

Home rule bill gives counties more powers

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MONTGOMERY — There's not much residents of rural Alabama can do when they live next to property that's covered with weeds and garbage, other than call their county commissioner.

And other than asking the property owner to clean it up, county commissioners have had little authority to deal with such nuisances unless they wanted to go to the Alabama Legislature and get a law passed.

That may change for residents of some counties with passage in the Legislature Monday night of a bill to give counties limited home rule to pass ordinances regulating nuisances such as overgrown weeds, the dumping of litter or too much noise coming from a rural racetrack.

County commissions can only use their new powers if the voters in rural areas of the county approve it in a referendum. Houston County Commission Chairman Mark Culver said Wednesday the law

AT A GLANCE

If voters approve, county commissioners would have authority over the following areas under home rule legislation:

- overgrown weeds
- animals and nuisances caused by animals
- litter or rubbish
- junkyards
- unsanitary sewage
- noise

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would allow counties to deal with problems city governments handle routinely.

"It gives us the authority to do things that common sense tells you we ought to be able to do in order to govern," Culver said.

He said county governments have been pretty much helpless to deal with complaints about weeds, garbage or other nuisances.

"As long as they didn't violate health standards, there really wasn't anything we could do. We get a lot of calls about dogs running loose, and we get complaints about noise at a racetrack. We have had to run to the Legislature every time something along those lines came up," Culver said.

Gov. Bob Riley plans to sign the legislation into law, said Jeff Emerson, the governor's communications director.

The bill only provides very lim-

ited home rule and does not give county commissions authority to levy taxes or make zoning decisions. But a public hearing on the bill brought people from across the state to Montgomery to express concerns that this would be the first step toward allowing county commissions to raise taxes.

Rep. Albert Hall, D-Gurley, opposed the bill for much of the session and said he was concerned that in counties with a dominant city that commissioners from an urban area would be making decisions that effect life in rural areas.

"There was concern they would put in subdivision regulations and require curbs and gutters, the same as in Huntsville, and force poor people to move out of the county," Hall said. He said he is all right with the final version of the bill because an amendment was added to require a four-fifths vote by commissioners in Madison County to implement

the provisions of the legislation.

"You have that fear that when a majority of commissioners live in a city, they can put things on rural people who can't go to the polls and put them out of office," Hall said.

County commissioners have long argued that they needed to be able to make decisions concerning how their counties are governed, without having to go to Montgomery and get a bill passed.

Sonny Brasfield, assistant executive director of the Association of County Commissions of Alabama, said the limited home rule law will do away with the need for many of the dozens of local bills the Legislature deals with every session.

"This is a major change in philosophy in Alabama," Brasfield said.

He said the next step will be encouraging voters to adopt the changes. "We can't exercise any of these powers unless it's approved by the local counties," he said.