

Southside environmental police raid - HELP

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Posted by [JOEL_alabama](#) 8a ([My Page](#)) on
Tue, Sep 27, 05 at 14:03

The city environmental police went through Bhm Southside and cited most of the houses in our neighborhood. This concerns me because my yard has mostly shrubs, perennials, and groundcover with very little grass. Given that it hasn't rained in a month, things look a bit rough at the moment. The reason given was 'overgrown house'.

Anyone ever delt with this before? Advise?

Follow-Up Postings:



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RE: Southside environmental police raid - HELP

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- Posted by [Nigella](#) 9a-steamy ([My Page](#)) on
Tue, Sep 27, 05 at 14:49

Hmmmmm, it may be time to apply for "Backyard Wildlife Refuge" status?



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- Posted by [jeff_al](#) 8 AL ([My Page](#)) on
Tue, Sep 27, 05 at 16:18

i don't follow. does "overgrown" translate to something else in this case? i would take that to mean "covered up in tall weeds and shrubs so that you can't find the house" or similar.

is this citation based upon the condition of your grass(dried and brown perhaps)?

that is interesting because many cities and communities may put water restrictions into effect under such conditions.



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- Posted by [JOEL_alabama](#) 8a ([My Page](#)) on

Tue, Sep 27, 05 at 16:48

We have 2 lots. Very little grass. One side of the house has nandina trees about 12 ft high (up to the windows)down both sides of the drive forming a canopy. Other side has an extra lot with trees, shrubs, and groundcover (perrywinkle mostly w/some ivy). Back yard has brick patios, paths, fruit trees, flower beds, and veg beds. Front has a little patch of grass surrounded by perennials and shrubs.

Everything is in decline now, a few weeds mixed in but not unsightly or anything. It needs a good trim but is hardly overgrown. We were asked to be on the botanical gardens tours just last year... So far I have only been able to contact the clerk at the office. She pulled up a picture of the house and told me that it looked overgrown to her, bushes needed trimming, ect.



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- Posted by [Lucky P](#) z6 W.KY ([My Page](#)) on

Tue, Sep 27, 05 at 21:13

Sorry, buddy. You're not conforming to the cross-hatch mowing pattern and meatball shrub pruning protocol. Book 'im, Danno.

Wait, your HOUSE is overgrown. Maybe you just need to take a little off the top of the roof!

Probably time to enlist the aid of some of the folks in the local garden clubs, etc., who asked you to be on the tour - some of those folks *might* have some clout in city government(or, not).

Have a look at the site linked below - gives tips & info on environmentally-friendly lawns/gardens - as well as organizations that may have provide some help or advice in dealing with an improper 'weed ordinance' and overzealous enforcement officers.

Here is a link that might be useful: [Neighborly Natural Landscaping](#)



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- Posted by [Terramadre](#) 7b - AL ([My Page](#)) on

Wed, Sep 28, 05 at 8:39

What the city clerk or anyone *thinks* is unimportant. Get a copy of the Property Maintenance Code, Nuisance Control Ordinance, or whatever it is called to find out what is stated in the ordinance.



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- Posted by [OutsidePlaying](#) 7/No. Ala ([My Page](#)) on

Wed, Sep 28, 05 at 9:36

I agree with Terramadre. Sometimes the "inspectors" can get a little subjective. It would be good for everyone's understanding to see what is actually in the ordinance and then address what violations are perceived to exist. It doesn't sound as if you Joel are the only homeowner affected.



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- Posted by [TSmith2579](#) Z7B/8A-Alabama (tsmith2579@msn.com) on

Wed, Sep 28, 05 at 13:42

Terremadre is right. Go down to City Hall and ask the city clerk's office for a copy of the grass and weed ordinances. Careful, there may be more than one. Your citation should list the one in which you are in violation. They will charge you for each copy because city government doesn't want to make it too easy for you to appeal, plus they say they need the money. Buy one copy of each ordinance and make photocopies later. I believe Birmingham has a 9 or 12 inch rule for grass and weeds. Take a GOOD picture and get an affidavit from your neighbors stating you haven't cleaned up the lots since receiving the citation. While you are at city hall, ask to see the compliance officer and ask specifically what part of the ordinance you have violated. Be sure to call these offices to get their schedules so you can do it all in one trip. They don't want to make appeals too easy so they usually have conflicting schedules. Did you read my advice earlier this summer concerning Plant Odyssey about moving out of Birmingham. My suggestion is to move completely out of Jefferson County. The city and county governments are so stupid and corrupt (sewer, transit, water board fiascos are the first 3 that come to mind. BTW, the Birmingham Beautification Board is in City Hall. Check with them. Oh, and don't expect any of these folks to be available before 9:30 or 10:00 a.m.- Terry (the cynic)



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- Posted by [JOEL_alabama](#) 8a ([My Page](#)) on

Wed, Sep 28, 05 at 14:50

Thanks for the tips. I finally got the actual officer on the phone and it may not be as bad as I initially thought. There were some minor (picky) things that were legitimate complaints, and my bushes are probably OK so long as I can show they are 'cultivated'.



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- Posted by [Alex_z7](#) 7 AL ([My Page](#)) on

Sat, Oct 1, 05 at 20:59

How did you get the actual officer on the phone???? I called for weeks and was always told the officer wasn't in, to call back at xxx time. Then, I would call back at that time and the officer would be out then, too. That went on for weeks.

I finally asked for a supervisor. The supervisor took a message and the officer never called me back. I called back a few more times and was always told that the officer would be in shortly. No call. I wrote a letter to the supervisor. No response.

The actual code is, I believe, online, although they do NOT make it easy to find. (It took me a lot of searching on the City of Birmingham site.

There weren't any direct references to "municipal code" or anything like that.)

What exactly does "cultivated" mean??? My bushes were all intentionally planted, but I'm not sure about "cultivated." ??

We will be moving out of Jefferson County and Birmingham ASAP. The murder rate in Bham is up but they are worried about bushes? That is our tax dollars at work. Be proud. :(



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- Posted by [Willie z7TX](#) ([My Page](#)) on
Sat, Oct 1, 05 at 23:17

When you don't get response from the environmental dept. start contacting the higher ups in your fair city, i.e., assistant city managers in charge of the department, city manager, city council man, mayor.

The job of the inspectors is to enforce the codes in place, but education of the public as to the laws is also an important part of their jobs. True they may be out of the office most of the time (inspecting, eating breakfast, shopping on company time, drinking coffee with the old buddies, etc), BUT they should return your call if you leave a number and a request they call. If they don't there's something wrong with the "good ol' boy system" and they needs to have their respctive cages rattled!

The clerk in the department is hired to answer phones, take messages

and file reports. She/he is not hired to handle inspection complaints or give opinions. The complaints should be addressed to the inspector.



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- Posted by [Mimi Carol](#) 35121 - AL ([My Page](#)) on

Mon, Oct 3, 05 at 10:18

Yes, Willie, my thoughts exactly. The inspector's buddies didn't show up at the Waffle House so the inspector was just out cruisin', got bored and decided to exert some "influence".

I work in B'ham but wouldn't live in the city limits for any amount of money.

I do have a friend that works for the City and I asked about the environmental police when I saw the first vehicle marked as such and she had no idea what that was.

It must be a very important political position. B'ham has sooooo much money to waste. Maybe the inspector really works for the water board.

Mimi



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- Posted by [AUHort1990](#) 8a ([My Page](#)) on
Tue, Oct 4, 05 at 13:40

Here is a link to a .pdf file of the environmental codes for Birmingham.

<http://www.informationbirmingham.com/pressrele/environment.htm>

The code in question is about 4 of 4 pages into the pdf file.



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- Posted by [MoccasinLanding](#) z8B AL ([My Page](#)) on
Wed, Oct 5, 05 at 0:32

Well well, I think this topic is very interesting.

First comment: "cultivated" plants? Hmm, does this mean that our trend to planting NATIVE PLANTS is in for troubles? Or do we have to "poodle-ize" them to keep them in urban yards?

If you were asked to have your garden/property on a garden tour, do you still have the letter or request available? Is there an environmental judge in Bham? There is one in Mobile. I think you could present a good case.

I have been on the Keep Mobile Beautiful Commission as an appointee for the 4th district, and will in fact resign tomorrow to devote more time to my Katrina-damaged property. But two years ago I went through this same problem with the City department enforcing such laws here. Someone had turned me and another environmental activist in to them. In my case, I had things piled on my carport and lawn ready to have a yard sale that weekend. They didn't mention the Lady Banks and

passion flower covering my carport, or the Carolina jessamine on the front fence. In my friend's case, the inspector had to drive down a 400 foot long driveway to see anything at all. Nothing ever came of the two warnings, by the way.

I expect the police assigned to this have no gardening experience at all. You might inquire of the personnel board, which hired and assigned them, what the job description is for holding their job. What kind of training are they given after being hired. Perhaps they are not really "police" but are "armed officers." In Mobile they do carry guns, but are part of Urban Development.

One thing possible is to involve the newspaper. Write a letter to the editor or ask the gardening editor if they've encountered any complaints about this new division of the government. Ask if the gardening editor would be interested in devoting a week or so to explaining how to avoid citations.

In our work with Keep Mobile Beautiful, some of our projects run amuck when folks fear that plantings darken walkways, and will allow criminals to hide in the bushes.

But on private property I submit that a land owner has a right to define beauty and select plants s/he likes unless prohibited by deed or association laws. The English cottage garden does not have much real LAWN space, so what about them?.... What is going on in Bham these days? Will it become the next STEPFORD?



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- Posted by [TweetyPye](#) z8/SC Al. ([My Page](#)) on

Wed, Oct 5, 05 at 12:34

Again I shout "THANK GOODNESS, I LIVE IN THE COUNTRY!!!!!!!"

Jan



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- Posted by [Nigella](#) 9a-steamy ([My Page](#)) on

Thu, Oct 6, 05 at 3:48

Yeah, I'm glad I live in "da hood", because I'd have to get really upset if I were to get those kinds of problems. There's no lawn at all, just pathways, ponds, bridges, etc. Oh, and I wonder what the environmental police would make of "The Lady's Room".



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- Posted by [Alex_z7](#) 7 AL ([My Page](#)) on

Fri, Oct 7, 05 at 13:41

For various reasons, I have many of my plants in pots. One of the inspectors(?) came onto my property and looked INTO the pots, as if there was something hiding in there. ??? There wasn't nooled water sitting or waiting for

mosquitose, much to their disappointment I'm sure. Don't know what else they could have been looking for. (I mean, actually peeking into the pot, like there might have been something hidden in there. It's a plant, people! Do you even know what that is?) I resent like the dickens that I am supposed to be worried that my potted plants are offensive to someone. I thought that was one of the reasons to buy my house, so I could have room to pursue my interest in gardening.

Silly, naive me.

I'm so glad that my tax dollars aren't wasted.



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- Posted by [JOEL_alabama](#) 8a ([My Page](#)) on

Mon, Oct 10, 05 at 15:47

Sorry folks, been away for a while. I am going to make an apointment to see the officer this week. Let you know...

Alex, I got the officer on the phone by calling the office right when they open and not taking no for an answer. (254-2061) I also made the mistake of leaving a message and waiting for a callback. Doesn't work.



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- Posted by [alabamaandrea](#) 7 ([My Page](#)) on

Mon, Oct 17, 05 at 12:21

Uh, Oh! I'd better get out and clean up my wildflower beds! Just curious, which neighborhood are you in? I'd heard of the environmental police, but thought they only concerned themselves with really overgrown, messy yards (the kind that you can hide a car in???)



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- Posted by [JOEL_alabama](#) 8a ([My Page](#)) on

Mon, Oct 17, 05 at 16:40

Turns out it was no big deal. When I read "Overgrown House" in the letter, and the definition in the handbook (see link in earlier posting), it had me worried. The way it's worded, it could be interpreted to mean almost anything...

In fact, on the day they came by, I did have a bed in the front yard with some weeds that I had killed but hadn't been through with the weedeater yet. The other complaint was a strip of tall grass that my neighbor maintains but it is on the property line.

There was no mention of the flower garden, tall shrubs, ground cover plants, ect. Anything cultivated is OK so long as it is not blocking the sidewalk. Anything not visible from the sidewalk is OK too. If the officer reports a violation, a letter is sent. If the problem is not corrected, THEN a citation is issued.