

BE IT REMEMBERED that there was begun and held the regular meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi, on May 19, 1987 at 7:30 P.M., in the Board Room of said City.

Those present:	Mayor Sidney O. Smith
City Attorney:	Thomas W. Tyner
Aldermen:	W. E. Boutwell W. H. Campbell Michael Lewis Leroy Scott
Others present:	Paul Shows Greg Golden David Hamm Robert Powell

The invocation was offered by Leroy Scott.

The minutes of the regular meeting of May 5, 1987 were read by Thomas W. Tyner.

THEREUPON Alderman Boutwell made a motion that the foregoing minutes be accepted as read. Alderman Campbell seconded the motion.

Those present and voting "AYE":	W. E. Boutwell W. H. Campbell Leroy Scott
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Those present and voting "NAY":	None
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WHEREAS Mayor Smith called for public comment.

THEREUPON David Hamm, Fire Chief, stated that one of the items needed to reduce the City's fire rating is a generator at Water Plant "C" and he would request that the City advertise for bids for a 180 KW generator.

THEREUPON Alderman Scott made a motion to authorize the City Clerk to advertise for a 180 KW generator with accessories. Alderman Boutwell seconded the motion.

Those present and voting "AYE":	W. E. Boutwell W. H. Campbell Leroy Scott
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Those present and voting "NAY":	None
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WHEREAS Chief Hamm requested permission to send Aubra Evans and John Anderson to the Mississippi Firefighters Association meeting June 10-13, 1987.

THEREUPON Alderman Scott made a motion to authorize the two firemen to attend the convention and to pay their expenses. Alderman Campbell seconded the motion.

Those present and voting "AYE":	W. E. Boutwell W. H. Campbell Leroy Scott
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Those present and voting "NAY":	None
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WHEREAS Greg Golden, manager of the Diner Bell Restaurant requested that the Board grant him a one time exemption from the Garage Sale Ordinance so that the Little League ball team that his restaurant sponsors might hold a garage sale on his parking lot.

THEREUPON Alderman Boutwell stated that the Board appreciates his involvement with the youth of the community but that by granting him an exemption the Board would be opening the door for future problems enforcing the Garage Sale Ordinance, therefore they would have to deny his request.

WHEREAS Paul Shows, City Engineer, requested the wishes of the Board concerning the replcement of the bridges on NORth Main Street and South Main Street.

THEREUPON Alderman Boutwell made a motion to authorize the City Clerk to advertize for bids for the replacement of the bridges on North Main Street and on South Main Street. Alderman Scott seconded the motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott

Those present and voting "NAY": None

WHEREAS Mr. Shows presented his letter recommending the board award the bid for the sanitary sewer construction project to the low bidder, Carter Mullins, Inc.

THEREUPON Alderman Boutwell made a motion to accept Carter Mullins, Inc. low bid of \$289,042.37 for the construction of the sanitary sewer project. Alderman Scott seconded the motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott

Those present and voting "NAY": None

WHEREAS Mr. Shows stated that the City will need to request an extension of time from EPA in order to complete the EPA sewer project.

THEREUPON Alderman Boutwell made a motion to request a 6 month extension of time from EPA. Alderman Scott seconded the motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott

Those present and voting "NAY": None

(Alderman Lewis arrived)

WHEREAS Mayor Smith presented a letter from the Petal Planning Commission recommending the adoption of the Floodplain Ordinance as presented.

THEREUPON Alderman Boutwell made a motion to adopt the following Floodplain management Ordinance. Alderman Campbell seconded the motion.

ORDINANCE NUMBER 1987 (71)

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 REPEALING ORD.1980 (46) and ORD. 1980 (46-A)

ARTICLE 1. 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 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, the Mayor and Board of Aldermen of the City of Petal, Petal, Mississippi, does ordain as follows:

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 and 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

(1) restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

(2) require that uses vulnerable to floods, including facilities 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, and;

(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 uncontrolled business interruptions;

the meaning they have in common usage and to give this ordinance its most reasonable application.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

"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 A0 or V0 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 equaled or exceeded in any given year.

"Basement" means that portion of a building having its floor subgrade (below ground level) on all sides.

"Building" means any structure built for support, shelter, or enclosure for any occupancy or storage.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials.

"Elevated building" means a non-basement building built to have the lowest floor elevated above ground level by means of fill, solid foundation perimeter walls, pilings, columns (post and piers), shear walls, or breakaway walls.

in violation of the applicable non-elevation design requirements of this ordinance.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the flood plain. For purposes of this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD).

"Manufactured 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. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

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

"Sand dunes" means naturally occurring accumulation of sand in ridges or mounds landward of the beach.

"Start of construction" (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348)), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond

"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 or tidal waters;
- (2) the unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary 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.

"Floor" means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

"Highest adjacent grade" means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

"Lowest Floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure

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 part of the main structure.

"Structure" means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

"Substantial Improvement" means any repair, reconstruction, alteration, or improvement to a structure, the cost of which equals or exceeds fifty 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 purposes 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 any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

#### ARTICLE 3. GENERAL PROVISIONS

##### SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazard 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

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 consideration. 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 hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Petal or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION H. 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 or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or

Upon placement of the lowest floor, or flood proofing by whatever construction means, it shall be the duty of the permit holder to submit to the local administrator a certification of the elevation of the lowest floor, flood-proofed elevation, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When flood-proofing is utilized for a particular building, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The local administrator shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

SECTION C. DUTIES AND RESPONSIBILITIES OF THE LOCAL ADMINISTRATOR.

Duties 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) Advise permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit.

fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$100.00, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Petal from taking such other lawful action as is necessary to prevent or remedy any violation.

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. PERMIT PROCEDURES

Application for a Development Permit shall be made to the local administrator on forms furnished by him or her prior to any development activities, and may include, 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, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

## (1) Application Stage.

(a) Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures:

(b) Elevation in relation to mean sea level to which any non-residential structure will be flood-proofed;

(c) Certificate from a registered professional engineer or architect that the non-residential flood-proofed structure will meet the flood-proofing criteria in Article 5, Section b (2);

(d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development, and;

## (2) Construction Stage.

Provide a floor elevation or flood-proofing certification after the lowest floor is completed.

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, in accordance with Article 4, Section B (2).

(6) Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood-proofed, in accordance with Article 4, Section B (2).

(7) When flood-proofing is utilized for a particular structure, the local administrator shall obtain certification from a registered professional engineer or architect, in accordance with Article 5, Section B(2).

(8) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (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) When base flood elevation data or floodway data have not been provided in accordance with Article 3, Section B, then the local administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer the provisions of Article 5.

(10) 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.

SECTION D. VARIANCE PROCEDURES.

(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 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 Mayor and Board of Aldermen.

(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, except for Article 4, Section D. (8) (a) and (d), and provided the proposed reconstruction, rehabilitation, or restoration will not result in the structure losing its historical designation.

(5) In passing upon such applications, the Zoning Appeals Board shall consider all technical evaluations, all relevant factors, all 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 of the facility to a waterfront location, in the case of a functionally dependent facility;

(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;

(c) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and stating 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 Emergency Management Agency upon request.

#### ARTICLE 5. PROVISIONS FOR FLOOD HAZARD REDUCTION

##### SECTION A. GENERAL STANDARDS

In all areas of special flood hazard the following provisions are required.

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

(2) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or 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 manufactured home, with two additional ties per side at intermediate locations and less than 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

(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, and;

(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.

(6) Upon consideration of 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; and in the instance of a historical building, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building;

(b) Variances shall only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant then variance would result in exceptional hardship, 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 nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(3) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;

(4) New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

(5) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(6) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

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

(8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding, and;

(9) Any alteration, repair, reconstruction or improvements to a structure which is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance.

##### SECTION B. SPECIFIC STANDARDS

In all areas of special flood hazard where base flood elevation data have been provided, as set forth in Article 3, Section B, or Article 4, Section C (9), the following provisions are required:

(1) Residential Construction. New Construction or substantial improvement of any residential structure

Article 5, Section B (3).

(2) Non-Residential Construction. New Construction or substantial improvement of any commercial, industrial, or non-residential structure shall have the lowest floor, including basement, elevated to or above the level of the base flood elevation. Structures located in all A-zones may be flood-proofed in lieu of being elevated provided that all areas of the structure below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Article 4, Section B (2).

(3) Elevated Buildings. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

- (a) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
- (i) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
  - (ii) The bottom of all openings shall be no higher than one foot above grade; and,
  - (iii) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.

anchoring standards of Article 5, Section A(2), and the elevation standards of Article 5, Section B(1) are met.

SECTION C. STANDARDS FOR STREAMS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS AND/OR FLOODWAYS.

Located within the areas of special flood hazard established in Article 3, Section B, where small streams exist but where no base flood data have been provided or where no floodways have been provided, the following provisions apply;

- (1) No encroachments, including fill material or structures shall be located within a distance of the stream bank to 2 times the width of the stream at the top of bank or twenty feet each side from top of bank, whichever is greater, unless certification by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) New construction or substantial improvements of structures shall be elevated or flood-proofed to elevations established in accordance with Article 4, Section C(9).

SECTION D. STANDARDS FOR SUBDIVISION PROPOSALS.

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;
- (4) Base flood elevation shall be...

(b) Electrical, plumbing, and other utility connections are prohibited below the base flood elevation unless they are designed so as to prevent water from entering or accumulating within equipment components (Floodproofing).

(c) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and

(d) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

(4) Floodways. Located within areas of special flood hazard established in Article 3, Section B, are area designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and has erosion potential, the following provisions shall apply:

(a) Prohibit encroachments, including fill, new construction, substantial improvements and other developments unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge;

(b) If Article 5, Section B (4) (a) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article 5.

(c) Prohibit the placement of manufactured homes (mobile homes), except in an existing manufactured homes (mobile homes) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the

SECTION E. AMENDMENT PROCEDURE

- (1) Whenever justified or required by the public necessity, convenience, general welfare, or good Flood-plain management practice, and after a public hearing, the governing authority may, by ordinance, amend the regulations set forth in this ordinance.
- (2) Any amendment to this ordinance shall be submitted to the Mississippi Research and Development Center and the federal Flood Insurance Administrator.

SECTION F. REPEALING

Ordinance Number 1980 (46) and Ordinance Number 1980 (46-A) are hereby repealed.

SECTION G. EFFECTIVE DATE

- (1) This Ordinance shall become effective 30 (thirty) days from the date of adoption.
- (2) Adopted this the 19th day of May, A.D., 1987.

SIDNEY O. SMITH, MAYOR

(SEAL)  
ATTEST:

PRISCILLA C. DANIEL  
CITY CLERK

Those present and voting "AYE":  
 W. E. Boutwell  
 W. H. Campbell  
 Michael Lewis  
 Leroy Scott

Those present and voting "NAY": NOne

WHEREAS Mayor Smith presented the following Ordinance to vacate Watts Street.

ORDINANCE 1987 (70)  
 AN ORDINANCE TO VACATE A PART OF WATTS STREET  
 BEING A PART OF THE NE $\frac{1}{4}$  OF THE SE $\frac{1}{4}$  OF SECTION  
 12-T4N- R13W OF THE CITY OF PETAL, COUNTY OF  
 FORREST, MISSISSIPPI

WHEREAS a Petition has been filed before the Mayor and Board of Aldermen of the City of Petal, Mississippi, requesting the enactment of an ordinance closing and vacating a part of Watts Street lying and being a part of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 12, T4N- R13W of the City of Petal, County of Forrest, State of Mississippi.

The Mayor and Board of Aldermen having considered the same and the evidence presented in support thereof, do find and adjudicate that said Petition was filed by the owners of the adjacent abutting property on that portion of Watts Street sought to be vacated and closed; that said parties have waived any and all compensation for damages on account of such closing and vacating said part of Watts Street; that said portion of Watts Street is not necessary as a means of access to any street or property and is not needed in any way by the public; and that there are no public utilities of any kind located in that part of Watts Street sought to be vacated which would be adversely affected by the closing and vacating thereof; that no person will be injured or damaged in any manner by the closing and vacating; and it is the public interest that the petition be granted and that said portion of Watts Street be closed and vacated.

NOW THEREFORE be it ordained by the Mayor and Board of Aldermen of the City of Petal, Mississippi, as follows;

SECTION 1: That that certain part of Watts Street and a part of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 12, T4N-R13W, City of Petal, Forrest County, Mississippi, being more

particularity described as follows:

A part of Bryant Drive also referred to as Alexander Drive and Jordan Road in Deed Book 407 Page 385, More particularly described as follows:

Commence at the SE Corner of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 12, T-4-N, R-12-W, Forrest County, Ms and run N 00° 10' 51" E for 123.0 feet to and for the Point of Beginning. From the Point of Beginning run N 82° 17' W for 228.67 feet; thence run N 06° 32' E for 116.15 feet; thence run N 15° 18' 37" W for 51.35 feet; thence run 74° 41' 23" E for 50.0 feet; thence run S 15° 18' 37" E for 61.0 feet; thence run S 06° 32' 03" W for 87.33 feet; thence run S 82° 17' E for 174.0 feet; thence run N 89° 19' 16" E for 159.16 feet; thence run S 00° 16' W for 40.0; thence run S 89° 22' W for 158.85 feet back to the Point of Beginning. Said road right-of-way is part of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 12, T-4-N, R-13-W, and the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 7, T-4-N, R-12-W, Forrest County, Ms and contains 0.51 acres.

be and the same is hereby closed and vacated.

SECTION II. This ordinance shall be published as required by law and the same shall become effective one month from this date as required by law.

The foregoing ordinances having been reduced to writing, the same was introduced and read and the vote taken thereon first section by section, and then upon the ordinance as a whole with the following results:

Those present and voting "AYE" and in favor of the passage, adoption and approval of sections 1 and 2 of the foregoing ordinance:

W. E. Boutwell  
 W. H. Campbell  
 Leroy Scott  
 Michael Lewis  
 R. L. Hullum

Those present and voting "NAY" or against the adoption of any section of the foregoing ordinance:

None

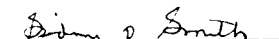
Those present and voting "AYE" and in favor of the adoption of the foregoing ordinance as a whole:

W. E. Boutwell  
 W. H. Campbell  
 Leroy Scott  
 Michael Lewis  
 R. L. Hullum

Those present and voting "NAY" or against the adoption of the foregoing ordinance as a whole:

None

WHEREUPON the foregoing ordinance be and the same is hereby passed, adopted and approved on this the 19th day of May, A.D., 1987.

  
 SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST:

  
 PRISCILLA C. DANIEL  
 CITY CLERK

THEREUPON Alderman Campbell made a motion to adopt the foregoing ordinance.  
Alderman Boutwell seconded the motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott  
Michael Lewis

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the following drainage easements:

- 1) Eula Lee Henderson
- 2) Dovie Simmons

THEREUPON Alderman Boutwell made a motion to accept the foregoing easements and to pay Mrs. Henderson and Mrs. Simmons each \$10.00. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott  
Michael Lewis

Those present and voting "NAY": None

WHEREAS Mayor Smith stated that Don Graham has stated that the easement the City has requested from Ernest Montague is worth \$600.00, and that Mr. Montague has agreed to accept \$600.00 for his easement.

THEREUPON Alderman Boutwell made a motion that upon receipt of the written appraisal from Mr. Graham the City will purchase the easement for the water line from Mr. Montague for \$600.00. Alderman Lewis seconded the motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott  
Michael Lewis

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the following proofs of publication to the Board.

- 1) Ordinance 1979 (42-A41)
- 2) W. T. McWilliams zoning hearing

THEREUPON Alderman Boutwell made a motion that the foregoing proofs be accepted and filed. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott  
Michael Lewis

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the following claim from Nema Hancock stating that a rock had flown up from a city vehicle and broke her windshield.

*City of Petal! 5-5-87*  
*On April 30th around 3:20pm*  
*I met a City of Petal water truck*  
*on George St. The driver name*  
*is Ralph. A rock flew up*  
*from under his truck, and*  
*hit my windshield, and busted*  
*it. Frank Edwards, a girl*  
*friend of mine was in my*  
*truck with me, when the*  
*rock hit my windshield.*  
*I talked to Ralph, and to*  
*Mrs. Powell, and to Mrs. Daniel*  
*She told me what to do,*

*Her name is Nema Hancock*



THEREUPON Alderman Lewis made a motion to deny Mrs. Hancock's claim. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott  
Michael Lewis

Those present and voting "NAY": NOne

WHEREAS Mayor Smith presented a request for the City to purchase an ad in the program for the State High School All Star Baseball program.

THEREUPON Alderman Boutwell made a motion to purchase a 1/8 of a page as at a cost of \$35.00 to recognize Hugh Gatwood, Petal's representative. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott  
Michael Lewis

Those present and voting "NAY": NOne

WHEREAS Mayor Smith requested the wishes of the Board concerning the reception for the International Checker Tournament participants.

THEREUPON Alderman Lewis made a motion to donate \$100.00 to the Petal Chamber of Commerce to assist in the cost of the reception. Alderman Scott seconded the motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott  
Michael Lewis

Those present and voting "NAY": NOne

WHEREAS Alderman Scott made a motion to accept Courtesy Motors low bid of \$16,175.00 for the 1987 dump truck for the Street Dept. Alderman Scott seconded motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott  
Michael Lewis

Those present and voting "NAY": None

WHEREAS Alderman Scott made a motion to adopt the following order increasing J. T. Thompson's pay to \$3.50 per hour. Alderman Lewis seconded the motion.

ORDER

WHEREAS the Mayor and Board of Aldermen of the City of Petal, Mississippi deem it necessary to increase the rate of pay for J. T. Thompson employed part-time in the Recreation Department.

IT IS THEREFORE ORDERED that J. T. Thompson's rate of pay be increased to \$3.50 per hour effective 5/19/87 until further orders of the Mayor and Board of Aldermen of the City of Petal.

SO ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi on this the 19th day of May, A.D., 1987.

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Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott  
Michael Lewis

Those present and voting "NAY": NOne

WHEREAS Alderman Campbell made a motion to accept Martin Uniforms bid for the Police Uniforms as the lowest and best bid. Alderman Lewis seconded the motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott  
Michael Lewis

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the pre-certification plan for the City's group health insurance program as recommended by the City's insurer.

THEREUPON Alderman Lewis made a motion to adjourn. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott  
Michael Lewis

Those present and voting "NAY": None

THEREBEING no further business, the regular meeting of the Mayor and Board of Aldermen was adjourned on this the 19th day of May, A.D., 1987.

*Sidney O. Smith*  
\_\_\_\_\_  
SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST:

*Priscilla C. Daniel*  
\_\_\_\_\_  
PRISCILLA C. DANIEL  
CITY CLERK

\*\*\*\*\*

BE IT REMEMBERED that there was begun and held the regular meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi, at 7:30 P.M. on Tuesday, June 2, 1987, in the Board Room of said City.

Those present: Mayor Sidney O. Smith  
City Attorney: Thomas tyner  
Aldermen: W. E. Boutwell  
W. H. Campbell  
R. L. Hillum  
Michael Lewis  
Leroy Scott  
Others present: Donald Funderburke  
Paul Shows  
David Hamm  
Aubra Evans

The Mayor declared a quorem present and declared the City Council in session. The invocation was offered by W. E. Boutwell.

The minutes of the regular meeting of May 19, 1987 were read by Thomas Tyner.

THEREUPON Alderman Boutwell made a motion that the foregoing minutes be accepted as read. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. E. Boutwell  
W. H. Campbell  
Leroy Scott  
R. L. Hillum  
Michael Lewis

Those present and voting "NAY": None