

**RESOLUTION NO. 2022-042**

**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 18300  
COUNTY ROAD 28, FOLEY, 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 11-53A-23 of Code of Alabama 1975;

**WHEREAS**, a structure on the property located at 18300 County Road 28, Foley, in Baldwin County, Alabama (the "Property") is in a severe state of disrepair;

**WHEREAS**, the structure on the Property has created dangerous and unsafe conditions for the public;

**WHEREAS**, on July 15, 2021, property owner John L. Fender ("Property Owner") was notified that the structure located on the Property necessitated removal or abatement due to its dangerous condition;

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

**WHEREAS**, on January 4, 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 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 18300 County Road 28, Foley, Alabama, and otherwise known as parcel number 05-54-03-07-0-000-007.000 in the records of the Office of Revenue Commissioner of Baldwin County, Alabama, subject to the following conditions:

Within 90 days commencing January 4, 2022, the structure on the property must be demolished and removed by the property owner. All removed debris and materials must be disposed of in compliance with federal, state, or local laws. Should the property owner fail to demolish and remove the structure within 90 days, the Baldwin County Building Official shall demolish and remove the structure pursuant to Alabama law.

**DONE**, under the Seal of Baldwin County, Alabama, as affixed on this the 4<sup>th</sup> day of January 2022.



ATTEST:

  
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WAYNE DYESS  
County Administrator

**BALDWIN COUNTY COMMISSION**

  
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By: JAMES E. BALL  
Its: Chairman

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 January 4<sup>th</sup>, 2022, and that the same is in full force and effect.

WITNESS my hand and seal this the 4<sup>th</sup> day of January, 2022.

  
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By: JAMES E. BALL  
Its: Chairman