise known as parcel number 05-52-08-27-0-000-002.006 in the records of the Office of Revenue Commissioner of Baldwin County, Alabama, subject to the following conditions:

1. Within thirty (30) days commencing on December 15, 2020, the debris from the burned structure that has been removed from the concrete slab and piled on the Property must be removed by the Property Owner and disposed of in compliance with Alabama and local law. Should the Property Owner fail to remove said debris within said thirty (30) days, the Baldwin County Building Official shall remove said debris with county labor and equipment or by provision from a private contractor.
2. Within ninety (90) days commencing on December 15, 2020, all debris and other materials from the burned structure attached to or located upon the concrete slab, or not otherwise covered by the preceding paragraph 1, must be removed by the Property Owner such that the only remaining structure on the Property is the original slab clean from all debris. All removed debris and materials must be disposed of in compliance with Alabama and local law. Should the Property Owner fail to remove said debris within said ninety (90) days, the Baldwin County Building Official shall remove said debris with county labor and equipment or by provision from a private contractor.

**DONE** under the seal of the County of Baldwin, at the county seat in Bay Minette, Alabama, on this the 15<sup>th</sup> day of December, 2020.

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, JOE DAVIS, III, 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 December 15, 2020, and that the same is in full force and effect.

WITNESS my hand and seal 15<sup>th</sup> day of December, 2020.

**BALDWIN COUNTY COMMISSION**



By: JOE DAVIS, III  
Its: Chairman

ATTEST:

  
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WAYNE DYESS  
County Administrator