CITY OF PETAL MINUTE BOOK 28

BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD A SPECIAL MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ON NOVEMBER 15, 2007 AT 5:00 P.M. IN THE BOARDROOM OF SAID CITY.

THOSE PRESENT

CARL L SCOTT

ALDERMEN

DAVID CLATYON KAY FAIRLEY JAMES MOORE STEVE STRINGER LIESA WEAVER

OTHERS

IN SESSION.

READS AS FOLLOW:

E L PORTER TONY READY BRIAN LEE ALLEN FLYNT AUBRA EVANS CHARLES BLACKWELL

AND MANY OTHERS

THE MAYOR DECLARED A QUORUM PRESENT AND DECLARED THE CITY COUNCIL

THE NOTICE OF SPECIAL MEETING WAS PRESENTED FOR FILING. THE NOTICE

SEE EXHIBIT "A"

NOTICE OF SPECIAL MEETING

MAYOR SCOTT LEFT THE ROOM.

WHEREAS, MAYOR PRO-TEMP CLAYTON REQUESTED AN EXECUTIVE SESSION TO DISCUSS PERSONNAL MATTERS.

THEREUPON, ALDERMAN WEAVER MADE A MOTION TO CLEAR THE ROOM IN ORDER TO DETERMINE IF AN EXECUTIVE SESSION IS NEEDED. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN KAY FAIRLEY ALDERMAN JAMES MOORE ALDERMAN STEVE STRINGER ALDERMAN LIESA WEAVER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PRO-TEMP CLAYTON REOPENED THE MEETING.

THEREUPON, ALDERMAN MOORE MADE A MOTION TO ENTER INTO AN EXECUTIVE SESSION TO DISCUSS PERSONNAL MATTERS. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN KAY FAIRLEY ALDERMAN JAMES MOORE ALDERMAN STEVE STRINGER ALDERMAN LIESA WEAVER

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN FAIRLEY MADE A MOTION TO ADJOURN THE EXECUTIVE SESSION. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN KAY FAIRLEY ALDERMAN JAMES MOORE

CITY OF PETAL MINUTE BOOK 28

ALDERMAN STEVE STRINGER ALDERMAN LIESA WEAVER

THOSE PRESENT AND VOTING "NAY"

NONE

NO OFFICIAL ACTION WAS TAKEN IN EXECUTIVE SESSION.

WHEREAS, MAYOR PRO-TEMP CLAYTON PRESENTED THE FOLLOWING STATEMENT OF FACTS.

SEE EXHIBIT "B"

STATEMENT OF FACTS
A-M

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE STATEMENT OF FACTS AND PLACE IN MINUTES. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN KAY FAIRLEY ALDERMAN JAMES MOORE ALDERMAN STEVE STRINGER ALDERMAN LIESA WEAVER

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO LIFT THE SUSPENSION OF BUILDING INSPECTOR DARRIN CARROLL EFFECTIVE NOVEMBER 15, 2007.

DIED DUE TO LACK OF A SECONDED.

WHEREAS, MAYOR PRO-TEMP CLAYTON ASKED THE BOARD THE DECISION OF BUILDING INSPECTOR DARRIN CARROLL.

THEREUPON, ALDERMAN MOORE MADE A MOTION TO REJECT THE REQUEST MADE BY MAYOR SCOTT TO TERMINATE BUILDING INSPECTOR DARRIN CARROLL. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN KAY FAIRLEY ALDERMAN JAMES MOORE ALDERMAN STEVE STRINGER ALDERMAN LIESA WEAVER

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO LIFT THE SUPSENSION OF BUILDING INSPECTOR DARRIN CARROLL EFFECTIVE NOVEMBER 15, 2007 AND RETURN TO WORK. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN KAY FAIRLEY ALDERMAN STEVE STRINGER ALDERMAN LIESA WEAVER

THOSE PRESENT AND ABSTAINING

ALDERMAN JAMES MOORE

THERUEPON, ALDERMAN WEAVER MADE A MOTION TO ADJOURN THE SPECIAL MEETING. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN KAY FAIRLEY

CITY OF PETAL MINUTE BOOK 28

ALDERMAN JAMES MOORE ALDERMAN STEVE STRINGER ALDERMAN LIESA WEAVER

THOSE PRESENT AND VOTING "NAY"

NONE

THEREBEING NO FURTHER BUSINESS, THE SPECIAL MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON THIS THE 15^{TH} DAY OF NOVEMBER, A.D. 2007.

DAVID CLANTON MAYOR PRO TEMP

(SEAL)

ATTES/

(Ma

JEAN/ISHEE CITY CLERK EXHIBIT "A"

NOTICE OF SPECIAL MEETING

Please be advised that a special meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi, will be held Thursday, November 15, 2007 at 5:00 P.M. in the Boardroom of said City for the purpose of:

1. Personnel Matters

JAMES MOORE

Kay Failey
KAY FAIRLEY

Statement of Facts on November 6, 2007

Fact – That on November 6, 2007, Darrin Carroll did revoke and issue a Stop Work Order to Creative Customs as evidenced by his letter of that date and submitted as Exhibit A.

Fact – That the reason for such action was an Invoice dated October 2, 2007 for the Building Permits to Creative Customs for Lot 1 and Lot 2 George Street submitted Exhibit B.

Fact – That no written policy exists regarding billing procedures for contractors. According to Amy Heath, Building Department Administrator, that the present procedure is to mail another invoice in sixty (60) days, followed by some action by the Building Official Amy Heath's statement is submitted as Exhibit C.

Fact - Only one invoice was sent dated October 2, 2007 without follow up. Refer to Exhibit B.

act – That the procedure described in Exhibit C is indeed the normal operating seedure for the collection of permit fees in the Building Inspection Department as denced by Invoices to Eddie Pearson Roofing, Exhibit D, and James Hayden Law ffice, Exhibit E.

Fact – That the procedure presently being followed is unlawful as evidenced by Section 108.1 of the International Building Code of 2003 specifically stating that no pennit is valid until the fees prescribed by law have been paid. This is submitted as Exhibit F.

Fact - That there is no basis in law for the Building Official to start his own fee collection system. That this is a legislative function of the City of Petal's form of government and any schedule of fees, collection procedures or other monetary transactions fall under the jurisdiction of the City Clerk as municipal treasurer and must have Mayor and Board of Alderman approval.

Fact – That a Stop Work Order form exists for the City of Petal that was never issued on November 6, 2007 and was merely verbally communicated to workers present on site at Lot 1 and Lot 2 George Street. See Exhibit G.

Fact – That per Section 114.2 of the 2003 International Building Code the owner of the property involved, or the owner's agent, or the person doing the work shall receive a stop work order in writing. See Exhibit G-1.

Fact – That on the moming of November 6, 2007 after receiving the letter dropped off the mailbox of Mayor Scott at approximately 10:30 AM the permits were paid in full to the City Clerk. See Exhibit H.

Mayor and Board of Alderman. Namely, Section 6.8 of the City of Petal Zoning Ordinances entitled Cottage Overlay District. Further points of negligence can be proven in Rule VI. Section 1. Item (x).

Rule VI. Section 1. Item (x). Incompetence or inefficiency in the performance of duties of the position to which he/she is appointed.

You with malicious intent presented a letter to Creative Customs that was neither certified nor allowed for proper notice of any City violation. This same letter, dated November 6, 2007, specifically lists properties located on Mitchell and McKinnon Streets as being in violation of the Cottage Overlay District until such time as a hearing can be set to determine the legality of the Cottage Overlay District is syou were well aware and are part of a legally acquired dimensional variance granted to Creative Customs on May 15, 2007, thus rendering your stop work orders both erroneous and unlawful. Second, you lack any legal standing in determining the legality of any ordinance as passed by the Board of Alderman and maliciously attempted to circumvent the law for your own personal satisfaction. Third, the law cited as MS Municipal Law Annotated 17-1-5 is not applicable or relevant to this situation. More to the point would have been MS Code of 1972 Annotated 17-1-17. However, again you have neither standing, nor authority to interpret the law and are charged solely with the responsibility of enforcing that law as handed down to you by the Mayor and Board of Alderman.

Not to be on exhausting for without the contraction.

Not to be an exhaustive list, without a legal challenge to the Cottage Overlay District in the Circuit Court or any of the many other ordinances passed in like manner without the public hearing requirement as amendments to the Zoning Ordinances, it is not up to your determination what is or is not legal, nor do you have any standing in starting a hearing process to ascertain the legality of any ordinance.

Rule 17. Section 1. Item (a.a.) Any attempt to include any employee of the City to commit an illegal act or acts in violation of any law or reasonable departmental regulation.

Due to the fact that as a department head you personally instructed Mr. Joe McMurray to shut down the job sites located at (Mitchell and McKinnon) and (N. George St. and W. 2nd Avenue) based on an illegal act of law for the sole purpose of committing harm to Creative Customs, LLC.

Is will be my recommendation to the Board that you be terminated effective Monday, November 12, 2007.

Sincerely,

arl L. Scott Iayor

CITY OF PETAL Fact - Building permits Number 4522 and Number 4523, Exhibits I and a spectfully, MINUTE BOOK 28 valid, have been valid and are not in violation of any law of the City.

EXHIBIT "B"

Fact – At no time did I, as the Mayor, use my power or influence to obtain some form of favored status by the City of Petal, nor break any law as passed by the Mayor and Board of Alderman of the City of Petal. That I have at all times acted within the scope and responsibility as either a Mayor or a private business owner.

Fact – That the only applicable edition of the International Building Code is the one dated 2003. No other edition as presently being used in the Building Inspection Department has been authorized by the Mayor and Board of Alderman. See Exhibit K.

Statement of Facts on November 7, 2007

Fact – That sometime after 8 AM on November 7, 2007, another letter appeared in the mailbox of Mayor Scott addressed to Creative Customs, LLC stating specifically that a stop work order was issued effective immediately for the following properties 207 Mitchell, 209 Mitchell, 211 Mitchell, 112 McKinnon, Lot 1 George Street and Lot 2 George Street until a hearing could be set to determine the legality of the Cottage Overlay District. See Exhibit L.

Fact - No Stop Work Order form was issued, nor was proper procedissuance of said stop work orders. Refer back to Exhibits G and G-1.

Fact – That at approximately 9 AM on November 7, 2007, I, acting in my official duty as Mayor did suspend Darrin Carroll, the acting Building Official, for the commission of illegal acts in the performance of his duties.

Fact – That on November 9, 2007 pursuant to the City of Petal Employee Handbook, the following letter was delivered to Darrin Carroll personally by the City of Petal Police Department at approximately 2:00 PM:

November 7, 2007

Pursuant to Rule VI of the City of Petal Employee Handbook, this memo will serve as written notice of the proposed action requested, the charges filed against you and notification of your right to respond to these charges in writing prior to your hearing date before the Board of Alderman at 5:00 P.M. on Monday, November 12, 2007. As your supervisor, I find you in violation of the following:

Rule VI. Section 1, Item (a). Negligence in performing job duties.

You unreasonably ran a risk and harm to others, thereby breaching your duty of reasonable care in not upholding the laws of the City of Petal as passed to you by the

Fact – That the alleged allegations of wrong doing as per the flood plain criteria are erroneous at best. Further, that Darrin Carroll failed to obtain certification after the City spent the money to send him to class in matters of flood plain enforcement and thus lacks standing to make any such determination.

Fact — That Allen Flynt presented the case for Creative Customs in regard to flood plain compliance and provides the written narrative supplied as Exhibit M showing without a doubt compliance with any and all issues regarding same.

Based on the information provided I would like the Board to acknowledge that Creative Customs, LLC is in no violation of law, nor has it ever violated any law. Further, I want the Board to acknowledge that the Mayor in his capacity as an elected official did not seek favor, nor utilize his position to not meet the same requirements as any other private contractor in the City of Petal. Lastly, I want the Board to acknowledge that the Building Official acted outside his authority, committed several illegal acts and should be held accountable for his actions.



Y OF PETAL UTE BOOK **EXHIBIT "B**

CITY OF PETAL

CITY OF PETAL BUILDING DEPARTMENT PO BOX 564 PETAL MISSISSIPPI 39465 601-544-6048 (ax 601-705-0014

-	_	INVOICE	-
Date	Num	10/2/2007	

Our records indicate that your account is diversed days past due. An perhats related to this account have been revoked and a Stop Work Order issued unit such time that your account is paid to fink your total basence is \$800.20 puts any late charges that may opiny.

That were the owner one.

Thank you for giving this your inmediate attention.

"EXHIBIT A"

Page 1 of 1

From: Amy Heath NAmy health Guity of petal components of Carl Scott Cascht Guity of petal components of the Carl Scott Cascht Guity of the Carl Subject: Wednesday, November 14, 2007, 4, 39 PM INVOICE PROCEDURE

The Building Department does not have a written policy regarding billing procedures for contractors. The procedure used is as follows. An invoice is sent to specific contractors once a permit is ready. If the invoice is not paid within thirty (30) days, I mail another invoice. Once the invoice is outstanding, usually over sixty (60) days, I consult the Building Official on what steps to take next (send another invoice, double permit fees, shut down job, etc.).

Amy M. Heath City of Petal Building Department Building Department Administrator P. O. Box 564 Petal, MS 39405 Office, 6001 544-6048 Fax. (601) 705-6014 Email. Amyleath.@cityefpetal.com

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HAVE A GREAT DAY!

THE FRIENDLY CITY

"EXHIBIT B

	BUILDING DEPARTMENT PO BOX 564 PETAL MISSISSIPPI 39465 631-544-6648 lax 601-705-0014
- Cus	TOME PEARSON ROOFING & REMODELING, LLC

Expires

EDDIE PEARSON ROOFING & REMODELING S 321 OLD RIVER ROAD PETAL STATE MS ZIP 394	P. O. Number
Description	Unit Price TOTAL
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ROUPING PERMIT FOR TUZ GREEK STREET, TEVE	MILLED MILLER
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Petal, MS 39465	SubTotal \$50.00
- Payment Details Cash	Shipping & Handling \$0.00 Taxes MISSISSIPPI
 ⊜ Check ⊕ Credit Card 	TOTAL \$50.00
Name	Office Use Only

= INVOICE =

THE FRIENDLY CITY

EXHIBIT D"

= INVOICE ==

CITY OF PETAL BUILDING DEPARTMENT P.O. BOX 564 PETAL, MISSISSIPPI 39465

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HAVE A GREAT DAY!

THE FRIENDLY CITY

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ROOFING PERMIT FOR 102 GREEN STREET, PETAL \$25.00 ***SECOND NOTICE*** Please make checks payable to City of Petal.
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City of Petal Building Department
P. O. Box 54
Petal, MS 39465 SubTotal Shipping & Handling Taxes MISSISSIPPI \$50.00 \$0.00 Payment Details Cash Check Credit Card TOTAL \$50.00 Name CC# Office Use Only HAVE A GREAT DAY! THE FRIENDLY CITY

CITY OF PETAL BUILDING DEPARTME P.O. BOX 564 PETAL, MISSISSIPPI 39465 601-544-6048 fax 601-705-0014	INT INVOICE =
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HAVE A	GREAT DAY!

THE FRIENDLY CITY

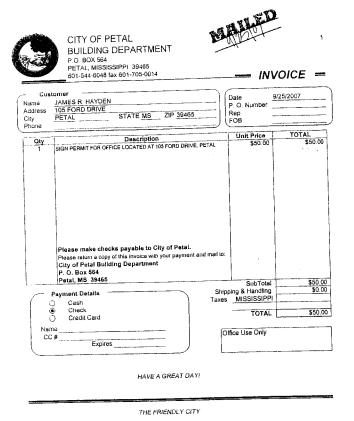


EXHIBIT E



CITY OF PETAL	
BUILDING DEPARTMENT	
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PETAL MISSISSIPPI 39403	
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HAVE A GREAT DAY:

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CITY OF PETAL Transaction a permit for the entire structure will call laws an open united by state or for call laws

MINUTE BOOK to 28 of examined in responsible charge.

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EXHIBIT "Beginning of their bladt is authorized for require the owner applying of their bladt is authorized for require the owner applying of their bladt is authorized for require the owner applying of the standard strong professional in responsible charge in a standard registered design professional in responsible charge in the standard registered design professional in responsible charge in the standard registered design professional in responsible charge. The tending of the aid shall be modified in writing by the cover if the registered design professional in responsible charge in the implicit of the control of a writing by the cover if the registered design professional in responsible charge. The tending of its fundable to committee to perform the duties.

The received design to interest and in responsible charge.

Where successful observation is required by Section (99) the improvement program shall make the individual observation and the individual observation and the interval of constitution of which structural observations in observations in observations in observation in observations in observations of the observation of

accumum on the construction documents for fertiew by the benthing official.

Documents for deterred submittal tiens shall be submated to the registered design professional in responsible charge who shall reserve them and forward them to the brilding official with a moration indicating that the deterred submittal documents have been reviewed and receiptional orbit in general conformation to the design of its benthing. The deterred submittal documents have been approved by the building official to the confidence with the approved construction documents and in the confidence with the approved construction documents and approved to the production of the confidence of the design and submitted documents shall be transfer and of the approved construction documents and approved to the providence of the production documents.

100 5 Retention of construction documents. One set of appeted construction documents shall be retained by the building attribut for a period of not less than 180 days from date of

SECTION 107 TEMPORARY STRUCTURES AND USES

TEMPORARY STRUCTURES AND USES
107.1 General. The building official is authorized to issue a perion for employary structures and temporary uses. Such perions shall be hunted as as time of service, but shall not be perioned for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.
107.2 Condormance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.
107.3 Temporar's none of the building official is authorized to

to James at the Content of Con-line of the Content of September 1 of the September 1 of the Content of the Con

SECTION 108
FEES
108.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit testicated until the additional fee, if any, has been paid.
108.2 Schedulte of permit fees. On buildings, structures, electrical gas, mechanical, and pulmbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the application of the state of the schedule as established by the application. Permit valuations is the schedule as established of application. Permit valuations is the permit value at time of application. Permit valuations shall then the permit is being issued, such as electrical; gas, mechanical, plumbing equipment and permanents yacoms it, in the opinion of the building official fixe valuations to underestimated on the application, to underestimated on the application, to underestimated to the application, to underestimated to the application, the permit shall be denied, unless the application and show detailed estimates to incent be approved of the building official fixe valuations that the set by the building official for valuations and the subject or a building structure, electrical, gas, inchanical or plumbing system before obtaining the occessory permits shall be subject to a fee established by the building official data shall be in addition to the required permit fees. The payment of the feet for the construction, alternation, removal or densition for work done in consistion to the construction of the contraction of the building permit shall not releave the application of holder of the



CITY OF PETAL BUILDING DEPARTMENT

STOP WORK ORDER

The City of Petal Building Department has determined that you must STOP WORK immediately on Owner's/Contractor's Name. Location or Project In order for you to continue or commence work again, you must satisfy the following conditions Date Building Department

EXHIBIT 6"

STOP WORK ORDER

14.1 Authority. Whenever us bestiding official finds any even agestimathy this cook being performed in a number either contact on the provisions of this code or dangerous or unsafe, the holding official is outhorized to issue a stup work order. 14.4 Issuance. This copy work order shift on in writing and shift to given to be owner of the property involved, or to the contact sagent or to the person doing the work. Upon issuance of a stup work order, the cited work shall immediately cease. The soop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resource.

UNSAFE STRUCTURES AND EQUIPMENT I 115.1 Conditions. Sate, mesor existing equipment that are or hereafter become unsafe, instantially or deliberent because of in-adequace incarns of egress teachibes transfequence light and semi-tions, or a which constitute is fire hexard, or are otherwise dangerous to human life or the public welfare, or that movibe il-head on mapping to coping to produce pure transferance, shall be accorded an unsafe condition. Unsafe surveites shall be accorded an unsafe condition. On the section A vision accorded and an experience of the provided for in this section. A vision articular than to not secured against entry shall be deemed un-safe.

to the second of the building official shall cause a report to be tilled on an around, condition. The report shall state the occupancy of the structure and the nature of the transact condition. It's a round condition in 15 and the building official shall serve on the owner agent or person in control of the structure as many incortain the observed around a many incortains of the required reports or improvements to be made to obtain the unstate condition, of that requires the instate structure to be denotabled within a supulsated time. Such notice shall require the person this notified to declare immediately to the building official acceptance or rejection of the terms of the order.

115.5 Kestoration. The arractive or equipment determined to a crossife by the building official is permitted to be restored to a EXHI BIT 6 - 1

safe condition. To the extent that repairs, alterations or additions are made of a change of occupancy occurs during the resouration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of Section 105.2.2 and Chapter 34.

EXHIBIT Comparison Compari		BUILDING PERMI	IT APPLIC	AHO.	7	OWNER OWNER
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CK. M.O. CASH PERMIT VALIDATION CK.

"EXHIBIT J"

ORDINANCE NUMBER 2006 (103)

AN ORDINANCE ADOPTING BUILDING, PLUMBING, ELECTRICAL, GAS, FIRE PREVENTION, MECHANICAL, AND PROPERTY MAINTENANCE CODES FOR THE CITY OF PETAL, MISSISSIPPI

WHEREAS, the City of Petal, Mississippi, is authorized by Section 21-19-25 and Section 21-10-25 of the Mississippi Code Aunotated (1972, as amended), to enact such Codes as may be necessary and proper to preserve the general public health, safety, and welfare of the people of the City of Petal, Mississippi; and

WHEREAS, the City of Petal, Mississippi, acting by and through its Mayor and Board of Aldernien, has found certain conditions to exist which make it necessary to adopt certain Codes in order to preserve the general health, safety, and welfare of its citizens: and

WHEREAS, the Mayor and Board of Aldermen have examined the following revised Codes and found them to be reasonable and necessary in providing the City of Petal, Mississippi adequate protection in preserving the general public health, safety, and welfare;

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI, AS FOLLOWS:

SECTION 1: ADOPTION OF CODES

For the purpose of establishing uniform rules and regulations this body hereby adopts those certain Codes for building, plumbing, gas, electrical, fire prevention, mechanical, and property maintenance, all being incorporated herein by reference and specifically identified as follows:

2005 edition of, The National Electric Code, as amended.
2003 edition of The International Building Code, including appendices A, F, G & J
2003 edition of International Residential Code, including appendices A, B, C, D, E, F, G, J & K
2003 edition of the International Five Code, including appendices B, C, D, E, F & G
2003 edition of the International Pleudose, including appendics B, C, D, E, F & G
2003 edition of the International Pleudose, including appendices B, C, D, E, F & G
2003 edition of the International Ful Gas Code, including appendices B, C, D, E, F & G
2003 edition of the International Ful Gas Code, including appendices A, B, C & D
2006 edition of International Property Maintenance

Said Codes are adopted in their entirety, save and except such portions which are hereinafter deleted, replaced, or modified. Said Codes are hereby adopted by reference and are incorporated herein as fully as if set out at length herein. The provisions of said Codes shall be controlling in the construction, alteration, and repair, including any and all improvements which by their nature fall under the provisions of the Codes herein enumerated, of any and all buildings and structures which are situated within the corporate limits of the City of Petal, Mississippi, from and after the effective date of this Ordinance.

SECTION 2: COPIES

There shall be not less than three (3) copies of said Codes placed on file in the City Hall for public inspection and use, said copies to be located in the offices of the Building/Codes Official and the City Engineer.

SECTION 3: DELETIONS, ADDITIONS, AND MODIFICATIONS:

- A. The provisions of this Ordinance shall be administered and enforced by a Building/Codes Official, or his designated representatives, and, as appropriate, the Fire Chief, the Fire Inspector, or their designated representatives.

 B. The provisions of this Ordinance dealing with appeals shall be administered and enforced by the City of Petal Planning Commission as set forth in Section 112 of the International Building Code.

 C. The method of appointment and the term of office of the City of Petal Planning Commission shall be established by the Mayor and Board of Aldermen of the City of Petal, Mississippi.

 D. Any person violating any provision of this Ordinance shall be fined, upon conviction, not less than \$10.00 nor more than \$500.00 and the cost of Court for each offense. Each day such violation continues shall constitute a separate offense.

 E. In case any building or other structure is receted, constructed, repaired, altered, converted, or maintained, or any building, structure, or land is used in violation of this Ordinance, the Building/Codes Official of the municipality shall take appropriate









FLYNT AND ASSOCIATES, PLLC
PROFESSIONAL SURVEYORS PROFESSIONAL SURVEYORS
MISSISSIPPI, LOUISIANA AND ALABAMA

511 SOUTH MAIN STREET PETAL, MS 39465-2203



EXHIBIT "B" wer will of peral com

David Clayton Kay Fairley James Moure Steve Stringer Liesa Weaver Addronica

November 6, 2007

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Creative Customs

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It has been brought to the attention of the building department that the Cottage Cycertay Ordinance passed for the Mitchell and Mckindon area in Ward 1 was not advertised as required by state law. MS Monogae Laws Aniotated 17-1.5 and given a proper healing in light of this new exchange integral to intominy out that a slop work order will be issued on the talkowing properties effective intraculately until such time that a nearing can be set to determine the legality or the Cottage Orenia, District.

207 Millotteit, 209 Millotteit, 211 Millotteit, 112 McNimon, Lot 1 North George, and Lot 2 North George

Thank You for your anticipated cooperation

Palin Caroli Courtenally sulding Official Oity of Petal

" EXHIBIT L"

The West Site Science + Peut, Mis 594c5 + Ph. (608, 545). To + Pa (601, 545 668)

November 14, 2007

Mr. Carl Scott

Via: Hand Delivery

Re: 207, 209 & 211 Mitchell Avenue and 112 McKinnon Street

As per your request I have made an archival record research in regards to the flood elevation survey on the above referenced property which finds the following:

1) 04-30.07 - Transferred true MSL (Mean Sea Level) elevation to project site, made elevation survey and prepared worksheet copy attached (G-1)

2) 05-24/07 - Set blue top elevation hubs at 15.0 50 MSL for fill.

3) 06-25/07 - Make field investigation and sitewalk to verify fill. Completed flood elevation certificate OMB No.1660-0008 attached.

4) 06-25/07 - Completed LOMR-F forms and sent to FEMA/LOMA Depot attached.

As a follow up to your request of this information, on 11/13-07 we made an elevation survey on the existing finished floor elevations and determined them to be as follows:

Parcel #1: 152-75

Parcel #3: 152-91

Parcel #4: 152-80

The BFE (Base Flood Elevation) of this property is 150.20 MSL and all finished floors are 2.55 lect or more above said BFE.

I have not received the LOMR-F approval at this time, however, I have completed this process on two other sites and I do not foresee any problems with said approval.

If you have any questions please do not hesitate to contact me.

Respectfully,
PLYNT & ASSOCIATES, PLLC,

R Allen Hyar, PLS Owner EXHIBIT M"