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MINUTES — Petal, Mississippi

BE IT REMEMBERED that there was begun and held a regular meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi, on March 4, 1980, at 7:30 P. M., in the Board Room of said City.

Those present: Sidney O. Smith, Mayor
 Thomas W. Tyner, City Attorney

Aldermen: W. E. Boutwell
 W. H. Campbell
 George B. Draughn
 Bobby W. Runnels
 Robert E. Russell

Others Present: Wib Wright
 Richard Topp
 Henry Bounds

The Mayor declared a quorum present and declared the City Council in session.

The invocation was offered by Robert E. Russell.

The minutes of the regular meeting of February 19, 1980, and the minutes of the recessed meeting of February 26, 1980, were read by Thomas W. Tyner.

THEREUPON, Alderman Boutwell made a motion that the minutes be accepted as read. Alderman Russell seconded the motion.

Those present and voting "AYE":

 Alderman W. E. Boutwell
 Alderman W. H. Campbell
 Alderman George B. Draughn
 Alderman Robert E. Russell
 Alderman Bobby W. Runnels

Those present and voting "NAY":

 None

WHEREAS, Chief Henry Bounds made a recommendation to the Board that Officer Steve Parsley be dismissed for cause, and that Officer Parsley be suspended from duty without pay until the effective date of the dismissal.

THEREUPON, Alderman Boutwell made a motion to suspend Officer Parsley without pay effective February 29, 1980, and that the Mayor and Board of Aldermen of the City of Petal do concur in the suspension and that the City of Petal Police Chief provide written notice to Officer Parsley, that effective March 11, 1980, at 12:00 A. M., he will be discharged and that Officer Parsley be advised of the charges against him and further, be advised that he has the right to respond to the charges and request a hearing before the Mayor and Board of Aldermen prior to the effective date of his dismissal. Alderman Campbell seconded the motion.

Those present and voting "AYE":

 Alderman W. E. Boutwell
 Alderman W. H. Campbell
 Alderman George B. Draughn
 Alderman Robert E. Russell
 Alderman Bobby W. Runnels

Those present and voting "NAY":

 None

WHEREAS, Alderman Runnels stated that he has had numerous complaints concerning the mail service out of the Petal Post Office.

THEREUPON, Alderman Runnels made a motion to write the U. S. Senators and Congressmen from Mississippi, advising them of the nature of the complaints and the continued parking problems existing at the Petal Post Office.

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Alderman Draughn seconded the motion.

Those present and voting "AYE":

- Alderman W. E. Boutwell
- Alderman W. H. Campbell
- Alderman George B. Draughn
- Alderman Robert E. Russell
- Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, City Attorney, Thomas Tyner, presented the Federal Flood Insurance Ordinance to the Mayor and Board of Aldermen. The Ordinance read as follows, to-wit:

ORDINANCE NUMBER 1980 (46)

FLOODPLAIN MANAGEMENT ORDINANCE

AN ORDINANCE MAKING CERTAIN FINDINGS, MAKING A STATEMENT OF PURPOSE, SETTING FORTH OBJECTIVES, DEFINING CERTAIN TERMS, SETTING FORTH GENERAL PROVISIONS, PROVIDING FOR ADMINISTRATION, MAKING PROVISIONS FOR FLOOD HAZARD REDUCTION, PROVIDING PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ORDINANCE, ESTABLISHING AN EFFECTIVE DATE FOR ADOPTION, AND FOR RELATED PURPOSES.

ARTICLE I. Statutory Authorization, Findings of Fact, Purpose and Objectives.

SECTION A. Statutory Authorization.

The Legislature of the State of Mississippi has in Title 17, Chapter 1, of the Mississippi Code of 1972, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, be it ordained by the Mayor and Board of Aldermen of the City of Petal, Petal, Mississippi:

SECTION B. Findings of Fact.

(1) The flood hazard areas of the City of Petal are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

(2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, floodproofed, or otherwise protected from flood damages.

SECTION C. Statement of Purposes.

It is the purpose of this Ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

(1) Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion or in flood heights or velocities.

(2) Require that uses vulnerable to floods, including facili-

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ties which serve such uses, be protected against flood damage at the time of initial construction.

(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accomodation of flood waters.

(4) Control filling, grading, dredging, and other development which may increase erosion or flood damage.

(5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

SECTION D. Objectives. The objectives of this ordinance are:

(1) To protect human life and health;

(2) To minimize expenditure of public money for costly flood control projects;

(3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(4) To minimize prolonged business interruptions;

(5) To minimize damage to public facilities and utilities such as water and gas mains, electric telephone and sewer lines, streets and bridges located in floodplains;

(6) To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas; and,

(7) To insure that potential home buyers are notified that property is in a flood area.

ARTICLE 2. Definitions.

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted to as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

Appeal means a request for a review of the local administrator's interpretation of any provision of this ordinance or a request for a variance.

Area of Shallow Flooding means a designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of Special Flood Hazard is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

Base Flood means the flood having a one percent chance of being equalled or exceeded in any given year.

Development means any man-made change to improved or unimproved real estate, including but not limited to structures, roads,

bridges, mining, dredging, filling, grading, paving, excavation or drilling operations.

Existing Mobile Home Park or Mobile Home Subdivision means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of this ordinance.

Expansion to an Existing Mobile Home Park or Mobile Home Subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

Flood or Flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland waters; and
- (2) The unusual and rapid accumulation or runoff

of surface waters from any source.

Flood Insurance Rate Map (FIRM) means an official map of a community, on which the Federal Insurance Administration had delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study is the official report provided by the Federal Insurance Administration. The report contains flood profiles, as well as the Flood Hazard Boundary-Floodway Map and the water surface elevation of the base flood.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Habitable Floor means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor".

Mean Sea Level means the average height of the sea for all stages of the tide.

Mobile Home means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

New Construction means structures for which the "start of construction" commenced on or after the effective date of this

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Ordinance.

New Mobile Home Park or Mobile Home Subdivision means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of this ordinance.

Start of Construction means the first placement of permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a mobile home) without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For mobile homes within a mobile home park or mobile home subdivision, "start of construction" means the affixing of the mobile home to its permanent site. For mobile homes within mobile home parks or mobile home subdivisions, "start of construction" is the date on which the construction of facilities for servicing the site on which the mobile home is to be affixed (including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities) is completed.

Structure means a walled and roofed building that is principally above ground, as well as a mobile home.

Substantial Improvement means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either, (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any

alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

Variance is a grant of relief to a person from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

ARTICLE 3. General Provisions

SECTION A. Lands to Which this Ordinance Applies

This ordinance shall apply to all areas within the jurisdiction of the City of Petal.

SECTION B. Basis for Establishing the Areas of Special Flood Hazard

The areas of special flood hazard identified by the Federal Insurance Administration through a scientific and engineering report entitled "The Flood Insurance Study for the City of Petal," dated October, 1979, with accompanying Flood Insurance Rate Maps and Flood Boundary and Floodway Maps and any revision thereto are hereby adopted as referenced and declared to be a part of this Ordinance.

SECTION C. Establishment of Development Permit

A development permit shall be required prior to any manmade change to improved or unimproved real estate including structures and other development.

SECTION D. Compliance

No structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

SECTION E. Abrogation and Greater Restrictions

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F. Interpretation

In the interpretation and application of this ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under state statutes.

SECTION G. Warning and Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance

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any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

ARTICLE 4. AdministrationSECTION A. Designation of Local Administrator

The Zoning Administrator is hereby appointed to administer and implement the provisions of this ordinance.

SECTION B. Duties and Powers of Local Administrator

Duties and powers of the local administrator shall include, but not be limited to:

(1) Review all development permits to assure that the permit requirements of this ordinance have been satisfied.

(2) Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required.

(3) Notify adjacent political subdivisions which could be affected and the Mississippi Research and Development Center prior to any alteration or relocation of a watercourse, and shall submit evidence of such notification to the Federal Insurance Administration.

(4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

(5) Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures.

(6) Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been floodproofed.

(7) When floodproofing is utilized for a nonresidential structure, the local administrator shall obtain certification from a registered professional engineer or architect.

(8) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the local administrator shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.

(9) All records pertaining to the provisions of this ordinance shall be maintained in the office of the local administrator and shall be open for public inspection.

(10) The City of Petal Zoning Administrator shall enforce the provisions of this ordinance and he, or his duly authorized representative, may enter any building, structure, or premises to perform any duty imposed upon him by this ordinance.

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(11) Upon notice from the City of Petal Zoning Administrator, work on any building or structure that is being done contrary to the provisions of this ordinance or in a dangerous or unsafe manner, shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. Where an emergency exists, no written notice shall be required to be given by the zoning administrator.

(12) When base flood elevation date has not been provided (in unnumbered A zones on the Flood Insurance Rate Map(s)), then the local administrator shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state or other source in order to administer the provisions of Article 5, Section B.

SECTION C. Permit Procedures

Application for a Development Permit shall be made to the local administrator on forms furnished by him and the administrator may require, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill and storage of materials, drainage facilities, and a description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

If the development includes a structure, the following information shall be required:

(1) actual (as built) elevation in relation to mean sea level, of the lowest floor (including basement) of all structures - certification by a registered professional engineer, architect or licensed land surveyor is required;

(2) actual (as built) elevation in relation to mean sea level, to which any nonresidential structure has been floodproofed - certification by a registered professional engineer or architect is required;

(3) Provide a certificate from a registered professional engineer or architect that the nonresidential floodproofed structure meets the floodproofing criteria in Article 5, Section B(2); and

(4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

SECTION D. Variances Procedures

(1) The Zoning Appeals Board as established by the City of Petal shall hear and decide appeals and requests for variance from the requirements of this ordinance.

(2) The Zoning Appeals Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the local administrator in the enforcement

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or administration of this ordinance.

(3) Any person aggrieved by the decision of the Zoning Appeals Board, or any taxpayer may appeal such decision to the Circuit Court of Forrest County.

(4) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.

(5) In passing upon such applications, the Zoning Appeals Board shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and;

(a) the danger that materials may be swept onto other lands to the injury of others;

(b) the danger to life and property due to flooding or erosion damage;

(c) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(d) the importance of the services provided by the proposed facility to the community;

(e) the necessity to the facility of a waterfront location, where applicable;

(f) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

(g) the compatibility of the proposed use with existing and anticipated development;

(h) the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

(i) the safety of access to the property in times of flood for ordinary and emergency vehicles;

(j) the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action if applicable, expected at the site;

(k) the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges; and

(l) generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures construct-

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ed below the base flood level, providing items (a-k) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

(6) Upon consideration of the factors listed above and the purposes of this ordinance, the Zoning Appeals Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

(7) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(8) Conditions for Variances

(a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(b) Variances shall only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(c) Any applicant to whom a variance is granted shall be given written notice that the lowest floor of the structure will be permitted to be built below the base flood elevation and the number of feet below the base flood elevation shall be indicated in the written notice, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(d) The local administrator shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

ARTICLE 5. Provisions for Flood Hazard Reduction

SECTION A. General Standards

In all areas of special flood hazards the following provisions are required:

(1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

(2) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to

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flood damage.

(3) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.

(4) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

(5) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

(6) On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(7) All subdivision proposals shall be consistent with the need to minimize flood damage.

(8) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

(9) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

(10) Base flood elevation data shall be provided for subdivision proposals and other proposed development which is greater than the lesser of fifty (50) lots or five (5) acres.

SECTION B. Specific Standards

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Article 3, Section B, the following provisions are required.

(1) Residential Construction - New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation. A registered land surveyor shall certify that the standards of the subsection are satisfied.

(2) Nonresidential Construction - New construction or substantial improvement of any commercial industrial or other nonresidential structure shall either have the lowest floor including basement, elevated to the level of the base flood elevation, or together with attendant utility and sanitary facilities, be floodproofed so that below the base flood level the structure is water tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied.

(3) Mobile Homes

(a) No mobile home shall be placed in a floodway except in an existing mobile home park or existing mobile home subdivision.

(b) All mobile homes shall be anchored to resist

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flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors as specified under the Mississippi Insurance Department's "Rules and Regulations of Mobile Home Division of State Fire Marshal's Office" as revised, section IX entitled Minimum Standards for Blocking, Anchors and Tie-Downs. Specific minimum requirements shall be that:

(i) over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations and mobile homes less than fifty (50) feet long requiring one additional tie per side;

(ii) frame ties be provided at each corner of the home with five additional ties per side at intermediate points and mobile homes less than fifty (50) feet long requiring four additional ties per side;

(iii) all components of the anchoring system be capable of carrying a force of 4,800 pounds; and,

(iv) any additions to the mobile home be similarly anchored.

(c) For new mobile home parks and subdivisions; for expansions to existing mobile home parks and subdivisions; for existing mobile home parks and subdivisions, where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds fifty (50) percent of value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced; and for mobile homes not placed in mobile home park or subdivision require:

(i) stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level;

(ii) adequate surface drainage and access for a hauler are provided; and,

(iii) in the instance of elevation in pilings:

(1) lots are large enough to permit steps, (2) piling foundations are placed in stable soil no more than ten feet apart, and (3) reinforcement is provided for pilings more than six feet above the ground level.

(4) Floodways - Located within areas of special flood hazard established in Article 3, Section B, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris,

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potential projectiles and erosion potential, the following provisions shall apply:

(a) Prohibits encroachment of roads and bridges, new construction, substantial improvements and other developments unless certification by a professional registered engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge.

(b) If the above certification is approved by the local administrator, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article 5.

(c) Prohibit the placement of any mobile homes, except in existing mobile home park or existing mobile home subdivision.

SECTION C. Standards for Areas of Shallow Flooding
AO Zones

Located within the areas of special flood hazard established in Article 3, Section B, are areas designed as shallow flooding. These areas shall have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

(1) All new construction and substantial improvements of residential structures have the lowest floor, including basement, elevated above the crown of the nearest street to or above the depth number specified on the community's FIRM.

(2) All new construction and substantial improvements of a nonresidential structure shall:

(i) have the lowest floor, including basement, elevated above the crown of the nearest street to or above the depth number specified on the FIRM, or

(ii) together with attendant utility and sanitary facilities be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

SECTION D. Amendment Procedure

(1) Whenever justified or required by the public necessity, convenience, general welfare, or good floodplain management practice, and after a public hearing, the governing authority may, by ordinance, amend the regulations set forth in this ordinance.

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(2) Any amendment to this ordinance shall be submitted to the Mississippi Research and Development Center and the Federal Flood Insurance Administrator.

SECTION E. Penalties for Violation

Violation of the provisions of this ordinance or failure to comply with any of its requirements including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements, shall, upon conviction thereof, be fined not more than \$100.00. Each day such violation continues shall be considered a separate offense.

SECTION F. Effective Date

(1) This ordinance shall become effective thirty (30) days from the date of adoption.

(2) Adopted this 4th day of March, 1980.

/s/ Sidney O. Smith
Sidney O. Smith, Mayor

(SEAL)

ATTEST:

/s/ Priscilla C. Daniel
Priscilla C. Daniel, City Clerk

* * * * *

THEREUPON, Alderman Boutwell made a motion to adopt the foregoing Ordinance. Alderman Runnels seconded the motion.

Those present and voting "AYE":

- Alderman W. E. Boutwell
- Alderman W. H. Campbell
- Alderman George B. Draughn
- Alderman Robert Russell
- Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, Mayor Smith presented the following Proofs of Publication to the Board:

- 1) Julia Houk-Zoning Hearing Notice
- 2) Jo Ellen Carlisle-Zoning Hearing Notice
- 3) W. R. Hearding-Zoning Hearing Notice

THEREUPON, Alderman Boutwell made a motion that the foregoing proofs of publication be accepted and filed. Alderman Russell seconded the motion.

Those present and voting "AYE":

- Alderman W.E. Boutwell
- Alderman W.H. Campbell
- Alderman George B. Draughn
- Alderman Robert Russell
- Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, Mayor Smith presented the invoice for the City of Petal and the Petal Water and Sewer audit from Nicholson and Easterling, CPA.

THEREUPON, Alderman Boutwell made a motion to pay claim number 6163

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in the amount of \$3,000 from the General Fund and Claim Number 935-A from the Petal Water and Sewer Fund for \$2,600 to the firm of Nicholson and Easterling, CPA. Alderman Russell seconded the motion.

Those present and voting "AYE":

Alderman W. E. Boutwell
Alderman W. H. Campbell
Alderman George B. Draughn
Alderman Robert E. Russell
Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, Mayor Smith presented a letter to the Department of Natural Resources requesting the inclusion of Pine Knoll, J. T. Hensarling and Crestview Hills subdivisions in the request for collection system funding for the City of Petal.

THEREUPON, Alderman Draughn made a motion authorizing the Mayor to execute the letter to the Department of Natural Resources. Alderman Campbell seconded the motion.

Those present and voting "AYE":

Alderman W. E. Boutwell
Alderman W. H. Campbell
Alderman George B. Draughn
Alderman Robert E. Russell
Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, Alderman Boutwell made a motion to purchase up to \$150.00 worth of shrubs to be placed around the police station. Alderman Russell seconded the motion.

Those present and voting "AYE":

Alderman W. E. Boutwell
Alderman W. H. Campbell
Alderman George B. Draughn
Alderman Robert E. Russell
Alderman Bobby W. Runnels

Those present and voting "NAY":

None

WHEREAS, Mayor Smith stated that the CETA funds for the Forrest County area will possibly run out in June of this year.

THEREUPON, Alderman Boutwell made a motion to adopt the following order transferring Billy Wayne Murphy, a patrolman in the police department from the CETA program to the City of Petal payroll. Alderman Draughn seconded the motion. The order read as follows, to-wit:

O R D E R

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, deem it necessary to transfer Billy Wayne Murphy from the CETA program to the City of Petal Police Department.

IT IS THEREFORE ORDERED that Billy Wayne Murphy be, and he is hereby placed on the City of Petal payroll at a salary of \$833.73 per month to serve from February 25, 1980, until further orders of the Mayor and Board of Aldermen of the City of Petal.

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Mississippi.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, on this the 4th day of March, A. D., 1980.

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Those present and voting "AYE":

- Alderman W. E. Boutwell
- Alderman W. H. Campbell
- Alderman George B. Draughn
- Alderman Bobby W. Runnels
- Alderman Robert E. Russell

Those present and voting "NAY":

None

WHEREAS, Mayor Smith presented claims numbers 6106 through 6161 for the General Fund of the City of Petal.

THEREUPON, Alderman Campbell made a motion to pay claims numbers 6106 through 6161 for the City of Petal General Fund. Alderman Draughn seconded the motion.

Those present and voting "AYE":

- Alderman W. E. Boutwell
- Alderman W. H. Campbell
- Alderman George B. Draughn
- Alderman Bobby W. Runnels
- Alderman Robert E. Russell

Those present and voting "NAY":

None

WHEREAS, Mayor Smith presented claims numbers 910-A through 934-A of the O & M fund and claims numbers 251-B through 255-B of the R & E fund of the Petal water and sewer fund.

THEREUPON, Alderman Campbell made a motion to pay claims numbers 910-A through 934-A of the O & M fund and claims numbers 251-B through 255-B of the R & E fund. Alderman Draughn seconded the motion.

Those present and voting "AYE":

- Alderman W. E. Boutwell
- Alderman W. H. Campbell
- Alderman George B. Draughn
- Alderman Bobby W. Runnels
- Alderman Robert E. Russell

Those present and voting "NAY":

None

WHEREAS, Alderman Campbell stated that the concrete in the creek bed at the bridge on North Main Street is obstructing the flow of water in Green's Creek.

THEREUPON, Alderman Boutwell made a motion to have Bill Durham move the concrete with his dragline if the cost does not exceed \$200.00. Alderman Draughn seconded the motion.

Those present and voting "AYE":

- Alderman W. E. Boutwell
- Alderman W. H. Campbell
- Alderman George B. Draughn
- Alderman Bobby W. Runnels
- Alderman Robert E. Russell

Those present and voting "NAY":

None

MINUTES — Petal, Mississippi

WHEREAS, Alderman Runnels made a motion to purchase a bronze metal plaque to place on the police station. Alderman Boutwell seconded the motion.

Those present and voting "AYE":

Alderman W. E. Boutwell
Alderman W. H. Campbell
Alderman George B. Draughn
Alderman Bobby W. Runnels
Alderman Robert E. Russell

Those present and voting "NAY":

None

WHEREAS, Mayor Smith stated that the loan from the Bank of Hattiesburg made in March of 1979 to make the 1979 school bond and interest payments is to be repaid on March 15, 1980.

THEREUPON, Alderman Draughn made a motion authorizing the payment of \$216,000 principal and \$13,457.12 interest to the Bank of Hattiesburg. Alderman Runnels seconded the motion.

Those present and voting "AYE":

Alderman W. E. Boutwell
Alderman W. H. Campbell
Alderman George B. Draughn
Alderman Bobby W. Runnels
Alderman Robert E. Russell

Those present and voting "NAY":

None

THEREUPON, Alderman Campbell made a motion to adjourn. Alderman Russell seconded the motion.

Those present and voting "AYE":

Alderman W. E. Boutwell
Alderman W. H. Campbell
Alderman George B. Draughn
Alderman Bobby W. Runnels
Alderman Robert E. Russell

Those present and voting "NAY":

None

There being no further business, the regular meeting of the Mayor and Board of Aldermen of the City of Petal was adjourned on this the 4th day of March, A. D., 1980, at 9:20 o'clock p. m.

Sidney O. Smith

Sidney O. Smith, Mayor

(SEAL)

ATTEST:

Priscilla C. Daniel
Priscilla C. Daniel, City Clerk