



## OUR MISSION

Environmental Code Enforcement in Birmingham and other growing cities is in demand now more than ever before. Every possible effort is being made not to only preserve our environment but indeed to raise standards of acceptability. Birmingham remains steadfast and dedicated to this challenge. *It is our mission* first to educate our communities, second to facilitate our communities, and lastly to use code enforcement to achieve this goal. Our firm convictions that if people understand the importance of improved esthetics and are partnered with understanding city leadership that is willing to help, *we indeed will succeed*. For those who will not adhere to combined efforts of community and city officials we will step up enforcement, pass new ordinances and push for stronger legislation to address ever pressing environmental issues. Together, maintaining our dedication and focus. *We Will Make A Difference*

## SAMPLE CODE VIOLATIONS

### Occupied Overgrowth



### Vacant Overgrowth



### Overflowing Dumpster



### Inoperable Motor Vehicles



### Trash/Junk/Debris



**Code Enforcement Division**  
1029 33<sup>rd</sup> Street N, 3<sup>rd</sup> Floor  
Birmingham, Al 35234  
Office Hours Mon.-Fri. 6:30am-3:30pm

**Telephone: 205-254-2061**

**City of Birmingham Complaint**  
Line: 311 or  
205-254-6314  
311@birminghamal.gov

**City Of Birmingham**  
**Department Of Public Works**  
**Code Enforcement Division**



Randall Woodfin, Mayor

Alfred Menifield, Director

Alister Hickman, Sr. Deputy Director

Herman Wilhite, Deputy Director

Andrea Stallworth, Administrative Manager

Kenneth Smith, Code Enforcement Manager

Sandy Hill, Code Enforcement Supervisor

Deborah Dubose, Code Enforcement Supervisor

## What is Code Enforcement?

The Code Enforcement Division is responsible for inspection of residential and commercial properties that are in violation of the City of Birmingham Code 11:8-8. This code states that all premises are to be kept free of garbage, weeds, inoperable motor vehicles, tires, etc. Please keep your property clean. Don't allow junk to build up in your yard or porch area. We don't mean just garbage, but stuff like weeds/overgrowth, old pieces of furniture, old tires, salvage materials, appliances, and vehicles that needs repair work done or have flat tire(s).

Sec.7-1-134: Storage, disposition, etc., of rubbish, garbage, etc.



Sec. 4-3-6: When cans and containers are to be put out for collection and taken in after collection. It shall be unlawful for any person in charge or control of any dwelling, hotel, restaurant, delicatessen or store where garbage, rubbish or any other material is placed in a garbage can, rubbish can, or special container, paper bag or plastic bag, to permit any such can or container or bag to be placed out for collection in or on a sidewalk area earlier than 6:00 p.m. of the day before regular city garbage or trash collection service is to be rendered or to permit a can or container to remain in or on any sidewalk area after 6:00 p.m. on the day the service is rendered; provided that where the city garbage or trash collection is regularly made after 5:00 p.m. of one day and before 3:00 a.m. of the following day, that person shall not permit any can or container to remain in or on any sidewalk area between the hours of 8:00 a.m. and 5:00 p.m. (Code 1964, Sec. 24-6)

(For City Pick-Up All Leaves And Yard Clippings Must Be Bagged)  
Ordinance No. 94-222



Section 4-3-4.1. "Yard Rubbish Preparation, exceptions." Yard rubbish will be allowed to be placed for pick-up provided it is enclosed in approved containers\*. There shall be no limitation on the number of approved containers placed for pick-up which contain only yard rubbish. Tree branches and heavy brush which cannot be containerized shall not exceed four (4) feet in length or eight (8) inches in diameter and shall be neatly stacked; no further preparation shall be required. Bulky objects such as furniture or appliances shall be neatly stacked; no further preparation shall be required....

## OCCUPIED PROPERTY PROCESS

- 1) Citizen Calls In Complaint, Inspector Notices Possible Violation, or Other Department Or Agency Reports A Possible Violation. To report a complaint call the City Complaint Line- 311 or 205-254-6314.
- 2) Inspector Investigates Complaint To Determine Action.
  - A. No Violation – Case Closed
  - B. Invalid Request – Case Closed
  - C. Refer To Other Department – Case Closed
  - D. Visible Violation – Proceed To Next Step
- 3) Warning Is Issued. Digital Photograph Are Taken.
  - A. 1st Warning Issued Fifteen (15) Days Is Given To Clear Violation
  - 4) Inspector Returns After Fifteen (15) Days
    - A. Violation Cleared – Case Closed
    - B. No Response Violation Uncorrected –2nd Warning Issued
  - 6) Inspector Returns After Seven (7) Days
    - A. Violation Cleared – Case Closed
    - B. No Response Violation Uncorrected – Summons possibly attained for Mandatory Court Appearance
  - 7) COURT APPEARANCE  
Case Goes Before Environmental Court Judge. New Photographs Have Been Taken Along With Original Photo To Present To Judge.
    - A. Violation Cleared – Case Dismissed Pay Court Cost \$271
    - B. Extension Given Returns New Court Appearance Date
    - C. Violation Uncorrected – Pays \$500 Up To \$1,000 Plus Court Cost \$271- Judge renders a decision
    - D. Failure To Appear is issued due to not coming to court

8) Also all subsequent violations within a 12 month period are subject to additional fines and court cost

## Newton Bill (Removal of Inoperable Vehicles)

After the FTA is issued, the inspector does another recheck and takes current pictures of the violation. The vehicle VIN number and Tag number is obtained. A certified letter (The Newton Bill Notification Letter) is sent to the assessed owner of the property and to the assessed owner of the inoperable motor vehicles (if different from the owner). The letter includes a description of the vehicle (color make, etc), the vehicle VIN number if obtainable, the parcel, vehicle tag number and the date the item(s) will appear on the Council Agenda. The compliance date is 30 days from the mail date of this notification. Unresolved violations such as companies, listed heirs, deceased owners, and other person unable to contact are sent to council for public nuisance violation. The inoperable motor vehicles are presented to council 7 days after the compliance date in the form of the Newton Bill Resolution. Once council declares the inoperable motor vehicles as a public nuisance the information will be submitted to the towing Company to prepare to remove the vehicle(s) from the premise.

## OVERGROWN VACANT PROPERTY PROCESS

Once a request has been made to have privately owned vacant property cut and cleaned it normally takes about five to ten working days (depending on the time of year) before an Inspector is assigned to investigate. If the property is found to be in violation of a city ordinance a certified letter is sent to the owner. The owner is notified to cut and clean the property within 7 days. As soon thereafter as possible the property is rechecked for compliance. If the uninhabited overgrown property (with or without a dwelling) is not cut, the file is prepared by the Code Enforcement Division and placed on a City Council Agenda to be declared a public nuisance thus beginning the weed bill process. Unless the owner should cut the property during the process it will finally be cut by a private contractor or City of Birmingham crew and the cost placed on a tax lien on the property. This process could be very lengthy in compliance time.