

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 3, 2009 AT 7:00 P.M. IN THE BOARDROOM OF SAID CITY.

THOSE PRESENT MAYOR CARL L SCOTT

CITY ATTORNEY THOMAS W TYNER

ALDERMEN DAVID CLAYTON
 KAY FAIRLEY
 JAMES MOORE
 STEVE STRINGER
 LIESA WEAVER

OTHERS HAL MARX
 EL/ GAIL PORTER
 JAMES RUNNELS
 JOE/SANDY MCMURRY
 TOMMYE CORLEY
 TONY READY
 WILLIE HINTON
 JOE BUSH
 BRUCE ROGERS
 ANNE/FRANK CLARK
 PERCY SCARBOROUGH
 AND MANY OTHERS

THE MAYOR DECLARED A QUORUM PRESENT AND DECLARED THE CITY COUNCIL IN SESSION.

THE INVOCATION WAS OFFERED BY JOE MCMURRY, SR.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, MAYOR SCOTT PRESENTED THE AGENDA WITH THE FOLLOWING CHANGES:

IX. GENERAL BUSINESS

16. REQUEST TO AUTHORIZE THE MAYOR TO REQUEST ACTIVATION FROM MDOT FOR THE HILLCREAST LOOP MILL, OVERLAY AND STRIPING PROJECT AND REQUEST FROM MPO TO AMEND THE STIP ACCORDINGLY.
17. REQUEST TO AUTHORIZE THE MAYOR TO REQUEST ACTIVATION FROM MDOT FOR THE CARTERVILLE ROAD MILL, OVERLAY AND STRIPING PROJECT AND REQUEST FROM MPO TO AMEND THE STIP ACCORDINGLY.
18. REQUEST TO OBTAIN THE FOLLOWING EASEMENTS FOR THE KELLY ROSE LANE BRIDGE LSBP PROJECT.
 - A. 70 KELLY ROSE LANE
 - B. 71 KELLY ROSE LANE
 - C. 92 KELLY ROSE LANE
19. REQUEST TO SET A PUBLIC HEARING DATE FOR SIGN VARIANCE BY SOUTHEASTERN REAL ESTATE ON MARCH 31, 2009.
20. REQUEST TO ACCEPT RESIGNATION OF CARLA CURRENCE EFFECTIVE MARCH 13, 2009.
21. REQUEST TO ENTER INTO STANDARD FORM OF AGREEMENT BETWEEN LANDRY LEWIS ARCHITECTS AND CITY OF PETAL AT A COST OF \$.00 FOR PRELIMINARY DRAWINGS AND AT 6% TOTAL CONSTRUCTION COST IF THE PROJECT GETS FUNDED.
22. REQUEST TO REPAIR DITCH MACHINE AT A TOTAL COST OF \$7,500.00.

XI. ORDERS & ORDINANCES

2. OMIT

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING CHANGES. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 17, 2009.

THEREUPON, ALDERMAN FAIRLEY MADE A MOTION TO ADOPT THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 17, 2009. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT CALLED FOR PUBLIC COMMENT.

WHEREAS, THE HOUR OF 7:00 P.M. HAVING ARRIVED, THE MAYOR AND BOARD OF ALDERMEN PROCEEDED TO PUBLICLY OPEN AND READ THE SEALED BIDS FOR DITCH WITCH FOR THE WATER DEPARTMENT.

SEE EXHIBIT "A"

BIDS

DITCH WITCH	\$66,050.59
105 PRIESTER DRIVE	
PEARL, MS	

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO TAKE THE BID UNDER ADVISEMENT. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO APPROVE FINAL PAYMENT FOR SEWER SYSTEM EXPANSION IN CASTLE MANOR AREA WITH APPROVAL OF SHOWS, DEARMAN & WAITS, INC AND TO PUBLISH NOTICE TO INTERST PARTY.

SEE EXHIBIT "B"

NOTICE TO INTEREST PARTY

THEREUPON, ALDERMAN FAIRLEY MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PUBLISH NOTICE TO INTEREST PARTY FOR THE FINAL PAYMENT TO GREENBRIAR DIGGING SERVICE, LP. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO PAY ESTIMATE #1 TO BUSH CONSTRUCTION IN THE AMOUNT OF \$97,401.60 FOR EMERGENCY BOX CULVERT ON SPRINGFIELD ROAD PER LETTER FROM SHOWS, DEARMAN, AND WAITS, INC.

SEE EXHIBIT "C"

LETTER
SHOWS, DEARMAN & WAITS, INC

THEREUPON, ALDERMAN MOORE MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY ESTIMATE #1 TO BUSH CONSTRUCTION IN THE AMOUNT OF \$97,401.60 FOR EMERGENCY BOX CULVERT ON SPRINGFIELD ROAD. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO ACCEPT QUOTE FROM DUNN ROADBUILDERS FOR ASPHALT OF VILLA, ESTATE AND CHATEAU DRIVE IN THE AMOUNT OF \$76,299.00.

SEE EXHIBIT "D"

QUOTE

THEREUPON, ALDERMAN WEAVER MADE A MOTION TO ACCEPT THE QUOTE FROM DUNN ROADBUILDERS IN THE AMOUNT OF \$76,299.00 TO ASPHALT VILLA, ESTATE, AND CHATEAU DRIVE. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO ACCEPT QUOTE ON CATERPILLAR IN THE AMOUNT OF \$23,500.00.

SEE EXHIBIT "E"

QUOTE

THEREUPON, ALDERMAN FAIRLEY MADE A MOTION TO ACCEPT THE QUOTE ON THE CATERPILLAR IN THE AMOUNT OF \$23,500.00 FROM PUCKETT RENTS. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE PLANNING COMMISSION RECOMMENDATION FOR A CONDITIONAL USE FOR PROPERTY LOCATED AT 509 SOUTH MAIN STREET.

THEREUPON, ALDERMAN WEAVER MADE A MOTION TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION FOR A CONDITIONAL USE FOR PROPERTY LOCATED AT 509 SOUTH MAIN STREET FOR ALLEN FLYNT. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE RECOMMENDATION OF THE PLANNING COMMISSION TO DENY A VARIANCE FOR PROPERTY LOCATED ON TYNER ROAD.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE PLANNING COMMISSION RECOMMENDATION TO DENY A VARIANCE FOR PROPERTY LOCATED ON TYNER ROAD. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO ACCEPT THE PLANNING COMMISSION RECOMMENDATION TO RATIFY ORDINANCE 1979(42).

SEE EXHIBIT "F"

ORDINANCE 1979(42)

THEREUPON, ALDERMAN MOORE MADE A MOTION TO ACCEPT THE PLANNING COMMISSION RECOMMENDATION TO RATIFY ORDINANCE 1979(42). ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE FOLLOWING PROOFS OF PUBLICATION:

- A. NOTICE TO INTEREST PARTY CALIFORNIA SKATEPARK
- B. ADVERTISEMENT FOR BIDS DITCH WITCH

THEREUPON, ALDERMAN WEAVER MADE A MOTION TO ACCEPT THE FOREGOING PROOFS OF PUBLICATION FOR FILING. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE RESIGNATION OF OFFICER SCOTT CRAFT IN THE POLICE DEPARTMENT.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ACCEPT THE RESIGNATION OF OFFICER SCOTT CRAFT EFFECTIVE MARCH 6, 2009. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO RESCIND THE ORDER HIRING DISPATCHER JAMIE ALLEN.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO RESCIND THE ORDER HIRING DISPATCHER JAMIE ALLEN EFFECTIVE MARCH 4, 2009. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO REIMBURSE THE STATE OF MISSISSIPPI \$3,041.71 FOR UNUSED PORTION OF THE 2006 HURRICANE KATRINA GRANT.

THEREUPON, ALDERMAN MOORE MADE A MOTION TO AUTHORIZE THE CITY CLERK TO REIMBURSE THE STATE OF MISSISSIPPI FOR UNUSED FUNDS IN THE AMOUNT OF \$3,041.71 FOR THE 2006 HURRICANE KATRINA GRANT. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED QUOTES FOR STRIPING OF PARKING LOT AT SENIOR CENTER.

SEE EXHIBIT "G"

QUOTES

THEREUPON, ALDERMAN WEAVER MADE A MOTION TO ACCEPT THE QUOTES FROM C & M STRIPING SERVICE IN THE AMOUNT OF \$450.00 FOR STRIPING THE PARKING LOT AT THE SENIOR CENTER. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED QUOTES FOR STRIPING OF THE FOLLOWING ROADS:

SEE EXHIBIT "H"

QUOTES

A. DOGWOOD LANE	\$1,188.00
B. OAK DRIVE	\$ 396.00
C. MAPLE DRIVE	\$3,208.00
D. YELLOW PINE DRIVE	\$2,060.00
E. MULBERRY LANE	\$ 792.00
F. MAGNOLIA LANE	\$ 812.00
G. POPLAR LOOP	\$1,208.00
H. EASTWOOD DRIVE	\$ 172.00
I. PINWOOD DRIVE	\$ 396.00
J. DOGWOOD CIRCLE	\$ 548.00
K. WOODLAND SQUARE	\$ 660.00
L. MAPLE STREET	\$ 416.00

THEREUPON, ALDERMAN FAIRLEY MADE A MOTION TO ACCEPT THE QUOTES FROM C & M STRIPING SERVICE TO STRIPE THE FOREGOING ROADS. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF FEBRUARY 2009

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ACCEPT THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF FEBRUARY 2009. ALDERMAN FAIRLEY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE CLAIMS DOCKET #106721-107274 OF THE CITY OF PETAL WATER AND SEWER AND THE CITY OF PETAL GENERAL FUND.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO PAY CLAIMS #106721-107274 OF THE CITY OF PETAL WATER AND SEWER FUND AND THE CITY OF PETAL GENERAL FUND FOR THE MONTH OF FEBRUARY 2009. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN KAY FAIRLEY

ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER
ALDERMAN LIESA WEAVER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO AUTHORIZE THE MAYOR TO REQUEST ACTIVATION FROM MDOT FOR THE HILLCREST LOOP MILL, OVERLAY AND STRIPING PROJECT AND REQUEST FROM MPO TO AMEND THE STIP ACCORDINGLY.

SEE EXHIBIT "I"

LETTER

THEREUPON, ALDERMAN FAIRLEY MADE A MOTION TO AUTHORIZE THE MAYOR TO REQUEST ACTIVATION FROM MDOT FOR THE HILLCREST LOOP MILL, OVERLAY AND STRIPING PROJECT AND REQUEST FROM MPO TO AMEND THE STIP ACCORDINGLY. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO AUTHORIZE THE MAYOR TO REQUEST ACTIVATION FROM MDOT FOR THE CARTERVILLE ROAD MILL, OVERLAY, AND STRIPING PROJECT AND REQUEST FROM MPO TO AMEND THE STIP ACCORDINGLY.

SEE EXHIBIT "J"

LETTER

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE MAYOR TO REQUEST ACTIVATION FROM MDOT FOR THE CARTERVILLE ROAD MILL, OVERLAY, AND STRIPING PROJECT AND REQUEST FROM MPO TO AMEND THE STIP ACCORDINGLY. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO OBTAIN THE FOLLOWING EASEMENTS FOR THE KELLY ROSE LANE BRIDGE.

SEE EXHIBIT "K"

EASEMENTS

- A. 71 KELLY ROSE LANE
- B. 70 KELLY ROSE LANE
- C. 92 KELLY ROSE LANE

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO OBTAIN EASEMENTS ON THE FOREGOING PROPERTY ON KELLY ROSE LANE. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO SET A VARIANCE HEARING FOR SOUTHEASTERN REAL ESTATE

THEREUPON, ALDERMAN WEAVER MADE A MOTION TO SET THE VARIANCE HEARING FOR MARCH 31, 2009 AT 7:00 P.M. FOR SOUTHEASTERN REAL ESTATE. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE RESIGNATION OF CARLA CURRENCE IN THE EXECUTIVE DEPARTMENT.

THEREUPON, ALDERMAN FAIRLEY MADE A MOTION TO ACCEPT THE RESIGNATION OF CARLA CURRENCE EFFECTIVE MARCH 13, 2009. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO ENTER INTO AN AGREEMENT WITH LANDRY LEWIS ARCHITECTS AND THE CITY OF PETAL AT A COST OF \$.00 FOR PRELIMINARY DRAWINGS AND AT 6% TOTAL CONSTRUCTION COST IF THE PROJECT GETS FUNDED.

SEE EXHIBIT "L"

AGREEMENT

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH LANDRY LEWIS ARCHITECTS AND THE CITY OF PETAL AT A COST OF \$.00 FOR PRELIMINARY DRAWINGS AND AT 6% TOTAL CONSTRUCTION COST IF THE PROJECT GETS FUNDED. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO HAVE THE DITCH MACHINE REPAIRED.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE STREET DEPARTMENT TO HAVE THE DITCH MACHINE REPAIRED IN THE AMOUNT OF \$7,500.00. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO APPROVE BRIAN WELLS TO ATTEND PUMP OPERATIONS TRAINING AT MISSISSIPPI STATE FIRE ACADEMY MARCH 16-26, 2009 IN JACKSON, MS.

THEREUPON, ALDERMAN MOORE MADE A MOTION TO AUTHORIZE BRIAN WELLS TO ATTEND PUMP OPERATIONS TRAINING MARCH 16-26, 2009 AT THE MISSISSIPPI STATE FIRE ACADEMY IN JACKSON, MS AND TO PAY HIS EXPENSES.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO APPROVE JASON WILSON TO ATTEND PUMP OPERATIONS TRAINING AT MISSISSIPPI STATE FIRE ACADEMY MARCH 16-26, 2009 IN JACKSON, MS.

THEREUPON, ALDERMAN MOORE MADE A MOTION TO AUTHORIZE JASON WILSON TO ATTEND PUMP OPERATIONS TRAINING MARCH 16-26, 2009 AT THE MISSISSIPPI STATE FIRE ACADEMY IN JACKSON, MS AND TO PAY HIS EXPENSES.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO APPROVE KENNY SPEED TO ATTEND PUMP OPERATIONS TRAINING AT MISSISSIPPI STATE FIRE ACADEMY MARCH 16-26, 2009 IN JACKSON, MS.

THEREUPON, ALDERMAN MOORE MADE A MOTION TO AUTHORIZE KENNY SPEED TO ATTEND PUMP OPERATIONS TRAINING MARCH 16-26, 2009 AT THE MISSISSIPPI STATE FIRE ACADEMY IN JACKSON, MS AND TO PAY HIS EXPENSES.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST FOR MELISSA MARTIN TO ATTEND THE CMC TRAINING IN HATTIESBURG, MS APRIL 2-3, 2009.

THEREUPON, ALDERMAN FAIRLEY MADE A MOTION TO AUTHORIZE MELISSA MARTIN TO ATTEND THE CMC TRAINING IN HATTIESBURG, MS APRIL 2-3, 2009 AND TO PAY HER EXPENSES. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE FOLLOWING ORDER IN HIRING LARRY MAY.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO HIRE A POLICE OFFICER IN THE POLICE DEPARTMENT. IT IS HEREBY ORDERED THAT LARRY

MAY BE HIRED AS A 1ST CLASS OFFICER IN THE
POLICE DEPARTMENT EFFECTIVE MARCH 4, 2009
AT A RATE OF \$14.70 PER HOUR.

SO ORDERED ON THIS THE 3RD DAY OF
MARCH, 2009.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING ORDER.
ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
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 ADJOURN. ALDERMAN MOORE
SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

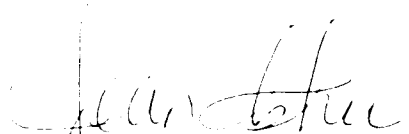
THEREBEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE MAYOR AND BOARD OF
ALDERMEN OF THE CITY OF PETAL WAS ADJOURNED ON THIS THE 3RD DAY OF MARCH, A.D., 2009.



CARL L SCOTT, MAYOR

(SEAL)

ATTEST:



JEAN ISHEE, CITY CLERK

Ditch Witch Sales Of Mississippi

105 Priester Drive
 PO Box: 6014
 Pearl, MS 39288
 Phone: (601) 939-6037
 Fax: (601) 939-6041

City of Petal
 (601) 545-1776
 119 West 8th Avenue
 Petal, MS 39465-

Quote: 5816-BJB
 Date: 1/16/2009
 Salesperson: Daniel Shotts

Price Quote

Quote valid for: 30 days, until 3/26/2009

XT1600 Basic Unit

The Ditch Witch Model XT1600 excavator tool carrier basic power unit includes the following: Kubota V2003-M-DI-TE2B liquid-cooled diesel engine (59 hp gross, 53 hp estimated net @2800 rpm), Infinitely variable-speed hydrostatic ground drive through independently driven tracks, Equalizer track system, Hydrostatic service brake, Universal full size skid steer attachment plate, Hydraulic power beyond on tool carrier, Independently controlled stabilizers, 1600 lb. rated operating capacity (this is equal to 35% of total tip capacity), 12 volt electric start, Fuel gauge, Tachometer, Hour meter, Water temperature warning light, Hydraulic oil temperature warning light, Hydraulic oil filter restriction warning light, Seat belt, and 2-post ROPS.

Qty	Part Number	Description
1	030-1009	XT1600 Excavator Tool Carrier
1	270-1412	Decal Kit - XT1600 English
1	350-1243	Tool Carrier Auxiliary Electric
1	455-988	18 in. Bucket
1	650-1015	Track Sub-assembly - Aggressive
1	650-1018	Valve Sub - No Auxiliary Hydraulics
1	650-1137	Manual Tool Carrier Quick Attach
1	650-1141	Excavator - No Auxiliary Hydraulics

SK772B Front Bucket Attachment

SK772B 72" Bucket

Qty	Part Number	Description
1	325-787	SK772B 72 inch bucket
1	500-1004	Cutter Bar - Bolt On

Total Amount \$66,050.59
 U.S. Dollars

Estimated Total Weight Is: 9,420.00 Lbs (4,273.00 Kgs)

Daniel Shotts 2/24/09

City of Petal
 (601) 545-1776
CITY OF PETAL
 119 West 8th Avenue
 Petal, MS 39465-
MINUTE BOOK 29

Quote: 5816-BJB
 Date: 1/16/2009
 Salesperson: Daniel Shotts

Price Quote

Quote valid for: 30 days, until 3/26/2009

Note: Above quote is for Ditch Witch XT1600 Demo Unit with S/N CMWXT1600A80000205.

EXHIBIT "A"

Ditch Witch Sales Of Mississippi

105 Priester Drive
 PO Box: 6014
 Pearl, MS 39288
 Phone: (601) 939-6037
 Fax: (601) 939-6041

City of Petal
 (601) 545-1776
 119 West 8th Avenue
 Petal, MS 39465-

Quote: 5577-BJB
 Date: 1/16/2009
 Salesperson: Daniel Shotts

Price Quote

Quote valid for: 30 days, until 3/26/2009

SK7TR Front Trencher Attachment

SK7TR Compact Utility Trenching Attachment

Qty	Part Number	Description
1	021-1047	SK7TR Trencher
1	133-326	Chain 50K 4P Cup 6.125" X 84P 42"-49" depth
1	140-1036	Restraint Bar
1	142-044	Headshaft Sprocket (Split) 14T
1	143-180	4' Large Tail Roller Boom
1	150-1036	Hydraulic Motor (30.7 CID)
1	190-1103	Ship Kit - SK7TR

Total Amount \$7,224.19
 U.S. Dollars

Estimated Total Weight Is: 287.00 Lbs (130.00 Kgs)

Note: Above quote is for Ditch Witch SK7TR Demo Unit Trenching Attachment with S/N CMWSK7TRH8000098.

Daniel Shotts 2/24/09

Ditch Witch Sales Of Mississippi

105 Priester Drive
 PO Box: 6014
 Pearl, MS 39288
 Phone: (601) 939-6037
 Fax: (601) 939-6041

City of Petal
 (601) 545-1776
 119 West 8th Avenue
 Petal, MS 39465-

Quote: 5819-BJB
 Date: 1/16/2009
 Salesperson: Daniel Shotts

Price Quote

Quote valid for: 30 days, until 3/26/2009

Equipment

Qty	Part Number	Description
1	BF9T-2EP	Belshe Model BF9T-2EP

Total Amount \$8,950.00
 U.S. Dollars

Estimated Total Weight Is: 5,200.00 Lbs (2,359.00 Kgs)

Daniel Shotts 2/24/09

EXHIBIT "B"

NOTICE TO INTEREST PARTIES

This is to advise that the contract between the City of Petal and Greenbriar Digging Service LP, for the construction of Sewer System Expansion, Castle Manor Area in Petal, Ms has been completed. Final payment of the contract will be made in ten (10) days after this notice is published. Anyone having a valid claim pertaining to the above project must present a claim within ten (10) days to the City of Petal.

Jean Ishee, City Clerk

Published one time: March 5, 2009



SHOWS, DEARMAN & WAITS, INC.
CONSULTING ENGINEERS
 P.O. BOX 1711, 301 SECOND AVENUE
 NATTESBURG, MISSISSIPPI, 38401-1711
 P. (601) 544-1821 F. (601) 544-0261
 HTTP://WWW.SD-W.COM

RAYMOND M. DEARMAN, P.E., R.L.S.
 MICHAEL T. WAITS, P.E., R.L.S.
 NICHOLAS M. CONNOLLY, P.E., P.L.S.
 FILED D. MULLACE, P.E.
 SHEA E. MCNEASE, P.E.
 ERIC F. LANG, E.I.
 JOHN T. WEEKS, E.I.
 PAUL J. SHOWS (1998)

CITY OF PETAL **SHOWS, DEARMAN & WAITS, INC. - CONSULTING ENGINEERS**
 Project: Emergency Box Culvert on Springfield Road
 City of Petal

Date: January 28, 2009

481

MINUTE BOOK

Contractor: Bush Construction Co., Inc.
 Pay Estimate No.: One (1)

Pay Period: Oct. 20, 2008 thru Dec. 16, 2008

January 30, 2009

City of Petal
 P.O. Box 564
 Petal, MS 39465

Attn: Mayor Carl Scott

RE: Emergency Box Culvert on Springfield Road

Dear Mayor Scott:

I enclosed please find Pay Estimate No. 1 in the amount of \$97,401.60 for the above referenced project. Upon your approval, please forward payment directly to the contractor with a copy to my office for our files.

Also enclosed is Supplemental Agreement No. 1 for the above referenced project. Please execute this agreement where indicated and return it to my office for further processing.

Should you have any questions and/or comments, please, do not hesitate to contact me.

Sincerely,

John T. Weeks, P.E.
 Project Engineer

/mj

Enclosures

Cc: David Dodd-Bush Construction
 Steve Tingle-SD&W

F:\PROJECTS\Petal_City of 1487 - Springfield Rd Drainage\Cores\1487_Bush_Pay Estimate No. 1_Supplemental Agreement No.1.doc

EXHIBIT C

Item // New	Item Description	Total Quantities		Unit	Unit Price	Amount	
		On Cont. Price Est.	Allowed To Date				
CONTRACT TOTAL: \$ 98,506.57							
1	Removal of Asphalt Pavemtn (All Depths)	98	98	SY	\$ 1.86	\$ 184.24	
2	Removal of Pipe (All Sizes, All Depths)	90	90	LF	\$ 20.53	\$ 1,847.40	
3	Structure Excavation	300	300	CY	\$ 9.91	\$ 2,973.00	
4	Select MTLs for Undercuts (CF)/FM)	450	348.15	CY	\$ 19.24	\$ 6,696.41	
5	Topsoil for Slope Treatment, (CF)	50	0	CY	\$ 25.29	\$ -	
6	Grassing	1	1	AC	\$ 2,477.01	\$ 2,477.01	
7	Temporary Sill Fence	200	0	LF	\$ 3.80	\$ -	
8	Temporary Erosion Checks	50	0	EA	\$ 8.86	\$ -	
9	Granular Materials, LVM, CL6 GP C	11	60	CY	\$ 37.24	\$ 2,234.40	
10	HMA, ST, 9.5mm Mix	8	43.38	TN	\$ 126.59	\$ 5,491.47	
11	HMA, ST, 19mm Mix	27	49.16	TN	\$ 126.58	\$ 6,222.87	
12	Class B Structural Concrete	103	113	CY	\$ 370.78	\$ 41,898.14	
13	Reinforcing Steel	15058	15058	LB	\$ 1.13	\$ 17,015.54	
14	24" RCP, CL3, Rubber Gaskets	40	56	LF	\$ 86.14	\$ 4,935.84	
15	24" Branch Connection, Stub into Box	1	1	EA	\$ 542.57	\$ 542.57	
16	Maintenance for Traffic	1	1	LS	\$ 6,329.59	\$ 6,329.59	
17	Mobilization	1	1	LS	\$ 6,893.55	\$ 6,893.55	
18	Loose Riprap, 200lb.	47	45.55	TN	\$ 56.58	\$ 2,577.22	
19	Geotextile	85	85	SY	\$ 1.27	\$ 107.95	
						Total Earned - Regular Work	\$ 108,224.00
						Less 10% Retainage	\$ 10,822.40
						Total Due - Regular Work	\$ 97,401.60
						Less Previous Payments	\$ -
						Net Amount Due This Estimate	\$ 97,401.60
						Less Deductions	\$ -
						Net Payment Due	\$ 97,401.60

CERTIFIED CORRECT:
 Shows, Dearman & Waits, Inc.

John T. Weeks, P.E.
 Project Engineer

APPROVED:
 City of Petal

Carl Scott
 OWNER

F:\PROJECTS\Petal_City of 1487 - Springfield Rd Drainage\Sprdshts\1487_Pay Estimate No. 1 (FINAL).xls

EXHIBIT "D"

FEB/27/2009/FRI 05:04 PM Dunn Roadbuilders

FAX No. 6014254644

P. 001/001

Dunn Roadbuilders, L.L.C.

PO Drawer 6560, 411 West Oak Street

Laurel Mississippi 39441

Contact: Dan Ashley, Estimator/Project Manager

Phone: 601 649-4111, 601 433-3184

Fax: 601 425-4644

Quote To: City of Petal
Mayor Carl Scott / Ralph Burgess
Phone: 601 545-1776
Fax: 601 545-6685
601 325-4817 601 270-5854

Job Name: Petal City Streets
Villa, Estate & Chateau Drive
Quote Date: February 27, 2009

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
12	Mobilization	1.00	LS	1,000.00	1,000.00
14	HMA Overlay 1.5" Depth	868.00	TON	86.75	75,299.00
	TOTAL VILLA, ESTATE and CHATEAU DRIVE				\$76,299.00
GRAND TOTAL					\$76,299.00

NOTES:

This price is good through March 2009.

Price does not include:

- Striping.
- Adjustment of utilities(manholes, water valves).
- Asphalt patching.

This estimate is based on calculated quantities according to approximate lengths and widths. Invoice will be based on actual asphalt tonnage placed. Asphalt tickets will be provided.

Volvo Rents
of HATTIESBURG

VOLVO

Job Clearman
Sales

CITY OF PETAL Puckett



CATERPILLAR®

VOLVO

An Independently-Owned Volvo Construction Equipment Sales Franchise
Volvo Rents
45 Mackwell Blvd.
Hattiesburg, MS 39402
jhb.cleiman@volvo-rentals.com

Call: 601-408-0014

Office: 601-261-0660

Fax: 601-261-0620

Toll Free: 888-VRENTS1

MINUTE BOOK 29

February 17, 2009

Price Quote Only

To: City of Petal

Date: 2-24-09

Attn: Ralph Burgess

Store Address: _____

Telephone #: _____

Fax #: 601-545-6695

EXHIBIT

City of Petal
P.O. Box 564
Petal, MS 39465

Attn: Mr. Ralph Burgess

Puckett Rents is pleased to quote the following CAT 303 Mini-Excavators:

Asset #	Model Year	Hours	Price
JR2703	2006	1,240	\$ 19,900
JR2702	2006	1,400	\$ 19,900
RE3107	2006	1,450	\$ 19,900
HR2054	2006	1,375	\$ 19,900
HR2026	2006	1,050	\$ 22,900
JR2704	2006	1,350	\$ 22,900
HR2103	2006	1,475	\$ 23,000
JR2841	2006	1,375	\$ 23,500
HR2104	2006	1,375	\$ 23,500
RE3230	2006	1,250	\$ 23,500
JR2860	2006	1,150	\$ 23,500
HR2055	2006	1,050	\$ 23,500
RE3064	2006	1,200	\$ 23,900
JR2842	2006	1,025	\$ 23,900
RE3058	2006	1,150	\$ 24,000

All of these machines come with a minimum of 6 months / 500 hour Powertrain Only warranty. Additional extended warranties may be purchased.

Price Validity: 30 days from quote.

Thank you for the opportunity to quote and please do not hesitate to contact us with any questions.

Sincerely,

Mike Jennings, Sales Representative
Puckett Rents - Hattiesburg, MS
(601)818-2632 (Cell) (601)268-1111 (office)

Dear: _____
Volvo Rents is pleased to quote the rental rates listed below.

Quantity	Equipment	-Day	Week	Month
	2005 EC235 Mini Ex 58332-07 #20,789.00			
	2400 hrs.			
	2006 EC238 Mini Ex 58332-13 #28,500.00			
	981 hrs			

Delivery/Pick-up Charges (plus fuel, tax, and other fees if applicable): _____

Discount _____

Quote Valid through: _____

Special Instructions: _____

Thank you again for the opportunity to do business with your company. If you need further information, please call me at the number listed above.

Regards,

Thank You,

Jeb

601-408-0014

Volvo Construction Equipment Rents, Inc.

CPD RENTALS 402

EXHIBIT "F"

13

5.53. Nonconformity. A lawful condition of a structure or land, at the time of adoption of this Ordinance, which does not conform to the regulations of the district in which it is situated. This may include, but is not limited to failure to conform to use, height, area, coverage or off-street parking requirements.

5.53.1. Nonconforming Use. A use of a building or land existing at the time of the enactment of this Ordinance, or at the time of a zoning amendment, and which does not conform with the regulations of the use district in which it is located.

5.54. Nursing or Convalescent Home. A home for aged or ill persons in which three (3) or more persons not of the immediate family are provided with food, shelter, and care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to diagnosis and treatment.

5.55. Parking Lot. An open area which is used for the temporary parking of motor vehicles, but is not a required off-street parking facility.

5.56. Parking Space. A usable, impervious and hard surfaced area enclosed in a main building or an accessory building or unenclosed, having an area of not less than four hundred (400) square feet inclusive of driveways, walkways, ingress and egress, permanently reserved for the temporary movement and storage of one (1) motor vehicle and connected with a street or alley by an impervious, hard surfaced driveway which affords ingress and egress for motor vehicles.

5.57. Planning Commission. The official planning and zoning body of the City of Petal, Mississippi, so designed by the Mayor and Board of Aldermen.

5.57.01. Planned Unit Development. The Planned Unit Development (PUD) is a special overlay zoning district which allows for a greater degree of flexibility in the use of land and is subject to special review procedures.

5.58. Principal Use. The primary purpose or function that a lot or structure serves or is intended to serve.

5.59. Restaurant. A retail establishment offering food or beverages, or both, for consumption on the premises.

5.60. Restaurant District. An eating and drinking establishment whose food is generally served by employees or by self-service and generally consumed on the premises inside or outside the building or on the premises.

5.61. Rooming House. A building other than a hotel where lodging for three (3) but not more than twenty (20) persons is provided for definite periods for compensation pursuant to previous arrangements.

14

5.62. Setback Lines. The distance between a street right-of-way and the front building line, projected to the side lines of the lot and including driveways and parking areas, except where otherwise restricted by this Ordinance.

5.63. Shopping Center. Shopping centers may be described, generally as follows:

- Neighborhood Center.** one which provides for the sale of convenience goods, those that are purchased on a frequent basis, such as food, hardware, drugs, and personal services. The supermarket is the principal outlet in the neighborhood center. The site ranges between four (4) acres and ten (10) acres in area.
- Community Center.** one which provides for convenience goods, provides for a limited range of convenience shopping items, including those for apparel, furniture and other shopping goods, and more extensive personal services facilities, which may include banking, recreational, and professional services. The junior department store is the principal retail. The site area generally ranges between ten (10) acres and thirty (30) acres.
- City Center.** one with outlets that provide a variety and depth of shopping goods, which are comparable to those found in the central business district. Here are located general merchandise, apparel, home furnishings and a variety of services which may include recreational facilities. To qualify as a regional center there must be at least one major department store having not less than one hundred square feet of gross leasable area. Thirty (30) acres or more are required for the site.

5.64. Sign. Any surface, fabric, or device bearing lettered, pictorial, or signified matter designed to convey information visually and exposed to public view, or any structure including billboard or power panel designed to carry visual information.

5.65. Sign Area. The area within a continuous perimeter, enclosing the limits of writing, printing, or other matter, or the area of a sign, which is used to convey information, including material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed, excluding the necessary supports or signposts on which such sign is placed, provided however, any open space contained within the outer limits of the display face of sign or between any components, panel, strip, or figure or any band composing the display face shall be included in the computation of the boarder. For projecting or double-faced signs, the area shall be computed on the basis of the largest face. For signs which are double-faced or where the interior angle formed by the faces is sixty (60) degrees or less, if the two faces of a double-faced sign are of unequal area, the area of the sign shall be taken as the area of the larger face.

5.65.1. Sign Advertising. A sign which directs attention to a business, product, service, or business.

5.65.2. Sign Billboard. A sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits variable or marked changes in lighting effects. Illuminated

15

signs which indicate the time, temperature, date, or other public service information which does not change in intensity shall not be considered flashing signs.

5.66. Sign Identification. A sign used to identify only the name of the individual, family, organization or enterprise occupying the premises, the profession of the occupant, and the name of the building on which the sign is displayed.

5.67. Sign Mobile. A sign mounted upon a base designed for mobility.

5.68. Sign. That portion of building other than a banner, above ground level between a floor and a roof, which is used to convey information to the public, and which is not a sign as defined in this Ordinance, or that of the floor immediately below. A banner shall be considered a sign if it extends one-third of the area of the roof.

5.69. Street. A public or dedicated right-of-way which meets the principle abutting properties.

5.70. Structure. Anything constructed or erected, the use of which requires a location on the ground, and which is fastened to something beyond its foundation, or the ground, or other structures include buildings, mobile homes, walls, fences, billboards, and advertising signs.

5.71. Structure Alteration. Any change in the physical structure of a building or structure.

5.72. Substantial Improvement.

- Any repair, reconstruction, or improvement of structure, the cost of which equals or exceeds fifty (50) percent of the actual cash value of the structure either (a) before the improvement is started, or (b) if the structure has been damaged and is being repaired, before the damage occurred. Substantial improvement is started when the first alteration of any structural part of the building commences.
- Any addition.
- Any change in the terms of this Ordinance which the Mayor and Board of Aldermen may grant if it finds that such hardship is placed upon a property owner by the literal interpretation of this Ordinance.
- Any lot.

A space on the same lot with a principal building, such space being open, unoccupied, and unobscured by buildings or structures from the ground upwards, except where encroachments and accessory buildings are explicitly permitted.

5.73. Yard.

5.73.1. Lot.

A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the setback line.

City of Petal Zoning Ordinance

16

5.77. Yard Eave.

A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and building line.

5.78. Yard Side.

A yard extending along a side lot line and back to a line drawn parallel to the side lot line at a distance therefrom equal to the width of the required minimum side yard, but excluding any area encompassed within a front yard or rear yard.

City of Petal Zoning Ordinance

17

6.01.2. Permitted Uses. The following uses are permitted:

- Agriculture, farming, forestry, livestock and poultry production, provided that all animals except those generally recognized as pets are kept in a structure, pens or corral and not permitted to roam at large and provided further that no structures, pens or corral housing animals shall be located closer than two hundred (200) feet to any property line not a street line.
- Homes and rock pads.
- Public or commercial markets and kennels or raising of small animals provided that all animals be housed in a structure, pens, or corral and provided further that no structures, pens, corral, or outdoor run used for housing or exercising animals shall be located closer than one hundred (100) feet to any property line.
- Poultry, venison and small animal raising, pens, stables and kennels when conducted in a structure, pens or corral and provided that no structures, pens, outdoor run, or corral used for housing or exercising animals shall be located closer than one hundred (100) feet to any property line. No animal raising shall be a scale which would be objectionable to adjoining residents because of undue noise, dirt or odor.
- Two-family dwelling.
- Accessory uses including accessory signs.
- Permitted accessory uses and structures. Accessory uses and structures are permitted in the RF Districts, provided they are incidental to, and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include:
 - Accessory use or structure permitted in the R-1, Single-family Residential District.
 - Farm buildings and structures: Windmills, silos, tank houses, buildings or shelters for farm equipment and machinery, water wells, water reservoirs, and storage tanks.
 - Buildings or structures required for the housing, raising, confinement or storage of animals, products, or other uses lawfully produced or permitted on the property.
 - Roadside stands: Stands for the purpose of displaying and selling agricultural or farming products which are grown or produced on the premises on which said stand is located. Said stand shall not exceed a ground coverage of three hundred square feet. It shall be limited to one stand per parcel of property. Off-street parking is required.
 - Manufactured homes and dwellings for farm employees and for adult children or parents of occupants of a farm dwelling.
 - Incidental home occupations.

City of Petal Zoning Ordinance

18

6.01.3. Conditional Uses.

The following uses may be permitted subject to approval by the City of Petal Planning Commission in compliance with section 11.65 and subject to approval of the Planning Commission recommendation to the Mayor and Aldermen per section 11.52:

- Privately owned recreational facilities including swimming pools, golf courses, tennis courts, and ball fields, all of non-commercial nature but excluding miniature golf courses, driving ranges and other structures operated for commercial purposes.
- Private clubs and lodges, except those the chief activity of which is service customarily carried on as a business.
- Nursing and rest homes.
- Day care centers, day care homes, pre-school and kindergartens having an outdoor play area which is not less than five hundred (500) square feet per child, which play area shall be located in the rear of the lot.
- Private utilities and railroads.
- Radio and television broadcasting towers.
- Cemeteries and mausoleums.

6.01.4. Area, Yield, and Height Regulations

6.01.4.1. Lot Area.

Every lot shall have an area of not less than twenty thousand (20,000) square feet and a lot width of not less than one hundred (100) feet at the setback line.

6.01.4.2. Front Yard.

There shall be a front yard having a depth of not less than thirty-five (35) feet.

6.01.4.3. Side Yard.

There shall be a side yard, each having a width of not less than twenty (20) feet. Where a lot is located at the intersection of two (2) or more streets, the width of the yard along the side street shall not be less than thirty-five (35) feet. No accessory building or structure shall project beyond the yard line of any street.

6.01.4.4. Rear Yard.

There shall be a rear yard having a depth of not less than twenty-five (25) feet.

6.01.4.5. Building Height.

No building shall exceed forty-five (45) feet.

City of Petal Zoning Ordinance

19

6.01.5. Permitted Uses. The following uses are permitted:

- Agriculture, farming, forestry, livestock and poultry production, provided that all animals except those generally recognized as pets are kept in a structure, pens or corral and not permitted to roam at large and provided further that no structures, pens or corral housing animals shall be located closer than two hundred (200) feet to any property line not a street line.
- Homes and rock pads.
- Public or commercial markets and kennels or raising of small animals provided that all animals be housed in a structure, pens, or corral and provided further that no structures, pens, corral, or outdoor run used for housing or exercising animals shall be located closer than one hundred (100) feet to any property line.
- Poultry, venison and small animal raising, pens, stables and kennels when conducted in a structure, pens or corral and provided that no structures, pens, outdoor run, or corral used for housing or exercising animals shall be located closer than one hundred (100) feet to any property line. No animal raising shall be a scale which would be objectionable to adjoining residents because of undue noise, dirt or odor.
- Two-family dwelling.
- Accessory uses including accessory signs.
- Permitted accessory uses and structures. Accessory uses and structures are permitted in the RF Districts, provided they are incidental to, and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include:
 - Accessory use or structure permitted in the R-1, Single-family Residential District.
 - Farm buildings and structures: Windmills, silos, tank houses, buildings or shelters for farm equipment and machinery, water wells, water reservoirs, and storage tanks.
 - Buildings or structures required for the housing, raising, confinement or storage of animals, products, or other uses lawfully produced or permitted on the property.
 - Roadside stands: Stands for the purpose of displaying and selling agricultural or farming products which are grown or produced on the premises on which said stand is located. Said stand shall not exceed a ground coverage of three hundred square feet. It shall be limited to one stand per parcel of property. Off-street parking is required.
 - Manufactured homes and dwellings for farm employees and for adult children or parents of occupants of a farm dwelling.
 - Incidental home occupations.

City of Petal Zoning Ordinance

20

ARTICLE VI. SCHEDULE OF REGULATIONS AND DISTRICT REGULATIONS

6.00. Schedule of Regulations.

For the purposes of this Ordinance the City of Petal, Mississippi is divided into the following districts:

- RF, Rural Fringe
- R-1, Low Density Residential
- R-2, Medium Density Residential
- R-3, Medium Density Residential
- R-4, High Density Residential
- C-1, Neighborhood Commercial
- C-2, General Commercial
- C-3, General Business District Commercial
- I-1, Heavy Industrial
- I-2, Heavy Industrial
- MHP, Mobile Home Park

6.01. RE, Rural Fringe District.

6.01.1. Statement of Intent.

The RE District is composed of certain lands and structures in the city having a low density, predominantly single-family character and additional open area. Although this district differs from the rural environment of the surrounding unincorporated areas in that its emphasis is upon suburban development rather than rural activities, it is recognized that agriculture and farm activities are an important part of the rural environment and that the RE District is therefore made for limited forms of such activity with appropriate safeguard for nearby residents.

City of Petal Zoning Ordinance

EXHIBIT "F"

<p>15</p> <p>6.01.4c. Accessory Buildings. An accessory building or structure that is not part of the main structure shall be located within the buildable area of the lot or in the rear yard not less than ten (10) feet from the rear lot line and ten (10) feet from the side of lot line.</p> <p>6.01.5. Parking Regulations. On-street parking space shall be provided in accordance with the requirements set forth in Section 8.7, Article VIII of this Ordinance.</p> <p>6.01.6 Sign Regulations. - As required in Section 7.5.</p> <p>6.02. E.L.L. Low Density Residential District.</p> <p>6.02.1. Statement of Intent. The purpose of this district is to provide for the protection of existing single-family residential areas and the development of new neighborhoods with low population densities. Additional permitted uses include related non-commercial, recreational, religious, and educational facilities normally required to provide the basic elements of a balanced and attractive residential area intended to be self-sufficient and protected from the encroachment of uses not performing the intended residential function. The following uses are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element.</p> <p>6.02.2 Permitted Uses. The following uses are permitted: <ol style="list-style-type: none"> 1. Single-family dwellings. 2. Parks, playgrounds, golf courses, and related community buildings owned or operated by a governmental agency or community association. 3. Public schools, elementary and secondary, or private schools having a curriculum the housing or site plan for a single lot or building. 4. Churches or temples and their educational buildings. 5. Home occupations as defined Article V. 6. Permitted accessory uses and structures. Accessory uses and structures are permitted in the R-1 District provided they are used in conjunction with and are incidental to a principal use and suitable structures that are in harmony with existing buildings and the neighborhood in which it is built. Such accessory uses and structures include, but are not limited to the following: </p>	<p>20</p> <p>a. Grocery, variety, convenience, delicatessen, and shops and similar structures which are commodities used in conjunction with and are incidental to a principal use or structure.</p> <p>b. Private swimming pools and recreational buildings.</p> <p>c. Storage of recreational vehicles, campers, boats and trailers.</p> <p>d. Storage of motor vehicles, boats, and trailers on a lot or in a detached garage, but not to exceed one hundred twenty (120) square feet.</p> <p>e. Fall-out, bomb and severe weather shelters are permitted but must not be occupied as a dwelling or as a guesthouse and must externally be unrecognizable at or below grade.</p> <p>f. Radio, broadcast towers for hobbyists living on the premises.</p> <p>g. Signs. Those three (3) feet or less in diameter may be installed on lots.</p> <p>h. Temporary political signs.</p> <p>i. Real estate for sale and for rent signs.</p> <p>j. Shelter for home animal pets. No site plan of building permit required unless size of structure warrants.</p> <p>k. Children playhouse and play apparatus. No building permit on site plan is required unless size of structure warrants.</p> <p>l. Play apparatus may be located in the rear yard. Fees may apply to tee houses and play apparatus.</p> <p>6.02.3 Conditional Uses. The following uses may be permitted subject to approval by the City of Petal Planning Commission in compliance with Section 11.65 and subject to approval of the Planning Commission recommendation to the Mayor and Alderman per section 11.52:</p> <ol style="list-style-type: none"> 1. Private utilities and substations. 2. Radio and television broadcasting towers. 3. Cemeteries and Mausoleums. 4. Private clubs of a non-profit nature, golf courses, country, clubs and similar recreational facilities. 5. Zoned lot subdivisions with six (6) or more lots intended to be developed in compliance with the City of Petal Subdivision Regulations to allow zero lot line development for single family dwelling only. <p>6.03.41. Lot Area. Every lot shall have a lot area of not less than eight thousand (8,000) square feet and a lot width of not less than seventy (70) feet in the setback line.</p> <p>6.03.42. Front Yard. There shall be a front yard having a depth of not less than twenty-five (25) feet.</p> <p>6.03.43. Side Yard. There shall be two side yards, each having a width of not less than fifteen (15) feet. Where a lot is located at the intersection of two (2) or more streets, the width of the yard along the side street shall not be less than twenty-five (25) feet. No accessory building or structure shall project beyond the yard line on any street.</p> <p>6.03.44. Rear Yard. There shall be a rear yard having a depth of not less than twenty (20) feet.</p> <p>6.03.45. Accessory Buildings. Accessory uses and buildings incidental to the above permitted uses: <ol style="list-style-type: none"> 1. Permitted accessory uses and structures. Accessory uses and structures are permitted as per section 6.022(a) in the R-1 District provided they are used in conjunction with and incidental to a principal use or structure. 2. An accessory building or structure as part of the principal structure shall be located within the buildable area of the lot or in the rear yard not less than ten (10) feet from the rear lot line and ten (10) feet from the side lot line. </p> <p>6.03.5. Parking Regulations. On-street parking space shall be provided in accordance with the requirements set forth in Section 8.7, Article VIII of this Ordinance.</p> <p>6.03.6 Sign Regulations. - As required in Section 7.5.</p> <p>6.03.7 Buffer Strip.</p> <p>6.03.8 Additional Regulations. <ol style="list-style-type: none"> 1. All new residential buildings requiring a permit within the City of Petal must be constructed with a minimum of fourteen hundred (1,400) square feet for the lot area. </p>	<p>24</p> <p>6.02.3. Accessory Building Regulations. 6.02.41. Lot Area. Every lot shall have an area of not less than ten thousand (10,000) square feet and a lot width of not less than seventy-five (75) feet at the setback line.</p> <p>6.02.42. Front Yard. There shall be a front yard having a depth of not less than twenty-five (25) feet.</p> <p>6.02.43. Side Yard. There shall be two side yards, each having a width of not less than fifteen (15) feet. Where a lot is located at the intersection of two (2) or more streets, the width of the yard along the side street shall not be less than twenty-five (25) feet. No accessory building or structure shall project beyond the yard line of any street.</p> <p>6.02.44. Rear Yard. There shall be a rear yard having a depth of not less than twenty (20) feet.</p> <p>6.02.45. Building Height. No building shall exceed thirty-five (35) feet in height.</p> <p>6.02.46. Accessory Buildings. An accessory building or structure that is not part of the main structure shall be located within the buildable area of the lot or in the rear yard not less than ten (10) feet from the rear lot line and ten (10) feet from the side lot line.</p> <p>6.02.5. Parking Regulations. On-street parking space shall be provided in accordance with the requirements set forth in Section 8.7, Article VIII of this Ordinance.</p> <p>6.02.6 Sign Regulations. - As required in Section 7.5.</p> <p>6.02.8 Buffer Strip. Buffer strip are required in this zoning district. Regulations can be found in Section 7.7.</p> <p style="text-align: center;">City of Petal Zoning Ordinances</p>	<p>23</p> <p>6.03.41. Lot Area. Every lot shall have a lot area of not less than eight thousand (8,000) square feet and a lot width of not less than seventy (70) feet in the setback line.</p> <p>6.03.42. Front Yard. There shall be a front yard having a depth of not less than twenty-five (25) feet.</p> <p>6.03.43. Side Yard. There shall be two side yards, each having a width of not less than fifteen (15) feet. Where a lot is located at the intersection of two (2) or more streets, the width of the yard along the side street shall not be less than twenty-five (25) feet. No accessory building or structure shall project beyond the yard line on any street.</p> <p>6.03.44. Rear Yard. There shall be a rear yard having a depth of not less than twenty (20) feet.</p> <p>6.03.45. Accessory Buildings. Accessory uses and buildings incidental to the above permitted uses: <ol style="list-style-type: none"> 1. Permitted accessory uses and structures. Accessory uses and structures are permitted as per section 6.022(a) in the R-1 District provided they are used in conjunction with and incidental to a principal use or structure. 2. An accessory building or structure as part of the principal structure shall be located within the buildable area of the lot or in the rear yard not less than ten (10) feet from the rear lot line and ten (10) feet from the side lot line. </p> <p>6.03.5. Parking Regulations. On-street parking space shall be provided in accordance with the requirements set forth in Section 8.7, Article VIII of this Ordinance.</p> <p>6.03.6 Sign Regulations. - As required in Section 7.5.</p> <p>6.03.7 Buffer Strip.</p> <p>6.03.8 Additional Regulations. <ol style="list-style-type: none"> 1. All new residential buildings requiring a permit within the City of Petal must be constructed with a minimum of fourteen hundred (1,400) square feet for the lot area. </p> <p style="text-align: center;">City of Petal Zoning Ordinances</p>	<p>22</p> <p>6.02.9 Additional Regulations. <ol style="list-style-type: none"> 1. All new single family residential buildings requiring a permit within the City of Petal must be constructed with a minimum of fourteen hundred (1,400) square feet for the lot area and a two car garage. 2. All new single family residential buildings shall be single and suitable structures that are in harmony with existing buildings and the neighborhood in which it is built. Such accessory uses and structures include, but are not limited to the following: </p> <p>6.03. R-2.2. Low to Medium Density Residential District.</p> <p>6.03.1. Statement of Intent. The purpose of this district is to provide for the protection of existing single-family residential areas and the development of new communities at a low to medium population density, thus ensuring the continued stability of such areas. Additional permitted uses include related non-commercial, recreational, religious and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and developed in a manner which would provide a sustainable environment for the development of recreational, religious, and educational facilities as basic elements of a balanced community providing for adequate light, air and open space for dwellings and related facilities, and through consideration of the proper functional relationship of each element.</p> <p>6.03.2 Permitted Uses. The following uses are permitted: <ol style="list-style-type: none"> 1. Those included in the R-1 District. 2. Day care centers, day nurseries, and day care homes. 3. Private clubs of a non-profit nature, golf courses, country clubs and similar recreational facilities. 4. Cemeteries, mausoleums, and columbariums. </p> <p>6.03.3 Conditional Uses. The following uses may be permitted subject to approval by the City of Petal Planning Commission in compliance with Section 11.65 and subject to approval of the Planning Commission recommendation to the Mayor and Alderman per section 11.52:</p> <ol style="list-style-type: none"> 1. Same as those included in the R-1 District. <p>6.03.4. Area, Land, and Height Regulations.</p>
--	--	---	--	--

<p>21</p> <p>6.02.7. Accessory Building Regulations. 6.02.41. Lot Area. Every lot shall have an area of not less than ten thousand (10,000) square feet and a lot width of not less than seventy-five (75) feet at the setback line.</p> <p>6.02.42. Front Yard. There shall be a front yard having a depth of not less than twenty-five (25) feet.</p> <p>6.02.43. Side Yard. There shall be two side yards, each having a width of not less than fifteen (15) feet. Where a lot is located at the intersection of two (2) or more streets, the width of the yard along the side street shall not be less than twenty-five (25) feet. No accessory building or structure shall project beyond the yard line of any street.</p> <p>6.02.44. Rear Yard. There shall be a rear yard having a depth of not less than twenty (20) feet.</p> <p>6.02.45. Building Height. No building shall exceed thirty-five (35) feet in height.</p> <p>6.02.46. Accessory Buildings. An accessory building or structure that is not part of the main structure shall be located within the buildable area of the lot or in the rear yard not less than ten (10) feet from the rear lot line and ten (10) feet from the side lot line.</p> <p>6.02.5. Parking Regulations. On-street parking space shall be provided in accordance with the requirements set forth in Section 8.7, Article VIII of this Ordinance.</p> <p>6.02.6 Sign Regulations. - As required in Section 7.5.</p> <p>6.02.8 Buffer Strip. Buffer strip are required in this zoning district. Regulations can be found in Section 7.7.</p> <p style="text-align: center;">City of Petal Zoning Ordinances</p>	<p>24</p> <p>6.02.3. Accessory Building Regulations. 6.02.41. Lot Area. Every lot shall have an area of not less than ten thousand (10,000) square feet and a lot width of not less than seventy-five (75) feet at the setback line.</p> <p>6.02.42. Front Yard. There shall be a front yard having a depth of not less than twenty-five (25) feet.</p> <p>6.02.43. Side Yard. There shall be two side yards, each having a width of not less than fifteen (15) feet. Where a lot is located at the intersection of two (2) or more streets, the width of the yard along the side street shall not be less than twenty-five (25) feet. No accessory building or structure shall project beyond the yard line of any street.</p> <p>6.02.44. Rear Yard. There shall be a rear yard having a depth of not less than twenty (20) feet.</p> <p>6.02.45. Building Height. No building shall exceed thirty-five (35) feet in height.</p> <p>6.02.46. Accessory Buildings. An accessory building or structure that is not part of the main structure shall be located within the buildable area of the lot or in the rear yard not less than ten (10) feet from the rear lot line and ten (10) feet from the side lot line.</p> <p>6.02.5. Parking Regulations. On-street parking space shall be provided in accordance with the requirements set forth in Section 8.7, Article VIII of this Ordinance.</p> <p>6.02.6 Sign Regulations. - As required in Section 7.5.</p> <p>6.02.8 Buffer Strip. Buffer strip are required in this zoning district. Regulations can be found in Section 7.7.</p> <p style="text-align: center;">City of Petal Zoning Ordinances</p>	<p>23</p> <p>6.03.41. Lot Area. Every lot shall have a lot area of not less than eight thousand (8,000) square feet and a lot width of not less than seventy (70) feet in the setback line.</p> <p>6.03.42. Front Yard. There shall be a front yard having a depth of not less than twenty-five (25) feet.</p> <p>6.03.43. Side Yard. There shall be two side yards, each having a width of not less than fifteen (15) feet. Where a lot is located at the intersection of two (2) or more streets, the width of the yard along the side street shall not be less than twenty-five (25) feet. No accessory building or structure shall project beyond the yard line on any street.</p> <p>6.03.44. Rear Yard. There shall be a rear yard having a depth of not less than twenty (20) feet.</p> <p>6.03.45. Accessory Buildings. Accessory uses and buildings incidental to the above permitted uses: <ol style="list-style-type: none"> 1. Permitted accessory uses and structures. Accessory uses and structures are permitted as per section 6.022(a) in the R-1 District provided they are used in conjunction with and incidental to a principal use or structure. 2. An accessory building or structure as part of the principal structure shall be located within the buildable area of the lot or in the rear yard not less than ten (10) feet from the rear lot line and ten (10) feet from the side lot line. </p> <p>6.03.5. Parking Regulations. On-street parking space shall be provided in accordance with the requirements set forth in Section 8.7, Article VIII of this Ordinance.</p> <p>6.03.6 Sign Regulations. - As required in Section 7.5.</p> <p>6.03.7 Buffer Strip.</p> <p>6.03.8 Additional Regulations. <ol style="list-style-type: none"> 1. All new residential buildings requiring a permit within the City of Petal must be constructed with a minimum of fourteen hundred (1,400) square feet for the lot area. </p> <p style="text-align: center;">City of Petal Zoning Ordinances</p>
---	---	--

EXHIBIT "F"

<p>25</p> <p>6.04.43 <u>Side Yard</u>. There shall be two side yards, each having a width of not less than fifteen (15) feet. Where a lot is less than twenty-five (25) feet wide, the width of the side yard shall be not less than twenty-five (25) feet. No accessory building or structure shall project beyond the rear lot line on any street.</p> <p>6.04.44 <u>Rear Yard</u>. There shall be a rear yard having a depth of not less than twenty (20) feet.</p> <p>6.04.45 <u>Building Height</u>. No building shall exceed twenty-five (25) feet in height.</p> <p>6.04.46 <u>Accessory Buildings</u>. No building shall exceed thirty-five (35) feet in height.</p> <p>6.04.47 <u>Accessory Uses and Structures</u>. Accessory uses and structures shall be permitted as per section 6.022.6.3.1 in the R-1 District provided they are used in conjunction with and are incidental to a principal use or structure.</p> <p>6.04.48 <u>Parking Regulations</u>. Off-street parking spaces shall be provided in accordance with the requirements set forth in Section 8.2, Article VIII of this Ordinance.</p> <p>6.04.49 <u>Sign Regulations</u>. Sign regulations shall be provided in accordance with the requirements set forth in Section 8.2, Article VIII of this Ordinance.</p> <p>6.04.50 <u>Buffer Strip</u>. Buffer strip are required in this zoning district. Regulations can be found in Section 7.7.</p> <p>6.04.51 <u>Additional Provisions</u>. 1. All new residential buildings requiring a permit within the City of Petal, must be constructed with a minimum of four (4) square feet for the heated area of the building. Double doors must be constructed with a minimum of twelve (12) square feet. 2. All new residential buildings shall be tightly and suitably constructed that are in harmony with existing visual features and character of the neighborhood in which it is built.</p> <p>6.05 <u>R-1.5 High Density Residential District</u>.</p> <p style="text-align: right;">City of Petal Zoning Ordinance</p>	<p>26</p> <p>6.05.1 <u>Recreation of Land</u>. The purpose of this district is to provide medium to high density residential and multiple use development. Within the setbacks of land use and accessory buildings, well-located development or redevelopment complementary of and compatible with the surrounding residential environment. Various types and sizes of residential accommodations, for ownership or rental, would thereby be provided to meet the needs of the different age and family groups in the community without overstraining existing community facilities, utilities, or services.</p> <p>6.05.2 <u>Permitted Uses</u>. The following uses shall be permitted: 1. Multiple-family dwellings. 2. Boarding or rooming houses. 3. Nursing homes, convalescent homes, rest homes, orphanages, and rehabilitation centers. 4. YMCAs and YWCAs, religious and charitable institutions and community centers (such as YMCA and YWCA). 5. Community parking garages, serving the principal residential building containing space for not more than two (2) passenger vehicles for each dwelling unit in the principal building on the lot. 6. Uses as those included in the R-1 District.</p> <p>6.05.3 <u>Conditional Uses</u>. The following uses may be permitted subject to approval by the City of Petal Planning Commission in compliance with section 11.65 and subject to approval of the Planning Commission recommendation to the Mayor and Aldermen per section 11.52: 1. Those included in the R-3 District.</p> <p>6.05.4 <u>Lot Area</u>. Every single-family lot shall have an area of not less than thirty-five hundred (6,500) square feet and every lot in a multiple-family building shall have an area of not less than one hundred (100) square feet. The setback line for multiple-family dwellings shall be not less than thirty-five (35) feet for all other structures.</p> <p>6.05.42 <u>Front Yard</u>. There shall be a front yard having a depth of not less than twenty-five (25) feet.</p> <p>6.05.41 <u>Side Yard</u>. There shall be two (2) side yards, each having a width of not less than fifteen (15) feet for buildings over fifteen (15) feet in height and not less than ten (10) feet for buildings less than fifteen (15) feet in height. Where a lot is located at the intersection of two (2) or more streets, the width of the</p> <p style="text-align: right;">City of Petal Zoning Ordinance</p>	<p>27</p> <p>yard along the side street shall not be less than twenty-five (25) feet. No accessory building or structure shall project beyond the rear lot line on any street.</p> <p>6.05.44 <u>Rear Yard</u>. There shall be a rear yard having a depth of not less than twenty (20) feet.</p> <p>6.05.45 <u>Building Height</u>. No building shall exceed twenty-five (25) feet in height.</p> <p>6.05.46 <u>Accessory Buildings</u>. Accessory uses and buildings incidental to the above permitted uses shall be permitted as per section 6.022.6.3.1 in the R-1 District provided they are used in conjunction with and are incidental to a principal use or structure.</p> <p>6.05.47 <u>Parking Regulations</u>. Off-street parking spaces shall be provided in accordance with the requirements set forth in Section 8.2, Article VIII of this Ordinance.</p> <p>6.05.48 <u>Sign Regulations</u>. Sign regulations shall be provided in accordance with the requirements set forth in Section 8.2, Article VIII of this Ordinance.</p> <p>6.05.49 <u>Buffer Strip</u>. Buffer strip are required in this zoning district. Regulations can be found in Section 7.7.</p> <p style="text-align: right;">City of Petal Zoning Ordinance</p>	<p>28</p> <p>6.05.9 <u>Additional Provisions</u>. 1. All new apartment buildings requiring a permit within the City of Petal, must be constructed with a minimum of twelve hundred (1,200) square feet per unit for the heated area. 2. All new townhouses requiring a permit within the City of Petal, must be constructed with a minimum of four hundred (400) square feet per unit for the heated area. 3. All new condominiums requiring a permit within the City of Petal, must be constructed with a minimum of fourteen hundred (1,400) square feet for the heated area and have a two car garage. 4. All new apartments, condominiums and condominiums shall be tightly and suitably constructed that are in harmony with existing visual features and character of the neighborhood in which it is built.</p> <p>6.06 <u>C-3 Commercial District</u>.</p> <p>6.06.1 <u>Statement of Intent</u>. Commercial Office (CO) District creates a quiet and attractive environment designed to be residential friendly, especially suited to a group of professional, general administrative and general sales offices, and personal service uses to serve the needs of the local community, together with certain commercial uses that create low levels of vehicular traffic and allow pedestrian access to the businesses.</p> <p>6.06.2 <u>Permitted Uses</u>. The following uses shall be permitted: 1. General Office of less than 2,400 square feet. 2. Place of worship. 3. Personal Services to include hair/beauty shops and similar personal service shops. 4. Personal Office. 5. Medical Office. 6. Public Utilities. 7. Art Gallery.</p> <p>6.06.3 <u>Conditional Uses</u>. The following uses may be permitted subject to approval by the City of Petal Planning Commission in compliance with section 11.65 and subject to approval of the Planning Commission recommendation to the Mayor and Aldermen per section 11.52: 1. Retail Sales (excluding restaurants, liquor, building supplies sales, and car repair/maintenance) to include retail bakeries, drug stores, florists, and other similar small-scale retail establishments. 2. Book store. 3. Music, Dance, Photographic, or Art Studio.</p> <p style="text-align: right;">City of Petal Zoning Ordinance</p>
<p>29</p> <p>6.06.7 <u>Sign Regulations</u>. Sign regulations shall be provided in accordance with the requirements set forth in Section 8.2, Article VIII of this Ordinance.</p> <p>6.06.8 <u>Buffer Strip</u>. Buffer strip are required in this zoning district. Regulations can be found in Section 7.7.</p> <p>6.07 <u>C-1 Neighborhood Commercial District</u>.</p> <p>6.07.1 <u>Statement of Intent</u>. Neighborhood Commercial is intended to provide areas for well-situated, shopping centers and commercial uses allowed in that district included uses of a higher priority than those first allowed in the Commercial Office (CO) District and create non-highway level traffic. Such uses within this district are to be carefully monitored.</p> <p>6.07.2 <u>Permitted Uses</u>. The following uses shall be permitted: a. Store or shop for the use of a retail business including the following and similar uses: 1. Bakery where the products are sold exclusively. 2. At retail on the premises. 3. Cleaning and delicatessen businesses. 4. Clothing store. 5. Department or variety store. 6. Drug store or apothecary. 7. Food store. 8. Furniture Store. 9. Grocery Store. 10. Hardware Store. 11. Pet supplies, including drycleaners. 12. Restaurant, including drive-in. 13. Retail store for the sale of jewelry, cameras, bicycles, and repair. b. Bicycle sales and repair. 1. Bicycle sales and repair. 2. Locksmith shop. 3. Printing shop. 4. Radio and television sales and repair employing not more than five (5) persons in repair services and involving no manufacturing on the premises. 5. Shoe sales and repair.</p> <p style="text-align: right;">City of Petal Zoning Ordinance</p>	<p>30</p> <p>6.06.7 <u>Sign Regulations</u>. Sign regulations shall be provided in accordance with the requirements set forth in Section 8.2, Article VIII of this Ordinance.</p> <p>6.06.8 <u>Buffer Strip</u>. Buffer strip are required in this zoning district. Regulations can be found in Section 7.7.</p> <p>6.07 <u>C-1 Neighborhood Commercial District</u>.</p> <p>6.07.1 <u>Statement of Intent</u>. Neighborhood Commercial is intended to provide areas for well-situated, shopping centers and commercial uses allowed in that district included uses of a higher priority than those first allowed in the Commercial Office (CO) District and create non-highway level traffic. Such uses within this district are to be carefully monitored.</p> <p>6.07.2 <u>Permitted Uses</u>. The following uses shall be permitted: a. Store or shop for the use of a retail business including the following and similar uses: 1. Bakery where the products are sold exclusively. 2. At retail on the premises. 3. Cleaning and delicatessen businesses. 4. Clothing store. 5. Department or variety store. 6. Drug store or apothecary. 7. Food store. 8. Furniture Store. 9. Grocery Store. 10. Hardware Store. 11. Pet supplies, including drycleaners. 12. Restaurant, including drive-in. 13. Retail store for the sale of jewelry, cameras, bicycles, and repair. b. Bicycle sales and repair. 1. Bicycle sales and repair. 2. Locksmith shop. 3. Printing shop. 4. Radio and television sales and repair employing not more than five (5) persons in repair services and involving no manufacturing on the premises. 5. Shoe sales and repair.</p> <p style="text-align: right;">City of Petal Zoning Ordinance</p>	<p>31</p> <p>6.06.9 <u>Additional Provisions</u>. 1. All new apartment buildings requiring a permit within the City of Petal, must be constructed with a minimum of twelve hundred (1,200) square feet per unit for the heated area. 2. All new townhouses requiring a permit within the City of Petal, must be constructed with a minimum of four hundred (400) square feet per unit for the heated area. 3. All new condominiums requiring a permit within the City of Petal, must be constructed with a minimum of fourteen hundred (1,400) square feet for the heated area and have a two car garage. 4. All new apartments, condominiums and condominiums shall be tightly and suitably constructed that are in harmony with existing visual features and character of the neighborhood in which it is built.</p> <p>6.06.10 <u>Statement of Intent</u>. Commercial Office (CO) District creates a quiet and attractive environment designed to be residential friendly, especially suited to a group of professional, general administrative and general sales offices, and personal service uses to serve the needs of the local community, together with certain commercial uses that create low levels of vehicular traffic and allow pedestrian access to the businesses.</p> <p>6.06.11 <u>Permitted Uses</u>. The following uses shall be permitted: 1. General Office of less than 2,400 square feet. 2. Place of worship. 3. Personal Services to include hair/beauty shops and similar personal service shops. 4. Personal Office. 5. Medical Office. 6. Public Utilities. 7. Art Gallery.</p> <p>6.06.12 <u>Conditional Uses</u>. The following uses may be permitted subject to approval by the City of Petal Planning Commission in compliance with section 11.65 and subject to approval of the Planning Commission recommendation to the Mayor and Aldermen per section 11.52: 1. Retail Sales (excluding restaurants, liquor, building supplies sales, and car repair/maintenance) to include retail bakeries, drug stores, florists, and other similar small-scale retail establishments. 2. Book store. 3. Music, Dance, Photographic, or Art Studio.</p> <p style="text-align: right;">City of Petal Zoning Ordinance</p>	<p>32</p> <p>6.06.1 <u>Statement of Intent</u>. Commercial Office (CO) District creates a quiet and attractive environment designed to be residential friendly, especially suited to a group of professional, general administrative and general sales offices, and personal service uses to serve the needs of the local community, together with certain commercial uses that create low levels of vehicular traffic and allow pedestrian access to the businesses.</p> <p>6.06.2 <u>Permitted Uses</u>. The following uses shall be permitted: 1. General Office of less than 2,400 square feet. 2. Place of worship. 3. Personal Services to include hair/beauty shops and similar personal service shops. 4. Personal Office. 5. Medical Office. 6. Public Utilities. 7. Art Gallery.</p> <p>6.06.3 <u>Conditional Uses</u>. The following uses may be permitted subject to approval by the City of Petal Planning Commission in compliance with section 11.65 and subject to approval of the Planning Commission recommendation to the Mayor and Aldermen per section 11.52: 1. Retail Sales (excluding restaurants, liquor, building supplies sales, and car repair/maintenance) to include retail bakeries, drug stores, florists, and other similar small-scale retail establishments. 2. Book store. 3. Music, Dance, Photographic, or Art Studio.</p> <p style="text-align: right;">City of Petal Zoning Ordinance</p>

EXHIBIT "F"

<p>31</p> <p>7. Professional Office Complex of more than 7,000 square feet (Office) professional and personal services, including the following:</p> <ul style="list-style-type: none">a. Banker, shop, beauty shop, and similar personal service shops.b. Branch offices of banks, savings and loan associations, and similar institutions.c. Custom dressmaking, millinery, tailoring, or similar trade where the products are sold exclusively or retail on the premises.d. Medical, dental, and similar clinics and professional offices. <p>3. Personal Services Buildings</p> <p>4. Institutional, artistic, and commercial recreational uses as follows:</p> <ul style="list-style-type: none">a. Art gallery and antique shopb. Book and stationery store.c. Business or commercial schoold. Music or dancing studioe. Music rehearsal studio and academiesf. Photographic studiosg. Pool roomh. Theater or place of amusement, except drive-in theaters <p>5. Financial Institution</p> <p>6. Retail Store</p> <p>7. Retail Bank Branch</p> <p>8. Educational Facilities</p> <p>9. Funeral Home</p> <p>10. Uses allowed in CG with the exception of residential</p> <p>11. Accessory uses and buildings incidental to the above permitted uses.</p> <ul style="list-style-type: none">a. Permitted as per section 6.072 b.e. or in the R-1 District provided they are used in conjunction with and are incidental to a principal use or structure.b. Rear setback set at 0 feet, side setback, 15 feet <p>6.072.1 Conditional Uses</p> <p>The following uses may be permitted subject to approval by the City of Petal Planning Commission in compliance with section 11.65 and subject to approval of the Planning Commission recommendation to the Mayor and Aldermen per section 11.52.</p> <ul style="list-style-type: none">1. Retail Sales (coordinated shopping center).2. Minor Auto Repair3. Contractor Office (not employees)4. Nursing homes, and similar institutional living5. Service Station6. Other similar uses.7. Private railroad8. Gasoline dispensing station9. Radio and television broadcasting towers. <p style="text-align: center;">City of Petal Zoning Ordinances</p>	<p>10. Day care centers, day nurseries, and day care homes.</p> <p>6.07.4 Area, Yard and Height Regulations</p> <p>6.07.4.1 Front Yard</p> <p>There shall be a front yard having a depth of not less than twenty-five (25) feet. No product may be stored, displayed or offered for sale within a required front yard, and on a corner lot, within the required side yard along a side street.</p> <p>6.07.4.2 Side Yard</p> <p>On a corner lot there shall be a side yard of not less than fifteen (15) feet along the side street. Otherwise there shall be a side yard of not less than ten (10) feet in width.</p> <p>6.07.4.3 Rear Yard</p> <p>A rear yard is not required except where a lot abuts upon residential property in a residential district in which case there shall be a rear yard of not less than twenty (20) feet in depth.</p> <p>6.07.4.4 Building Height</p> <p>No building shall exceed fifty (50) feet in height.</p> <p>6.07.5 Parking Regulations</p> <p>Off-street parking spaces shall be provided in accordance with the requirements set forth in Section 7.2, Article VIII of this Ordinance.</p> <p>6.07.6 Loading Requirements</p> <p>One (1) loading/unloading space on the lot shall be provided in excess of ten thousand (10,000) square feet; this shall be provided plus an additional truck parking space per twenty thousand (20,000) square feet.</p> <p>6.07.7 Sign Regulations - As required in Section 7.5</p> <p>6.07.8 Buffer Strip</p> <p>Buffer strip are required in this zoning district. Regulations can be found in Section 7.7.</p> <p>6.08 C-3 General Commercial District</p> <p>6.08.1 Statement of Intent</p> <p style="text-align: center;">City of Petal Zoning Ordinances</p>	<p>General Commercial is intended to provide space for general business, services and some light manufacturing operations in areas where the concentration of commercial and industrial uses and highways. Visibility and direct automobile traffic are not normally critical to businesses within this district.</p> <p>6.08.1 Permitted Uses</p> <p>The following uses shall be permitted:</p> <ul style="list-style-type: none">1. Retail Sales (coordinated shopping center)2. Minor Auto Repair3. Appliance Repair (not employees)4. Motel and hotels5. Motel and hotels6. Funeral Home7. Wholesale business8. Nursing homes, and similar institutional living9. Light processing (assembly only)10. Automobile service, repair and storage11. Laundries and dry cleaning plants12. Animal Hospitals13. Public Utilities and railroads14. Grocery Store15. Movie Theatre16. Gasoline dispensing station17. Game Room18. Automated Car Wash19. Accessory building and uses customarily incidental to the uses <p>20. Uses allowed in C-3 buildings incidental to the above permitted uses.</p> <p>21. Accessory uses and structures</p> <ul style="list-style-type: none">a. Permitted accessory use and structures. Accessory uses and structures are permitted as per section 6.022 b.e. or in the R-1 District provided they are used in conjunction with and are incidental to a principal use or structure.b. Rear setback set at 0 feet, side setback, 15 feet. <p>6.08.2 Conditional Uses</p> <p>The following uses may be permitted subject to approval by the City of Petal Planning Commission in compliance with section 11.65 and subject to approval of the Planning Commission recommendation to the Mayor and Aldermen per section 11.52.</p> <ul style="list-style-type: none">1. Vehicle sales area and used2. Major Auto repair3. Truck or motor freight terminals4. Storage and warehousing (excluding the storage of vehicles) <p style="text-align: center;">City of Petal Zoning Ordinances</p>	<p>34</p> <p>5. Other similar uses.</p> <p>6.082 Area, Yard and Height Regulations</p> <p>6.082.1 Front Yard</p> <p>There shall be a front yard having a depth of not less than twenty-five (25) feet. No product may be stored, displayed or offered for sale within a required front yard, and on a corner lot, within the required side yard along a side street.</p> <p>6.082.2 Side Yard</p> <p>There shall be two (2) side yards of not less than five (5) feet in width for buildings up to two (2) stories. For the third story there shall be an additional five (5) feet and an additional one (1) foot of side yard for each story above three (3). On a corner lot there shall be a side yard of not less than fifteen (15) feet along the side street.</p> <p>6.082.3 Rear Yard</p> <p>A rear yard is not required except where a lot abuts upon residential property or a residential district in which case there shall be a rear yard of not less than twenty (20) feet in depth.</p> <p>6.08.3 Building Height</p> <p>No building shall exceed sixty-five (65) feet in height.</p> <p>6.08.5 Parking Regulations</p> <p>Off-street parking spaces shall be provided in accordance with the requirements set forth in Section 6.2, Article VIII of this Ordinance.</p> <p>6.08.6 Loading Requirements</p> <p>Same as those included in the C-1 district</p> <p>6.08.7 Sign Regulations - As required in Section 7.5</p> <p>6.08.8 Buffer Strip</p> <p>Buffer strip are required in this zoning district. Regulation can be found in Section 7.7.</p> <p>6.09 C-3 General Business District</p> <p style="text-align: center;">City of Petal Zoning Ordinances</p>	<p>35</p> <p>6.09.1 Statement of Intent</p> <p>Central Business District is intended to provide space within the Central Business District for general business and services. Uses within this district should complement surrounding residential uses through appropriate pedestrian access and building.</p> <p>6.09.2 Permitted Uses</p> <ul style="list-style-type: none">1. Uses allowed in C-22. Accessory uses and buildings incidental to the above permitted uses3. Permitted accessory uses and structures. Accessory uses and structures are permitted as per section 6.022 b.e. or in the R-1 District provided they are used in conjunction with and are incidental to a principal use or structure4. Rear setback set at 0 feet, side setback 0 feet. <p>6.092.1 Conditional Uses</p> <p>The following uses may be permitted subject to approval by the City of Petal Planning Commission in compliance with section 11.65 and subject to approval of the Planning Commission recommendation to the Mayor and Aldermen per section 11.52.</p> <ul style="list-style-type: none">1. Multifamily dwelling2. Vehicle sales, new and used3. Storage and warehousing (excluding the storage of vehicles)4. Other similar uses <p>6.092.2 Area, Yard, and Height Regulations</p> <p>6.092.3 Front Yard</p> <p>No requirements, except in the case of multiple family dwellings, the requirements of the R-1 district shall apply.</p> <p>6.09.2.4 Side Yard</p> <p>No requirements, except in the case of multiple family dwellings, the requirements of the R-1 district shall apply.</p> <p>6.092.5 Rear Yard</p> <p>No requirements, except in the case of multiple family dwellings, the requirements of the R-1 district shall apply.</p> <p>6.092.6 Building Height</p> <p>No building shall exceed ten stories in height.</p> <p style="text-align: center;">City of Petal Zoning Ordinances</p>	<p>36</p> <p>6.094 Parking and Loading Requirements</p> <p>6.094.1 Parking Requirements</p> <p>No off-street parking is required, except for multiple family dwellings.</p> <p>6.094.2 Loading Requirements</p> <p>Same as those included in the regulations for C-1, unless served by existing alleys.</p> <p>6.095 Sign Regulation - As required in Section 7.5</p> <p>6.096 Buffer Strip</p> <p>Buffer strip are required in this zoning district. Regulations can be found in Section 7.7.</p> <p>6.10 Full Light Industrial District</p> <p>6.10.1 Statement of Intent</p> <p>The purpose of this district is to provide sites for the manufacture, storage, sale and distribution of goods, the conduct of related commercial and industrial services, and the development of continued growth of the economic base of the City. These uses, which are otherwise not offensive by reason of emission of noise, dust, smoke, gas, noise at vibration shall not be allowed.</p> <p>6.102 Permitted Uses</p> <p>The following uses are permitted:</p> <ul style="list-style-type: none">1. The following C-2 district uses shall be permitted:<ul style="list-style-type: none">a. Automobile service, repair and storageb. Automobile sales and plant operationsc. Restaurants, service and repair establishmentsd. General service and repair establishmentse. Laundry and dry cleaning plantsf. Printing shopsg. Printing shopsh. Service stations and filling stationsi. Transmitting and cabinet shopsj. Telephone exchangesk. Truck or motor freight terminals or warehousesl. Wholesale business, warehousing, or service establishments. <p style="text-align: center;">City of Petal Zoning Ordinances</p>
---	---	---	---	---	---

EXHIBIT "F"

39

- Any use permitted in the I-1, Light Industrial District provided that all provisions outlined therein shall apply for said uses in this zone.
- Any other building or structure may be used for any purpose not in conflict with any provisions of this Ordinance, provided that the building, structure, or use shall be located on a lot that is zoned for such use. Such building, structure, or use shall be erected, reconstructed, or structurally altered for residential purposes, except for residential workmen and caretakers employed on the premises, provided that any such use shall be located in at least three hundred (300) feet from any residential zone and in at least one hundred (100) feet from any other district except the I-1 District, and provided further that no building or occupancy permit shall be issued for any such use until the Planning Commission has been notified and the use has been approved by the Mayor and Council, after report by the Planning Commission.
 - Acid manufacture.
 - Ammonia, chlorine or bleaching powder, manufacture.
 - Asphalt plant.
 - Automobile wreacking and salvage yard.
 - Automobile repair and maintenance.
 - Auto repair and maintenance.
 - Crucible manufacture or storage.
 - Distillation of bones, coal, petroleum, rubber, grain, or wood.
 - Explosives manufacture or storage.
 - Explosives manufacture or storage.
 - Fat rendering and fertilizer manufacture.
 - Garage, oil, or diesel engine production or dumping.
 - Grain, oil, or diesel engine production or dumping.
 - Ice cream, confectionery, or ice cream manufacture or storage.
 - Ice cream, confectionery.
 - Paper and paper pulp manufacture.
 - Petroleum or its products manufacture.
 - Rock or stone crusher, mill, or quarry.
 - Stamping of animals, stock yard.
 - Tanning.
 - Tanning of tin, copper, zinc, aluminum, or iron ore.
- Accessory uses and buildings incidental to the above permitted uses.
 - Permitted accessory uses and structures. Accessory uses and structures are permitted as per section (6.022.6.a.1) in the R-1 District provided they are used in conjunction with and are incidental to a principal use or structure.
 - Rear setback set at 0 feet, side setback 0 feet.

6.113 Area, Yard, and Height Regulations.

The regulations shall be the same as for the I-1, Light Industrial District.

6.114 Parking and Loading Regulations.

The regulations shall be the same as for the I-1, Light Industrial District.

6.115 Sign Regulations - As required in Section 7.5

City of Petal Zoning Ordinance

38

- 1033 Rear Yard.
On a lot abutting on a dwelling district, there shall be a rear yard of not less than fifteen (15) feet in depth.
- 104 Building Height.
No building shall exceed seventy-five (75) feet in height, but whenever any building in the I-1, Light Industrial District adjoins or abuts upon a residential district, any part thereof in excess of fifty (50) feet in height shall be set back from all required yard lines for each one (1) foot of additional height above fifty (50) feet.
- 104 Parking and Loading Requirements.
- 1041 District Requirements.
The parking regulations for permitted uses in the C-2 District shall apply to such uses which are located in the I-1 District.
 - See Section 8.2, Off-Street Parking Requirements.
- 1042 Loading Requirements.
One (1) loading space shall be provided for each twenty thousand (20,000) square feet of floor area or fraction thereof in excess of ten thousand (10,000) square feet devoted to industrial or commercial uses.
- 105 Sign Regulations - As required in Section 7.5
- 106 Buffer Strip.
Buffer strip are required in this zoning district. Regulations can be found in Section 7.7
- 112 Heavy Industrial Districts.
- 113 Subsequent to lot area.
The purpose of this district is to provide areas for manufacturing or processing, storage, sale, and distribution of goods, which may require extensive transportation, water, and/or sewerage facilities as well as open space because of the number of employees, the type manufacturing operation, or any byproduct which might result from the manufacturing process. The district provides for the control of public, commercial and industrial districts.
- 114 Commercial Uses.
The following uses shall be permitted:

City of Petal Zoning Ordinance

37

- Any use of a light industrial nature, including but not limited to the following, provided that such uses shall be located no closer than one hundred and fifty (150) feet of any dwelling, school, church, or institution for human care.
 - Manufacture and assembly of electrical appliances, electronics, and scientific and measuring instruments, and photographic or optical products.
 - Manufacturing, compounding, assembling, or treatment of articles or merchandise from previously prepared materials such as books, cloth, fur, cork, fiber, canvas, leather, cellophane, paper glass, plastic, horn, stone, shell, tobacco, wax, textiles, yarns, wood, and metals, including light steel, or other light metal mesh, and other products, including the following:
 - Manufacturing compounds, processing, packaging, or treatment of cosmetics, pharmaceutical, food products, except fish and meat products, sawkrust, vinegar, yeast, and the rendering or refining of fat and oils.
 - Manufacture of musical instruments, novelties, and molded rubber products, including the recycling and reusing.
 - Manufacture of plastic, synthetic, or organic products, using only previously prepared plastic or synthetic materials.
 - Manufacture of glass, ceramic, electrical, or gas.
 - Laboratories—chemical, physical, and biological.
 - Clothing and shoe manufacturing.
 - Carpenter and sign cleaning plants.
 - Blanketing, welding, machine, or similar shops.
 - Hotels.
 - Public utilities and railroads.
 - Any other use that is determined by the Planning Commission to be of the same general character as the above permitted uses, and which would not be detrimental to the public health, safety, or general welfare of the community.
- Accessory uses and structures. Accessory uses and structures are permitted as per section (6.022.6.a.1) in the R-1 District provided they are used in conjunction with and are incidental to a principal use or structure.
 - Rear setback set at 0 feet, side setback 0 feet.

6.103 Area, Yard, and Height Regulations.

6.1031 Front Yard.

There shall be a front yard having a depth of not less than forty (40) feet.

6.1032 Side Yard.

On the side of a lot adjoining a residential district there shall be a side yard of not less than ten (10) feet.

City of Petal Zoning Ordinance

40

- 118 Buffer Strip.
Buffer strip are required in this zoning district. Regulations can be found in Section 7.7.
- 119 Mobile Home Parks.
Mobile Home Parks hereafter developed or expanded shall comply with the following requirements.
- 121 Use Regulations.
A building or premises shall be used only for the following purposes:
 - Mobile home units.
 - Recreation and service activities as described in this Article.
 - Accessory uses and buildings incidental to the above permitted uses.
- 122 Approval of Mobile Home Parks.
No mobile home park may hereafter be developed or expanded until the site plan thereof has the approval of the Petal Planning Commission, which approval may be given, provided the plans as submitted meet the following requirements:
 - Contents of Plans. Six (6) copies of a complete site plan of proposed mobile home park shall be submitted drawn at a scale of not more than one hundred (100) feet to one inch and shall show:
 - The area and dimensions of the proposed mobile home park site.
 - The street and driveway layout, including distance notations.
 - The location of all utility lines, (i.e. water, gas, sewer, electrical and TV cable).
 - A preliminary drainage plan for the mobile home park prepared by a registered engineer or registered landscape architect and approved by the City Engineer.

City of Petal Zoning Ordinance

42

- Proposed site plan in no case shall be less than twenty-five (25) feet from the right-of-way line of any major thoroughfare.
- Front Yard on a Through Lot. At each end of a lot that lies between and abuts two parallel streets, there shall be a front yard of the depth required by this Ordinance for the zone in which each street frontage is located.
- Parking. No mobile building within the park except the utility and tool boxes used in connection with one mobile home unit may be allowed in a park.
- Mobile Home Units. No mobile home unit shall be parked closer than fifteen (15) feet to any boundary line of park; provided that in sections of a mobile home park where a driveway is provided for the use of mobile home units shall be parked closer than fifteen (15) feet from the boundary of a park.
- Accessibility to Driveways. Each mobile home unit shall be parked and secured to its stand and directly accessible to any conforming driveway or internal street.
- Additional Units. In no case shall additional mobile home units be made, placed, or removed from a mobile home park without the approval of the Planning Commission. Furthermore, all additional units shall receive approval from the Building Inspection Department.
- Construction of Mobile Home Units. Each mobile home park shall have a finish grade so that no portion of the mobile home unit shall be underpinned at a height exceeding twenty-four (24) inches. The developer of a mobile home park will be responsible for the construction of the mobile home units. The mobile home units shall be underpinned with a minimum of 4 inches x 16 inches concrete block and shall have solid masonry units of the same or greater plane area as a base and cap. Solid wood shimming material not exceeding one (1) inch in total thickness may be used to level the mobile home unit. Underpinning piers shall be placed at a distance no greater than six (6) feet from the mobile home unit. Underpinning shall be in place of repair so as not to cause safety hazards. Subsequent to the completion of a mobile home park, the owner and/or manager of said park shall be responsible to the Building Inspector for compliance with the contents of this paragraph.
- Accessories to Mobile Home Units. All mobile homes shall be securely anchored to the foundation or anchoring system which is approved by the Mississippi State Insurance Commission.
- Streets and Driveways. All streets and driveways shall be laid out and paved in accordance with the specifications as set forth in the Petal Subdivision Regulations, and shall have a minimum pavement width of twenty-four (24) feet.
- Lighting. All streets or driveways within the mobile home park shall be lighted between streets and maintain with electric light emitting light, at a minimum of at least five thousand lumens, and the light poles shall be no more than two hundred and fifty (250) feet apart.
- Eligibility of Mobile Home Units for Mobile Home Occupancy.

City of Petal Zoning Ordinance

41

- Location and dimensions of all buffers, office structures, utility buildings, recreational facilities, etc.
- Minimum Park Area. Each mobile home park shall have a total contiguous area which shall be governed by the topography, soil type and type of sewage and water disposal installed. Any mobile home park's total contiguous area shall not be less than two (2) acres, with a minimum drainage width of one hundred (100) feet on a public street.
- Minimum Density. The maximum density of the mobile home units within a mobile home park shall be eight (8) units per gross acre. (Gross acreage shall include all area within the approved Mobile Home Park boundaries.)
- Mobile Home Spacing. Each mobile home unit shall be clearly defined, well-shaded, set back from a public street, and each mobile home park shall contain no more than one (1) mobile home unit and accessory structures. The Planning Commission may waive the requirements of mobile home spacing abutting on a driveway if a paved parking lot is provided for each mobile home park and adequate walkways are provided to mobile home units.
- Each mobile home park shall contain a minimum of four thousand and five hundred (4,500) square feet.
 - Camping or recreational mobile home units not to exceed forty (40) feet in length in any district may be parked or stored in a garage or accessory building, or in the rear yard and may not be occupied by the owner or any other person if it shall be at least ten (10) feet from the front and side boundaries of the mobile home park and from any business purposes unless in bona fide recreational camping area.
 - There shall be a minimum requirement for setback and yard space in any mobile home park as follows:
 - Side Yard. Ten (10) feet for each unit or twenty (20) feet between units.
 - Rear Yard. Ten (10) feet rear yards twenty (20) feet end-to-end clearance between units.
 - Front Yard. The front yard of a mobile home park shall be deemed to be the space between the front end of a mobile home existing upon said space and the right-of-way line of the abutting, internal park access street, provided further that where any mobile home is situated upon a space within a mobile home park, the setback shall be measured from the front end of the mobile home to the right-of-way line of the abutting, internal park access street, and the following:
 - Mobile home units shall be spaced so that the setback shall be permitted to establish a public street, but in no case shall it be less than ten (10) feet, and provided that the amount of space established for said front and rear yards shall be in accordance with the requirements of the Building Inspector as for design and construction of mobile home parks.

City of Petal Zoning Ordinance

EXHIBIT "F"

- 6.1.1.5 Mobile Manufactured Homes at Mobile Home Units of Multiple Home Units in Mobile Home Parks

Single manufactured homes or mobile home units or modular home units but in mobile home parks manufactured homes, mobile home units or modular home units existing those parcels of land outside of mobile home parks shall comply with the following regulations:

 - 1. Mobile home units or modular home units presently existing as a primary one-to-one detached residence may continue as a non-conforming use, but may not be replaced if moved or destroyed. Upon change of ownership or occupancy, the property containing the mobile home manufactured home or modular unit shall be returned to conforming use.
 - 2. Mobile home units or modular home units shall be returned to conforming use upon replacement of presently existing mobile home units or modular home units in rural fringe areas. The replacement of mobile home units or modular home units in rural fringe areas will be permitted only if they meet the requirements of 6.2 below.

- 3. Placement of manufactured homes in rural fringe areas shall meet the following requirements:
 - a. Foundation
 - 1. The home must be placed on a permanent foundation that complies with the requirements for residential structures. The ditch, dikes, and other structures which must be removed.
 - 2. The lot must be landscaped to ensure compatibility with surrounding properties and provide proper drainage away from the home.
 - b. Exterior Covering
 - 1. Exterior covering must be covered with an exterior material substantially equal in conventional detailing to the construction of the building. The exterior covering material shall extend to the ground except that where a solid concrete or masonry perimeter foundation is used the exterior covering material need not extend below the top of the foundation.
 - 2. Exterior covering shall be finished with a high-gloss finish that must be maintained in appearance including but not limited to: cloths, painted, stained, laminated, or similar material, but excluding smooth, ribbed, or corrugated metal or plastic panels.
 - 3. Colors or textures of exterior materials shall be compatible with the adjacent single-family structures.
 - c. Roof
 - 1. The roof must be constructed of shingles or other material customarily used for conventional dwellings that is residential in appearance, including but not limited to approved wood, asphalt composition shingles or other shingles.
 - 2. The roof must be pitched to there is at least a three-eighths vertical rise for each 12 inches of horizontal run.
 - 3. The roof overhang must not be less than one foot measured from the vertical side of the mobile home. When carports, garages, porches, or other structures are attached to the mobile home, the roof overhang shall be compatible with the structure.

City of Petal Zoning Ordinance

46

- 7.3. Impose limitations on the quantity or intensity of one or more use groups or use categories, including, but not limited to, the location of parking use groups or use categories.
- 8. Remand to the PUD application to the Planning Commission, or
- 9. Approve or deny the PUD application.

6.206 Minimum District Size

Minimum area for a PUD district shall be ten (10) contiguous acres. In designated redevelopment areas and tax assessment districts, the Board of Aldermen may reduce the minimum area required for a PUD by up to 50%.

6.207 Recreational and Open Space Requirements

- (a) A PUD shall provide appropriate open space as recommended by the Planning Commission and approved by the Planning Commission to serve as a buffer between a PUD and the surrounding neighborhood when deemed necessary and approved by the Planning Commission for a smooth transition.
- (b) Each PUD shall provide at least 20 percent of the total development proposed for the PUD shall be open space. The open space shall be developed in accordance with the following requirements and shall be developed in accordance with appropriate standards and be compatible with the surrounding neighborhood:
 - (c) Any required open space which is not dedicated to the City shall be conveyed to the property owners' association with appropriate restrictions provided in the deed to the property which is the PUD. Such land and facilities to open space and recreational facilities shall be provided in accordance with the following requirements:
 - (d) Any proposed recreational or open space to recreational property to the City within a PUD must be appropriately acknowledged in writing prior to action by the Planning Commission. If open space or recreational property within a PUD is dedicated to the City, public access to the property must be maintained.

6.208 Minimum Lot Size

The minimum area and width of residential lots established within a PUD shall not be less than two-thirds of the requirements of the district in which the lot is located. In no case shall a single family residential lot be created with an area of less than 5,000 square feet or a lot frontage of less than 75 feet.

6.209 Buffer Area

All landscape buffer areas installed in the PUD pursuant to the requirements of Section 7.7 of this Ordinance shall be conveyed to a property owners' association for the purpose of ongoing maintenance. The property owners' association shall not be placed into individual building lots or as part of an individual building lot, unless the lot area which the buffer area is placed exceeds 10,000 square feet.

City of Petal Zoning Ordinance

- 6. Required Recreational Area
 - 1. Minimum of ten (10) percent of the gross acreage of the mobile home park shall be set aside for the recreational use by residents of the mobile home park. Said recreational park shall be one contiguous tract or several tracts in the event of which no single tract may be smaller than one-half (1/2) acre and located within the mobile home park in such a manner as to be readily accessible to all residents. The recreational park shall be located on land suitable for park development.

- 7. Mobile Home Parks
 - 1. Mobile home parks shall be surrounded by steps at least fifteen (15) feet in depth on the sides and rear and twenty-five (25) feet in depth along the front.
 - 2. Mobile home parks shall be attractively landscaped and well maintained, and shall otherwise be maintained except for permitted utility facilities, signs or entrance ornamentation.
 - 3. The inside lot (10) feet to the twenty-five (25) feet front buffer may be used for street or driveway approaches to the recreational facilities.

- 8. Screening
 - 1. Any portion of the property a mobile home park abutting any existing commercial, industrial use, shall be screened therefrom by one of the following:
 - a. A five (5) foot high masonry wall with no more than seventy-five (75) percent penetration.
 - b. A fence with a minimum height of five (5) feet and no more than seventy-five (75) percent penetration or
 - c. Any other screening deemed to be of a minimum height of five (5) feet.

- 9. Recreational Amenities
 - 1. Each screening shall be erected and maintained by the owners of the mobile home park.
 - 2. Recreational amenities shall be provided for the use of the residents of the mobile home park. Such amenities shall include, but not be limited to, tennis courts, swimming pools, playgrounds, and other recreational facilities and activities. More amenities shall be provided than those specified herein are strictly prohibited.

- 10. Parking
 - 1. Automobile parking within any mobile home park shall be only within areas designated on the development plan or plan provided to or within one hundred and fifty (150) feet of every mobile home lot, and that off-street parking spaces shall be provided for every six (6) mobile home lots in conventional lots.

- 11. Regulations governing mobile home parks prescribed by the Health Department as well as other city, county or state regulations, shall be complied with.

City of Petal Zoning Ordinance

47

The Planned Unit Development allows a development to be planned and built as a unit and which provides for a variety of uses, including residential, commercial, and industrial use, setbacks, open space, and other design elements, and the form and scale of the development. PUD therefore is both a type of development and a regulatory process. As a development PUD permits flexibility in the design that allows buildings to be clustered, and a regulatory process that allows a developer to propose a development that is different from the standard zoning regulations. PUD offers greater opportunities for providing more diverse housing, better design, and more open space than traditional zoning. PUDs are based upon a steep slope. PUD offers greater opportunities for providing more diverse housing.

6.203 Specific Goals

The PUD District will be applied where it will help to accomplish the following specific purposes:

- (a) Encourage diverse living environments and accommodate a mixture of land uses that otherwise would not be allowed together on the same site.
- (b) Permit flexibility within the development with respect to area and density standards to best utilize the physical features of a particular tract of land.
- (c) Encourage and preserve meaningful open space, particularly where it is necessary or desirable to provide a buffer between the development and adjacent residential areas.
- (d) Encourage a more efficient use of land, public services, and natural resources that is generally achieved through conventional development.
- (e) Provide a smooth transition from surrounding densities, structures, and uses with their proposed in the PUD, and
- (f) Provide amenities beyond the minimum requirements of conventional development.

6.204 Application of District

The requirements of this Section shall apply to all proposed PUDs. The review and approval of PUD applications shall be subject to the review and approval of any Subdivision Plat and/or site plan required. An application for PUD review and approval shall be filed simultaneously and coordinated with the Subdivision Plat and/or site plan approval shall be filed simultaneously and coordinated.

6.205 Permitted Uses

As the time of recommending approval of a PUD, the Planning Commission shall designate a list of permitted uses, groups and categories for the PUD, subject to the following:

- a. Where there is more than one zoning district applicable to the property, subject to a PUD application, the Permitted Uses in the PUD shall be proportional to the respective land areas contained in each underlying zoning district.
- b. The Board of Aldermen, after considering the recommendations of the Planning Commission, shall determine the Permitted Uses in the PUD.
- c. Eliminate from a proposed PUD any use, use group, or category permitted in the district applicable to the property prior to the application of the PUD.

City of Petal Zoning Ordinance

- 1. Length of Residential Occupancies. No mobile home lot shall be rented for residential use in any mobile home park except for a period of thirty (30) days or more.
- 2. Plumbing, Heating, and Electrical Standards. No mobile home unit shall be occupied unless it meets the current requirements of the Petal Code. It can demonstrate that it meets the current requirements of the Petal Code.

- 3. Kitchening Facilities.
 - 1. All electrical outlets shall be adequate and installations shall meet the requirements of the Petal Code.
 - 2. Kitchens shall be equipped with a sink, a stove, and a refrigerator. The sink shall be equipped with a hot water faucet. The sink shall be equipped with a hot water faucet. The sink shall be equipped with a hot water faucet.

- 4. Environmental Control.
 - 1. The area around and underneath each mobile home shall be free of weeds, brush, and other unsightly material.
 - 2. Garbage receptacles. Each mobile home space shall be provided with an approved garbage container with a tight fitting cover. The container shall be kept in sanitary condition and shall be stored at least three inches off the ground preferably on a metal rack or stand. The container shall be equipped with a lid that is tight fitting, constructed in accordance with the Petal Code.

- 5. Plumbing.
 - 1. Each mobile home shall be provided with a plumbing system that meets the requirements of the Petal Code.
 - 2. Each mobile home shall be provided with a plumbing system that meets the requirements of the Petal Code.

- 6. They shall be of approved semi-rigid and non-collapse hose, having smooth interior surfaces and no less than three inches outside diameter, not less in size than the mobile home outlet drain connections. When equipped with a standard sewer or drain connection, the drain shall be equipped with a standard sewer or drain not in use, the sewer opening shall be closed with an approved closure or cap.

- 7. Fire Protection.
 - 1. Every mobile home park shall be equipped at all times with fire equipment in good working order and of such type, size, number and location as to satisfy applicable fire regulations of Petal.

City of Petal Zoning Ordinance

46

- 6.201 Planned Unit Development
 - 1. The purpose of the Planned Unit Development is to provide a means for developing a variety of uses, including residential, commercial, and industrial use, on a single tract of land. The purpose of the Planned Unit Development is to provide a means for developing a variety of uses, including residential, commercial, and industrial use, on a single tract of land.

- 2. The minimum square footage of the leased area shall be 1,700 square feet.

6.202 Statement of Intent

The Planned Unit Development is a special overlay that provides an alternate approach to conventional land use controls. As a type of development and as a regulatory process, the PUD offers increased design flexibility for a large site and is subject to special review procedures. Once the Planned Unit Development is approved, it becomes an overlay for the property it represents. The PUD designation shall be applied as an overlay to any one or more conventional zoning districts that apply to the property. The PUD shall be subject to the same rules and regulations as the zoning district in which it is located. The PUD shall be subject to the same rules and regulations as the zoning district in which it is located.

6.203 Purpose

The purpose of the Planned Unit Development is to provide a means for developing a variety of uses, including residential, commercial, and industrial use, on a single tract of land. The purpose of the Planned Unit Development is to provide a means for developing a variety of uses, including residential, commercial, and industrial use, on a single tract of land.

City of Petal Zoning Ordinance

EXHIBIT "F"

6.2.15 ERECS

Approval of a PUD plan shall create a special PUD Overlay District for the affected property. The provisions of the PUD plan shall, to the extent inconsistent with otherwise applicable regulations for the underlying district, supersede such regulations. The entire PUD plan shall be construed as a single, interrelated approval. Failure of the applicant to conform to the provisions of the PUD plan shall preclude grounds for the City to vacate the plan approval, subjecting undeveloped portions of the property to the regulations of the underlying district.

6.3 Special zoning districts

6.3.1 Special zoning districts: For the purposes of this ordinance, there are two (2) types of special districts: overlay zones and floating zones.
6.3.2 Purpose of overlay districts: An overlay district is a mapped area that imposes a set of requirements in addition to those of the underlying zoning district. In areas where an overlay zone is established, property is placed simultaneously in the two (2) zones, and the land may be developed only under the conditions and requirements of both zones or the more restrictive of the two. The purpose of overlay zones is to deal with a special public interest in a specific geographic area.

6.3.3 Development standards: Unless otherwise noted, applications for development shall be handled administratively.

6.4 Flood Plain Overlay Districts

6.4.1 Purpose of districts: This overlay district is intended to identify those areas which are subject to periodic or occasional inundation from stream and river overflows and are therefore, usually unimproved for residential, commercial and industrial uses.
All lands lying within this district are subject to inundation by the base flood as defined on the current flood insurance rate maps. The district acts as an overlay zone and does not eliminate or change any requirements in other zoning districts.

6.4.2 Uses permitted: Uses are subject to the requirements of the zoning district and shall, in addition, comply with the current flood damage prevention ordinance.

6.5 Erosion Control Overlay Districts

6.5.1 Purpose of districts: The purpose of this overlay district is to protect and preserve the quality of the Evelyn Grady Parkway which encourages compatible development on property contiguous to the parkway. It is further intended that all uses within this overlay district be pedestrian oriented. The Park way is hereby declared to be designated open space.

6.5.2 Erosion control: The provisions set forth in this section shall not apply to the construction or reconstruction of any existing or proposed development for which:

City of Petal Zoning Ordinance

- 4. Automotive washing
 - 5. Commercial off street parking
 - 6. Any use with a drive to service
 - 7. Service stations
 - 8. Multi-family residential
 - 9. Other uses as determined by the permit.
2. Uses
- a. Hotels/motels
 - b. Restaurants
 - c. Retail stores
 - d. Other uses as determined by the permit.
3. Height: Same as imposed by underlying district.
4. Impervious cover: Same as imposed by underlying district.

6.7 M1 Municipal Use District

6.7.1 Purpose of district: A use owned and/or operated by city, county, state, or federal government, or their board, commission or authority for the benefit and well being of the general public.

6.8 Cottage Overlay District

6.8.1 Pre-Fixation Condition

6.8.1.1 Existing buildings that do not conform to the provisions of this Code may continue in use as they are until a Substantial Modification is requested, at which time the Petal Planning Commission shall determine the provisions of this Code that apply to the building.

6.8.1.2 Existing buildings that when renovated have at any time received a certificate of occupancy shall not require upgrade to the current Petal Building Code and may meet the standards of the code under which they were originally permitted.

6.8.1.3 The modification of existing buildings is permitted by right if such modification is in conformance with the specifications of this section.

6.8.1.4 Where buildings exist on adjacent lots, the Petal Planning Commission may require that a proposed building match one or the other of the adjacent setbacks and heights rather than the provisions of this Code.

6.8.1.5 Any addition to or modification of a building that has been previously eligible for inclusion on a state, local or national historic register, including without limitation, the architectural harmony (similar materials, window proportions, color range, masonry, roof type and pitch) of such addition or modification, shall be subject to approval by the Petal Planning Commission.

6.8.1.6 The retention of an existing building shall not require stormwater retention/detention in addition to that existing, except in the event required by applicable state or federal law.

City of Petal Zoning Ordinance

- (1) Lot dimension;
- (2) Setback;
- (3) Parking;
- (4) Landscaping, and/or
- (5) Building.

Non-residential uses in PUDs containing both residential and non-residential uses shall be designed, located, and oriented on the site so that such uses are directly accessible to residents of the PUD. For the purposes of this ordinance, "Directly accessible" shall mean that the uses are directly accessible to residents of the PUD by improved sidewalks or paths and streets that do not involve leaving the PUD or using a major thoroughfare. "Directly accessible" does not necessarily mean that non-residential uses need to be located in a particular location but that the using of such uses consider the accessibility of the residential component of the PUD to the non-residential use.

6.2.14 Planned Development

In the case of a phased PUD where a majority of the PUD is residential, construction of the non-residential portion of the PUD, plus or minus, shall be designed and planned to ensure that the residential portion of the PUD is not adversely impacted by the non-residential portion. A determination to further residential development of the community and adjacent properties. Impact of the non-residential portion includes, but is not limited to, the visual impact and participation of the non-residential development. Construction of the non-residential development which is part of the PUD shall commence no earlier than such time as the official record map for the PUD shall be recorded. The PUD shall be recorded in accordance with the schedule which fulfills the intent of this Section has been approved by the Board of Aldermen as part of the PUD's Subdivision Final Plan.

(b) In the case of a phased PUD in which a majority of the PUD is non-residential, construction of the non-residential portion of the PUD shall be designed and planned to ensure that the residential portion of the PUD is not adversely impacted by the non-residential portion. Properties will not be detrimental or a detriment to further residential development of the community and adjacent properties. Impact of the non-residential portion includes but is not limited to the visual impact and perception of the residential development. Construction of the non-residential development which is part of the PUD shall commence no earlier than such time as the official record map for the PUD shall be recorded. The PUD shall be recorded in accordance with the schedule which fulfills the intent of this Section has been approved by the Board of Aldermen as part of the PUD's Subdivision Final Plan.

(c) All public open space required by the City shall be dedicated and completed before the Final Plat is filed and accepted. All non-residential construction shall be completed before the Final Plat is filed and accepted. All non-residential construction shall be completed before the Final Plat is filed and accepted. All non-residential construction shall be completed before the Final Plat is filed and accepted.

City of Petal Zoning Ordinance

Gandy Parkway for which a primary setback line has been established, however, that this provision shall not apply to park related facilities including, without limitation, picnic tables, observance decks, trails, garbage, receptacles, or similar amenities located on land dedicated or used for public park purposes, provided to a maximum impervious cover of fifteen (15) percent. This maximum percentage may be increased as determined by the Board of Aldermen. This setback shall be measured from the street frontage of the building. This setback shall be measured from the street frontage of the building. This setback shall be measured from the street frontage of the building. This setback shall be measured from the street frontage of the building.

4. Secondary setbacks: A transition zone shall be provided which allows for, but is not limited to, the construction of footcandle, pens, terraces, outdoor restaurants or similar amenities in sub-districts where a secondary setback line has been defined, is restricted to a maximum of thirty (30) percent. This maximum percentage may be increased only as determined by the building inspection department when justification for such increase is shown by the applicant. Said allowance or increase shall be handled by application for variance submitted to the Petal Planning Commission. (Unless a variance is granted, all secondary setbacks are fifty (50) feet.) The secondary setback becomes a building setback.

5. Parking

a. Surface parking shall not be visible from the Evelyn Grady Parkway. Surface screening shall include dense planting of trees, shrubs, other vegetation screening walls or berms. Topographic changes shall be considered in reviewing this provision.

b. Parking structures shall be designed to be aesthetically pleasing and shall be defined as a parking area accessed by one drive and back-up spaces. This may include a single bay, with two (2) rows of parking and a common drive.

c. Parking structures above grade shall be creatively integrated architecturally with the building and/or thoroughly screened from the Evelyn Grady Parkway. The building and/or structure shall be designed to be aesthetically pleasing and shall be defined as a parking area accessed by one drive and back-up spaces. This may include a single bay, with two (2) rows of parking and a common drive.

d. Parking structures shall be designed to be aesthetically pleasing and shall be defined as a parking area accessed by one drive and back-up spaces. This may include a single bay, with two (2) rows of parking and a common drive.

e. Parking structures shall be designed to be aesthetically pleasing and shall be defined as a parking area accessed by one drive and back-up spaces. This may include a single bay, with two (2) rows of parking and a common drive.

f. Parking structures shall be designed to be aesthetically pleasing and shall be defined as a parking area accessed by one drive and back-up spaces. This may include a single bay, with two (2) rows of parking and a common drive.

6. Underground utilities: All utilities shall be located underground unless otherwise required by the utility providing the service. All utilities within the right-of-way of the Evelyn Grady Parkway Overlay District shall be below grade.

7. Design

a. Erosion: Erosion control measures or glare-producing glass surface building materials are prohibited.

b. Screening requirements: Trees, receptacles, air conditioning and bearing equipment, utility poles, loading areas, and external storage shall be screened from public view.

6.5.6 Use of site development regulations

- 1. Prohibited uses:
 - a. Automotive rentals
 - b. Automotive repair services
 - c. Automotive sales

City of Petal Zoning Ordinance

6.2.10 Minimum Off-Street Parking

Off-street parking shall meet the minimum requirements of this Ordinance. Design and improvements of such parking shall also conform to this Ordinance and driveway applicable regulations. Innovative design, arrangement and improvements of streets and driveways shall be considered, and may be approved as long as they are designed and implemented in compliance with city standards.

6.2.11 Success and Street Connections

(a) The Board of Aldermen may approve a PUD with private streets provided that such streets shall conform to the minimum design widths and other design specifications as set by the City of Petal and shall be constructed in accordance with the City of Petal's Standard Specifications for Public Streets.

(b) The Board of Aldermen may approve a PUD with private streets provided that such streets shall conform to the minimum design widths and other design specifications as set by the City of Petal and shall be constructed in accordance with the City of Petal's Standard Specifications for Public Streets.

(c) The Board of Aldermen may approve a PUD with private streets provided that such streets shall conform to the minimum design widths and other design specifications as set by the City of Petal and shall be constructed in accordance with the City of Petal's Standard Specifications for Public Streets.

(d) The Board of Aldermen may approve a PUD with private streets provided that such streets shall conform to the minimum design widths and other design specifications as set by the City of Petal and shall be constructed in accordance with the City of Petal's Standard Specifications for Public Streets.

6.2.12 Sidewalk and Pedestrian Connections

Sidewalk standards shall not be waived for a PUD, but may be replaced by equivalent, alternative sidewalk/pedestrian connections, which shall link with the sidewalk and pedestrian circulation system of the City.

6.2.13 Development Standards and Improvement Requirements

(a) Unless approved as an exception by the Board of Aldermen as a part of the approval of a PUD, all improvements within a PUD shall conform to the applicable development standards and improvement requirements for underlying districts.

(b) The Board of Aldermen may, as a part of the approval of a PUD, approve the following exceptions to development standards, provided that the Board of Aldermen determines that other proposed improvements and benefits will perform as well as or better than those required by minimum standards set out in this Chapter:

City of Petal Zoning Ordinance

- 1. A valid building permit exists, or
- 2. A certificate of occupancy has been issued, or
- 3. A site plan has been approved, including special use permit use plans, or
- 4. Building plans and specifications have been submitted to the building inspection division for review and said review has been substantially completed prior to the effective date of this ordinance.

6.5.3 Boundaries: The Evelyn Grady Parkway Overlay District consists of all property located within the respective boundaries of the Parkway generally described as one hundred thirty (130) feet on the side of the centerline for each individual lane of traffic from the Leaf River to Fairchild Drive.

6.5.4 General Use Regulations: To the extent that regulations established for the use of property located within the Evelyn Grady Parkway Overlay District are inconsistent with regulations established by a particular underlying district or other provisions of the Code, those regulations shall be controlling. However, unless a use is specifically prohibited in any sub-district, all uses otherwise permitted shall continue to be permitted in any given base district.

6.5.5 Site Development Regulations: To the extent that regulations established for the development of property located within the Evelyn Grady Parkway Overlay District are inconsistent with regulations established by a particular underlying district or other provisions of this ordinance, those regulations shall be controlling. However, unless a use is specifically prohibited in any sub-district, all uses otherwise permitted shall continue to be permitted in any given base district.

6.5.6 Site Development Regulations: To the extent that regulations established for the development of property located within the Evelyn Grady Parkway Overlay District are inconsistent with regulations established by a particular underlying district or other provisions of this ordinance, those regulations shall be controlling. However, unless a use is specifically prohibited in any sub-district, all uses otherwise permitted shall continue to be permitted in any given base district.

6.5.7 Site Development Regulations: To the extent that regulations established for the development of property located within the Evelyn Grady Parkway Overlay District are inconsistent with regulations established by a particular underlying district or other provisions of this ordinance, those regulations shall be controlling. However, unless a use is specifically prohibited in any sub-district, all uses otherwise permitted shall continue to be permitted in any given base district.

6.5.8 Site Development Regulations: To the extent that regulations established for the development of property located within the Evelyn Grady Parkway Overlay District are inconsistent with regulations established by a particular underlying district or other provisions of this ordinance, those regulations shall be controlling. However, unless a use is specifically prohibited in any sub-district, all uses otherwise permitted shall continue to be permitted in any given base district.

6.5.9 Site Development Regulations: To the extent that regulations established for the development of property located within the Evelyn Grady Parkway Overlay District are inconsistent with regulations established by a particular underlying district or other provisions of this ordinance, those regulations shall be controlling. However, unless a use is specifically prohibited in any sub-district, all uses otherwise permitted shall continue to be permitted in any given base district.

6.5.10 Site Development Regulations: To the extent that regulations established for the development of property located within the Evelyn Grady Parkway Overlay District are inconsistent with regulations established by a particular underlying district or other provisions of this ordinance, those regulations shall be controlling. However, unless a use is specifically prohibited in any sub-district, all uses otherwise permitted shall continue to be permitted in any given base district.

6.5.11 Site Development Regulations: To the extent that regulations established for the development of property located within the Evelyn Grady Parkway Overlay District are inconsistent with regulations established by a particular underlying district or other provisions of this ordinance, those regulations shall be controlling. However, unless a use is specifically prohibited in any sub-district, all uses otherwise permitted shall continue to be permitted in any given base district.

6.5.12 Site Development Regulations: To the extent that regulations established for the development of property located within the Evelyn Grady Parkway Overlay District are inconsistent with regulations established by a particular underlying district or other provisions of this ordinance, those regulations shall be controlling. However, unless a use is specifically prohibited in any sub-district, all uses otherwise permitted shall continue to be permitted in any given base district.

6.5.13 Site Development Regulations: To the extent that regulations established for the development of property located within the Evelyn Grady Parkway Overlay District are inconsistent with regulations established by a particular underlying district or other provisions of this ordinance, those regulations shall be controlling. However, unless a use is specifically prohibited in any sub-district, all uses otherwise permitted shall continue to be permitted in any given base district.

6.5.14 Site Development Regulations: To the extent that regulations established for the development of property located within the Evelyn Grady Parkway Overlay District are inconsistent with regulations established by a particular underlying district or other provisions of this ordinance, those regulations shall be controlling. However, unless a use is specifically prohibited in any sub-district, all uses otherwise permitted shall continue to be permitted in any given base district.

6.5.15 Site Development Regulations: To the extent that regulations established for the development of property located within the Evelyn Grady Parkway Overlay District are inconsistent with regulations established by a particular underlying district or other provisions of this ordinance, those regulations shall be controlling. However, unless a use is specifically prohibited in any sub-district, all uses otherwise permitted shall continue to be permitted in any given base district.

6.5.16 Site Development Regulations: To the extent that regulations established for the development of property located within the Evelyn Grady Parkway Overlay District are inconsistent with regulations established by a particular underlying district or other provisions of this ordinance, those regulations shall be controlling. However, unless a use is specifically prohibited in any sub-district, all uses otherwise permitted shall continue to be permitted in any given base district.

6.5.17 Site Development Regulations: To the extent that regulations established for the development of property located within the Evelyn Grady Parkway Overlay District are inconsistent with regulations established by a particular underlying district or other provisions of this ordinance, those regulations shall be controlling. However, unless a use is specifically prohibited in any sub-district, all uses otherwise permitted shall continue to be permitted in any given base district.

City of Petal Zoning Ordinance

EXHIBIT "F"

6.82. Specifics to the Cottage Overlay Zone
6.82.1. Building Disposition

- a. Sheets plotted here shall be dimensioned according to Section 6.81.
- b. Buildings shall be dimensioned in relation to the boundaries of their lots according to Section 6.84.
- c. One Principal building at Frontage and one Outbuilding to the rear of the Principal Building may be built on each lot as shown in Table 6.82.
- d. Coverage by building shall not exceed that shown in Section 6.84.
- e. Foundations shall be built parallel to a receding Principal Frontage Line or parallel to the tangent of a curved Principal Frontage Line.
- f. Setbacks shall match one or the other of the existing adjacent Setbacks. Setbacks may otherwise be adjusted by a written agreement filed with the Planning Commission for a minimum of 12 feet measured from the centerline of the Alley or driveway as shown in the absence of Rear Alley or Lane, the rear Setbacks shall be as shown in Section 6.84.
- g. The primary building shall be a minimum of 1100 sq. ft. with a one (1) car carport unless parking is otherwise provided within its back building.

6.83. Parking

Open parking areas shall be located at the Second and Third Lot Layers, as shown in Table 6.83, except that Drive-way aprons and drop-offs may be located at the First Layer. Garages shall be located at the Third Layer.

City of Petal Zoning Ordinances

ARTICLE VIII. SUPPLEMENTARY PROVISIONS.

7.01.363.

7.01. Temporary building - Used in conjunction with construction work only, may be permitted in any district during the period of construction work in progress, but such temporary buildings shall be removed upon completion of the construction work.

7.02. Fences, Walls and Hedges - Notwithstanding other provisions of this ordinance, fences, walls and hedges may be permitted in any required yard, or along the edge of any yard, provided that no fence, wall, or hedge along the sides or front edge of any front yard shall be over two and one-half feet in height within twenty (20) feet from the street or curb line.

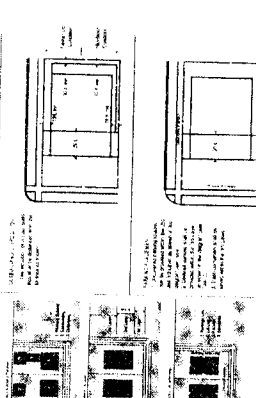
7.02.1. Fencing Standards

- 1. Purpose - The purpose of this Section is to regulate the materials, location, height, and maintenance of fencing, landscaping walls and decorative posts in order to prevent the creation of nuisances and are permitted only in the manner outlined below.
- 2. Definitions
 - (a) Fence - An enclosed barrier consisting of wood, stone, or metal intended to prevent ingress or egress.
 - (b) Landscape Wall - A vertical structure or partition that encloses an area or separates two areas.
 - 3. Applicability - The requirements of this Section apply to all fencing, landscape walls and decorative posts equal to or exceeding 30 inches in height, for all land uses and activities.
 - 4. Permit Required - No fence or wall shall be installed without first obtaining a permit. Each application for a permit shall be accompanied by a fee in the amount determined by the building official.
 - 5. Standards
 - (a) Materials
 - 1. Residential Districts - Acceptable materials for constructing fences, landscape walls, and decorative posts include wood, stone, prefinished concrete blocks, concrete, brick, wrought iron, chain link, and vinyl. Fences, walls and hedges shall be constructed with a minimum of 40% opaque.
 - 2. Non-Residential Districts - Acceptable materials for constructing fencing, landscape walls, and decorative posts include wood, stone, prefinished concrete blocks, concrete, brick, wrought iron, chain link, and wire mesh. Except for industrial security fences, marked with "Fencing shall not be

City of Petal Zoning Ordinances

7.01.363.3. Temporary Fencing

Material	Height	Color	Other Requirements
Wood	4 feet	White	Must be painted white
Concrete	4 feet	White	Must be painted white
Brick	4 feet	White	Must be painted white
Wrought Iron	4 feet	White	Must be painted white
Chain Link	4 feet	White	Must be painted white
Vinyl	4 feet	White	Must be painted white
Stone	4 feet	White	Must be painted white
Pre-finished Concrete Blocks	4 feet	White	Must be painted white



City of Petal Zoning Ordinances

permitted, any fence within a street yard including along property lines that intersect a right-of-way, shall be a maximum of 60% opaque. A minimum security fencing shall be an open-top fence (e.g. chain link, woven wire, or wrought iron) and may be topped with barbs.

3. Temporary Fencing - Temporary fencing for the protection of excavation and construction sites and the protection of plants during grading and construction and during special events is permitted for up to 60 consecutive days.

1. On all properties, no fence, landscape wall, or decorative post shall be located closer than 2 feet to the front yard or street yard property line. Fences may be located on any property line abutting a side or rear yard. The property owner is responsible for finding and exposing or establishing through a survey that corner location (property lines).

(b) Height - Landscape wall, or decorative post which obstructs sight lines over 2.5 feet in height shall be a maximum height of 4 feet. Visibility through decorative post shall be the following:

(1) Fences in excess of 36" tall shall not be permitted within a front yard setback or equal to building setback.

(2) Fences located on any residentially zoned property, but not within a required street yard setback, and

(3) 10 feet when located on any non-residentially zoned property, but not within a required front yard or a required street yard.

(d) Orientation - Any side and rear fences, landscape walls, or decorative posts shall be oriented so they are visible supports and other structural components toward the street.

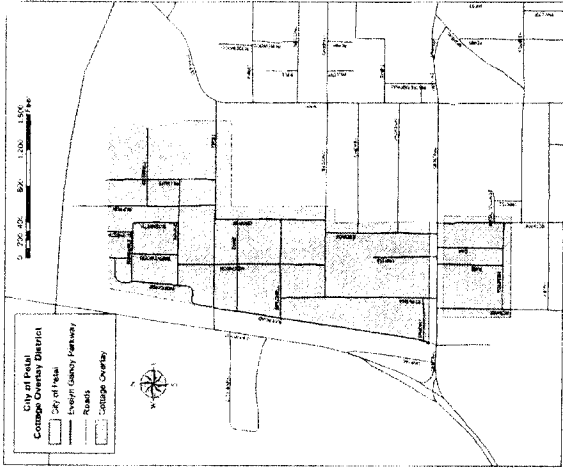
(e) Maintenance - Any and all fences, landscape walls, or decorative posts shall be maintained in a structurally sound and attractive manner as determined by the Administrator.

(f) Swimming Pools - Fencing for swimming pools shall be provided per the Miami International Building Code established by the National Spa and Pool Institute (NSPI), which is available from the Zoning Administrator.

7.03. Utility Equipment - Power, heating or refrigerating plants, apparatus, or machinery which are necessary to permitted uses shall be placed and operated so as to comply with existing ordinances and not cause serious annoyance or injury to occupants of adjoining premises.

7.04. Utilities and Landscaping - Existing facilities and installations on public utilities, whether privately or publicly owned, may include power lines, telephone lines, gas lines, water lines, and other utilities, and shall be maintained in all districts. Existing substations, electric and telephone switching stations, electric

City of Petal Zoning Ordinances



City of Petal Zoning Ordinances

and gas regulators, stations, cathodic protection, stations, and similar facilities and installations may be constructed, operated and maintained in residential districts if the same can be located at the right-of-way of streets or alleys, or upon private right-of-way or easements used in the manner as streets or alleys, otherwise only after the Mayor and Council shall issue a permit for the same.

Application for any such permit shall be referred to the City Planning Commission for public hearing and recommendation upon publication of notice for the time and in the manner required by Title 17, Chapter 1, of the Mississippi Code of 1972, as amended. The Mayor and Council shall not issue a permit until the use for which such permit is sought, in the circumstances of the particular case, is in the best interests of the community. The Council to be necessary, or desirable, will not be granted to the neighborhood or otherwise detrimental to the public welfare, or if it finds that the use for which the permit is sought is reasonably necessary for the applicant to discharge its responsibility as a public utility.

7.05. Fencing of Non-Residential Establishments

The Planning Commission and Mayor and Board of Aldermen of the City of Petal, Mississippi, recognize that there are some uses which, because of their very nature, are recognized as having serious objectionable characteristics, particularly when several of them are concentrated under certain circumstances thereby having a deleterious effect upon adjacent areas. The Planning Commission and Mayor and Board of Aldermen of the City of Petal, Mississippi, find that there is substantial evidence, including numerous studies, reports, and findings on the potential harmful effect of adult entertainment uses made by other cities, experts, city planners, etc., which assessment that such uses adversely affect property values, cause an increase in crime, encourage prostitution, and other undesirable activities. The Planning Commission and Mayor and Board of Aldermen of the City of Petal, Mississippi, find that the use of adult entertainment establishments for the purpose of securing a potential increase in the criminal activities and disturbances of the peace and good order of the community, maintaining property values, preserving and improving the quality of the residential neighborhoods and commercial districts, and protecting and preserving the quality of the through traffic and law enforcement.

7.1.1. Adult

Where, in the use of a building, less than the minimum requirements for the district in which it is located, the use is not or located in separate ownership from adjacent property, or the kind or character of the use is such that it may be used only for single-family residential purposes, or for any other residential purposes, permitted in the district in which the property is located.

City of Petal Zoning Ordinances

EXHIBIT "F"

- 7.52.7 **Billboard Sign** - A bench sign is an advertising message on any portion of a bench or other non-mobile structure or device intended for public viewing or conversations.
- 7.52.8 **Billboard** - A billboard is an off-premise sign, erected by a person, corporation, or other entity that engages in the business of selling or leasing the advertising space on that sign.
- 7.52.10 **Changeable Message Sign** - A changeable message sign is a sign on which the copy changes upon power failure, when specifically erected as a permit as an emergency message sign when the sign is used for the purpose of providing information, or rearrangement of letters, symbols, blocks or panels designed for attachment to a signpost.
- 7.52.11 **Construction Sign** - A construction sign is a temporary sign erected and maintained by an architect, contractor, developer, financial institution, subcontractor or materials supplier upon premises for which said person or person's property is presently furnishing labor, materials, services or capital financing.
- 7.52.12 **Director's Sign** - A director's sign is an outdoor sign listing and identifying the occupants within shopping centers, industrial centers, retail centers, office centers, and other multi-use commercial or industrial sites.
- 7.52.13 **Electrical Sign** - An electrical sign is any sign containing a motor or wiring which is connected or attached or intended to be connected or attached to an electrical energy source.
- 7.52.14 **Flags, Banners, Signs** - Flags, banners and signs are motors, emblems, designs, shapes or symbols on cloth, plastic, canvas or devices of similar type and materials intended to convey any message or identify any person, place, idea or thing other than duly adopted flags or seals of nations, states, provinces or municipalities.
- 7.52.15 **Freestanding Sign** - A freestanding sign is a sign supported by a sign structure secured in the ground and which is wholly independent of any other sign support, wall, building, fence, vehicle or object other than the sign structure, its support.
- 7.52.16 **Home Occupations Sign** - A home occupations sign is any off-premise sign advertising a home occupation.
- 7.52.17 **Identification Sign** - An identification sign is a sign that is limited to the name, address, and/or number of a building, institution, person, or entity which is primarily for the identification of the premises and is a formal statement of the activity carried on at the building or institution.
- 7.52.18 **Illuminated Sign** - An illuminated sign is any sign which has characters, letters, figures, designs or outlines illuminated by an interior or exterior light source that is primarily designed to illuminate such sign.

City of Petal Zoning Ordinance

- 2. May consist of a separate structure on the same lot or record when, in the opinion of the CAC, such separate structure appears to be a separate premise.
- 7.52.23 **Penetration Sign** - Penetration sign is defined as the total square footage of freestanding signage allowed on a premise under the provisions of this sign code.
- 7.52.24 **Private Directional Sign** - Private directional signs are non-premise signs directing vehicular or pedestrian traffic movement onto a premise or within premises.
- 7.52.25 **Project Sign** - A project sign is a temporary sign, announcing a proposed land development or construction project.
- 7.52.27 **Projected Sign** - A projected sign is a sign or visual image created by the projection of light onto a surface.
- 7.52.28 **Protective Sign** - A protective sign is any sign other than a wall sign affixed to any building or wall which sign has a lettering area of not less than 121 inches in height and is on a building or wall. Projecting signs are of two (2) types:
 1. **Fired** - A sign, other than a wall sign, which extends outward twelve (12) inches or more from the inside of any building and is rigidly affixed thereto.
 2. **Non-fired** - A sign projecting twelve (12) inches or more from the outside wall or walls of any building that is supported by any one sign support affixed thereto.
- 7.52.29 **Public Directional Sign** - Public directional signs are either:
 1. Signs permanently or temporarily erected in the public right-of-way or on public property with the approval of the Board of Aldermen which denote the name or route to any educational institution, public building or health facility, place of worship, church or religious institution, or
 2. Signs permanently or temporarily erected for information to motorists or others who have undertaken to plan or maintain landscaping of that portion of the right-of-way.
- 7.52.30 **Public Service Sign** - A public service sign is a sign the primary purpose of which is to provide information as to services to the general public, such as time, temperature or the pronunciation of a name, or to announce a public event, or a civic, philanthropic, charitable or religious purpose of general interest to the public.
- 7.52.31 **Real Estate Sign** - A real estate sign is any temporary sign pertaining to the sale, lease or rental of land or buildings, which is erected or displayed on the lot or parcel to which it applies.
- 7.52.32 **Resident Identification Sign** - A resident identification sign is any off-premise sign limited in content to no more than the name of the premises, its municipal address and the names of the present occupant or occupants of the premises.
- 7.52.34 **Residential Occupancy Sign** - A residential occupancy sign is any sign whose sign face is designed to advise or inform any person.

City of Petal Zoning Ordinance

- 8. They are used, shall apply to the design, utility, of materials, construction, location, maintenance, illumination and maintenance of all signs and signs that are to be used within the City.
- 9. The purpose of the adoption of this sign code is hereby declared to be:
 1. The protection of the health, safety and welfare of the citizens of Petal.
 2. The protection and preservation of property values, and the promotion of economic development throughout the community.
 3. The preservation of the aesthetic quality of the City and the surrounding areas through the establishment and enforcement of standards for the design, quality of materials, construction location, construction, illumination and maintenance of all signs and signs structures within the City.
- 7.52. Legitimate - For the purpose of this sign code, and unless the context indicates, clearly contradictory intent, words used in the present code include the following sign types:
 - includes the plural, the word "shall" is mandatory, and not discretionary, the word "building" includes "structures" except sign structure.
- 7.52.1. **Abandonment, Changeable Sign** - An abandonment, changeable sign is any off-premise sign which no longer carries its original message, and is not, in the opinion of the sign code officer, owner, entity, product or activity, conducted or posted, as indicated on the premises where such sign is displayed.
- 7.52.2 **Abandoned, Off-Premise Sign** - An abandoned, off-premise sign is an off-premise sign which no longer carries its original message, and is not, in the opinion of the sign code officer, owner, entity, product or activity, conducted or posted, as indicated on the premises where such sign is displayed.
- 7.52.3 **Address Sign** - A sign that only conveys the numerical address of the premises on which it is located.
- 7.52.4 **Amplifying Sign** - An amplifying sign is one that provides additional information regarding particular products or services available on a premise.
- 7.52.5 **Attached Sign** - An attached sign is any sign that is physically connected to and derives structural support from a building or building appendage.
- 7.52.6 **Audible Sign** - An audible sign is any sign which is designed to, or which does produce sound, as determined to a person in normal hearing situated off the premises on which the sign is located.

City of Petal Zoning Ordinance

- 7.52.25 **Billboard** - A work of art painted or otherwise applied to an exterior wall surface. Such work shall not serve to advertise or promote a business, service, product, cause or event. If such work is intended to advertise or promote a business, service, product, cause or event, it will be considered a sign, and shall be subject to the sign ordinance.
- 7.52.26 **Billboard Sign** - Neon will only be permitted if it is considered as an integral part of the sign being regulated. Anything within the boundaries of the outline of the neon will be considered a part of the sign face.
- 7.52.27 **Non-Combusting Sign** - A non-combusting sign is any sign structure or sign which has been lawfully erected and maintained prior to such time as it came within the purview of this code or any amendments thereto and which fails to conform to all applicable regulations and restrictions of this code, or a non-combusting sign for which a special permit has been issued.
- 7.52.28 **Off-Premise Sign** - An off-premise sign is a sign that directs a person to a different premise or premises that are not on which the sign is located, and which conveys a non-advertising idea or message, or identifies or advertises a business, person, firm or corporation not located on or occupying the premises where the sign is located, or which is not otherwise defined as an on-premise sign.
- 7.52.29 **On-Premise Sign** - An on-premise sign is a sign identifying or advertising a business, person, firm, corporation, activity, good, product or service located on and maintained by the owner or occupant of the premises on which it is located and conveys a non-advertising or non-commercial idea or message.
- 7.52.30 **Outdoor Sign** - A outdoor sign is a sign extending above a roof line of which serves as a parapet.
- 7.52.31 **Political Sign** - A political sign is any sign urging the election or defeat of any candidate for any public office or urging the passage or defeat of any ballot measure, but that includes signs not maintained by a commercial firm or advertising company when placed or used as a political sign.
- 7.52.32 **Portable Sign** - A portable sign is any sign other than a trailer or vehicle sign that is not permanently affixed to a building, structure or the ground or a sign designed to be moved from one location to another, and which is not intended to be a frame or structural board sign, sign structure, or sign structure, and sign designed to be self-supporting and movable.
- 7.52.33 **Sign Premises** - A sign premises is defined as the contiguous land in the same ownership which is not divided by any highway, street, alley or right-of-way. For purposes of this ordinance a single lot may include more than one lot or record when such lots are devoted to a single unit of use.

City of Petal Zoning Ordinance

- 7.5. **Sign Ordinance**
- 7.5.1. **Statement of Purpose and Need for Regulation**
The Mayor and Board of Aldermen of the City of Petal, Mississippi, after due and careful study and deliberation, and in full consideration of comments received from interested members of the general public, hereby find and declare:
 1. That the people of the City have a primary interest in controlling the erection, location and maintenance of signs to a manner designed to protect the public health, safety and morals and to promote the public welfare.
 2. That the rapid economic development of the City has resulted in a great increase in the number of businesses located in the City, with a marked increase in the number and size of signs advertising such business activities, creating conflicts between advertising signs of different types, sizes, colors, shapes and locations, signs which by their primary purpose show general indications of their proximity to the destination of bound driving practices.
 3. That it is necessary to the public safety that these official traffic regulating devices be easily visible and free from such nearby visual obstructions as blinking signs, distracting signs, an excessive number of signs, or signs in any way resembling official signs.
 4. That the public safety and convenience of the community require the establishment of uniform signs by establishing regulations on size and location of such signs in all official business signs and lot opportunities to advertise and promote their products and services.
 5. That, in addition hereto, the construction, erection and maintenance of large outdoor signs, suspended from or placed on top of buildings, walls or other structures constitutes a direct danger to pedestrian traffic below such signs, especially during periods when such signs are being erected or dismantled.
 6. That the uncontrolled erection and maintenance of large or distracting signs, seriously detracts from the enjoyment and pleasure of the general scenic beauty characteristic of the Petal area and the fact that such signs are intended to command visual consent grants them a preponderantly greater role than other structures in determining the overall aesthetic and visual quality of the community.
 7. That the public safety and convenience of the community require the prompt and final treatment of all sign users and the responsible period of time for the elimination of non-combusting signs, to assure that sign users who erected signs prior to this code, shall not have an unfair advantage over sign users who conform to this code.

City of Petal Zoning Ordinance

- 7.52.19 **Individual Letter Sign** - An individual letter sign is any sign made of self-contained letters, which are not attached to a building or placed on a building or on or in front of a building, and which are not attached to a structure defined herein by a sign code.
- 7.52.20 **Influencing Sign** - An influencing sign is any sign dependent in whole or in part for its structural integrity on the inflation into said sign of compressed air or other fluid, and specifically including balloons larger than two (2) feet in diameter or two (2) foot square in area, or other gas or liquid filled figures.
- 7.52.21 **Lighting**
 1. **Searchlight** - A strong or bright light with a reflector in a swivel so that its beam may be sent in various directions.
 2. **Searchlight Sign** - A sign which is directed in one or more directions.
 3. **Flashing Light** - Any light or light source or reflection of light source, which is intermittent in duration, color or intensity, or which creates or is designed to create an illusion of intermittency in duration, color or intensity.
 4. **String of Lights** - A string of electrical conductors containing two (2) or more lights or light sockets.
 5. **Light Sign** - A sign consisting of a narrow, very intense beam of light waves that have been amplified and concentrated by stimulated atoms or the light produced by such device.
 6. **Neon Signs** - Neon will only be permitted, if it is considered as an integral part of the sign being regulated. Anything within the boundaries of the outline of the neon will be considered a part of the sign face.
- 7.52.22 **Message Sign** - A message sign is any sign attached to and made part of a structure. A message is defined as a permanent roof-like structure projecting beyond a building wall as an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather. Signs painted or sewn into awnings or canopies shall be considered message signs.
- 7.52.23 **Monumental Sign** - A monumental sign is a freestanding sign to the sign area of which is constructed or connected directly on or to a sign support consisting of a concrete slab base or foundation in a base or foundation of similar type of construction, or in which is of masonry, construction in which the sign's base or support is of uniform composition with the material comprising the sign area of said sign and the base or support of said sign is directly affixed to or in contact with the ground. However, no sign base, foundation or support of such construction shall be more than 24 inches in height above the ground level, and the sign shall be 24 inches in depth measured above the ground shall constitute a monument sign.
- 7.52.24 **Moving Message or Change Image Sign** - A moving message or change image sign is any sign, including public service signs designed to convey signs which changes in form or content from time to time (sequentially) whenever a sign or sign structure includes action or motion or the alteration of action or motion within its message or sign copy.

City of Petal Zoning Ordinance

EXHIBIT "F"

75.54 **Prohibited Signs**

75.54.1 **Engraving:** The following types of signs are prohibited within the City of Petal:

1. Alphanumeric signs
2. Banners
3. Directional signs except as permitted for professional centers under the provisions of subsection 7.54.6
4. Flashing signs
5. Inhabitable signs
6. Portable signs
7. Projected signs
8. Revolving or rotating signs
9. Roof signs
10. Signs attached to trees, stands or any living vegetative matter
11. Signs, other than public directional signs, public service signs, public information signs, subdivision signs or official notices which encroach into a public right-of-way
12. Signs resembling traffic control devices or emergency devices
13. Freestanding signs which restrict or impair visibility at the intersection of the right-of-way and a block or block intersection
14. Signs which are illuminated at night and a sign which is illuminated at night and a sign which is illuminated at night and a sign which is illuminated at night
15. Signs which are illuminated at night and a sign which is illuminated at night and a sign which is illuminated at night
16. Signs, other than public directional signs, public service signs, public information signs, subdivision signs or official notices which encroach into a public right-of-way
17. Signs resembling traffic control devices or emergency devices
18. Freestanding signs which restrict or impair visibility at the intersection of the right-of-way and a block or block intersection
19. Signs which are illuminated at night and a sign which is illuminated at night and a sign which is illuminated at night
20. Signs which are illuminated at night and a sign which is illuminated at night and a sign which is illuminated at night
21. Any sign not specifically defined and allowed by the provisions of this article
22. Any sign which is illuminated at night and a sign which is illuminated at night and a sign which is illuminated at night
23. Any sign which is illuminated at night and a sign which is illuminated at night and a sign which is illuminated at night
24. Any sign which is illuminated at night and a sign which is illuminated at night and a sign which is illuminated at night

75.55 **Temporary Signs and Signs Subject to Additional Requirements for Erection or Display**

75.55.1 **Vehicle Signs:** Additional Requirements for Erection or Display without Necessity of Permit

1. Vehicle signs may be displayed on any vehicle operated in the daily conduct of any business enterprise without necessity of a permit so long as such signs:
 - a. Are limited to content to a noncommercial message, or
 - b. Are required to be displayed by any federal, state or local law, rule or regulation; or

75.56 **Temporary Signs and Signs Subject to Additional Requirements for Erection or Display**

75.56.1 **Vehicle Signs:** Additional Requirements for Erection or Display without Necessity of Permit

1. Vehicle signs may be displayed on any vehicle operated in the daily conduct of any business enterprise without necessity of a permit so long as such signs:
 - a. Are limited to content to a noncommercial message, or
 - b. Are required to be displayed by any federal, state or local law, rule or regulation; or

75.57 **Temporary Signs and Signs Subject to Additional Requirements for Erection or Display**

75.57.1 **Vehicle Signs:** Additional Requirements for Erection or Display without Necessity of Permit

1. Vehicle signs may be displayed on any vehicle operated in the daily conduct of any business enterprise without necessity of a permit so long as such signs:
 - a. Are limited to content to a noncommercial message, or
 - b. Are required to be displayed by any federal, state or local law, rule or regulation; or

75.58 **Temporary Signs and Signs Subject to Additional Requirements for Erection or Display**

75.58.1 **Vehicle Signs:** Additional Requirements for Erection or Display without Necessity of Permit

1. Vehicle signs may be displayed on any vehicle operated in the daily conduct of any business enterprise without necessity of a permit so long as such signs:
 - a. Are limited to content to a noncommercial message, or
 - b. Are required to be displayed by any federal, state or local law, rule or regulation; or

75.59 **Temporary Signs and Signs Subject to Additional Requirements for Erection or Display**

75.59.1 **Vehicle Signs:** Additional Requirements for Erection or Display without Necessity of Permit

1. Vehicle signs may be displayed on any vehicle operated in the daily conduct of any business enterprise without necessity of a permit so long as such signs:
 - a. Are limited to content to a noncommercial message, or
 - b. Are required to be displayed by any federal, state or local law, rule or regulation; or

75.60 **Temporary Signs and Signs Subject to Additional Requirements for Erection or Display**

75.60.1 **Vehicle Signs:** Additional Requirements for Erection or Display without Necessity of Permit

1. Vehicle signs may be displayed on any vehicle operated in the daily conduct of any business enterprise without necessity of a permit so long as such signs:
 - a. Are limited to content to a noncommercial message, or
 - b. Are required to be displayed by any federal, state or local law, rule or regulation; or

75.61 **Temporary Signs and Signs Subject to Additional Requirements for Erection or Display**

75.61.1 **Vehicle Signs:** Additional Requirements for Erection or Display without Necessity of Permit

1. Vehicle signs may be displayed on any vehicle operated in the daily conduct of any business enterprise without necessity of a permit so long as such signs:
 - a. Are limited to content to a noncommercial message, or
 - b. Are required to be displayed by any federal, state or local law, rule or regulation; or

EXHIBIT "F"

86

7-55-22 Flags, Streamers, Banners, and Permits, Limitations, and Requirements for Temporary Permits

1. Flags, streamers, banners, or permits may be displayed in connection with public openings or special events no more than once temporarily for any one business entity or applicant. Such signs may be displayed for a period not to exceed fourteen (14) consecutive calendar days upon the issuance of a temporary permit by the Building Inspector.
2. Flags, streamers, banners, or permits may be displayed in connection with events and activities subject to all provisions and restrictions set forth in Section 7-55-21 of this Sign Code.
3. Application for Permit - Applicants for such a temporary permit must state the name of the person, firm, corporation or organization sponsoring the event, the location, where such devices are to be installed and the contemplated dates during which such devices will remain on display.
4. Banners shall not exceed 32 square feet.

7-55-23 Political Signs, Limitations, and Requirements for Temporary Permits

Any person desiring to distribute or display political signs in connection with an organized campaign in support of or opposition to any candidate, political party or ticket, or ballot proposal shall first make application to the Building Inspector for the issuance of a temporary permit. The applicant for the temporary permit shall provide the following information:

1. Name of the person, firm, corporation or organization sponsoring the event, the location, where such devices are to be installed and the contemplated dates during which such devices will remain on display.
2. The Building Inspector shall issue the requested permit upon receipt of the following information:
 - a. An application with all requested information completed.
 - b. A fee of \$100 for each sign, as set forth in paragraph 1 above.
 - c. A surety bond in the amount of \$100 recoverable by the City of Petal if any signs permitted hereby remains on any property for more than ten (10) days following the election for which it was permitted. Said permit shall authorize the distribution, erection and display of an unlimited number of signs of the type or types submitted as specimens to the applicant and shall allow for the removal of signs at any time during the period of time set forth in paragraph 1 above.
3. Any such permit shall be issued for a period of time not to exceed sixty (60) consecutive calendar days prior to an election date provided however that in the event of a change in election date, the permit shall be extended to the new election date.

7-55-24 Public Service Signs, Limitations, and Requirements for Temporary Permits

Public service signs including street banner signs are permitted only in connection with the erection or continuation of special events of a civic, philanthropic, charitable or religious purpose.

1. General Application - Any person, firm, corporation or organization, in charge of any festival, spectacle, play, show or other event of such a general civic and public nature and who is in charge of placing, erecting, constructing and maintaining any public sign, shall first obtain a permit from the Building Inspector.

7-55-25 Public Service Signs, Limitations, and Requirements for Temporary Permits

Public service signs including street banner signs are permitted only in connection with the erection or continuation of special events of a civic, philanthropic, charitable or religious purpose.

1. General Application - Any person, firm, corporation or organization, in charge of any festival, spectacle, play, show or other event of such a general civic and public nature and who is in charge of placing, erecting, constructing and maintaining any public sign, shall first obtain a permit from the Building Inspector.

City of Petal Zoning Ordinance

79

7-55-16 Address Signs in Non-Residential and Combined Use Districts Allowed Without Permit

One address sign may be provided for each premise in addition to all other permitted signs in accordance with the following requirements:

1. Address signs shall not exceed two (2) feet by three (3) feet in sign area.
2. A minimum setback from the projected line of five (5) feet shall be required.
3. The maximum height of an address sign shall be two (2) feet from the ground.

7-55-2 One-Premise Signs Allowable by Temporary Permit Only

Subject to all provisions and requirements of this Article, except for the requirement for its approval of the Building Inspector, the following one-premise temporary signs, where permissible, may be erected and displayed upon the issuance by the Building Inspector of a temporary sign permit:

1. Street Banner Signs;
2. Political Signs;
3. Flags, Streamers, Banners, and Permits;
4. Construction Signs;
5. Proposed Project Signs;
6. Temporary Signs preceding permanent sign approval.

7-55-21 Public Service Signs, Limitations, and Requirements for Temporary Permits

Public service signs including street banner signs are permitted only in connection with the erection or continuation of special events of a civic, philanthropic, charitable or religious purpose.

1. General Application - Any person, firm, corporation or organization, in charge of any festival, spectacle, play, show or other event of such a general civic and public nature and who is in charge of placing, erecting, constructing and maintaining any public sign, shall first obtain a permit from the Building Inspector.

7-55-22 Flags, Streamers, Banners, and Permits, Limitations, and Requirements for Temporary Permits

Flags, streamers, banners, or permits may be displayed in connection with public openings or special events no more than once temporarily for any one business entity or applicant. Such signs may be displayed for a period not to exceed fourteen (14) consecutive calendar days upon the issuance of a temporary permit by the Building Inspector.

City of Petal Zoning Ordinance

82

7-55-23 Subdivision Sign Requirements

Subdivision signs not greater than forty-eight (48) square feet in sign area or ninety-six (96) square feet for a two-sided sign may be located at the entrance to approved subdivisions by permit.

7-55-34 Non-Commercial Signs in Residential Districts

Non-commercial signs conveying non-commercial ideas or messages displayed in any residential zone district shall not exceed a height of six (6) feet above the ground.

7-55-35 Additional One-Premise Signs Allowed in R-1, R-2, and R-3 Zoning Districts

The following signs, in addition to those allowed under Section 7-55-31 and Section 7-55-2, may be erected and displayed in the following circumstances:

1. For premises containing permanent non-residential structures or uses, other than accessory uses, one non-illuminated flat wall sign, not exceeding twenty-four (24) feet in area shall be permitted.
2. Churches, schools or public buildings shall be permitted to erect on their premises in sign areas shall not exceed ten (10) square feet.

7-55-36 Additional One-Premise Signs Allowed in R-1, R-2, and R-3 Zoning Districts

The following signs may be erected and displayed, by permit, in the R-1 and MH zoning districts:

1. One (1) attached sign identifying the premises served as a sign of one square foot per 488 square feet, shall be permitted. No attached sign shall be prepared to be less than twenty-four (24) square feet in sign area.
2. One (1) freestanding sign identifying the premises may be permitted in lieu of an attached sign, provided it does not exceed thirty-two (32) square feet per sign face and aggregate area of sixty-four (64) square feet for a two-sided sign; may not exceed 15 feet in height; shall be set back from the public right-of-way and is not erected in any required greenbelt. No sign shall be allowed in any area between the right-of-way and any required greenbelt.
3. Any sign permitted in an R-1, R-2, or R-3 district.

7-55-37 One-Premise Signs Allowed in All Residential Zoning Districts

Signs allowed in all residential zoning districts without necessity of a permit shall be limited to those identified as numbers (1) through (6), inclusive (8), (11), (12), (14), (15), and (16), in subsection 7-53.1 of this sign code but in no case shall any such sign other than those identified as number (10) or subsection 7-55.1 be illuminated.

7-55-38 Signs Requiring a Permit

Signs allowed in all residential zoning districts upon issuance of a temporary permit shall be limited to those identified as numbers (1) through (6), inclusive in Section 7-53.2 of this Sign Code.

City of Petal Zoning Ordinance

7-55-39 Construction Signs, Limitations, and Requirements for Temporary Permits

Improvised subjects to the following conditions and requirements:

1. A building permit for the project must have been obtained prior to the issuance of the sign permit.
2. The sign shall be located on the site of the project and shall be limited to the area of the site that is to be developed.
3. The sign shall be limited to the area of the site that is to be developed.

7-55-40 Signs Without a Permit

Any sign which does not require a permit under the provisions of Section 7-53.1 of this Sign Code may be erected or displayed in any C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, or PUD District.

7-55-41 Signs Without a Permit

Any sign which does not require a permit under the provisions of Section 7-53.1 of this Sign Code may be erected or displayed in any C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, or PUD District.

City of Petal Zoning Ordinance

84

7-55-42 Signs Without a Permit

Any sign which does not require a permit under the provisions of Section 7-53.1 of this Sign Code may be erected or displayed in any C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, or PUD District.

7-55-43 Signs Without a Permit

Any sign which does not require a permit under the provisions of Section 7-53.1 of this Sign Code may be erected or displayed in any C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, or PUD District.

7-55-44 Signs Without a Permit

Any sign which does not require a permit under the provisions of Section 7-53.1 of this Sign Code may be erected or displayed in any C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, or PUD District.

7-55-45 Signs Without a Permit

Any sign which does not require a permit under the provisions of Section 7-53.1 of this Sign Code may be erected or displayed in any C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, or PUD District.

7-55-46 Signs Without a Permit

Any sign which does not require a permit under the provisions of Section 7-53.1 of this Sign Code may be erected or displayed in any C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, or PUD District.

7-55-47 Signs Without a Permit

Any sign which does not require a permit under the provisions of Section 7-53.1 of this Sign Code may be erected or displayed in any C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, or PUD District.

7-55-48 Signs Without a Permit

Any sign which does not require a permit under the provisions of Section 7-53.1 of this Sign Code may be erected or displayed in any C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, or PUD District.

City of Petal Zoning Ordinance

EXHIBIT "F"

87

The premise width based on a ratio of one-half (1/2) times the Street frontage of the premise, may be divided by:
1. One freestanding sign not to exceed a maximum allowable sign area of one hundred twenty (120) square feet per sign or a maximum of two hundred forty (240) square feet aggregate total for a two-sided back-to-back sign.
2. Attached signage, not to exceed a ratio of 30% (3) of the one-half (1/2) times the Street frontage of the premise. Attached signage not to exceed 24 square feet.

7.55.402 Monument Signs

A bonus of twenty (20) percent of the total square footage of freestanding signage allowed under Section 7.55.461 shall be allowed for a monument sign in lieu of a freestanding identification sign. Any or all of this bonus may be allocated to an attached identification sign to a maximum of fifty (50) percent of the allowable square footage of monument sign may be used to identify major occupants of the premises. A monument sign may be permitted in the most rearward ten (10) feet of the front fifteen (15) feet of the premises, provided that such monument sign is landscaped in accordance with Section 7.594. "Landscaping Requirements". In conjunction with the issuance of a Sign Permit, Monument signs shall not exceed a maximum of seven (7) feet in height, shall be attached to a structure, shall be illuminated, shall be constructed of a durable material, shall be no more than three (3) feet in height measured from the ground level of the structure of a freestanding monument sign shall be allowed. However, such signs shall be considered in the calculation of the allowable square footage of the monument sign.

7.55.461 Occupancy Signs

On multi-occupancy premises, in addition to the identification signs permitted under Section 7.55.461, the following additional signage shall be permitted for each occupant:

1. One attached sign per sign per occupant to be sized at a ratio of one and one-fourth (1 1/4) square feet of sign area per linear foot of the facade of the store front. For store fronts less than thirty (30) feet, the maximum sign area shall be thirty (30) square feet. For store fronts greater than thirty (30) feet, the maximum sign area shall be calculated as follows: (store front length in feet) x (one and one-fourth (1 1/4) square feet) = maximum sign area. However, all occupancy signs shall maintain a minimum distance of one foot from the lease line of the occupant portion of the facade and the linear footage shall be measured along the wall of the facade on which the sign will be located.
2. On store frontages located at the corner of a building, which face two different Street frontages, the maximum sign area shall be calculated as follows: (store front length in feet) x (one and one-fourth (1 1/4) square feet) = maximum sign area. However, all occupancy signs shall maintain a minimum distance of one foot from the lease line of the occupant portion of the facade and the linear footage shall be measured along the wall of the facade on which the sign will be located.

City of Petal Zoning Ordinance

86

1. One (1) freestanding identification sign located at least fifteen (15) feet from the building facade and one (1) freestanding identification sign located at least ten (10) feet from the driveway and the second freestanding sign must be set back from the public right-of-way from which it is intended to be viewed the same distance as any setback line required on any residentially zoned property facing the same public right-of-way within one hundred (100) feet of the sign. This additional setback provision affects only signs on commercial, institutional and residentially zoned property. The same setback and on the same side of the right-of-way as residentially zoned property.
2. Such freestanding signage shall be sized at a square foot ratio equal to one-half (1/2) times the Street frontage of the premise on which the sign is located. The maximum allowable sign area shall be one hundred twenty (120) square feet per sign face or a maximum of two hundred forty (240) square feet aggregate total for a two-sided back-to-back sign. The maximum allowable sign area shall be calculated as follows: (store front length in feet) x (one-half (1/2) times the Street frontage) = maximum sign area. However, all occupancy signs shall be no more than three (3) feet in height measured from the ground level of the structure of a freestanding monument sign shall be allowed. However, such signs shall be considered in the calculation of the allowable square footage of the monument sign.
3. On premises with non-intersecting Street frontages a second freestanding sign on a separate Street frontage may be permitted if the sign is attached to a structure following the Street frontage line from the first sign may be allowed in accordance with the requirements of (2) above.

For purposes of this Section as it applies to multi-occupancy centers, only the name of the center, the address of the center and/or a general statement of the use, such as "Shopping Center," shall be allowed on the freestanding identification sign.
Notwithstanding anything contained herein to the contrary, in no event shall any one occupant of a multi-occupancy center be allowed more than 50% of the total signage allowable for the premises. This limitation shall be interpreted to include signage in which the name of an occupant is included within the name of the multi-occupancy center.

In the event of the conversion of a single occupant premise to a multi-occupancy center, the existing signage shall be reconfigured as necessary to effect compliance with Section 7.55.461, and this requirement shall be incorporated into Section 10.3 Permit Application Requirements for Non-Residential and Multi-Family Developments as necessary to ensure compliance with this section.

One attached identification sign per facade may exceed one and one-fourth (1 1/4) square feet per linear foot of facade (measured along the sign) to be permitted. On building facades with linear frontages of less than twenty (20) feet a maximum of thirty-two (32) square feet of total signage shall be allowed. However, no attached signage may be placed on the wall of the building which faces the entrance of a premise as designed in the direction of an alternate property line.

City of Petal Zoning Ordinance

85

In addition to the allowable sign identification signs one wall sign not to exceed maximum of eight (8) square feet shall be allowed each occupant in multi-occupancy premises.

7.55.443 Reevaluation of Special Signs in the C-3 District

The C-3 District, being the historic center of the City and the location and focus of special events such as festivals, parades, and celebrations, and being an area of historic significance, shall be subject to special signage regulations. In addition to the signage regulations set forth in this Ordinance, the following signage regulations shall apply to the C-3 District. The signage regulations shall be subject to the same rules and regulations as those set forth in this Ordinance. The signage regulations shall be subject to the same rules and regulations as those set forth in this Ordinance. The signage regulations shall be subject to the same rules and regulations as those set forth in this Ordinance.

1. Identification banners not to exceed eight (8) square feet in area may be displayed on non-residential sites to distinguish non-residential uses from residential uses.
2. Changeable message signs not to exceed eight (8) square feet total on one side shall be allowed during specific hours to be determined in conjunction with approval by the Building Inspector or other authorized personnel.
3. Directional signs shall be limited to a maximum of one (1) sign per premise. The Building Inspector may permit special signage of a scale and size appropriate to the historic and human-scale quality of the C-3 area.

7.55.45 Reevaluation of On-Premise Signs in C-0, C-1, C-2, C-3, L-1, L-2, L-3, L-4, L-5, and PDV Zoning Districts

Subdivision signs on greater than forty-eight (48) square feet in sign area as measured by square feet for a two-sided sign may be located at the entrances to approved subdivisions by permit.

7.55.46 Reevaluation of On-Premise Signs in C-0, C-1, C-2, C-3, L-1, L-2, L-3, L-4, L-5, and PDV Zoning Districts

In conjunction with the issuance of a building permit, a signage plan designating location, size, type and color of signage must be approved by the Planning Commission for all commercial developments.

7.55.461 On-Premise Signs in C-0, C-1, C-2, C-3, L-1, L-2, L-3, L-4, L-5, and PDV Zoning Districts

One of the following two (2) alternatives shall be permitted in addition to those signs listed in Section 7.55.41 and Section 7.55.42. At the discretion of the Building Inspector, alternate three (3) shall be permitted:

City of Petal Zoning Ordinance

89

1. One (1) freestanding identification sign located at least fifteen (15) feet from the building facade and one (1) freestanding identification sign located at least ten (10) feet from the driveway and the second freestanding sign must be set back from the public right-of-way from which it is intended to be viewed the same distance as any setback line required on any residentially zoned property facing the same public right-of-way within one hundred (100) feet of the sign. This additional setback provision affects only signs on commercial, institutional and residentially zoned property. The same setback and on the same side of the right-of-way as residentially zoned property.
2. Such freestanding signage shall be sized at a square foot ratio equal to one-half (1/2) times the Street frontage of the premise on which the sign is located. The maximum allowable sign area shall be one hundred twenty (120) square feet per sign face or a maximum of two hundred forty (240) square feet aggregate total for a two-sided back-to-back sign. The maximum allowable sign area shall be calculated as follows: (store front length in feet) x (one-half (1/2) times the Street frontage) = maximum sign area. However, all occupancy signs shall be no more than three (3) feet in height measured from the ground level of the structure of a freestanding monument sign shall be allowed. However, such signs shall be considered in the calculation of the allowable square footage of the monument sign.
3. On premises with non-intersecting Street frontages a second freestanding sign on a separate Street frontage may be permitted if the sign is attached to a structure following the Street frontage line from the first sign may be allowed in accordance with the requirements of (2) above.

For purposes of this Section as it applies to multi-occupancy centers, only the name of the center, the address of the center and/or a general statement of the use, such as "Shopping Center," shall be allowed on the freestanding identification sign.
Notwithstanding anything contained herein to the contrary, in no event shall any one occupant of a multi-occupancy center be allowed more than 50% of the total signage allowable for the premises. This limitation shall be interpreted to include signage in which the name of an occupant is included within the name of the multi-occupancy center.

In the event of the conversion of a single occupant premise to a multi-occupancy center, the existing signage shall be reconfigured as necessary to effect compliance with Section 7.55.461, and this requirement shall be incorporated into Section 10.3 Permit Application Requirements for Non-Residential and Multi-Family Developments as necessary to ensure compliance with this section.

One attached identification sign per facade may exceed one and one-fourth (1 1/4) square feet per linear foot of facade (measured along the sign) to be permitted. On building facades with linear frontages of less than twenty (20) feet a maximum of thirty-two (32) square feet of total signage shall be allowed. However, no attached signage may be placed on the wall of the building which faces the entrance of a premise as designed in the direction of an alternate property line.

7.55.47 Identification and Amplifying Signs

Unless otherwise restricted herein any person has the option of appropriating the total permissible signage for any premise because the permitted signage includes the sign of amplifying sign. The sign of amplifying sign shall be subject to the same rules and regulations as those set forth in this Ordinance. The sign of amplifying sign shall be subject to the same rules and regulations as those set forth in this Ordinance. The sign of amplifying sign shall be subject to the same rules and regulations as those set forth in this Ordinance.

7.55.48 Seasonal Cloth Banners

Temporary seasonal cloth banners such as but not limited to those attached to high standards by the Building Inspector may be permitted on multi-occupancy premises in accordance with the following requirements:
1. No seasonal cloth banner shall exceed eight (8) square feet in area.
2. The total number, location and method of attachment display shall be approved by the Building Inspector.
3. No non-advertising signage shall be permitted.
4. The identifying name of the multi-occupancy premises may be included on the banner but such name shall not exceed fifty (50) percent of the banner area.

7.55.53 Comprehensive Signage Plan

Purpose - The Comprehensive Signage Plan procedure is intended to encourage innovative, creative and coordinated signage design for a unified development site in a flexible procedure which allows signage which is not in strict compliance with the provisions of this Sign Code, but which is appropriate to the character of the development, provides adequate identification and information, provides a good visual environment, promotes traffic safety and is

88

The premise width based on a ratio of one-half (1/2) times the Street frontage of the premise, may be divided by:
1. One freestanding sign not to exceed a maximum allowable sign area of one hundred twenty (120) square feet per sign or a maximum of two hundred forty (240) square feet aggregate total for a two-sided back-to-back sign.
2. Attached signage, not to exceed a ratio of 30% (3) of the one-half (1/2) times the Street frontage of the premise. Attached signage not to exceed 24 square feet.

7.55.402 Monument Signs

A bonus of twenty (20) percent of the total square footage of freestanding signage allowed under Section 7.55.461 shall be allowed for a monument sign in lieu of a freestanding identification sign. Any or all of this bonus may be allocated to an attached identification sign to a maximum of fifty (50) percent of the allowable square footage of monument sign may be used to identify major occupants of the premises. A monument sign may be permitted in the most rearward ten (10) feet of the front fifteen (15) feet of the premises, provided that such monument sign is landscaped in accordance with Section 7.594. "Landscaping Requirements". In conjunction with the issuance of a Sign Permit, Monument signs shall not exceed a maximum of seven (7) feet in height, shall be attached to a structure, shall be illuminated, shall be constructed of a durable material, shall be no more than three (3) feet in height measured from the ground level of the structure of a freestanding monument sign shall be allowed. However, such signs shall be considered in the calculation of the allowable square footage of the monument sign.

7.55.461 Occupancy Signs

On multi-occupancy premises, in addition to the identification signs permitted under Section 7.55.461, the following additional signage shall be permitted for each occupant:

1. One attached sign per sign per occupant to be sized at a ratio of one and one-fourth (1 1/4) square feet of sign area per linear foot of the facade of the store front. For store fronts less than thirty (30) feet, the maximum sign area shall be thirty (30) square feet. For store fronts greater than thirty (30) feet, the maximum sign area shall be calculated as follows: (store front length in feet) x (one and one-fourth (1 1/4) square feet) = maximum sign area. However, all occupancy signs shall maintain a minimum distance of one foot from the lease line of the occupant portion of the facade and the linear footage shall be measured along the wall of the facade on which the sign will be located.
2. On store frontages located at the corner of a building, which face two different Street frontages, the maximum sign area shall be calculated as follows: (store front length in feet) x (one and one-fourth (1 1/4) square feet) = maximum sign area. However, all occupancy signs shall maintain a minimum distance of one foot from the lease line of the occupant portion of the facade and the linear footage shall be measured along the wall of the facade on which the sign will be located.

City of Petal Zoning Ordinance

90

replaced to the extent necessary to be consistent with the purpose and intent of this Sign Code as specified in Section 7.52

7.55.53 Signage Procedures

1. In conjunction with an application from the owner of the premise, the Building Inspector may review and approve or disapprove applications for Comprehensive Signage Plans in commercial centers with gross leasable area in excess of 50,000 square feet, industrial centers, hospitals and planned district developments.
2. Proposed Developments - Prior to site plan approval for new development, the Building Inspector shall review and approve or disapprove applications for signage plans in commercial centers, hospitals and Planned District developments in conjunction with the appropriate site plan review process for the type of development proposed.
3. Proposed Subdivision - In conjunction with Preliminary Subdivision approval applications the owner/developer of the proposed subdivision shall be required to submit a signed signage plan for final approval of the subdivision.
4. Conditions of Approval - The approval of the Building Inspector may contain such conditions, requirements or standards to assure that the proposed signage will not be detrimental to persons or property in the vicinity or to the public welfare in general.

7.55.51 Criteria for Evaluation - Comprehensive sign plans approved under this Section shall be evaluated based upon the following criteria:

1. Placement - All signs shall be placed where they are sufficiently visible and readable for their function. Factors to be considered shall include the purpose of the sign, its location relative to traffic movement and viewing angles.
2. Quantity - The number of signs for any development shall be no greater than necessary to provide project identification or entry sign internal circulation and directional information to destinations and development sub-areas, and business identification. Factors to be considered shall include the size of the development, the number of development sub-areas, and the division or integration of sign functions.
3. Design - Signs shall be no larger than necessary for visibility and readability. Factors to be considered in determining appropriate size shall include topography, volume of traffic, speed of traffic, visibility range, proximity to adjacent uses, amount of sign copy, placement of display (location and height), lettering style and the presence of distinctive influences. In no event shall a plan contain a sign that exceeds by more than 25% any maximum area standard contained in this Sign Code.
4. Materials - Signs shall be constructed of durable, long-lasting, non-toxic materials and shall be a consistent lettering style or copy.
5. Illumination - shall be in conformance with Section 7.58 of this Ordinance.

City of Petal Zoning Ordinance

City of Petal Zoning Ordinance

EXHIBIT "F"

90

91

1. Signs that designate areas maintained 1 X 1/2 ft size for identification is contains No. 100 pavement.
 2. Historic signs shall be maintained as follows:
 - a. Signs shall be maintained in accordance with the City Code.
 - b. Signs shall be maintained in accordance with the City Code.
 - c. Signs shall be maintained in accordance with the City Code.
 3. Approval of location required: No public information signs shall be constructed, erected or displayed until the location of the sign has been submitted to the CAC for its recommendation and approved by a resolution of the City Council.
- 7.57 Design and Construction Standards for Signs
- 7.57.1 Compliance with Building Code
 1. No sign shall be constructed, erected, installed, structurally altered, changed or relocated before first securing a permit, except those signs specifically excluded from the requirement of a permit by this Sign Code.
 2. All signs shall comply with the structural requirements of the International Code Council (ICC), and shall be constructed in accordance with the Building Code of the City of Petal, unless there is a more restrictive.
 - 7.57.2 Wind Pressure, Design Requirements and Working Stresses
 1. Wind Pressure - In the design and erection of all signs, the effect of wind shall be determined in accordance with the provisions of the International Code of Building Officials (ICBO) International Building Code (IBC).
 2. Design Requirements - Before any permit required by this Sign Code shall be granted the applicant shall submit to the Building Inspector a design and stress diagram of plans and determine that such sign complies with all the requirements of this code. When necessary to determine the design and stress of a sign, the Building Inspector may require engineering data certified and sealed by a professional engineer.
 - a. Strength of parapet or wall - A parapet wall must be designed to have sufficient strength to support any sign which is attached thereto.
 - b. Supports and braces - Supports or braces shall be of metal and shall be adequate for wind loading specified in Section 7.572. All rods, wire cable, supports and braces shall be of metal and shall be of a minimum size of 1/2" diameter.
 - c. Building or structure shall be designed to support the weight of an erection material. All sign supports shall be an integral part of the sign design.
 - d. Sign anchoring - Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections.
 - e. Monque signs - Monque signs shall be constructed entirely of metal or non-metallic material and shall be fastened to, or hung from a structure. Any such signs which hang from a structure shall be fastened to a structural member above the sidewalk or ground level, and further, such signs shall not extend below the line of sight marker. Signs painted or spray painted on concrete, masonry, wood or other material shall be exempt from the material provisions of this Section.
 - f. Working stresses - In all signs, the allowable working stresses shall conform with the requirements of the International Code Council (ICC).

4. Signs that designate areas maintained 1 X 1/2 ft size for identification is contains No. 100 pavement.
 5. Historic signs shall be maintained as follows:
 - a. Signs shall be maintained in accordance with the City Code.
 - b. Signs shall be maintained in accordance with the City Code.
 - c. Signs shall be maintained in accordance with the City Code.
 6. Approval of location required: No public information signs shall be constructed, erected or displayed until the location of the sign has been submitted to the CAC for its recommendation and approved by a resolution of the City Council.
- 7.57 Design and Construction Standards for Signs
- 7.57.1 Compliance with Building Code
 1. No sign shall be constructed, erected, installed, structurally altered, changed or relocated before first securing a permit, except those signs specifically excluded from the requirement of a permit by this Sign Code.
 2. All signs shall comply with the structural requirements of the International Code Council (ICC), and shall be constructed in accordance with the Building Code of the City of Petal, unless there is a more restrictive.
 - 7.57.2 Wind Pressure, Design Requirements and Working Stresses
 1. Wind Pressure - In the design and erection of all signs, the effect of wind shall be determined in accordance with the provisions of the International Code of Building Officials (ICBO) International Building Code (IBC).
 2. Design Requirements - Before any permit required by this Sign Code shall be granted the applicant shall submit to the Building Inspector a design and stress diagram of plans and determine that such sign complies with all the requirements of this code. When necessary to determine the design and stress of a sign, the Building Inspector may require engineering data certified and sealed by a professional engineer.
 - a. Strength of parapet or wall - A parapet wall must be designed to have sufficient strength to support any sign which is attached thereto.
 - b. Supports and braces - Supports or braces shall be of metal and shall be adequate for wind loading specified in Section 7.572. All rods, wire cable, supports and braces shall be of metal and shall be of a minimum size of 1/2" diameter.
 - c. Building or structure shall be designed to support the weight of an erection material. All sign supports shall be an integral part of the sign design.
 - d. Sign anchoring - Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections.
 - e. Monque signs - Monque signs shall be constructed entirely of metal or non-metallic material and shall be fastened to, or hung from a structure. Any such signs which hang from a structure shall be fastened to a structural member above the sidewalk or ground level, and further, such signs shall not extend below the line of sight marker. Signs painted or spray painted on concrete, masonry, wood or other material shall be exempt from the material provisions of this Section.
 - f. Working stresses - In all signs, the allowable working stresses shall conform with the requirements of the International Code Council (ICC).

City of Petal Zoning Ordinance

City of Petal Zoning Ordinance

96

95

1. Written consent of the owner of the property or his agent granting permission for the construction, maintenance and display of the sign or signs.
 2. Name, address, and telephone number of the premises owner, the sign owner, the sign installer, and any designated contact person.
 3. A description of the sign, including the location, design, color, and other details, and being used on the same premise by the sign owner, installer, lessor, or otherwise.
 4. A determination of the sign's compliance with the provisions of the Sign Code and all other applicable laws and ordinances of the City of Petal are being complied with. Such additional information may be required by the Building Inspector to enforce the provisions of the Sign Code or any other codes, ordinances or regulations of the City of Petal.
- 7.59.2 Additional Information which may be Required for Issuance of Sign Permits
- When such information is needed to determine compliance of the sign or signs in question with the provisions of the Sign Code, the following, without limitation, may be required by the Building Inspector to be submitted with the application for a sign permit:
1. Legal Description and/or Survey of Premise - The legal description or survey shall be submitted to determine the allowable premise total, based on linear footage of Street frontage.
 2. Displacement Plan of Premise - A required plan of the premise shall be drawn to show both existing and proposed alterations to all structures, including sign structures. The applicant shall note in writing on the plan the location and intended use of all buildings or structures proposed to be constructed, altered or removed, and the location and intended use of all buildings or structures existing on the plan. The location and intended use of all buildings or structures shall also appear on the plan, the location and intended use of all buildings or structures proposed to be constructed, altered or removed, and the location and intended use of all buildings or structures existing on the plan. The location and intended use of all buildings or structures shall also appear on the plan, the location and intended use of all buildings or structures proposed to be constructed, altered or removed, and the location and intended use of all buildings or structures existing on the plan. The location and intended use of all buildings or structures shall also appear on the plan, the location and intended use of all buildings or structures proposed to be constructed, altered or removed, and the location and intended use of all buildings or structures existing on the plan.
 3. Elevation and Details - Required elevations and details shall be drawn to show and fully describe the dimensions, structural supports and all pertinent structural details, materials, method of attachment, conformance with the provisions of the Sign Code, and any other pertinent information. All signs to be constructed, altered or removed shall conform with the provisions of this Sign Code.
 4. Building Elevation - In the case of an applicant for a permit for an attached sign, an elevation of the building shall provide the linear footage of the facade upon which the sign or signs are proposed to be placed as well as an accurate

1. Written consent of the owner of the property or his agent granting permission for the construction, maintenance and display of the sign or signs.
 2. Name, address, and telephone number of the premises owner, the sign owner, the sign installer, and any designated contact person.
 3. A description of the sign, including the location, design, color, and other details, and being used on the same premise by the sign owner, installer, lessor, or otherwise.
 4. A determination of the sign's compliance with the provisions of the Sign Code and all other applicable laws and ordinances of the City of Petal are being complied with. Such additional information may be required by the Building Inspector to enforce the provisions of the Sign Code or any other codes, ordinances or regulations of the City of Petal.
- 7.59.2 Additional Information which may be Required for Issuance of Sign Permits
- When such information is needed to determine compliance of the sign or signs in question with the provisions of the Sign Code, the following, without limitation, may be required by the Building Inspector to be submitted with the application for a sign permit:
1. Legal Description and/or Survey of Premise - The legal description or survey shall be submitted to determine the allowable premise total, based on linear footage of Street frontage.
 2. Displacement Plan of Premise - A required plan of the premise shall be drawn to show both existing and proposed alterations to all structures, including sign structures. The applicant shall note in writing on the plan the location and intended use of all buildings or structures proposed to be constructed, altered or removed, and the location and intended use of all buildings or structures existing on the plan. The location and intended use of all buildings or structures shall also appear on the plan, the location and intended use of all buildings or structures proposed to be constructed, altered or removed, and the location and intended use of all buildings or structures existing on the plan. The location and intended use of all buildings or structures shall also appear on the plan, the location and intended use of all buildings or structures proposed to be constructed, altered or removed, and the location and intended use of all buildings or structures existing on the plan.
 3. Elevation and Details - Required elevations and details shall be drawn to show and fully describe the dimensions, structural supports and all pertinent structural details, materials, method of attachment, conformance with the provisions of the Sign Code, and any other pertinent information. All signs to be constructed, altered or removed shall conform with the provisions of this Sign Code.
 4. Building Elevation - In the case of an applicant for a permit for an attached sign, an elevation of the building shall provide the linear footage of the facade upon which the sign or signs are proposed to be placed as well as an accurate

City of Petal Zoning Ordinance

City of Petal Zoning Ordinance

Requirements

Requirements

1. Maximum Height - Twenty-five (25) feet.
 2. Minimum Clearance - Minimum clearance over signs shall be three (3) feet.
 3. Minimum Spacing - Three (3) feet from any property line.
- 7.56.4 Regulation of Off-Premise Signs - Maximum Sign Area
- 7.56.4.1 Maximum Sign Area - Regulated by Width of Right-of-Way
 1. No sign shall be erected on any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet or any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet.
 2. The maximum sign area of any off-premise sign located on a premise fronting or adjacent to any Street shall be no more than two hundred (200) square feet or more, except for those signs of a size defined herein as the Gateway Corridor, shall be three hundred (300) square feet.
 - 7.56.4.2 Maximum Sign Area - Regulated by Width of Right-of-Way
 1. No sign shall be erected on any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet or any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet.
 2. The maximum sign area of any off-premise sign located on a premise fronting or adjacent to any Street shall be no more than two hundred (200) square feet or more, except for those signs of a size defined herein as the Gateway Corridor, shall be three hundred (300) square feet.
- 7.56.5 Regulation of Off-Premise Signs - Height and Prohibited Locations
1. Off-premise signs, other than those specifically enumerated under Section 7.56.4, shall be erected on any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet or any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet.
 2. No off-premise sign shall be erected on any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet or any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet.
 3. No off-premise sign shall be erected on any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet or any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet.
 4. No off-premise sign shall be erected on any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet or any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet.
 5. No off-premise sign shall be erected on any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet or any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet.
- 7.56.6 Limitation of Number of Off-Premise Signs per Sign Structure
- No more than one off-premise sign shall be erected on any one structure or sign structure. A total of two signs, each of which may meet the maximum sign area permitted for off-premise signs, may be displayed on one back-to-back or V-type sign structure, provided that the angle between such sign be not more than sixty (60) degrees.
- 7.56.7 Regulation of Public Information Signs
- The following regulations shall apply to all public information signs

1. Maximum Height - Twenty-five (25) feet.
 2. Minimum Clearance - Minimum clearance over signs shall be three (3) feet.
 3. Minimum Spacing - Three (3) feet from any property line.
- 7.56.4 Regulation of Off-Premise Signs - Maximum Sign Area
- 7.56.4.1 Maximum Sign Area - Regulated by Width of Right-of-Way
 1. No sign shall be erected on any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet or any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet.
 2. The maximum sign area of any off-premise sign located on a premise fronting or adjacent to any Street shall be no more than two hundred (200) square feet or more, except for those signs of a size defined herein as the Gateway Corridor, shall be three hundred (300) square feet.
 - 7.56.4.2 Maximum Sign Area - Regulated by Width of Right-of-Way
 1. No sign shall be erected on any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet or any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet.
 2. The maximum sign area of any off-premise sign located on a premise fronting or adjacent to any Street shall be no more than two hundred (200) square feet or more, except for those signs of a size defined herein as the Gateway Corridor, shall be three hundred (300) square feet.
- 7.56.5 Regulation of Off-Premise Signs - Height and Prohibited Locations
1. Off-premise signs, other than those specifically enumerated under Section 7.56.4, shall be erected on any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet or any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet.
 2. No off-premise sign shall be erected on any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet or any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet.
 3. No off-premise sign shall be erected on any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet or any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet.
 4. No off-premise sign shall be erected on any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet or any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet.
 5. No off-premise sign shall be erected on any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet or any off-premise sign located on a premise fronting or adjacent to any Street wider than 100 feet.
- 7.56.6 Limitation of Number of Off-Premise Signs per Sign Structure
- No more than one off-premise sign shall be erected on any one structure or sign structure. A total of two signs, each of which may meet the maximum sign area permitted for off-premise signs, may be displayed on one back-to-back or V-type sign structure, provided that the angle between such sign be not more than sixty (60) degrees.
- 7.56.7 Regulation of Public Information Signs
- The following regulations shall apply to all public information signs

City of Petal Zoning Ordinance

City of Petal Zoning Ordinance

5. Clearance of Projecting Signs - Signs projecting from a building or extending over public sidewalks shall be limited to a height of three (3) feet above the sidewalk and all such signs shall be at least eight (8) inches from the curb line as measured toward the building.
 6. Signs at Intersections - Projecting signs shall not obstruct or impair visibility at the intersection of the right-of-way lanes of two (2) streets, or of a Street and a railroad.
- 7.58 Electrical Sign Regulations
- 7.58.1 Electrical Code - All electrical signs shall be built and installed in compliance with the National Electrical Code and the International Code Council. All electrical wiring for signs shall be permanently installed and placed underground in metal conduit in accordance with the National Electrical Code.
- 7.58.2 Licensing - Electrical signs may only be installed by an electrician licensed by the City of Petal.
- 7.58.3 Electrical Sign Permit - The following shall be required prior to the issuance of an Electrical Sign Permit:
1. Written electrical permit in compliance with the erection of an electrical sign.
 2. Compliance with all applicable codes, ordinances and regulations of the City of Petal.
- 7.58.4 Electrical Inspection Fees - An electrical inspection shall be required in conjunction with the erection of an electrical sign. This fee in addition to the permit fee required under Section 7.59.2 shall be as follows:
1. Twenty-five Dollars (\$25.00) - Shall be charged for each inspection required.
 2. Twenty-five Dollars (\$25.00) - Shall be charged for each inspection required.
- 7.59 Procedure and Fees for Sign Permits - Sign Inspections and Certificates of Completion
- 7.59.1 Application Requirements for Issuance of Sign Permits
- 7.59.2 Application Requirements for Issuance of Sign Permits
- 7.59.3 Application Requirements for Issuance of Sign Permits
- 7.59.4 Application Requirements for Issuance of Sign Permits

City of Petal Zoning Ordinance

City of Petal Zoning Ordinance

EXHIBIT "F"

The Building Inspector may, in writing, suspend or revoke a sign permit issued on the basis of a misstatement of material fact or fraud.

7.59.8 Suspension or Revocation of Sign Permit

- At the time of submission of an application for a sign permit, a non-refundable fee of \$100 shall be paid.
- When application for a permit is approved and prior to the issuance of a permit, a permit fee shall be paid on the following schedule of rates:
 - Up to 32 square feet \$20.00 per face
 - Each square foot in excess of 32 square feet 0.50 per sq. ft.
 - Non-electrical signs \$15.00 per face
 - Each square foot in excess of 32 square feet 0.50 per sq. ft.
 - Temporary signs \$10.00 per face
 - Over 32 square feet 0.50 per sq. ft.
- Sign permits shall be issued for a period of 180 days.
- Renewal fees for all signs 20.00
- Billboards shall pay the following fees in addition to the above fees:
 - Initial permit fee \$100.00 per face
 - Annual renewal fee 50.00 per face
 - Miscellaneous 25.00

7.59.91 Regulations for Inspection of Signs and Issuance of Certificate of Completion

- Upon twenty-four hour advance notice by the permit holder, the following required inspections shall be made by the Building Inspector or his designated agent:
 - A foundation inspection prior to pouring concrete for any approved freestanding sign.
 - Final inspection for completion of sign in accordance with approved plans.
 - No structure or sign, the construction of which necessitates the issuance of a permit under the provisions of this Sign Code, shall be used or displayed until the Building Inspector shall have issued a certificate of completion stating that the construction and proposed display or other activity has been found to be in compliance with the permit issued under the provisions of this Sign Code.
- Final inspection for completion of sign in accordance with approved plans.
- No structure or sign, the construction of which necessitates the issuance of a permit under the provisions of this Sign Code, shall be used or displayed until the Building Inspector shall have issued a certificate of completion stating that the construction and proposed display or other activity has been found to be in compliance with the permit issued under the provisions of this Sign Code.

City of Petal Zoning Ordinances

- The name of the business changes or the sign is changed or modified either in the design or in the material.
- November 4, 2012 or seven (7) years from the date that this code first becomes applicable to the sign, whichever is sooner, but only if the area of the sign exceeds by greater than fifteen (15) percent the sign area which otherwise would be applicable under the provisions of this code.

7.59.94 Penalties for Non-compliance with Sign Code

The owner of a sign that is found to be in compliance with the Sign Code but which has been erected without a permit may, for every 900 days from the effective date of the adoption of this ordinance, apply for a permit and pay all required fees and, in such case, no further penalty shall be assessed.

7.59.94a Unlawful and Unlawful Sign

- If the Building Inspector shall find that any sign or other advertising structure regulated herein is unsafe or unsecure, it is a nuisance to the public, is abandoned, is maintained in a dilapidated condition, or has been constructed or erected or is being maintained in violation of the provisions of this ordinance, he shall give written notice to the permittee or owner thereof, or if he is unable to identify such person, to the owner of the property on which the sign is located. The permittee or owner shall be given ten (10) days to remove or alter the structure so that the sign is in compliance with the provisions of this Sign Code. If the permittee or owner fails to comply with the provisions of this ordinance, the Building Inspector shall have the authority to remove or alter the structure on behalf of the City of Petal at the expense of the permittee, sign owner, or owner of the property upon which it is located. The Building Inspector shall refuse to issue a permit to any permittee or owner who refuses to pay costs so assessed. The Building Inspector may cause any sign which is an immediate peril to persons or property to be removed or altered at the expense of the permittee, sign owner, or owner of the property.
- In addition to the penalties provided by Section 7.59.94a of these regulations, the provisions of this Section may be enforced and violations thereof may be abated in accordance with the provisions and procedures set forth in the Zoning Ordinances or any other applicable ordinances adopted by the City of Petal.

7.59.94b Interpretation and Application

The provisions of this ordinance are intended to supplement and to be read and applied in part with all existing laws, ordinances and regulations of this City. The provisions of this ordinance shall not be deemed to have repealed or suspended any such existing law, ordinance or regulation of this City unless such result shall have been expressly stated or be clearly intended by the ordinance. The provisions of this ordinance shall not be construed to conflict with any other provisions or requirements of any other law, ordinance or regulation of this City. The more restrictive provision or requirement shall apply unless a contrary application thereof is expressly stated.

City of Petal Zoning Ordinances

or destroyed by the proposed activity, the size and nature of the proposed activity, the character of the premises on which the activity is proposed and of the area surrounding and premises, the advisability or non-advisability of the proposed activity on the surrounding area, and the advisability of the continuation of the proposed activity on the surrounding area, and the character of the proposed activity which would call for the cutting or removal of any live oak tree or which might damage or injure any live oak tree.

7.59.5 Enforcement on Utilities in Connection with the Issuance of a Sign Permit

If the applicant's proposed activity as set forth in his permit application is upon review found to involve work or construction on, over or under any existing or proposed utility poles, lines, structures, services, or conduits, the applicant shall then notify the affected utility or utilities in writing of his proposed activity and advise each such affected utility that any objections to the proposed activity must be submitted in writing to the Building Inspector within thirty (30) days of the receipt of such notice. The Building Inspector shall not issue any permit until the proposed activity has been approved by the Building Inspector and the utility and the period for comment or objection to the proposed activity shall have expired. If a timely objection is submitted by an affected utility the Building Inspector shall not issue a permit until such time as the unopposed objection shall be withdrawn. If the unopposed objection has not been withdrawn after the lapse of forty-five (45) days of the last day for the timely submission of comments or objections, and if the interruption of said objection is the only basis for the objection, the Building Inspector shall issue a permit. The applicant shall submit the application to the Planning Commission which shall take appropriate action on the application in accordance with the full scope of its power and authority. A request for permit under this ordinance is refused by the Building Inspector shall advise the applicant and shall provide the applicant with a written statement of the reason or reasons for such refusal.

7.59.6 Issuance of Permit and a Waiver

The issuance of a sign permit shall in no case be construed as a waiver of any of the provisions of this ordinance or of any other ordinance or regulations of the City. No permit issued for a sign shall be issued to continue a permit or modification to maintain an unlawful sign that shall any permit issued constitute a defense in an action to abate an unlawful sign.

7.59.7 Commencement of Work under Sign Permit; Automatic Expiration

All permits issued under the terms of this ordinance shall expire automatically if the permittee or other work described in the application has not commenced within ninety (90) days of the date of the issuance of the permit and any construction or other work required under the terms of the permit shall be completed within the time specified in the application. If the permittee does not commence work within the time specified in the application, the permit shall expire. The Building Inspector may, at his discretion, grant an applicant two (2) extensions, and to extend a total of ninety (90) days, of such periods. Any period of time in which progress on the completion of any work authorized by the permit is delayed by operation of law shall not be considered in the accrual of the period of time for commencement and completion of permitted work.

City of Petal Zoning Ordinances

- Requirements of this code. Upon determination that a sign is non-complying, the Building Inspector shall make reasonable efforts to notify either personally or by registered mail the owner of the sign. If the sign owner, user, or owner of the property cannot be located, the notice may be affixed to a conspicuous place in the sign or to the business premises with which the sign is associated.
- Legally Non-complying Signs - Any sign located within the City limits on November 5, 2005 or located on or after the date of the City Charter which does not conform with the provisions of this code is eligible for characterization as a "legally non-complying" sign, if the sign was in compliance with all applicable laws prior to the effective date of this code or the date that the provisions of this code first became applicable to the sign. Such signs shall be affixed with a legally non-complying label in accordance with the provisions of Section 7.59.94 of this Sign Code.

7.59.94b Interpretation and Application

The provisions of this ordinance are intended to supplement and to be read and applied in part with all existing laws, ordinances and regulations of this City. The provisions of this ordinance shall not be deemed to have repealed or suspended any such existing law, ordinance or regulation of this City unless such result shall have been expressly stated or be clearly intended by the ordinance. The provisions of this ordinance shall not be construed to conflict with any other provisions or requirements of any other law, ordinance or regulation of this City. The more restrictive provision or requirement shall apply unless a contrary application thereof is expressly stated.

7.59.94c Amortization of Legally Non-complying Signs

- Legally Non-complying On-Premise Signs - All legally non-complying on-premise signs are subject to amortization by the provisions of this Sign Code may be continued until such time as the sign is replaced or removed.
- The nature of the business conducted on the premises changes in such a manner as to occasion a change in the existing sign, or

7.59.94d Amortization of Legally Non-complying Signs

The provisions of this ordinance are intended to supplement and to be read and applied in part with all existing laws, ordinances and regulations of this City. The provisions of this ordinance shall not be deemed to have repealed or suspended any such existing law, ordinance or regulation of this City unless such result shall have been expressly stated or be clearly intended by the ordinance. The provisions of this ordinance shall not be construed to conflict with any other provisions or requirements of any other law, ordinance or regulation of this City. The more restrictive provision or requirement shall apply unless a contrary application thereof is expressly stated.

City of Petal Zoning Ordinances

depiction of the location and size of the proposed sign(s) and all existing signs on the lot(s) occupied by the applicant.

7.59.3 Procedure for Issuance of Sign Permit; Appeals; Display of Proposed Signage; pending Building Inspector Review

All applications for sign permits except permit for temporary signs included with the provisions of Section 7.553 shall be reviewed and approved by the Building Inspector prior to the issuance of any permit.

7.59.4 Landscaping Requirements in Connection with the Issuance of a Sign Permit

If the application involves a freestanding sign, monument sign in the greenbelt or freestanding sign outside of the greenbelt or call for the cutting or removal of any tree of a height in excess of ten (10) feet, the applicant shall submit a landscaping plan to the Building Inspector. The plan shall include the location and size of the tree to be cut or removed, the location and size of the proposed activity to be installed and approved by the Building Inspector in connection with any conditions set forth in the tree ordinance. Such landscaping plan shall consist of a design to transition from the monument sign structure to a decorative ground cover and low planting in reviewing such a plan, the Building Inspector shall consider such factors as the location, type, number and size of the trees to be removed or cut, any other vegetation which would be damaged

City of Petal Zoning Ordinances

removed by the Building Inspector shall state in writing the reasons for their refusal and deliver that written notice to the applicant. No permanent structure may be permanently connected until a certificate of completion is issued.

7.59.82 Enforcement of Provisions of the Sign Code and Penalties for Violation

- No person shall engage in any business or activity described in this Sign Code without complying with the terms of this Sign Code.
- Every person commercially engaged in constructing, erecting, installing, maintaining or operating outdoor advertising, advertising structures, billboard, advertising signs, painted signs on awnings, signs, or similar devices, whether as a primary or secondary business, shall obtain a sign contractor's license and pay a fee of one hundred fifty dollars (\$150.00) for the first year and fifty dollars (\$50.00) annually thereafter.

7.59.94 Maintenance of Signs and Premises

Each sign which has been erected in accordance with the provisions of this Sign Code shall be maintained in substantially the same condition as when the final inspection was made and the sign inspection sticker was issued. Failure to maintain the sign in such condition shall constitute a violation of this chapter. The Building Inspector shall have the authority to remove or alter the structure on behalf of the City of Petal at the expense of the permittee, sign owner, or owner of the property upon which it is located. The Building Inspector shall refuse to issue a permit to any permittee or owner who refuses to pay costs so assessed. The Building Inspector may cause any sign which is an immediate peril to persons or property to be removed or altered at the expense of the permittee, sign owner, or owner of the property.

7.59.94b Interpretation and Application

The provisions of this ordinance are intended to supplement and to be read and applied in part with all existing laws, ordinances and regulations of this City. The provisions of this ordinance shall not be deemed to have repealed or suspended any such existing law, ordinance or regulation of this City unless such result shall have been expressly stated or be clearly intended by the ordinance. The provisions of this ordinance shall not be construed to conflict with any other provisions or requirements of any other law, ordinance or regulation of this City. The more restrictive provision or requirement shall apply unless a contrary application thereof is expressly stated.

City of Petal Zoning Ordinances

EXHIBIT "F"

infracted or clearly intended by the context and language of the law, ordinance and regulation in question.

5.94.417 Enforcement and Administration

The provisions of this ordinance shall be enforced and administered by the Building Inspector. The Building Inspector or Code Enforcement Officer shall have the power and authority to make inspections of signs, signs structures or premises necessary to carry out their duties in the coordination and the enforcement of the provisions of this ordinance.

5.94.418 Violation

- In case any sign structure or sign is erected or structurally altered or maintained in violation of the provisions of this ordinance, any person or entity who erected, altered, maintained, authorized, repaired or representatives may institute any appropriate action or proceeding to prevent such unlawful act or to prevent any illegal act, conduct or use in or about or on any such sign, sign structure or premises. Lack of any such violation complaint shall constitute prima facie evidence of a violation.
- Any resident of the community who believes that a violation of any of the provisions of this ordinance is occurring may file a written complaint with the Building Inspector. Such complaint shall fully set forth the acts or omissions constituting the alleged violation and the facts upon which the complaint is based. Violations are alleged to be occurring. The Building Inspector shall investigate the complaint and may take any action, including issuing a stop-work order, to prevent the violation from occurring. The Building Inspector shall advise the complainant and investigate as provided by this ordinance.

5.99.90 Penalty - Any person violating any provision of this Article shall be guilty of a misdemeanor and shall be liable for the penalties provided for as follows:

- A violation of any of the provisions of this Article shall be punishable as provided for as follows:
 - For each day that the violation continues, the violator shall be liable for a fine of not more than one hundred dollars (\$100.00) per day per unit for each day that such violation continues up to thirty (30) days, or the maximum amount allowed under the Mississippi Administrative Code of 1972 as amended, whichever is greater.
- The city may file a lien against residential real property of the owner of such property or the property of the violator for the amount of the fine in which it was imposed. The amount of the lien may be calculated on the basis of the amount of the fine plus associated costs including legal fees incurred in connection with this action.
- Nothing herein shall prevent the city from seeking any other means available at law or in equity in order to enforce this ordinance's provisions.

5.6 Accessory structures and uses.

5.6.1 Purpose - The uses of land, buildings, and other structures permitted in each of the districts established by this zoning ordinance are designated by tables or lists of principal uses permitted in addition to such principal uses. This section shall regulate uses incidental to any principal uses permitted in the district. All setbacks, parking areas and accessory structures shall be so landscaped, located and constructed so as not to interfere with the use of the surrounding

City of Petal Zoning Ordinance

5.7.2 Purpose of buffer yards and screens

The purpose of a buffer yard is to provide a space of distance between two (2) incompatible uses. The purpose of screening is to provide an effective visual barrier between an unsightly or distracting activity and adjacent properties or public ways to preserve property value and assure compatibility of uses. It is also the purpose of these provisions to prescribe standards for construction of properties through provision of barriers against traffic, trespass, noise, glare, shade, and dust, and through improvement of the appearance of individual properties, neighborhoods, and the city. These standards shall apply to all landscaping and screening required by other provisions of the zoning regulations.

5.7.3 General standards

Wherever any lot which is located in any commercial or industrial zone, and which is occupied by commercial manufacturing, or agricultural or mining activities, and which is located in any residential zone, it shall be screened from the residentially zoned lot using the entire abutting lot shall be subject to the standards for required landscaping and screening. A site plan shall be required showing the proposed screening or buffering.

Buffer yards and screens require site plan review. Such required site plan shall set: buffer yards and fence yards, screening walls or fences and other applicable standards. When the developer needs to ask for a variance from the buffer yard regulations, an alternative design plan which shall fulfill the intent of this ordinance must be submitted to the site plan review committee, which will, upon review, make a recommendation regarding the submission. The site plan review committee shall determine if the minimum standard and wall screening are feasible and if the site plan meets the intent of this ordinance. The site plan review committee shall also determine if the necessary vegetation and landscaping design will grow well in this region, and also if they make good visual screens.

5.7.5 Buffer yard standards relating to adjacent properties.

In the table below, when a distance always a six inch screen or buffer yard and screens shall be provided by the developer using the applicable building permit's type.

TABLE INSET

Use District	Abutting Use District	Buffer Yard Minimum Within 10 Feet	Screen Minimum Within 10 Feet
RF	RF, R3, R4, CO, C1	7.5	6
R1	RF, R3, R4, CO, C1	15	6

City of Petal Zoning Ordinance

properties, outdoor storage areas, service areas, outdoor walkways, service areas, utility building areas, utility buildings, canopies, and structures, and similar accessory areas and structures, shall be subject to such setbacks, screen plantings, or other screening methods as shall reasonably be required to prevent any adverse effect upon the environment of nearby property.

6. General standards

6.1. Permitted accessory uses shall

- Be customarily incidental to the principal use established on the same lot.
- Be subordinate in area, extent, and purpose to such principal use.
- Be accessory in nature, character, or necessity to such principal use.
- Be required to submit a site plan in order to review proposals for accessory uses, unless otherwise noted.

6.2. Essential accessory structures and uses

Accessory structures and uses shall be permitted as specified above and such accessory uses shall be applicable to the principal use of the lot as follows:

- For dwellings:
 - Shed for house animal pens. No site plan or building permit required unless size of structure warrants.
 - Children, playhouse, and playground equipment. No site plan or building permit required unless size of structure warrants.
 - Trampoline, swimming pool and necessary. All poolhouses and poolhouses and poolhouses must be located in the rear yard. All lot areas require a site plan and permit.
 - Private greenhouses, vegetable, fruit, or flower gardens, from which no products are sold or offered for sale.
 - Private garage or carport. Cannot be commercial, modular or pre-manufactured in nature.
 - Private swimming pool and bath house.
- Shed for the storage or maintenance of recreation and yard equipment, used on the premises.
- Private tennis court.
- Finish workshop.
- Storage shed.
- Fallout bomb and severe weather shelters.
- Kelso broadcast towers for hobbyists.
- Sandfill, jacks, in rear yards only.
- Site residential driveways for other structures.
- For church, chapel, temple or synagogue.
- Religious building.
- Clubhouse building.
- For golf and country club.
- Dwelling for caretaker.

City of Petal Zoning Ordinance

RZ	RF, R3, R4, CO, C1	15	6
R3	RF, R3, R4, C1	15	6
R4	RF, R3, R4, C1	15	6
CO	RF, R3, R4	15	6
C1	All Residential Districts and CO	20	6
C2	All Residential Districts, CO and C1	20	6
C3	All Districts except R2, CO and C1	20	6
R1	All Districts except R2, CO and C1	60	6
R2	All Districts except R1, CO and C1	60	6

A buffer yard of the minimum width, unless otherwise specified, shall be provided for each use as indicated in the table above. The minimum width, unless otherwise specified, shall be located parallel to the property line.

5.7.6 Screening relative to adjacent properties

In the table below, when a distance always a six inch screen or buffer yard and screens shall be provided as listed. Screening is required for all uses as indicated in the table below.

- Architectural screening - A screening of wood, masonry, stone, concrete or metal may be placed along the property line or along the inner perimeter of the buffer yard so as to provide visual screening at minimum height requirements at the time of issuance of the certificate of occupancy.
- Vegetation screening - Screening of vegetation, including trees, shrubs, and other vegetation, shall be planted so as to provide visual screening at minimum height requirements at the time of issuance of the certificate of occupancy. Minimum height requirements shall be met at the time of issuance of the certificate of occupancy. Landscaping and screening shall be considered a part of a vegetation screening.
- Combination of materials - Whenever two (2) or more alternative types of landscaping, fences, or walls are prescribed they may be provided singly or in any combination.

Installation and maintenance

All buffer yards and screens shall be installed in a sound workman-like manner and according to accepted good planting procedures with the quantity of plant material as herein specified. All and use requirements. Buffer yards shall ensure that the screen is not less than the minimum height as defined in any provision of a vehicle outside of a parking space, display area or access way into a buffer yard.

City of Petal Zoning Ordinance

- Maintenance equipment storage shed
 - For show windows.
 - For storage.
 - For parking.
 - For loading and unloading area.
- For industrial uses in the industrial districts:
 - Office.
 - Restaurant or cafeteria.
 - Warehouse or storage.
 - Research or pilot structure.

7.4. Landscaping, access, buildings, and structures.

- No accessory building shall be located in any required front yard, but must be located in the side or rear yard.
- Accessory buildings shall not cover more than thirty (30) percent of any rear yard and shall not be located closer than ten feet from the rear and side lot lines and ten (10) feet from any other building on the lot.
- On any corner lot adjoining to the rear another lot which is in a residential district, accessory buildings within the rear yard shall conform to the side yard setback on either lot as indicated in the specific residential zoning setbacks contained within the ordinance.

7.4.5 Subordination, setbacks, uses, and heights

If a principal non-conforming use or structure exists, neither shall any of its accessory uses or structures continue, unless such accessory use or structure shall thereafter conform to all the regulations of the zoning district in which it is located.

7.6. Application to commercial uses.

Except in the case of a home occupation, no accessory use shall be of a commercial nature.

7.7. Buffer yard screening standards

7.7.1 Purpose and intent

The purpose and intent of the buffer/screening standards is to maintain many of the environmental features and amenities of the city for present and future generations. Adherence to these regulations will improve the appearance and compatibility of land uses and other structures, and will help to maintain the character and appearance of the city. The standards for screening and planting for screening and aesthetic effects, screen vegetation and maintenance of planning and landscaping character value and safety of the road urban area, and safety of the road urban area. Attractive, well-maintained buffer yards improve the quality of development. They can also alleviate development disputes by reassuring neighboring property owners that the adjacent project will remain aesthetically unobtrusive. It is intended that these provisions shall constitute minimum requirements.

7.7.2 Visibility at intersections. See section 7.3.3.

7.7.3 Increase in driveway and public ROW, and/or private street.

The owner shall be responsible for the maintenance of all buffer yards which shall be maintained in good condition so as to present a clean and orderly appearance. In the event that plants are destroyed or die of natural causes, such materials shall be replaced within 60 days. Failure of the owner of the property to maintain the buffer yard in good condition, as set forth above, shall subject him to the penalties as set forth in the ordinance. No buffer yard shall be abandoned, paved, or otherwise employed for purposes other than screening.

7.7.4 Increase in driveway and public ROW, and/or private street.

In any district, no building shall be erected, placed, planned, or allowed to grow in such a manner as to materially impair or block vision between a height of two and one-half (2.5) and ten (10) feet. Any building, structure, or other obstruction to vision in the area bounded by the street line, driveway lines, or such corner and a line joining points along said street lines (intersections) feet from the point of intersection.

7.7.5 Credit for existing buffer material

If the property owner demonstrates that healthy plant material exists on the site prior to an application for the purpose of a buffer yard, the applicant may be given credit for such material. An adjustment is to be kept with and will preserve the intent of this ordinance.

7.7.6 Planned distance standards

Fences, walls or vegetation screening shall be provided in the perimeter of planned development where necessary to screen improvements, garages, uses, or other structures having an adverse impact either on the planned development or on adjacent property. Such screening shall be of sufficient height as determined by the topography to improve the impact of such adverse development on the first floor of any use located either within or adjacent to the planned development.

7.7.7 Zoning screening standards

A screen wall, fence, or landscaping, not less than six (6) feet or more than eight (8) feet in height, shall be provided between commercially zoned property and adjoining residentially zoned property. The height of the screen wall, fence, or landscaping shall be measured from the top of the lowest point to the top of the screen wall, fence, or landscaping. The screen wall, fence, or landscaping shall be constructed to be immediately adjacent to the line dividing the residential and commercial properties. A new screen wall shall not be required where there is an existing screen, which substantially conforms to this section, on the adjoining residential property. If the existing

City of Petal Zoning Ordinance

EXHIBIT "F"

111

7.83. Use of existing storage of equipment and materials.

Such as contractor's materials and storage, yards, industrial equipment sales and storage, lumber and building materials, sales and storage. Open storage of these items shall not be piled or stacked over twenty (20) feet in height above normal ground elevation.

7.9. Erosion Management, Soil, Tree Removal, and Excavation and Sedimentation Control.

1. No government entity or other person or entity shall strip, excavate, fill, or otherwise move soil, trees, or other vegetation except for minor changes such as the filling of small depressions, removal of vegetation which is diseased or endangering the public safety, etc. without first ensuring that all requirements in this ordinance by the legislative body, if applicable, have been fulfilled and approved by the Planning Commission.
2. Any activity which results in the removal of trees or other vegetation shall be subject to change in grade or removal of trees and other vegetation in the affected area will be in conformance with all applicable provisions of this ordinance. The provisions of this section shall not be construed to prohibit normal excavation or grading incidental to the construction or alteration of a building on the premises for which a building permit has been granted as required elsewhere in this ordinance and sedimentation controls for excavation or grading shall be in conformance with all applicable provisions of this ordinance.
3. The following shall be required for any excavation or grading project:
 - a. The smallest practical area of land shall be exposed at any one time during development.
 - b. When land is exposed during development, the exposure shall be kept to the minimum.
 - c. Temporary vegetation and/or mulching shall be used to protect critical areas exposed during development.
 - d. Sediment basins (debris basins or silt traps) shall be installed and maintained to remove sediment from run-off waters from land undergoing development.
 - e. Erosion control measures shall be installed and maintained until the project is completed by the owner.
 - f. Permanent final vegetation and structures shall be installed as soon as practical in the development.
 - g. The development shall be fitted to the topography and soils so as to create the least erosion potential.
 - h. Whenever feasible, natural vegetation shall be retained and protected.

7.92. Storm drainage easements.

1. Storm drainage must be shown on a site plan and acceptable to the city engineer.
2. Site plans must indicate drainage from paved parking surfaces by arrows that indicate the direction of storm water flow toward streets and drainage channels. Consistent with the plan must be shown for the final paving of the site as well as to be shown adjacent to the property. Developer must demonstrate that post construction watershed is no greater than before post construction.

City of Petal Zoning Ordinance

110

7.794. Maintenance of Screens

All required screens shall be permanently maintained in good working condition and, whenever necessary, replaced with new plan materials to ensure continued compliance with applicable landscaping requirements. All required fences and walls shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

It is the intent of this ordinance to maintain a buffer yard or planting strip as required. The city shall be responsible for the maintenance of all required landscaping materials and shall assess the property owner in the same manner as for taxes. Before such work by the city and is essential to a safe project bearing concerning the same.

7.797. Buffering. Whenever a buffer yard or planting strip is required, it shall be completed prior to construction of the project and shall thereafter be maintained with permanent plan materials to provide a screen to abutting properties.

7.8. Open container storage

The regulations herein set forth shall apply to any open storage of such as skid-steer loaders, backhoes, generators, or other industrial or commercial establishments and general storage of equipment and materials, solid waste material or rubbish.

7.82. General requirements

1. The city may require the removal of junk or salvage or the screening of a nonconforming establishment in the interest of preserving the health, safety, and welfare of the general public.
2. The entire storage area shall be screened from view of the neighbors and the public by solid fencing or a natural screen of evergreen trees or vegetation, a uniform minimum height of eight (8) feet, not to exceed fifteen (15) feet and shall be maintained in this manner at the completion of the project and prior to the issuance of the certificate of occupancy.
3. Fencing or other screening shall be constructed of a material which is not permeable to garbage, debris, building material or other debris (except as otherwise approved in compliance with the provisions of this Code).
4. Open area: A ten-foot open area free of storage or structure shall be maintained inside the perimeter of the fence or wall for a height of six (6) feet to eight (8) feet. Open areas shall be a minimum of six (6) feet in height to the top of the structure.
5. Any such establishment in existence prior to the adoption of these provisions shall not be expanded or enlarged or the number of car bodies or quantity of junk or salvage increased or additional load used unless such expansion is made to conform to these provisions and all the regulations of this ordinance.

City of Petal Zoning Ordinance

109

screen on abutting residential property is the only screen that conforms to this section, and if it is removed, a new screen shall be required.

7.793. Fencing and Landscaping Standards

The screening required herein shall consist of a solid fence or wall at least fifty (50) percent opaque and not less than six (6) nor more than eight (8) feet in height, but shall not extend within fifteen (15) feet of any street or driveway opening onto a street. The screening shall be placed on the property line of the lot to be screened. The screening shall be maintained in good condition and shall be replaced whenever necessary. Any plan review certificate or fencing shall be approved by the site plan review committee, with his approval being based upon whether the screening is adequate to block the view of said containers.

7.794. Driveway and Area Screening

A masonry, concrete or wooden wall may be provided around all sides of commercial, industrial and multifamily residential trash containers, which shall be provided with a gate for access and be of such height as to completely screen said containers, the maximum height of which shall not exceed six (6) feet; provided, however, that in multifamily districts, the trash containers may be contained in a block structure with a gate for access. Any plan review certificate or fencing shall be approved by the site plan review committee, with his approval being based upon whether the screening is adequate to block the view of said containers.

7.795. Excavation and Screening Requirements

1. Excavation and screening requirements set forth in other provisions of the zoning regulations shall be subject to the following exceptions:
 - a. Equivalent screening of abutting lot. Prescribed fence, walls or drive landscaping need not be provided for the lot to be excavated if the excavated area is screened by a solid fence or wall on the opposite side of said lot.
 - b. Height within required minimum yard. Required fences, walls, or drive landscaping need not be higher than three and one-half (3 1/2) feet in that portion of any required minimum yard which lies within ten (10) feet of any street line.
 - c. Temporary screening. Temporary screening of an excavation shall be allowed in accordance with the provisions of this ordinance.

City of Petal Zoning Ordinance

114

4 spaces per 1,000 square feet of gross floor area for less than 5,000 square feet of gross floor area. 20 spaces plus 3 spaces per 1,000 square feet of gross floor area for 5,000 square feet of gross floor area, but not more than 70,000 square feet or 75 spaces plus 6 spaces per floor area over 70,000 square feet of gross floor area.

- | | |
|---|--|
| Hospitals. | 1.5 spaces/bed. |
| Hotels and motels. | 1.25 spaces/room |
| Lodges, (resort) or social organizations. | 1 space/75 square feet of seating area. |
| Night Clubs. | 1 space/75 square feet of seating area. |
| Nursing Homes, sanitariums, homes for the aged and similar institutions. | 1 space/12 beds. |
| Public swimming pool, golf course, boat golf course shall require a minimum of three (3) spaces per hole. | |
| Public swimming pool, golf course, neighborhood recreation center, tennis courts, or similar use. | 1 space per 5 members but not less than 20 spaces. The golf courses shall require a minimum of three (3) spaces per hole. |
| Restaurants, taverns and similar establishments serving food or beverages and providing patron use area. | 1 space per 100 square feet of gross floor area. |
| Restaurants, drive-in, without area provided for patron use. | 1 space per 100 square feet of gross floor area, but not less than 10 spaces. |
| Shopping centers and planned shopping developments. | Neighborhood center: 4 spaces/1,000 square feet of gross leasable area and regional center: 4.5 spaces/1,000 square feet of gross leasable area. |
| Public or private secondary school. | 4 spaces/each classroom. |
| Sharing risks, pool rooms. | 1 space/150 square feet of gross floor area. |

City of Petal Zoning Ordinance

113

8.2. OFF-STREET PARKING REQUIREMENTS.

Off-street automobile parking space or area shall be provided on any lot on which any of the following listed uses are hereafter established, and in accordance with the schedule shown below.

Use

Parking Spaces

- | | |
|---|---|
| Vehicle repair garage. | 1 space per 150 square feet of gross floor area. |
| Vehicle service station spaces required. | 3 spaces for each service bay with a minimum of 10 spaces per alley. |
| Business and Professional Offices. | 3.3 spaces per 1,000 square feet of gross floor area. |
| Residential: | |
| Chambers and other places of worship. | 1 space per 3.3 fixed seats in the main sanctuary. |
| Church and medical offices. | 6 spaces per 1,000 square feet of gross floor area. |
| Commercial and industrial firms not claiming to retail trade. | Office: 3 spaces/1,000 square feet of total office space. |
| Manufacturing, research, or assembly. | 2 spaces/1,000 square feet of gross floor area. |
| Warehouse or storage. | 1 space/1,000 square feet of gross floor area for the first 20,000 square feet, and 1 space/2,000 square feet of gross floor area for the second 20,000 square feet; and 1 space/4,000 square feet of gross floor area over 40,000 square feet. |
| Dwellings, single-family. | 2 spaces per dwelling unit. |
| Dwellings, two-family. | 2 spaces per dwelling unit. |
| Dwelling, multi-family. | 2 spaces per dwelling unit. |
| Food stores. | 1 space per 100 square feet of gross floor area. |

City of Petal Zoning Ordinance

112

4. Large parking lots, such as for regional shopping centers, high-density multi-family residential developments and other developments, the location of off-street parking spaces or areas for other uses shall be not more than three hundred (300) feet in distance from the main building provided, however, the zoning classification of such lots is the same as or less than that of the building. Such parking spaces or areas shall be established in the building permit application duly filed as parking spaces to be used in conjunction with the principal use. Such parking space shall also be owned by user and not leased. Off-street parking area for multi-family uses shall be located on the lot or a lot immediately adjacent to the lot on which the use occurs.

ARTICLE VIII. OFF-STREET PARKING AND LOADING REQUIREMENTS

8.1. General Requirements.

- 8.11 Off-street parking space or area for one-family and two-family dwellings shall be provided on the same lot or plot of ground as the building to be served. The location of off-street parking space or area for other uses shall be not more than three hundred (300) feet in distance from the main building provided, however, the zoning classification of such lots is the same as or less than that of the building. Such parking spaces or areas shall be established in the building permit application duly filed as parking spaces to be used in conjunction with the principal use. Such parking space shall also be owned by user and not leased. Off-street parking area for multi-family uses shall be located on the lot or a lot immediately adjacent to the lot on which the use occurs.
- 8.12 Parking requirements for two or more uses of the same or different type may be satisfied by the allocation of a common or collective parking facility when such uses adjoin the area to be allocated for the parking facility. Such facility shall not be less than the sum of the requirements for the individual uses computed separately.
- 8.13 Areas reserved for off-street parking or loading in accordance with the provisions of this ordinance shall not be reduced in area or changed to any other use unless the permitted use which it serves is discontinued or modified except where equivalent off-street parking or loading space is provided.
- 8.14 Off-street car parking spaces or areas shall not be required for any use located in the C-1, Central Business District.
- 8.15 For uses not specifically mentioned in this section, the requirements for off-street parking and loading facilities for a similar use specifically mentioned in this section shall apply.
- 8.16 Prior to approval of the off-street parking requirements hereof, sidewalk design, curb design, lighting, and other details shall be approved by the Building Inspection Department based upon safe and efficient movement of pedestrian and vehicular traffic.

City of Petal Zoning Ordinance

EXHIBIT "F"

123

- 3. A simple majority of the total membership of the Planning Commission, as established by ordinance, shall constitute a quorum. Any member of the Planning Commission who has any direct or indirect financial interest in the outcome of any question before the body shall disclose the nature of the interest and shall disqualify himself from voting on the question.
- 4. The Planning Commission shall keep minutes and records of all proceedings including regular meetings and special meetings. Minutes shall be prepared by the City Clerk. A transcript of the minutes of the Planning Commission shall be provided if requested by a party at the expense of the requesting party, and the transcript shall constitute the record.
- 5. The Planning Commission shall have the power to make subpoenas to compel witnesses to attend its meetings and file evidence bearing upon the questions before it.
- 6. The chairman of the Planning Commission shall have the power to administer an oath to witnesses prior to their testifying before the commission of any case.

11.2 Duties

11.3 Official Zoning Map

It shall be the duty of the Planning Commission to annually review in October of each year the official zoning map of the City of Petal and make determination as to the condition and deficiencies of interpretation due to change and addition. Should the Planning Commission determine that the zoning map needs updating and revision, it shall submit to the Mayor and Board of Aldermen a report containing the reasons for such a change and the proposed changes. The procedure outlined in section 3.1 of this ordinance. (Mississippi Code 1972 17-1-13)

11.33 Comprehensive Plan

The Planning Commission of the City of Petal shall provide for the preparation, adoption, maintenance, revision and review of a comprehensive plan for the purpose of bringing about coordinated physical development in accordance with present and future needs of the City. The comprehensive plan as developed for the City of Petal shall consist of the following elements as a minimum:

- 1. Goals and objectives for the long-range (twenty (20) to twenty-five (25) years) development of the City of Petal, including residential, commercial, industrial, recreational, agricultural, environmental, and cultural development, parks, open space and recreation, transit or road improvements, public schools and community facilities.
- 2. A land use plan which designates in map or policy form the proposed general distribution and siting of the uses of land for residences, commerce, industry, recreation and open space, public/semi-public facilities and lands. Background information shall be provided to support the land use plan, including a description of the present land use patterns of the following: residential, commercial, industrial, public, institutional, school, and public/semi-public uses, and any other information needed to adequately define the meaning of such land use codes. Projections of population and economic growth for the remaining of such land use codes.

City of Petal Zoning Ordinance

126

in a newspaper of general circulation within the city, the first publication to be at least 15 days before such hearing.

11.33 Action by Mayor and Board of Aldermen on recommendation of board.

After such zoning hearings, enactment hearings, appeals or other related business, the city planning commission shall make its recommendation to the city council which recommendation may be accepted or rejected by the council, or may be accepted in part and rejected in part or may be sent back to the city planning commission for further hearing.

11.43 Enforcement - Conditional Use Permits and Variances

The Planning Commission included in this ordinance allows uses permitted by rights through the specifically listed permitted uses and requirements in each zoning district. Where the language present in the ordinance does not specifically address a particular use or activity within a zoning district the commission process shall be applied to address or obtain the City's approval.

11.6 Procedure for All Appeals to the Planning Commission

The Planning Commission shall file a reasonable notice for hearing the appeal and give public notice in accordance with all applicable state law, as well as written notice to the applicant and the zoning administrator at least one (1) calendar week prior to the hearing, and shall discuss on the hearing the zoning ordinance which the applicant is appealing. The affected party may appear at the hearing in person or by attorney.

11.61 Appeals, Hearings, Notice

Any appeal from the official actions of the building inspector (zoning administrator), planning commission or board of alderman may be taken in the following manner:

1. Any person or party aggrieved by any official action of the zoning administrator may appeal from such action to the zoning administrator. Such appeal shall be taken within thirty (30) consecutive calendar days after the final action of the zoning administrator by filing with the official from whom the appeal is taken and with the Planning Commission a notice of appeal specifying the grounds thereof. The official from whom the appeal is taken shall forward the appeal to the Planning Commission all of which shall be taken within thirty (30) consecutive calendar days after the appeal is taken.

11.62 Appeals, Hearings, Notice

Any person or party, jointly or severally or any entity approved by any decision of the Planning Commission, or any taxpayer or any officer, department, board or bureau of the City of Petal by giving notice of such decision by the Mayor and Board of Aldermen of the City of Petal by giving notice of such decision to the City Clerk within thirty (30) days of the date of such decision, may appeal from such decision to the Board of Aldermen at the appropriate circuit court within thirty (30) consecutive calendar days after the action or decision is rendered and all decisions, which have not been appealed within thirty (30) consecutive calendar days shall become final. After the appeal is taken, the procedure shall be governed by the rules of civil procedure. When an appeal has been filed, the clerk of the circuit court shall issue a subpoena to all parties, including the Planning

City of Petal Zoning Ordinance

122

ARTICLE XI. PLANNING COMMISSION

11.0 Establishment of Planning Commission, Membership, Appointment, Terms, Vacancies; Cooperation, Removal, Officers

- 1. A Planning Commission is hereby established (Mississippi Code 1972, § 17-1-13).
- 2. The Planning Commission shall consist of nine (9) members, all of whom must be citizen members representing their respective wards.
- 3. Planning Commission members shall serve with pay at the rate of \$100.00 per month.
- 4. The Mayor and Board of Aldermen shall be the appointing authority of the Planning Commission. There shall be two (2) commissioners appointed per ward, and one (1) at large commissioner. Individuals applying for a Planning Commission vacancy shall submit a resume to the City of Petal to be reviewed by the Mayor, Planning Commission and the Mayor and Board of Aldermen. Applicants must reside in the ward where the vacancy exists. The term of office for the Planning Commission shall be three (3) years, but the term of office of members first appointed shall be staggered so that a proportionate number serve (two (2), three (3), four (4) year and five (5) years, respectively).
- 5. Vacancies on the Planning Commission shall be filled within sixty (60) calendar days by the appropriate appointing authority. If the vacancy fails to act within that time, the Mayor and Board of Aldermen shall have the authority to fill the vacancy through extension of the term of office, it shall be filled for the remainder of that term.
- 6. Any member of the Planning Commission may be removed by the Mayor, subject to the approval by the legislative body, for inefficiency, neglect of duty, malfeasance, or conflict of interest. The mayor exercising the power to remove a member from the Planning Commission shall submit a written statement to the Planning Commission.
- 7. The Planning Commission shall submit a report to the Mayor and Board of Aldermen. The report shall have the right of appeal from the report to the Board of Aldermen.
- 8. The Planning Commission shall elect annually a chairman, vice chairman, and secretary and any other officers it deems necessary, and any officer shall be eligible for reelection at the expiration of his term.

11.2 Meetings of the Planning Commission, Quorum, Minutes, Subpoena Power, Administration of Oaths

- 1. The Planning Commission shall conduct meetings on the 2nd and 4th Tuesday of every month.
- 2. The Planning Commission may conduct meetings at the call of the chairman, who shall give written or oral notice to all members of the Commission at least three (3) days prior to the meeting, which notice shall contain the date, time, and place for the meeting, and the subject or subjects which will be discussed.

City of Petal Zoning Ordinance

125

- 1. The development of a street system, including major street plans, pathways and boulevards, express highways, traffic flow, control and safety, street corners, viaducts, underpasses and bridges, use of off-street parking and illumination.
- 2. Transportation and use, including railroads, bus lines, both local and interurban.
- 3. Heating on the street and restriction of substandard buildings and blighted areas, and the development of neighborhood districts.
- 4. Parks and recreation, including the development of new parks, neighborhood playgrounds, playfields and parks, community centers, clubhouses and recreational facilities.
- 5. Public schools, including in collaboration with existing school authorities, the expansion of facilities, the location and erection of new schools with particular reference to accessibility, utility and traffic problems.
- 6. Cultural and public buildings, including cultural institutions, federal, state and county buildings, city buildings, such as auditoriums, libraries in collaboration with the city library, police and fire stations, city hall and facilities for the use of the city government, police buildings, city hall and facilities for long range water supply and water storage.
- 7. Long range water supply and water storage.
- 8. Sewage disposal.
- 9. Sewage system, expansion and development and flood control, surface water and river.
- 10. Extension of corporate boundaries of the city, as related to feasibility, service to be rendered, and the location of the city limits.
- 11. Franchise, including orderly fiscal control of both short range and long range development in light of the present financial structure of the city.
- 12. Zoning problems, including revision of zoning maps and ordinances, coordination of zoning ordinances with building codes and sanitary codes, changes and use permits, and any other phase of the zoning requirements of the city.
- 13. Approval of the general plan of the city, giving consideration to the requirements of streets and utilities, both inside and outside the city.

11.3 Authority and functions as to zoning

The planning commission shall exercise any and all authority and functions in regard to zoning in accordance with the provisions of the zoning ordinance of the City of Petal, Mississippi, as amended 1972, § 17-1-13, and all other ordinances of the city as presently existing and as same may be amended from time to time.

11.31 Hearing on zoning matters—Consider generally.

Hearing on zoning matters within the city shall be heard before the city planning commission, and the proceedings before the commission shall be taken down either in shorthand or by mechanical or tape recording, which cannot be altered. Before the city planning commission shall hold any official hearing, there shall have been two subdivisions of such meeting setting forth the time and place of such hearing, a description of the property involved, and the existing zoning and proposed changes and modifications thereon. Such procedure shall be made

City of Petal Zoning Ordinance

121

10.61 Certificate of Validity

The Certificate of Occupancy as required for new construction or renovations to existing buildings and structures, in the Building Codes, shall also constitute Certificate of Occupancy as required by these regulations.

10.62 Certificate for Existing Buildings

Certificate of Occupancy shall be issued for existing buildings, structure or parts thereof, or existing uses of land if after inspection, it is found that such buildings, structures or parts thereof, or such use of land, are in conformity with the provisions of these regulations.

10.63 Temporary Certificate

Temporary Certificate of Occupancy may be issued for a part of a building or structure prior to the occupation of the entire building or structure provided that not remain in force more than six (6) months, nor more than five (5) days after the building or structure is fully completed and ready for occupancy and, provided further, that such portion of the building or structure are in conformity with the provisions of these regulations.

10.64 Record of Certificate

A record of all Certificates of Occupancy shall be kept in the office of the Building Inspection Department.

10.65 Certificate for Accessory Buildings to Dwelling

Accessory buildings or structures to dwellings shall not require separate Certificate of Occupancy, but rather may be included in the Certificate of Occupancy for the principal dwelling building or structure on the same lot when such accessory buildings or structures are completed at the same time as the principal use.

10.66 Application for Certificate

Certificate of Occupancy shall be applied for coincident with the application for a building permit and shall be issued within ten (10) days after the erection or alteration of such building shall have been completed in conformity with the provisions of the Building Code. Building shall have been completed in conformity with the provisions of the Building Code. If such certificate is refused for cause, the applicant therefor shall be notified in writing of such refusal and the cause thereof within ten (10) days.

10.67 Fees

Fees for inspection and the issuance of permits or certificates or signs thereof required or provided for by these regulations shall be collected by the Building Inspection Department in advance of the issuance of such permit or certificate.

City of Petal Zoning Ordinance

124

area encompassed by the plan may be the basis for qualitative recommendations for each land use category.

3. A transportation plan depicting on map from the proposed functional classifications for all existing and proposed streets, roads and highways for the area encompassed by the land use plan shall be submitted to the Planning Commission for review. The plan shall include classifications shall consist of arterial, collector and local streets, roads and highways and these classifications shall be defined on the plan so to maintain right-of-way and surface width requirements. These requirements shall be based upon traffic projections. All other forms of transportation pertinent to the local jurisdiction shall be addressed as appropriate. The transportation plan shall be a basis for a capital improvement program.

4. The transportation plan shall be a basis for a capital improvement program and shall be limited to the following: housing, schools, parks and recreation, public buildings and facilities, and utilities and drainage.

The comprehensive plan shall be reviewed annually in October of each year and any amendments, changes, additions or deletions recommended to the Mayor and Board of Aldermen for adoption through their governing authority. (Mississippi Code 1972, § 17-1-13)

11.4 Zoning Ordinance, Subdivision Regulations, Capital Improvements Program

The planning commission of the City of Petal shall provide for the preparation, adoption, amendment, stream and carrying out of a zoning ordinance, regulations governing subdivision regulations, subdivision regulations, and capital improvements program recommendations to the Mayor and Board of Aldermen with regard to the enforcement of and amendments to the zoning ordinance, subdivision regulations and capital improvements program. The Mayor and Board of Aldermen may adopt, amend and enforce the zoning ordinance, subdivision regulations and capital improvement program as recommended by the planning commission.

11.41 Preparation of capital improvement plan.

For the purpose of bringing about coordinated development in accordance with present and future needs of the city to assist the Mayor and Board of Aldermen in the preparation of the comprehensive plan, the Planning Commission shall prepare a capital improvement plan for the City of Petal. The plan shall be designed to create an increasingly better, more healthful, convenient, efficient and attractive city environment; to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate adequate provisions for transportation, water, sewerage, schools, parks and other public purposes and other needs of the city. The members of such commission, in cooperation with the Mayor and Board of Aldermen, shall prepare a master plan for the physical development of the municipality including, but not necessarily limited to, the following:

City of Petal Zoning Ordinance

EXHIBIT "F"

12

commission in all cases, and shall cause it to be delivered to the service as in an other use.

4. In appeals involving either the Planning Commission or the Board of Adjustment, either shall file a reasonable time for the hearing of the appeal and shall have public notice. If the Board of Adjustment is the party to be notified, the notice shall include the address, date, time, and place of the hearing, and shall include the address, date, time, and place of the hearing, and shall include the address, date, time, and place of the hearing.

5. Within ten (10) days after receiving notice of the appeal the Building Inspector shall cause to be posted in a conspicuous place on the property one (1) or more signs each of which shall not be less than four (4) square feet in area, and each of which shall contain the following information: the address of the property, the date, time, and place of the hearing, the Planning Commission's location, and the public hearing shall be published in Petal (ten (10) days before the hearing by the Planning Commission).

11.62. Sign of Proceedings

Any appeal shall be accompanied by a sign which shall be posted on the property. The sign shall be of a size and shape as determined by the Planning Commission, and shall be posted on the property in a conspicuous place. The sign shall be posted on the property in a conspicuous place. The sign shall be posted on the property in a conspicuous place.

11.63. Powers of the City of Petal Planning Commission

The Planning Commission shall have the following powers:

- To hear and decide on applications for variances where, by reason of the exceptional narrowness, shallowness, or unusual shape or a size of the effective date of the ordinance, or by reason of exceptional topographic conditions, or some other extraordinary situation or condition of the site, the strict enforcement of the requirements of the zoning ordinance would deprive the applicant of reasonable capacity.
- To hear and decide appeals where it is alleged, by the applicant, that there is an error in any order, requirement, decision, grant, or refusal made by a zoning administrator in the enforcement of this ordinance. Such appeal shall be taken within sixty (60) consecutive calendar days.
- To hear and decide applications for conditional use permits to allow the proper use of property in a residential zone where the use is not permitted by the ordinance, but may be suitable only in specific locations in the zone only in certain conditions, and may be subject to special conditions.
- To hear and decide, in accordance with the provisions of this ordinance, requests for the preparation of the official zoning map or for decisions upon other special questions upon which said board is authorized to act upon.
- To hear and decide, in accordance with the provisions of this ordinance and the adopted Comprehensive Plan, requests for the change from one non-conforming use to another.

11.64. Variance Change From One Non-Conforming Use to Another, Conditions Governing Appealability, Procedures

City of Petal Zoning Ordinance

13

6. In the case where the change of non-conforming use has not occurred within one year after the date of expiration thereof, the change of non-conforming use shall be null and void and reapplication to the Planning Commission shall have to be made.

11.65. Conditional Use Permits: Conditional use permits shall not be issued without the specific approval of the Planning Commission; be provided herein:

- Any application for a conditional use permit shall be filed and decide on applications for conditional use permits, subject to the following:
 - A written application for a conditional use permit (including the required fee, as per Section 11.8 of this ordinance, and a site plan shall be submitted to the board.
 - Notice of public hearing shall be given in accordance with state law and any provision of this ordinance.
 - Public hearing shall be held. Any person may appear in person, or by agency, or by attorney.
 - Prior to granting a conditional use permit, the Planning Commission shall find that the application for a conditional use permit meets all the requirements of this ordinance.
- Decisions of the Planning Commission
 - After the Planning Commission has made its decision, the Planning Commission may, at such action as it deems appropriate, with the approval of the Planning Commission, or by the zoning administrator, from whom the appeal is taken.
 - A simple majority of the total membership of the Planning Commission, as established by regulation or agreement, shall be necessary to reverse any order, requirement, decision or decision of the Planning Commission, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to effect any variance in the application of this ordinance.
 - The details of the decision of the Planning Commission shall be forwarded to the zoning administrator.

11.8 Fees

Fees to be charged for applications for zoning and related purposes:

- Re zoning and use permit, a filing fee of \$300.00 for the first five acres, plus an additional \$30.00 for each additional acre.
- Planned and development use permit, a filing fee of \$300.00.
- Special exception or conditional use, a filing fee of \$200.00 and a \$100.00 yearly renewal fee.
- Home occupation permit, a fee of \$25.00, and a \$25.00 yearly renewal fee.
- Written zoning verification, a fee of \$10.00.
- Use permit, a fee of \$25.00.
- Communication tower, a filing fee of \$500.00, and a \$200.00 annual renewal fee.
- Communication attachment permit, an application fee of \$100.00.

City of Petal Zoning Ordinance

12

6. Variances: Before any variance is granted, the Planning Commission shall file a report of its findings, which shall be recorded along with any special conditions or restrictions on the variance. Such a variance shall not be granted by the Planning Commission unless and until:

- A written application for a variance (including the required fee, as per Section 11.8 of this ordinance, and a site plan) shall be submitted to the Planning Commission.
- Notice of public hearing shall be given in accordance with state law and any provision of this ordinance.
- Public hearing shall be held. Any person may appear in person, or by agency, or by attorney.
- Prior to granting a variance the Planning Commission shall make findings that the requirements of this section have been met by the applicant for a variance. The Planning Commission shall file a report of its findings, which shall be recorded along with any special conditions or restrictions on the granting of a variance, and that all of the following conditions are met:
 - There are extraordinary and exceptional conditions pertaining to the particular property, building, or structure in question because of its size, shape, and topography and
 - The literal application of the provisions of this ordinance to the particular property would cause substantial hardship to, and deprive the applicant of reasonable capacity to use, such property in the district; and
 - Such conditions are peculiar to the particular property, building, or structure, and are not similar to other property in the district; and
 - Relief is granted, would not cause substantial detriment to the public welfare, or impair the purposes and intent of the ordinance, provided, however, that the variance be granted for use of such property, building, or structure prohibited by this ordinance.
 - Such conditions are not caused by action or inaction of the owner or previous owner of the property, building or structure in question, or
 - The existence of non-conforming use of neighboring property, building, or structure in the same district shall not constitute reason for a request for a variance.
- Variance cannot constitute zoning regulation. The Planning Commission shall not pass any ordinance which would require the applicant to alter the density of dwelling unit requirements in the zone in question.

City of Petal Zoning Ordinance

13

10. All application fees shall be payable when applications are filed, and shall be paid by certified check or money order. Fees are non-refundable. Fractional acres shall be rounded up to the next whole acre.

11. All legal advertising required by the processing of the application shall be paid by the petitioner.

12. The zoning administrator shall request the approval of renewals at certain periods by the Board of Aldermen only after payment of the fee.

13. A fee necessary by a postponement shall be paid before the hearing is held.

ARTICLE XII - AMENDMENTS

12.10. General Intent

This Ordinance, including the Official Zoning Map, may be amended by the Mayor and Council by a majority vote of the Planning Commission, but no amendment shall become effective unless it shall have been approved by the Mayor and Council. The Mayor and Council shall give public notice and hold a public hearing thereon, as required by this Article.

12.20. Initiation of Amendments

This Ordinance, including the Official Zoning Map, may be amended by the Mayor and Council by a majority vote of the Planning Commission, but no amendment shall become effective unless it shall have been approved by the Mayor and Council. The Mayor and Council shall give public notice and hold a public hearing thereon, as required by this Article.

Applications to amend this Ordinance may be in the form of proposals to amend the text or proposals to amend the Official Zoning Map. An application may be initiated by the Planning Commission or be submitted to the Planning Commission by the Mayor and Council or by any person who owns property within the zoning jurisdiction of the City. Unless initiated by the Mayor and Council, the Planning Commission shall determine whether an amendment shall be submitted to the owner of such property or the instrument affecting the same. No amendment shall be submitted more often than once every six (6) months; however, the provision shall not apply to those properties affected by an amendment filed by the Mayor and Council at the Planning Commission.

12.30. Application for Map Amendments

Each application to amend the Official Zoning Map shall be filed with the City Clerk. Each application shall be submitted under the following conditions:

- It shall include the following information:
 - A legal description of the tracts proposed to be rezoned;
 - A plan showing the dimensions, acreage and location of the tracts; prepared by an architect, engineer, landscape architect or land surveyor whose State registration is current and the plan shall be attached to that plan;
 - The present and proposed zoning classifications for the tracts; and

City of Petal Zoning Ordinance

12

3. Variance from Use with Land: A variance applies to the property for which it is granted and no other property. A variance shall not be granted unless the applicant can demonstrate that a change of public use, non-conforming use, or other use is in the public interest and that the proposed use is a use which is not permitted by the zoning ordinance and that the proposed use is a use which is not permitted by the zoning ordinance. A non-conforming use shall not be changed to another non-conforming use without the specific approval of the Planning Commission, as provided herein.

3. The Planning Commission shall have the power to hear and decide on applications to:

- Change from one non-conforming use to another non-conforming use.
- Change from one non-conforming use to another non-conforming use.
- Change from one non-conforming use to another non-conforming use.
- Change from one non-conforming use to another non-conforming use.

4. Written application for a change from one non-conforming use to another, the Planning Commission shall find that the new non-conforming use is in the same or more restrictive classification of use as the prior non-conforming use. In the determination of the Planning Commission, the applicant shall establish and the Planning Commission shall find:

- That the new non-conforming use shall generate less vehicular traffic, automobile and truck than the prior non-conforming use.
- That the new non-conforming use is of a nature which will entrain less noise and air pollution than the prior non-conforming use.
- That the new non-conforming use is in a more restrictive classification of use than the prior non-conforming use, or that it is more in conformity with the adopted comprehensive plan, and also more in conformity with the zoning ordinance and other pertinent ordinances.
- That the Planning Commission shall not allow the enlargement or extension of a non-conforming use beyond the scope and area of its operation at which time it use became non-conforming.
- That the Planning Commission, in granting a change of non-conforming use, may attach special conditions thereto as it may deem necessary and proper, and the action, limitations and conditions imposed, if any, shall be in writing, directed to the applicant, with a copy to be furnished to the zoning administrator.
- The change of non-conforming use as may be granted by the Planning Commission, applies to the property for which it is granted and no other individual who applied and therefore, cannot be transferred by the applicant to a different property.

City of Petal Zoning Ordinance

13

4. The name and address of the owners of the land and their legally authorized agents, if any.

5. It shall meet the applicable development standards for the district for which application is made.

6. An application shall be submitted in accordance with a schedule adopted annually by the Mayor and Council, which shall provide that each application shall be filed with the Mayor and Council, shall be accompanied by the fee of \$300.00 for the first five (5) acres plus an additional \$30.00 for each additional acre to partially defray the public expense of processing the application and posting the property. A fee shall not be charged if an official governmental agency files the application.

7. The applicant shall present a map showing the location of the property for which an application is submitted and a relationship to adjoining properties and public facilities and services. He shall submit applicable information concerning the service demands that will be placed on public facilities and services including, but not limited to information on total anticipated population density, traffic volumes, effect on schools, drainage, traffic and utility facilities, and related matters. The applicant shall also submit a map showing the proposed use, and a map purporting to depict what is to be constructed should a map amendment be approved.

8. An application may not be withdrawn or amended by the applicant after the legal advertising has been published. A section shall have first been published in the Official Zoning Map, and the Mayor and Council may allow an application to be withdrawn, without prejudice with respect to the six (6) month limitation of this section.

12.40. Study of Zoning Application

The Zoning Administrator upon receiving an application for rezoning of an area of a particular piece of property, shall do the following:

- Consult with other departments of the City to fully evaluate the impact of any zoning change upon public facilities and nearby non-related facilities.
- Study each application with reference to its appropriateness and effect on existing and proposed land use.
- Report its findings to the Planning Commission, which shall be a matter of public record.

City of Petal Zoning Ordinance

EXHIBIT "F"

135

or larger for areas than are imposed or required by such ordinances or agreements, the provisions of this Ordinance shall control.
13.20. Yield(s).
If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be unconstitutional by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance which shall continue in full force and effect.
13.30. Repeal of Conflicting Ordinances.
All zoning ordinances or parts of zoning ordinances in conflict herewith are hereby repealed, provided, however, that all suits at law or in equity and/or all prosecutions resulting from the violation of any zoning ordinance heretofore in effect, which are now pending in any of the courts of this State, shall not be affected by the repeal of such ordinance by the adoption of this Ordinance; but shall be deemed to have been adopted by the City Council, which have not yet been maintained or be hereafter filed and prosecuted, and nothing in this Ordinance shall be so construed as to abrogate, amend, or diminish any litigation or prosecution now pending, and/or which may hereafter be instituted or prosecuted.

14.00. Effective Date of Ordinance.
This Ordinance shall be in full force and effect thirty (30) days after its passage.
The foregoing Ordinance having been related to writing, the same was introduced and read and a vote was thereon, first struck by article, then upon the Ordinance as it stands with the following results:
Those present and voting "AYE" and in favor of the passage, adoption, and approval of Article 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of the foregoing Ordinance
Alderman W. E. Brantner
Alderman W. H. Campbell
Alderman George B. Drueghin
Alderman Robert E. Russell
Alderman Bobby W. Runnels
Those present and voting "NAY" or against the adoption of any article of the foregoing Ordinance
None

City of Petal Zoning Ordinances

136

Building Inspector, of the application and date, time and place of the public hearings, which shall be mailed at least fifteen (15) days prior to the first public hearing.
ARTICLE XIII. REMEDIES AND PENALTIES
13.10. Remedies.
In case any building or structure is or is supposed to be erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is or is supposed to be used in violation of any provision of this Ordinance, the Building Inspector or any other appropriate authority of the City may, in addition to other remedies, and after due notice to the owner of the violation, institute injunction, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use to correct or abate such violation or to prevent the occupancy of such building, structure or land.
13.2. Penalties.
Any firm, person or corporation who shall do anything prohibited by these regulations as the same exist or as they may hereafter be amended or who shall fail to do anything required by the same shall be considered guilty of a misdemeanor, punishable by the conviction of a fine of not more than one hundred dollars (\$100.00) or not more than thirty (30) days jail, or both. Each and every day that such violation exists shall be deemed a separate offense.
Furthermore, should any violation continue for more than twenty (20) days from the date of the Municipal Court, to authorize the City to enter the violation (remove things from them, clean yard, remove mobile homes, etc.) at the property owner's expense.

ARTICLE XIV. LEGAL STATUS PROVISIONS.
14.10. Interpretation.
In interpreting and applying the provisions of this Ordinance there shall be held to be the minimum requirements for the protection of the public safety, health, convenience, comfort, morals, prosperity, and general welfare. It is not intended by this Ordinance to interfere with or abrogate or annul any ordinance, rules, regulations, or permits previously adopted or issued, and no provision of this Ordinance shall be construed to repeal, amend, modify, or in any way to purport to interfere with or abrogate or annul any ordinance, covenant, or other agreement between parties, provided, however, that, where this Ordinance imposes a greater restriction upon the use of buildings or land or upon the height of buildings, or requires larger open spaces

City of Petal Zoning Ordinances

137

ARTICLE XV. COMMUNITY DESIGN STANDARDS
CHAPTER 15.0 - Design Standards Administration
15.1 Design Standards Administration
15.1 Access and Circulation
15.2 Landscaping, Street Trees, Fences and Walls
15.3 Parking and Loading
15.4 Public Facilities
15.5 Other Site Plan Management Standards
15.6 Other Site Plan Standards
15.7 Sensitive Lands
15.8 Signs
CHAPTER 15.8 - Design Standards Administration
The following provisions describe how the Community Design Standards (Article 15) are intended to be applied, and the relationship between Article 15 and the supplemental design standards for specific land uses and building types contained in Article 2.
15.0. Design Standards - Applicability
The standards in Article 15 are applied based on whether a project is classified as a Major Project or a Minor Project. In addition, each chapter of Article 15 contains "applicability directions." In general, the chapters are applied as follows:
A. Major Project. Major projects, including developments that require Site Design Review, Private Site Design Review, Major Project Development, and amendments to the Comprehensive Plan Zoning Map, are subject to the applicable sections of:
• Access and Circulation (Chapter 15.1)
• Landscaping, Street Trees, Fences and Walls (Chapter 15.2)
• Parking and Loading (Chapter 15.3)
• Public Facilities (Chapter 15.4)
• Surface Water Management (Chapter 15.5)
• Signs (Chapter 15.8)
• Telecommunications Facilities (Chapter 15.6)
• Sensitive Lands (Chapter 15.7)
B. Minor Project. Minor projects are small developments and land use actions that require only Land Use Review or Conditional Use approval (see site design review). The following chapters generally apply; however, individual sections will not apply to some projects.
• Access and Circulation (Chapter 15.1)
• Landscaping, Street Trees, Fences and Walls (Chapter 15.2)
• Parking and Loading (Chapter 15.3)
• Surface Water Management (Chapter 15.5)
• Signs (Chapter 15.8)

City of Petal Zoning Ordinances

138

12.70. Public Notification.
12.71. Lead Notices. Due notice of the public hearings shall be published in the newspaper of general circulation within the City in which we carried the legal advertisement of the City by advertising the application and date, time and place of the public hearings in accordance with Title 17, Chapter 1, Mississippi Code of 1972 as amended.
12.72. Signs Posted. The Office of the Zoning Administrator shall post at least fifteen (15) days prior to the first public hearing on a conspicuous place on the property for which an application has been submitted, a sign or signs containing information as to the application and date, time and place of public hearings.
12.73. Letters to Abutting Owners. The City Clerk shall notify by first class mail all abutting property owners of the requested zoning change, as shown by City tax records available to the

City of Petal Zoning Ordinances

139

13.10. Remedies.
In case any building or structure is or is supposed to be erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is or is supposed to be used in violation of any provision of this Ordinance, the Building Inspector or any other appropriate authority of the City may, in addition to other remedies, and after due notice to the owner of the violation, institute injunction, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use to correct or abate such violation or to prevent the occupancy of such building, structure or land.
13.2. Penalties.
Any firm, person or corporation who shall do anything prohibited by these regulations as the same exist or as they may hereafter be amended or who shall fail to do anything required by the same shall be considered guilty of a misdemeanor, punishable by the conviction of a fine of not more than one hundred dollars (\$100.00) or not more than thirty (30) days jail, or both. Each and every day that such violation exists shall be deemed a separate offense.
Furthermore, should any violation continue for more than twenty (20) days from the date of the Municipal Court, to authorize the City to enter the violation (remove things from them, clean yard, remove mobile homes, etc.) at the property owner's expense.

ARTICLE XIV. LEGAL STATUS PROVISIONS.
14.10. Interpretation.
In interpreting and applying the provisions of this Ordinance there shall be held to be the minimum requirements for the protection of the public safety, health, convenience, comfort, morals, prosperity, and general welfare. It is not intended by this Ordinance to interfere with or abrogate or annul any ordinance, rules, regulations, or permits previously adopted or issued, and no provision of this Ordinance shall be construed to repeal, amend, modify, or in any way to purport to interfere with or abrogate or annul any ordinance, covenant, or other agreement between parties, provided, however, that, where this Ordinance imposes a greater restriction upon the use of buildings or land or upon the height of buildings, or requires larger open spaces

City of Petal Zoning Ordinances

136

These present and voting "AYE" and in favor of 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 6th day of March, A. D. 1979.
Attest:
(SEAL)
ATTEST:
Priscilla C. Daniel
PRISCILLA C. DANIEL, CITY CLERK

City of Petal Zoning Ordinances

137

• Sensitive Lands (Chapter 15.7)
C. New-Constructing Situations. Set Chapter 15.1 for provisions related to non-conforming uses and developments.
CHAPTER 15.1 - ACCESS AND CIRCULATION
15.11. Purpose.
The purpose of this Chapter is to ensure that developments provide safe and efficient access and circulation for pedestrians and vehicles. Section 15.12 provides standards for vehicular access and circulation. Section 15.11 provides standards for pedestrian access and circulation and standards for streets and other transportation system improvements as provided in Sections 15.41.
15.12. Vehicular Access and Circulation
A. Intent and Purpose. The intent of this Section is to manage access to land uses and on-site circulation for pedestrians and vehicles.
This Section applies to all public streets within the City of Petal and to all properties that abut these roadways. This Section implements the access management policies of the City of Petal Comprehensive Plan.
B. Applicability. This Chapter applies to all public streets within the City and to all properties that abut these roadways. This Chapter does not apply to streets that are dedicated or modified through a land division, partition, lot line adjustment, lot consolidation, or street vacation, and when properties are subject to Land Use Review or Site Design Review.
C. Access Permit Required. Access to a public street (e.g., a new curb cut or driveway approach) requires an Access Permit. An access permit may be in the form of a letter to the City Clerk or a site plan. The City Clerk may require a site plan for any access permit, and either case, approval of an access permit shall follow the procedures and requirements of the applicable road authority.
D. Traffic Study Requirements. The City may require a traffic study prepared by a qualified professional to determine access, circulation, and other transportation requirements.
E. Conditions of Approval. The City may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a footage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system.
F. Corner and Intersection Separation. Backing onto Public Streets, New and modified accesses shall conform to the following standards:
City of Petal Zoning Ordinances

City of Petal Zoning Ordinances

138

City of Petal Zoning Ordinances

City of Petal Zoning Ordinances

City of Petal Zoning Ordinances

City of Petal Zoning Ordinances

City of Petal Zoning Ordinances

City of Petal Zoning Ordinances

City of Petal Zoning Ordinances

City of Petal Zoning Ordinances

City of Petal Zoning Ordinances

EXHIBIT "F"

15.22 LANDSCAPE CONSTRUCTION

- A. **Applicability.** All development sites containing Significant Vegetation, as defined below, shall be subject to the requirements of this Section to incorporate significant native vegetation into the landscape of development and protect vegetation that is subject to requirements for Sensitive Lands (Chapter 15.7). The use of native, native vegetation within developments is a preferred alternative to removal of vegetation and replanting. Mature landscaping provides summer shade and wind breaks, controls erosion, and allows for water conservation due to larger plants having established root systems.
- B. **Significant Vegetation.** "Significant vegetation" means individual trees and shrubs within designated Sensitive Lands, as defined in Chapter 15.7, and trees and shrubs not within a Sensitive Lands area that have a caliper of 6 inches or larger, except that protection shall not be required for plants listed as non-native, invasive plants by the Mississippi State University Extension Service in the applicable MSU Bulletin for Forrest County, and plants listed by the City as prohibited street trees and landscape plants.
- C. **Mapping and Protection Required.** Significant vegetation shall be mapped as required by Site Design Review and Chapter 15.7. Sensitive Lands. Significant trees shall be mapped individually and identified by species and diameter or caliper at 4 feet above grade. "Protection area" shall be defined around the edge of all trunks (or canopy) of all trees and shrubs to be protected. The City shall require a landscape site plan showing the protection area, boundaries, building setbacks, and other protection or mitigation requirements.
- D. **Protection Standards.** Significant trees and shrubs identified as meeting the criteria in Section B, above, shall be retained to the extent practicable in the landscape. The City shall require reasonable development of public streets, utilities, or land uses permitted by the applicable land use district, the City may allow removal of significant vegetation from the building envelope as defined by required yard setbacks. Where other areas must be disturbed to install streets or utilities, the applicant may be required to restore such areas after construction with landscaping or other means to protect, preserve and to provide shade, wind break, and water conservation. The City shall require a landscape site plan showing the protection area, boundaries, building setbacks, and other protection or mitigation requirements.
- E. **Construction.** All significant vegetation on a site that is not otherwise designated and approved by the City for removal shall be protected prior to, during, and after construction in accordance with a final-of-clearing and grading plan approved by the City. The City shall require a landscape site plan showing the protection area, boundaries, building setbacks, and other protection or mitigation requirements. Significant vegetation areas to prevent erosion, pollution, or landscape benefits.
- F. **Exceptions.** The protection standards in "D" and "E" shall not apply to:
 - b. Use shrubs and trees as wind breaks.
 - c. Retain natural vegetation.
 - d. Define pedestrian pathways and open space areas with landscape materials.
 - e. Provide focal points within a development, for example, by preserving large or unique trees or groves, hedger, and flowering plants.
 - f. Use trees to provide summer shading within common open space areas and within front yards where street trees cannot be provided.
 - g. Use a combination of plants for year-round color and interest.
 - h. Use landscaping to screen outdoor storage and mechanical equipment areas, and to enhance graded areas such as berms, swales, and detention/retention ponds.

- 4. **Walkway Width and Surface.** Walkway and accessory surfaces shall be concrete, masonry, brick, pavers, or other durable surface, as approved by the City Engineer, at least six (6) feet wide. Multi-use paths (i.e. for bicycles and pedestrians) shall be concrete or asphalt, at least 10 feet wide. (See also, Section 15.41 - Transportation Standards for public, multi-use pathway standard.)
- 5. **Accessible Paths.** Walkways shall comply with applicable Americans with Disabilities Act (ADA) requirements. The ends of all paved walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.

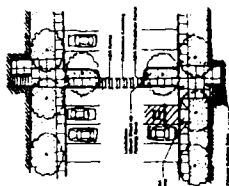


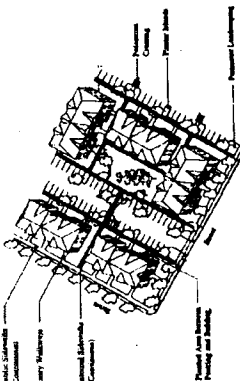
Figure 15.13B Pedestrian Walkway Detail (Typical)

Chapter 15.7 - Landscaping, Street Trees, Fences and Walls

15.51 FENCES

The purpose of Chapter 15.7 is to promote community health, safety, and welfare by protecting natural vegetation and setting development standards for landscaping, street trees, fences, and walls. Together, these elements of the natural and built environment contribute to the visual quality, environmental health, and character of the community. Trees provide climate control through shading during summer months and wind screening during winter. Trees and other plants can also buffer pedestrians from traffic. Walls, fences, trees, and other landscape elements can be used to control water drainage and can improve water quality, as compared to paved or built surfaces. The Chapter is organized into the following sections:

- 3. **"Non-native, invasive" plants.** as per Section 15.22.B shall be removed during site development and the planting of new native species is prohibited.
- 4. **Landscaping/Fences.** i.e. patios, decks, patios, etc., may cover up to 10 percent of the required landscape area, except in the Central Business District where landscape features may cover up to 100 percent of the landscape area. Swimming pools, spas, courts, and similar active recreation facilities may not be counted toward fulfilling the landscape requirement.
- 5. **Ground Cover Standards.** All landscaped area, whether or not required, that is not planted with trees and shrubs, or covered with non-plant material (subsection B, below), shall have ground cover plants that are sized and spaced as follows: a minimum of one plant per 12 inches on center in triangular spacing, or other planting pattern that is designed to achieve 75 percent coverage of the area not covered by fabric and tree canopy.
- 6. **Tree Size.** Trees shall have a maximum diameter or caliper 4 feet above grade of two (2) inches or greater at time of planting.
- 7. **Shrub Size.** Shrubs shall be planted from 5 gallon containers or larger.
- 8. **Non-plant Ground Covers.** Bare dirt, chips, aggregate, or other non-plant ground covers may be used, but shall cover no more than 50 percent of the area to be landscaped and shall be confined to areas underneath plants. Non-plant ground covers cannot be a substitute for ground cover plants.
- 9. **Significant Vegetation.** Significant vegetation protected in accordance with Section 15.22 may be credited toward meeting the minimum landscape area standards. Credit shall be granted on a per square foot basis. The Street Tree standards of Section 15.24 may be waived by the City when existing trees protected within the front yard provide the same or better shading and visual quality as would otherwise be provided by street trees.
- 10. **Storm Water Facilities.** Storm water treatment facilities (e.g., detention/retention ponds and wetland detention for water quality treatment), when required under Section 15.44, shall be landscaped with water tolerant, native plants.
- 11. **Landscaping Design Standards.** All yards, parking lots, and required street tree planter strips shall be landscaped to provide, as applicable, erosion control, visual interest, buffering, and pedestrian safety and pathway identification, shading, and wind buffering, based on the following criteria:
 - 1. **Yard Setback Landscaping.** Landscaping in yards shall:
 - a. Provide visual screening and privacy within side and rear yards, while leaving front yards and building entrances mostly visible for security purposes.



- c. Large parking areas shall be broken up so that no contiguous parking area exceeds three (3) acres. Parking areas may be broken up with plantings, large landscape areas, and other features that provide visual interest and environmental benefits. Parking areas with accessible features. Street-like features, for the purpose of this section, means a raised sidewalk of at least 4-feet in width, 6-inch curb, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian-oriented lighting.
- B. **Walkway Design and Construction.** Walkways, including those provided with pedestrian access ways, shall conform to all of the standards in subsections 1-4, as generally illustrated in Figure 3.1.00B:
 - 1. **Vehicle/Walkway Separation.** Except for crosswalks (subsection 2), where a walkway meets a driveway or street, it shall be raised 6 inches and curbed along the edge of the driveway/street. Alternatively, the decision body may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. As an example of such protection is a row of decorative metal or concrete bollards designed for withstand a vehicle's impact, with adequate maximum spacing between them to protect pedestrians.
 - 2. **Crosswalks.** Where walkways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials (e.g. light-color concrete) (thermo-plastic striping and similar type) or non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.

- 1. **Dead or Diseased Vegetation.** Dead or diseased vegetation may be removed through a Type I Land Use Review.
 - 2. **Landscaping, Vegetation and Other Requirements.** Significant vegetation may be retained or removed (including removal of the vegetation prior to site or life or safety) or the vegetation shall be removed for other reasons of emergency (e.g. fallen over road or power line, blocked drainage way, or similar circumstances), as determined by the City or emergency services provider.
- 15.23 Landscaping
- A. **Applicability.** This Section shall apply to all new developments requiring Site Design Review.
 - B. **Landscaping Plan Required.** A landscape plan is required.
 - C. **Landscaping Area Standards.** The minimum percentage of required landscaping equals:
 - 1. **Residential and Residential-Commercial Districts, Establiments, and Family Detached Residential.** 10 percent of the site.
 - 2. **General Business District.** 10 percent of the site.
 - 3. **General Commercial District.** 20 percent of the site.
 - 4. **Light Industrial District.** 20 percent of the site.
 - 5. **Heavy Industrial District.** 10 percent of the site.
 - 6. **Other Landscaping.**
 - D. **Landscaping Materials.** Permitted landscaping materials include trees, shrubs, ground cover plants, non-plant ground covers, and outdoor landscape features, as described below. Coverage shall be the projected size of the plants in maturity, i.e., typically three (3) or more years after planting.
 - 1. **Existing Vegetation.** Existing non-invasive vegetation may be used in meeting landscape requirements. When existing mature trees are protected on the site (e.g., within or adjacent to parking areas) the decision making body may reduce the number of trees required to be planted (1) with caliper of new trees) for every one (1) inch diameter of existing trees) protected.
 - 2. **Plant Selection.** A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planned areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions. The minimum vegetation in plantings shall be selected, as necessary, to allow for healthy plant growth.

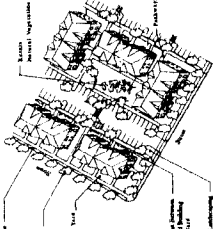
EXHIBIT "F"

- 1. Parkway/Driveway Area Adjacent to Building.** Where a driveway or maintenance area, driveway, is adjacent to a building, the area shall be separated from the building by a curb and a raised walkway, plaza, or landscaped buffer not less than 6 feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to delineate the area. Landscaping shall include trees, shrubs, and ground cover. Where parking areas are located adjacent to residential ground floor living space, a 4-foot wide, landscape buffer with a curved edge may fulfill this requirement.
- 2. Screening of Mechanical Equipment, Outdoor Storage, Stoves, and Dryers.** Mechanical equipment, outdoor storage, and other screening shall be screened from the public streets and adjacent residential districts. When these or other areas are required to be screened, such screening shall be provided by:
 1. a decorative wall (i.e. masonry or similar quality material)
 2. evergreen hedge,
 3. opaque fence complying with Section 15.2.5(b) or
 4. a similar feature that provides an opaque barrier.

Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian circulation, in accordance with Chapter 15.1, Access and Circulation. (See Section 15.2.5 for standards specific to fences and walls.)

4. Flag Lot Screens. In approving a flag lot, the City may require a landscape screen and/or fence be installed along property boundaries of the flag lot for privacy of adjoining residents. A flag lot screen shall not be required if the adjoining property owners indicate in writing that they do not want a screen or fence; however, the owner may install one at his or her discretion.

Figure 15.2.16 (General) Landscape Areas (Typical)



City of Petal Zoning Ordinance

F. Maintenance and Irrigation. The use of drought-tolerant plant species is encouraged, and may be required when irrigation is not available. Irrigation shall be provided for plants that are not drought-tolerant. In the planting, fail to survive, the property owner shall replace the trees, shrubs, and plants. The City shall maintain these areas and ensure that they are maintained in good condition, or otherwise replaced by the owner.

15.2.13 STREET TREES

Street trees shall be planted for all developments that are subject to subdivision or Site Design Review. Requirements for street tree planting shall be provided in Section 15.1 of the Transportation Standards. Planting of street trees shall generally follow construction or completion and sidewalk; however, the City may determine tree planting and final inspection of completed driveways to avoid damage to trees during construction. The planting and maintenance of street trees shall conform to the following standards and guidelines and any applicable local ordinances, requirements:

- A. Growth Characteristics.** Trees shall be selected based on climate zone, growth characteristics and site conditions including available space, overhead clearance, soil conditions, exposure and desired color and appearance. The following should guide tree selection by developers and approval by the City:
 1. Provide a broad canopy where shade is desired, except where limited by available space or use in open sections.
 2. Use low-growing trees for spaces under low utility wires.
 3. Select trees which can be "limb-skip" to comply with vision clearance requirements.
 4. Use narrow or "columnar" trees where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.
 5. Use species with similar growth characteristics on the same block for design continuity.
 6. Avoid using trees that are susceptible to insect damage and trees that produce excessive seeds or fruit.
 7. Select trees that are well-adapted to the environment, including soil, wind, sun exposure, temperature tolerance, and exhaust. Drought-tolerant trees should be chosen where they suit the specific soil type.
 8. Select trees for their seasonal color if desired.
 9. Use deciduous trees for summer shade and winter sun, unless unsuitable to the location due to soil, wind, sun exposure, annual precipitation, or exhaust.

City of Petal Zoning Ordinance

3. The diameter of the tree trunk at maturity shall not exceed the width and size of the planted strip or tree well.

B. Canopy Size. The minimum diameter of canopy trees at planting, as measured 4 feet above grade, shall be 2 inches.

C. Spacing and Location. Street trees shall be planted within the street right-of-way within existing and proposed planting strips or in sidewalk tree wells in streets within planting strips, except when utility easements occupy these areas. Street tree spacing shall be based on the planting strip width. For planting strips wider than 12 feet, the spacing between planting trees shall remain no greater than 12 feet or, typically, 8 feet (1:1 ratio). For planting strips less than 12 feet wide, except where planting a tree would conflict with existing trees, retaining walls, utilities and similar physical barriers, all street trees shall be planted on-site utility easement.

D. Soil Preparation, Planting and Care. The developer shall be responsible for planting street trees, including soil preparation, grading, mulch, staking, and temporary protection for two years after planting. The developer shall also be responsible for tree care, pruning, watering, fertilization, and replacement as necessary during the first two years after planting after which the adjacent property owners shall maintain the trees.

1. Alternatives. ALTERNATIVE 1: The developer shall pay a fee to the City, in accordance with the adopted fee schedule, for each required street tree. The fee shall cover the City's expense for the first two years of care. ALTERNATIVE 2: The City shall require the developer to provide a performance and maintenance bond in an amount determined by the City Engineer, to ensure the planting of the trees) and care during the first two years after planting.

15.25 FENCES AND WALLS

Construction of fences and walls shall conform to all of the following requirements:

- A. General Requirements.** All fences and walls shall comply with the height limitations of the zoning ordinance. The height limitations shall be measured from the finished ground level of the walls and/or fences as a condition of development approval, in accordance with land division approval (e.g. flag lots), approval of a conditional use permit, or site design review approval. When required through one of these types of approval, no further land use review is required. If no part of a prior land use approval, new fences and walls require Land Use Review approval, if greater than or equal in height, a building permit is also required. (See also, Section 15.2 for landscape screening wall requirements.)

City of Petal Zoning Ordinance

B. Dimensions.

1. Except as provided under subsections 2 and 3 below, the height of fences and walls within a front yard setback shall not exceed 4 feet as measured from the grade closest to the street right-of-way.
2. A retaining wall exceeding 4 feet in height within a front yard setback, which is necessary for site grading and development, may be approved through a flag division or site development review.
3. One or more garden structures not exceeding 8 feet in height and 4 feet in width is allowed within the front yard, provided that it is not within a clear vision triangle.
3. Walls and fences to be built for required buffers shall comply with Section 15.2.3.

C. Maintenance. For safety and for compliance with the purpose of this Chapter, walls and fences required as a condition of development approval shall be maintained in good condition, or otherwise replaced by the property owner.

D. Materials.

1. Permitted fence and wall materials: wood, metal, bricks, stone, masonry, or similar masonry, and non-prohibited evergreen plants.
2. Prohibited fence and wall materials: concrete blocks, straw bales, baled or straw wire strip lumber, metal, or other cheap materials, heights higher than 8 feet.
3. Fences or walls constructed of brick or masonry exceeding 4 feet in height shall be subject to review and approval by the City Engineer. Those that are taller than 6 feet also require a building permit.

15.26 BUFFER ZONE

A. General Requirements. In any situation where a non-residential short-term use is designated as Retail Fringe (RF), Low-density Residential (L-R1), or Medium-density Residential (R-2), a buffer of not less than 15 feet shall be provided in addition to the required setbacks. The buffer zone shall be composed of primarily vegetated or landscaped materials. In no situation shall man-made materials, i.e. parking buildings, or other structures be used in the buffer zone. The buffer zone shall be subject to review and approval in the site plan review process. Man-made materials may be allowed providing that it meets the standards of this code.

City of Petal Zoning Ordinance

Chapter 15.3 — Parking and Loading

15.3.1 PURPOSE

The purpose of this Chapter is to provide basic and flexible standards for development of vehicle and bicycle parking. The standards are intended to provide a minimum level of parking for some commercial areas, pedestrian and driver safety, the efficient and safe operation of adjoining streets, and community image and livability. Historically, some communities have required more parking than is necessary for some land uses, leaving extensive areas of land that could be put to better use. Because vehicle parking facilities occupy large amounts of land, they should be the most carefully considered to use the land efficiently. The minimum standards provided in this Chapter are intended to provide a flexible approach for determining parking space requirements (i.e. "minimum" and "performance-based" standards). This Chapter also provides standards for bicycle parking because many people use bicycles for recreation, commuting, and general transportation. Children as well as adults need safe and adequate spaces to park their bicycles throughout the community.

15.3.2 APPLICABILITY

All developments subject to site design review, including development of parking facilities, shall comply with the provisions of this Chapter.

15.3.3 APPLICABLE PARKING STANDARDS

A. Vehicle Parking - Minimum Standards by Use. The number of required on-street vehicle parking spaces shall be determined in accordance with the standards in Table 15.3.3A, if alternatives, through a separate parking demand analysis prepared by the applicant and approved by the City Engineer, demonstrate that a higher number of parking spaces is required. The minimum standards for parking spaces shall be determined in accordance with the standards in Table 15.3.3B, or by estimating parking needs individually using the demand analysis options described above. Parking that occurs toward the minimum requirement in parking in garages, carports, parking lots, bars, along driveways, shared parking, and designated on-street parking there is no minimum number of off-street parking spaces required in General Commercial (C-1), Medium-density Residential (R-2), or Low-density Residential (R-1) districts, however, the minimum parking standards of this Chapter apply.

B. Vehicle Parking - Minimum Accessible Parking

1. Accessible parking shall be provided for all uses in accordance with the standards in Table 15.3.3B. The number of accessible parking spaces shall be determined in accordance with the standards in Table 15.3.3B. Such parking shall be located in close proximity to building entrances, and shall be designed to permit occupants of vehicles to reach the entrance or an unobstructed path of walkway.

City of Petal Zoning Ordinance

3. Accessible spaces shall be grouped in pairs, where possible.
4. Where covered parking is provided, covered accessible spaces shall be provided in the same ratio as covered non-accessible spaces.
5. Required accessible parking spaces shall be identified with signs and pavement markings, accessible parking reserved for persons with disabilities. Signs shall be placed in the parking spaces at least 20 feet from the entrance to the parking spaces. No more than 72 inches above pavement level, Van spaces shall be specifically identified as such.

Table 15.3.3B - Minimum Number of Accessible Parking Spaces

Number of Accessible Parking Spaces Provided for use on-site	Number of Accessible Parking Spaces Required for use on-site	Number of Accessible Parking Spaces Required for use on-site
1 to 25	1	1
26 to 50	2	2
51 to 75	3	3
76 to 100	4	4
101 to 150	5	5
151 to 200	6	6
201 to 300	7	7
301 to 400	8	8
401 to 500	9	9
501 to 1000	2% of total	1/8 of Column A**
1001	20	1/8 of Column A**
1002 to 10000	2%	1/8 of Column A**

**Van and van max share access spaces

***One out of every 8 accessible spaces

****7' min. x 22' min. accessible parking spaces

C. On-Street Parking - On-street parking shall conform to the following standards:

1. Dimensions. The following constitute one on-street parking space:
 - a. Parallel parking, each 22 feet of uninterrupted curb
 - b. 45° or 60 degree diagonal, each with 12 feet of curb
 - c. 90 degree (perpendicular) parking, each with 12 feet of curb

City of Petal Zoning Ordinance

EXHIBIT "F"

159

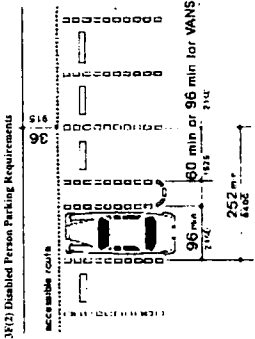


Figure 15.33(2) Disabled Person Parking Requirements

PARKING ANGLE A°	CURB LENGTH D1	STALL WIDTH SINGLE D1	STALL DEPTH DOBLE D2	AISLE WIDTH		BAY WIDTH		STALL LENGTH
				ONE WAY A1	TWO WAY A2	ONE WAY B1	TWO WAY B2	
90°	18'	36'	33'	23'	59'	59'	18'	18'
45°	10'	20'	40'	17'	18'	57'	58'	23'
30°	12'	18'-6"	33'	12'	18'	45'	51'	26'-6"
0°	22'	8'-6"	17'	12'	18'	39'	35'	8'-6"

15.33 Loading Zones

A. Purpose: The purpose of this section of the Code is to provide standards (1) for a minimum number of off-street loading spaces that will ensure adequate loading areas for large uses and developments, and (2) to ensure that the appearance of loading areas is consistent with that of parking areas.

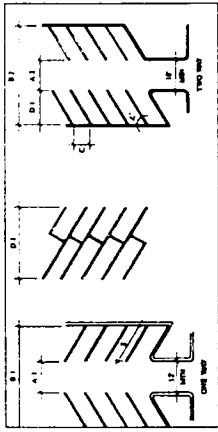
B. Applicability: Section 15.34 applies to residential projects with 50 or more dwelling units, and non-residential and mixed-use buildings with 20,000 square feet or more total floor area.

City of Petal Zoning Ordinance

158

- downward only and shielded to prevent lighting spillover into any adjacent residential district or use.
6. **Signage of Parking Areas.** Parking spaces shall be located on the district or use. Signage shall not be placed on adjacent residential uses, per Section 15.33C.
7. **Minimum Right-of-Way and Street Standards.** All off-street parking spaces shall be improved to conform to City standards for surfacing, stormwater management, and grading. Standard parking spaces shall conform to the following standards and the dimensions in Figures 15.33(1) through (3), and Table 15.33(3):
 - Motor vehicle parking spaces shall measure eight (8) feet six (6) inches wide by eight (8) feet long by sixteen (16) feet long, with not more than a two (2) foot overhang when allowed.
 - All parallel motor vehicle parking spaces shall measure eight (8) feet six (6) inches by twenty-two (22) feet.
 - Parking area layout shall conform to the dimensions in Figure 15.33(1) and (2), and Table 15.33(3), below.
 - Parking areas shall conform to American With Disabilities Act (ADA) standards for parking spaces (dimensions, van accessible parking spaces, etc.) Parking structure vehicle clearance, van accessible parking spaces, should refer to Federal ADA guidelines, and
 - Bicycle parking shall be on a two (2) foot by six (6) foot minimum concrete pad per bike, or within a garage or patio of residential use.

Figure 15.33(1) - Parking Area Layout



City of Petal Zoning Ordinance

157

- On-street parking of commercial vehicles is prohibited.
- Location.** Parking may be counted toward the minimum standards in Table 15.33A when it is on the block, face abutting the subject lot use. An on-street parking space must not obstruct a required clear vision area and it must not violate any law or street standard.
- Public Use, Required for Credit.** On-street parking spaces counted toward meeting the parking requirements of a specific use may not be used exclusively by that use, but shall be available for general public use at all times. Signs or other actions that limit general public use of on-street spaces are prohibited.
- Shared parking.** Required parking facilities for two or more uses, structures, or parcels of land may be shared, provided that the use, structure, or parcel that is the primary user or operator shows that the need for parking facilities does not materially exceed (e.g., uses primarily of a daytime versus nighttime nature, weekday visit versus weekend uses), and provided that the right of point use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use. The City may approve owner requests for shared parking through Land Use Review.
- Off-site parking.** Except for single-family dwellings, the vehicle parking spaces required by this Chapter shall be provided on-site, unless the City, through Land Use Review, approves the use of off-site parking. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-street parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.
- General Parking Standards.**
 - Location.** Parking is allowed only on streets, within garages, carports, and other structures, or on driveways or parking lots that have been developed in conformance with this code. Chapter 15.11, Access and Circulation, provides design standards for parking areas. Access to parking areas shall be provided to the public right-of-way, pedestrian access, landscape, or other designated area.
 - Mixed uses.** If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demand actually less (i.e., the uses operate on different days or at different times of the day). The City may reduce the total parking required accordingly through Land Use Review.
 - Availability of facilities.** Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers, and/or employees. Signs shall conform to the standards of Chapter 7.3.
 - Lighting.** Parking areas shall have lighting to provide at least 2 foot-candles of illumination over parking spaces and walkways. Light standards shall be derived from the Illuminance of the Illumination Handbook.

City of Petal Zoning Ordinance

156

- Number of Loading Spaces.**
 - Residential buildings.** Buildings where all of the floor area is in residential use shall meet the following standards:
 - Fewer than 50 dwelling units on a site than about a local street. No loading spaces are required.
 - All other buildings: One space.
 - Non-residential and mixed-use buildings.** Buildings where any floor area is in non-residential use shall meet the following standards:
 - Less than 20,000 square feet total floor area. No loading spaces required.
 - 20,000 to 50,000 square feet of total floor area. One loading space.
 - More than 50,000 square feet of total floor area. Two loading spaces.
- Size of Spaces.** Required loading spaces shall be at least 15 feet long and 10 feet wide, and shall have a height clearance of at least 11 feet.
- Placement, setbacks, and landscaping.** Loading areas shall conform to the setback and perimeter landscaping standards in Articles 2 and 3. Where parking areas are prohibited between a building and the street, loading areas are also prohibited. The decision body may approve a loading area that is not adjacent to the street if it meets the standards of the Review or Conditional Use Permit review, as applicable, where it finds that loading and unloading operations are short in duration (i.e., less than one hour), and obstruct traffic during peak traffic hours, or interfere with emergency response services.

City of Petal Zoning Ordinance

142

- The improvements are associated with an approved land partition in the RL or RM District and the proposed land partition does not create any new streets.
- Creation of Right-of-Way for Streets and Related Purposes.** Streets shall be created through the approval and recording of a final subdivision or partition plan, except the City may approve the creation of a street by acquisition of a deed, provided that the street is created in accordance with the standards of the City's Transportation System Plan, the City's Transportation System Plan, and the adopted right-of-way conforms to the standards of the Code.
- Creation of Access Easements.** The City may approve an access easement when the easement is necessary to provide for access and circulation in conformance with Chapter 15.11, Access and Circulation. Access easements shall be created and maintained in accordance with the Uniform Fire Code.
- Street Location, Width, and Grade.** Except as noted below, the location, width and grade of all streets shall conform to the Transportation System Plan and an approved street plan or subdivision plat. Street location, width, and grade shall be determined and shown on an approved street plan or subdivision plat. The City may approve a street location, width, and grade that is not in appropriate relation to the proposed use of the land to be served by such streets:
 - Street grades shall be approved by the City Engineer in accordance with the design standards in Section 7.4, below; and
 - Where the location of a street is not shown in an existing street plan, the location of streets in a development shall either:
 - provide for the continuation and connection of existing streets in the surrounding area, conforming to the street standards of this Chapter; or
 - conform to a street plan adopted by the City (if it is impractical to connect with existing street patterns because of particular topographical or other existing conditions of the land). Such a plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets, and the need for public convenience and safety.
- Minimum Right-of-Way and Street Sections.** Street right-of-way and improvements shall be the width in Table 15.41. A variance shall be required to vary the standards in Table 15.41. Where a range of width is indicated, the width shall be the narrower in the range unless unique and specific conditions exist as determined by the decision-making authority based upon the following factors:
 - Street classification in the Transportation System Plan;
 - Anticipated traffic generation;
 - On-street parking needs;

City of Petal Zoning Ordinance

141

- No development may occur unless the public facilities related to development comply with the public facility requirements established in this Chapter.
- Engineering Design Criteria, Standard Specifications and Details.** The design criteria, standard construction specifications and details maintained by the City Engineer, or any other road authority with jurisdiction, shall supersede the general design standards of this Development Code. The City's specifications, standards, and details are hereby incorporated into this code by reference.
 - Conditions of Development Approval.** No development may occur unless required public facilities are in place or planned, in conformance with the provisions of this Code. Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of the development on public facilities. Findings in the development approval shall indicate how the required improvements are directly related and freight proportional to the impact.

15.3.3 Transportation Standards

- Development Standards.** The following standards shall be met for all new uses and developments:
 - All new lots created, consolidated, or modified through a land division, partition, lot line adjustment, lot consolidation, or street vacation must have frontage or approved access to a public street.
 - Streets within or adjacent to a development shall be improved in accordance with the Transportation System Plan and the provisions of this Chapter.
 - Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Section, and public streets shall be dedicated to the applicable road authority.
 - New streets and drives shall be paved.
- Guarantee.** The City may accept a future improvement guarantee (i.e., owner agrees not to object to the formation of a local improvement district in the future) in lieu of street improvements if one or more of the following conditions exist:
 - A partial improvement may create a potential safety hazard to motorists or pedestrians.
 - Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation.
 - The improvement would be in conflict with an adopted capital improvement plan, or

City of Petal Zoning Ordinance

140

- Chapter 15.4 - Public Facilities**
- 15.4.1 Purpose and Applicability**
- Purpose.** The purpose of this Chapter is to provide planning and design standards for public and private transportation facilities and utilities. Streets are the most common public spaces, including virtually every parcel in the community. The primary purpose of this Chapter is to ensure that streets are designed and constructed to provide a safe and efficient environment for driving, walking, bus transit, and bicycling. This Chapter is also intended to implement the City's Transportation System Plan.
- When Standards Apply.** Utilities, sidewalks, and other transportation facilities for pedestrian, wheelchair, or transit use shall conform to the standards of this Chapter. Improvements within the City shall occur in accordance with the standards of this Chapter.

City of Petal Zoning Ordinance

EXHIBIT "F"

166

4. Sidewalk and bikeway requirements based on anticipated level of use.
5. Requirements for placement of bollards.
6. Street lighting.
7. Minimum drainage slope and sensitive lands impacts, as identified by Chapter 15.7.
8. Street tree location, as provided for in Chapter 15.2.
9. Protection of significant vegetation, as provided for in Chapter 15.2.
10. Safety and comfort for motorists, bicyclists, and pedestrians.
11. Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided.
12. Access areas for emergency vehicles, and
13. Transition between different street widths (i.e., existing streets and new streets).

Table 15.41F - Street Standards from the adopted Transportation System Plan

Street Type	Avs. Trips (ADT)	Right-of-Way Width	Center Lane Width	Median Width	Shoulder Width	Carb. Lane	Bus Lane	Tram Lane	Other Lane	On-Street Parking	Off-Street Parking	Planting
Arterial	3,000 to 10,000	59-86	37-44	10-15	None	2-4.6	8-10	6'	7-12	5-12		
Major Arterial	1,500 to 3,000	45-55	33-41	10-15	None	2-4.6	8-10	6'	7-12	5-12		
Collector	500 to 1,500	33-41	24-32	10-15	None	2-4.6	8-10	6'	7-12	5-12		
Local Street	100 to 500	24-32	16-24	10-15	None	2-4.6	8-10	6'	7-12	5-12		

City of Petal Zoning Ordinances

167

Street Type	Avs. Trips (ADT)	Right-of-Way Width	Center Lane Width	Median Width	Shoulder Width	Carb. Lane	Bus Lane	Tram Lane	Other Lane	On-Street Parking	Off-Street Parking	Planting
Arterial	3,000 to 10,000	59-86	37-44	10-15	None	2-4.6	8-10	6'	7-12	5-12		
Major Arterial	1,500 to 3,000	45-55	33-41	10-15	None	2-4.6	8-10	6'	7-12	5-12		
Collector	500 to 1,500	33-41	24-32	10-15	None	2-4.6	8-10	6'	7-12	5-12		
Local Street	100 to 500	24-32	16-24	10-15	None	2-4.6	8-10	6'	7-12	5-12		

Street Type	Avs. Trips (ADT)	Right-of-Way Width	Center Lane Width	Median Width	Shoulder Width	Carb. Lane	Bus Lane	Tram Lane	Other Lane	On-Street Parking	Off-Street Parking	Planting
Arterial	3,000 to 10,000	59-86	37-44	10-15	None	2-4.6	8-10	6'	7-12	5-12		
Major Arterial	1,500 to 3,000	45-55	33-41	10-15	None	2-4.6	8-10	6'	7-12	5-12		
Collector	500 to 1,500	33-41	24-32	10-15	None	2-4.6	8-10	6'	7-12	5-12		
Local Street	100 to 500	24-32	16-24	10-15	None	2-4.6	8-10	6'	7-12	5-12		

City of Petal Zoning Ordinances

168

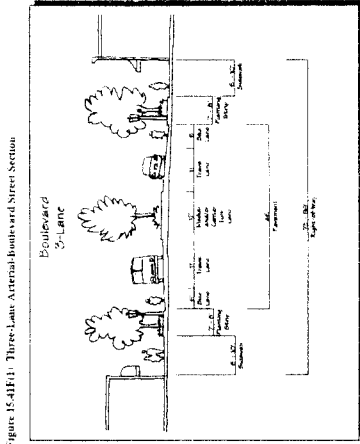


Figure 15.41E1: Three-Lane Arterial-Bonus-Lane Street Section

Figure 15.41E2: Residential Collector Street Sections

City of Petal Zoning Ordinances

167

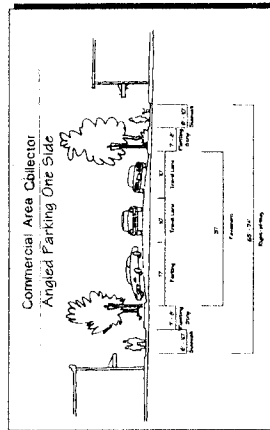


Figure 15.41F4: Commercial/Industrial Collector Street Sections (Parking Two Sides)

City of Petal Zoning Ordinances

166

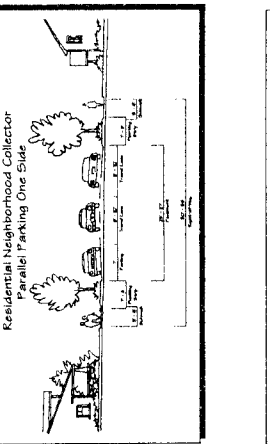


Figure 15.41F3: Commercial/Industrial Collector Street Sections (Parking One Side)

City of Petal Zoning Ordinances

168

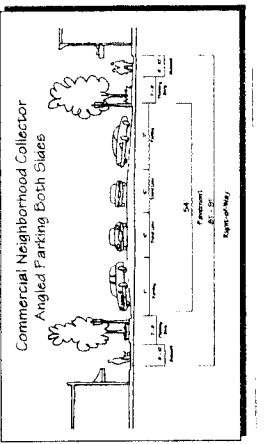


Figure 15.41F5: Local Residential Street Sections

City of Petal Zoning Ordinances

168

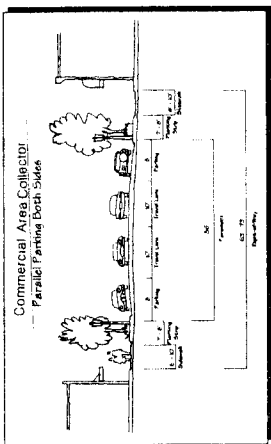


Figure 15.41F5: Local Residential Street Sections

City of Petal Zoning Ordinances

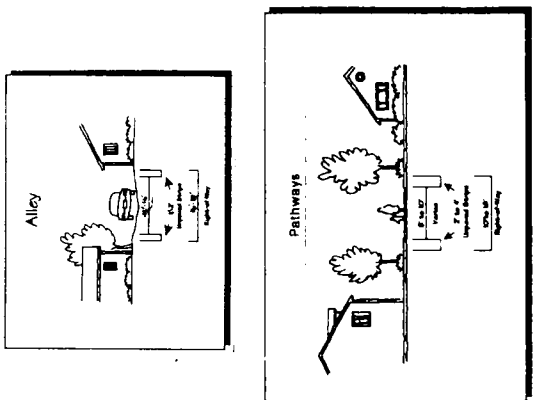
EXHIBIT "F"

171

1. **Connections to Adjacent Lands.** The street system of proposed subdivisions shall be designed to connect with existing, proposed, and planned streets outside of the subdivision. The street system shall be designed to provide for the most efficient and economical use of the land. The street system shall be designed to provide for the most efficient and economical use of the land. The street system shall be designed to provide for the most efficient and economical use of the land.
2. **When Abutting an Arterial Street.** Property access to abutting arterials shall be provided in accordance with Section 15.12. If abutting arterials are not shown on the map, the road authority may prohibit access to the arterial.
3. **Continuation of Streets.** Planned streets shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods and to facilitate emergency access and evacuation. Connections shall be designed to meet or exceed the standards in subsection 4, below, and to avoid or minimize through traffic on local streets. Appropriate design and traffic control and traffic calming measures, as provided in subsection 4, below are the preferred means of discouraging through traffic.
4. **Street Connectivity and Formations of Blocks.** In order to promote efficient vehicular and pedestrian circulation throughout the city, subdivisions and site developments of more than one acre shall be designed to provide for street connectivity and pedestrian connections between two streets or a street and its nearest accessway.
 - a. Residential Districts. Minimum of 100 foot block length and maximum of 600 feet; maximum 1,400 foot block perimeter.
 - b. Central Business District. Minimum of 100 foot length and maximum of 400 foot length; maximum 1,200 foot perimeter.
 - c. General Commercial Districts. Minimum of 100 foot length and maximum of 600 foot length; maximum 1,400 foot perimeter.
 - d. Not applicable to the Industrial Districts.

City of Petal Zoning Ordinance

170



RESERVED FOR OTHER STREET SECTIONS)

- c. **Subdivisions Street Connectivity.** All subdivisions shall conform to all the following access and circulation design standards, as applicable.
 - a. All accessways shall conform to applicable ADA requirements.
 - b. The City may require landscaping as part of the required accessway improvement to buffer pedestrians from adjacent vehicles, provided that landscaping or fencing adjacent to the accessway does not exceed four (4) feet in height, and
 - c. which may be modified by the decision body without a variance when the modification affords greater convenience or comfort for, and does not compromise the safety of, pedestrians or bicyclists.

City of Petal Zoning Ordinance

169

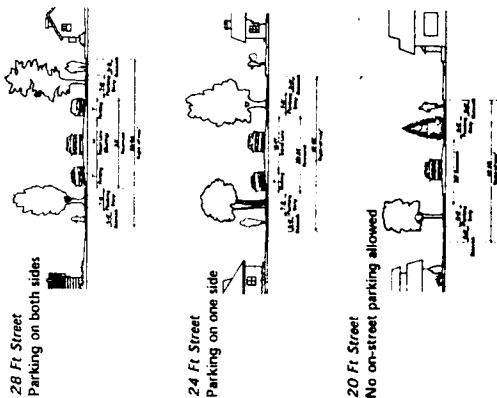


Figure 15.41F(6) Alley and Pathway Sections

City of Petal Zoning Ordinance

174

- b. A barricade (e.g., fence, bollards, barriers or similar vehicle barriers) shall be constructed at the end of the street by the subdivision and shall not be removed until authorized by the City or other applicable agency with jurisdiction over the street. The cost of the barricade shall be included in the street construction cost.
- c. Temporary street grids shall provide permeability comparable to Uniform Fire Code standards for streets over 150 feet in length. See also Section 15.12.

J. Street Alignment, Right-of-Way, and Construction.

1. **Spacing of Street Making T-Intersections.** T-Intersections at collectors and arterials shall not be spaced closer together than 300 feet on both streets are created, as measured from the centerline of the street.
2. **Spacing between local street intersections.** Local street intersections shall have a minimum separation of 125 feet, except where more closely spaced intersections are designed to provide an open space, public park, commons or similar neighborhood amenity. This standard applies to highway and freeway (off-ramp) intersections.
3. **All local and collector streets that stub into a development site shall be extended within the site to provide through circulation.** Unless prevented by environmental or topographical constraints, existing development patterns, or compliance with other applicable standards, the street shall be extended to the site. The extension shall be designed to provide for the most efficient and economical use of the land. The extension shall be designed to provide for the most efficient and economical use of the land. The extension shall be designed to provide for the most efficient and economical use of the land. The extension shall be designed to provide for the most efficient and economical use of the land.
4. **Proposed streets or street extensions shall be located to allow continuity in street alignment and to facilitate future development of vacant or underdeveloped lands.**
5. **In order to promote efficient vehicular and pedestrian circulation throughout the city, the street system shall be designed to provide for the most efficient and economical use of the land.**
6. **Corner curb radii shall be at least 20 feet, except where smaller radii are approved by the City Engineer.**

City of Petal Zoning Ordinance

173

- d. All accessways shall conform to applicable ADA requirements.
- e. The City may require landscaping as part of the required accessway improvement to buffer pedestrians from adjacent vehicles, provided that landscaping or fencing adjacent to the accessway does not exceed four (4) feet in height, and
- f. which may be modified by the decision body without a variance when the modification affords greater convenience or comfort for, and does not compromise the safety of, pedestrians or bicyclists.

H. Traffic Signals and Traffic Calming Features.

1. **Traffic signals shall be required with development when traffic signal warrants are met.** Traffic signals shall be required with development when traffic signal warrants are met. Traffic signals shall be required with development when traffic signal warrants are met. Traffic signals shall be required with development when traffic signal warrants are met.
2. **When an intersection meets or is projected to meet traffic signal warrants, the City may accept alternative mitigation, such as a roundabout, in lieu of a traffic signal, if approved by the City Engineer.**
3. **The City may require the installation of calming features such as traffic circles, curb extensions, and/or special paving to slow traffic in neighborhoods or commercial areas with high pedestrian traffic.**

City of Petal Zoning Ordinance

172

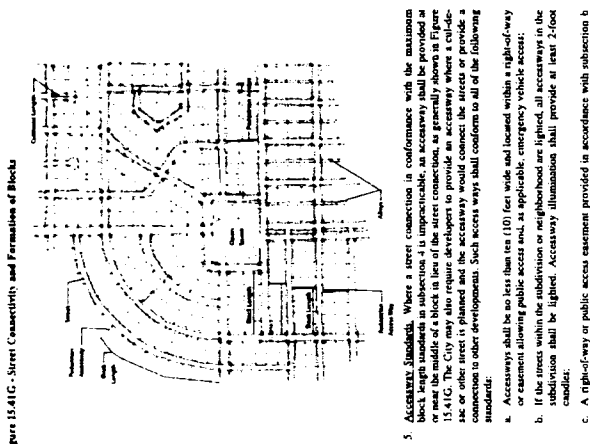


Figure 15.41G. Street Connectivity and Formations of Blocks

City of Petal Zoning Ordinance

5. **ACCESSWAY STANDARDS.** Where a street connection in conformance with the maximum block length standards in subsection 4 is impracticable, an accessway shall be provided in accordance with the following standards:
 - a. Accessways shall be no less than ten (10) feet wide and located within a right-of-way or easement allowing public access and, as applicable, emergency vehicle access;
 - b. If the street within the subdivision or neighborhood are lighted, all accessways in the subdivision shall be lighted. Accessway illumination shall provide at least 2-foot candles;
 - c. A right-of-way or public access easement provided in accordance with subsection b that is less than 20 feet wide may be allowed on steep slopes where the decision body finds that stairs, ramps, or switch-back paths are required.

EXHIBIT "F"

174

average (as measured by the City) that all boundary and interior monuments shall be established and protected.

W. Street Signs. The City County of state with jurisdiction shall install all signs for traffic control and street names. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.

X. Mail Boxes. Plans for mail boxes shall be approved by the United States Postal Service.

Y. Street Light Standards. Street lights shall be installed in accordance with City standards.

Z. Street Cross-sections. The final lot or cul-de-sac pavement shall be placed on all lots and streets. The final lot or cul-de-sac pavement shall be placed on all lots and streets otherwise approved by the City Engineer. The final lot or cul-de-sac pavement shall be placed on all lots and streets when 80% of the structures in the new development are completed or 2 years from the commencement of initial construction of the development, whichever is less.

15.42. Public Use Areas

A. Dedication of Public Use Areas.

1. Where a proposed park, playground, or other public use shown in a plan accepted by the City is located in whole or in part in a subdivision, the City may require the dedication or reservation of this area of the final plan for the subdivision, provided that the impact of the proposed public use on the City park system is highly proportional to the dedication or reservation being made.
2. The City may purchase or accept voluntary dedication or reservation of areas within the subdivision that are suitable for the development of parks and other public uses, however, the City is under no obligation to accept such areas offered for dedication or sale.

B. System Development Charge Credit. Deduction of land to the City for public use areas, voluntary or otherwise, shall be eligible as a credit toward any required system development charge for parks.

15.43. Sanitary Sewer and Water Service Improvements.

A. Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the City's Sanitary Sewer Master Plan, Water System Master Plan, and the applicable connection specifications. When streets are required to be stubbed to the edge of the lot, sanitary sewer and water system improvements shall also be stubbed with the streets, except as they be waived by the City Engineer.

City of Petal Zoning Ordinances

175

176

averaging five feet or less. Landscaping shall be provided for the street within 20 feet of the edge of the intersecting street at full improvement.

P. Curbs, Curb Cuts, Ramps, and Driveway Approaches. Concrete curbs, curbs cuts, wheelchair ramps, ramps, curbs, and driveway approaches shall be constructed in accordance with standards specified in Chapter 13. Access and Circulation.

Q. Streets Adjacent to Railroad Right-of-Way. When a transportation improvement is proposed within 300 feet of a public railroad crossing, a modification is proposed to an existing public crossing, the Mississippi Department of Transportation, and the rail service provider shall be notified and given an opportunity to comment. Private crossing improvements are subject to review and approval by the rail service provider.

R. Development Adjoining Arterial Streets. Where a development abutts or is crossed by an existing or proposed arterial street, the development design shall separate residential access from through traffic and minimize traffic conflicts. (See also the access requirements under Section 15.12.) The development design shall include one or more of the following:

1. A parallel access street (frontage road) along the arterial with a landscaped median (two-way curbs) of not less than 10 feet in width separating the two streets.
2. Deep pits (20 feet or greater) abutting the arterial or major collector to provide adequate buffering with frontage along another street.
3. Service planning within a non-access reservation (i.e., public easement or street) of not less than 10 feet in width at the rear or side property line along the arterial, or
4. Other treatment approved by the City that is consistent with the purpose of this Section.

S. Alleys, Public or Private. Alleys shall conform to the standards in Table 15.41. Alleys intersections shall have a radius of not less than 12 feet. The corners of necessary alley intersections shall have a radius of not less than 12 feet.

T. Private Streets. Private streets shall conform to City standards of construction and shall provide sidewalks or pathways as approved by the City. Private streets shall not be used to provide access to a development from a public street in the City. Opened communities (i.e., where a gate limits access to a development) from a public street are prohibited.

U. Street Names. No new street name shall be used which will duplicate or be confused with the names of existing streets in Forrest County. Street names, signs, and numbers shall conform to the established pattern in the surrounding area, except as requested by emergency services. Street names shall be submitted to the City Engineer for review and approval to the Emergency Management District E-911 Coordinator for review and approval.

V. Survey Monuments. Upon completion of a street improvement and prior to acceptance by the City, it shall be the responsibility of the developer's registered professional land surveyor to:

1. Install the required survey monuments.
2. Provide a copy of the survey plat to the City.

City of Petal Zoning Ordinances

177

L. Intersection Angles. Streets shall be laid out so as to intersect at an angle as near to a right angle as practicable, except where topography requires a lesser angle or where a reduced angle is necessary to provide an open space pocket, such as a common area of similar neighborhood amenities. In addition, the following standards shall apply:

1. Streets shall have a lead of at least 25 feet of tangent adjacent to the right-of-way intersection, unless topography requires a lesser distance.
2. Intersections which are not at right angles shall have a minimum corner radius of 20 feet along the right-of-way lines of the acute angle, and
3. Right-of-way lines at intersections with arterial streets shall have a corner radius of not less than 20 feet.

M. Existing Rights-of-Way. Whenever existing rights-of-way adjacent to a proposed development are less than standard width, additional rights-of-way shall be provided in the final subdivision in development, subject to the provision of Section 15.41.

N. Cul-de-sacs. A cul-de-sac street shall only be used when environmental or topographical conditions, existing development patterns, or compliance with other standards in this code preclude street extension and through circulation. When cul-de-sacs are provided, all of the following shall be met:

1. The cul-de-sac shall not exceed a length of 400 feet; the length of the cul-de-sac shall be measured along the centerline of the roadway from the rear curb of the intersecting street to the farthest point of the cul-de-sac.
2. The cul-de-sac shall terminate with a circular or hammerhead turnaround meeting the minimum fire code. Circular turnarounds shall have a radius of no less than 100 feet. Hammerhead turnarounds shall have a radius of no less than 100 feet. Turnarounds shall be larger when they contain a landscaped island or parking bays at their center. When an island or parking bay is provided, there shall be a fire apparatus lane of 20 feet in width, and
3. The cul-de-sac shall provide or not preclude the opportunity to later install a pedestrian and bicycle necessary connection between an adjacent street access to the cul-de-sac, or other right-of-way. Such accessways shall conform to section 15.14.

O. Grades and Curves. Grades shall not exceed 10 percent on arterials, 12% on collector streets, or 12% on any other street except that local or residential access streets may have segments with grades up to 15% to distances of no greater than 250 feet, and

1. Centerline curve radii shall not be less than 700 feet on arterials, 500 feet on major collectors, 350 feet on minor collectors, or 100 feet on other streets, and
2. Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signification, shall provide a leading curve.

City of Petal Zoning Ordinances

178

B. Sewer and Water Plan Approval. Development permits for sewer and water improvements shall not be issued until the City Engineer has approved all sanitary sewer and water plans in conformance with City standards.

C. Over-Sizing. The City may require as a condition of development approval that sewer lines and/or storm drainage systems serving new development be sized to accommodate future development in the City. The City may require that the developer obtain a Storm Drainage Master Plan, provided that the City may plan the developer obtain any required system development charge for the same.

D. Inadequate Facilities. Development permits may be restricted by the City where a deficiency exists in the existing water or sewer system that cannot be rectified by the installation of new lines or structures. The City may require the developer to fund the surcharging of existing mains, or violation of state or federal standards pertaining to operation of domestic water and sewerage treatment systems.

15.44. Storm Drainage Improvements

A. General Provisions. The City shall require a development permit only where adequate provisions for storm water and flood water runoff have been made in conformance with the city's stormwater ordinance provisions.

B. Accommodation of Upstream Drainage. Culverts and other drainage facilities shall be large enough to accommodate existing and potential future runoff from the entire upstream watershed contributing to the development. Such facilities shall be subject to review and approval by the City Engineer.

C. Effect on Downstream Drainage. Where it is anticipated by the City Engineer that the additional runoff resulting from the development will overload an existing drainage facility, the City shall require approval for the development until provisions have been made for the development to provide for the storage of the runoff, or the reduction of storage of additional runoff caused by the development in accordance with City standards.

D. Over-Sizing. The City may require as a condition of development approval that sewer lines and/or storm drainage systems serving new development be sized to accommodate future development in the City. The City may require that the developer obtain a Storm Drainage Master Plan, provided that the City may plan the developer obtain any required system development charge for the same.

E. Existing Watercourses. Where a proposed development is traversed by a watercourse drainage way, channel, or stream, there shall be provided a storm water easement or drainage easement to the watercourse, and the City shall require the developer to fund the installation of such watercourse and maintenance to protect the public health and safety.

City of Petal Zoning Ordinances

180

15.47. Construction Plan Approval and Assurances

A. Plan Approval and Permit. No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, utility easements, or other improvements, shall be installed except after the plans have been approved by the City. Permits for road and permit issued. The permit fee is required to defray the cost and expenses incurred by the City for construction and other services in connection with the improvement. The permit fee shall be set by the Board of Aldermen.

B. Performance Guarantees. The City may require the developer or subcontractor to provide bonding or other performance guarantees to ensure completion of required public improvements.

15.48. Inspection

A. Conformance Required. Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this Chapter, approved construction plans, and to improvement standards and specifications adopted by the City.

B. Adopted Installation Standards. The Standard Specifications for Public Works Construction, Mississippi Chapter A.P.W.A., shall be a part of the City's approved installation standards; other standards may also be required upon recommendation of the City Engineer.

C. Commencement. Work shall not begin until the City has been notified in advance in writing.

D. Resumption. If work is discontinued for more than one month, it shall not be resumed until the City is notified in writing.

E. City Inspection. Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require the developer to provide a copy of the final annual conditions survey during construction, warrant lien charges in the public interest. Modifications to the approved design requested by the developer may be subject to review. Any monuments that are disturbed before all improvements are completed by the subcontractor shall be replaced prior to final acceptance of the improvements.

F. Engineer's Certification and As-built Plans. A registered civil engineer shall provide written certification in a form required by the City that all improvements, workmanship and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval and are of high grade, prior to City acceptance of the public improvements or any portion thereof. For operation and maintenance purposes, the City Engineer shall also provide a set of as-built plans, in conformance with the City Engineer's specifications, for permanent filing with the City.

City of Petal Zoning Ordinances

179

15.45. Utilities

A. Underground Utilities.

1. Generally, all new utility lines including but not limited to, those required for electric, gas, telephone, lighting, and cable television services and related facilities shall be placed underground. All utility lines shall be installed in accordance with the approved connection boxes and meter cabinets which may be placed above ground. Utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above
2. Easements. The following additional standards apply to all new subdivisions, in order to facilitate underground placement of utilities:
 - a. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all above ground equipment does not obstruct vision clearance areas for vehicular traffic. (Chapter 17.1).
 - b. The City reserves the right to approve the location of all surface-mounted facilities.
 - c. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets, and
 - d. Subs for service connections shall be large enough to avoid disturbing the street improvements when service connections are made.

B. Exception to Undergrounding Requirement. The standard applies only to proposed subdivisions. An exception to the undergrounding requirement may be granted due to site conditions such as very topography, restrictive land (Chapter 15.7), or existing development conditions.

15.46. Easements

A. Provision. The developer, if applicable, shall make arrangements with the City, the applicable utility, and the appropriate governmental agency to provide for the installation of public easements necessary to provide full services to the development. The City's standard width for public main line utility easements shall be determined by the City Engineer.

B. Recordation. As determined by the City Engineer, all easements for sewers, storm drainage and water quality facilities, water mains, electric lines, or other public utilities shall be recorded with the final plat.

City of Petal Zoning Ordinances

181

15.49. Storm Drainage

A. General Provisions. The City shall require a development permit only where adequate provisions for storm water and flood water runoff have been made in conformance with the city's stormwater ordinance provisions.

B. Accommodation of Upstream Drainage. Culverts and other drainage facilities shall be large enough to accommodate existing and potential future runoff from the entire upstream watershed contributing to the development. Such facilities shall be subject to review and approval by the City Engineer.

C. Effect on Downstream Drainage. Where it is anticipated by the City Engineer that the additional runoff resulting from the development will overload an existing drainage facility, the City shall require approval for the development until provisions have been made for the development to provide for the storage of the runoff, or the reduction of storage of additional runoff caused by the development in accordance with City standards.

D. Over-Sizing. The City may require as a condition of development approval that sewer lines and/or storm drainage systems serving new development be sized to accommodate future development in the City. The City may require that the developer obtain a Storm Drainage Master Plan, provided that the City may plan the developer obtain any required system development charge for the same.

E. Existing Watercourses. Where a proposed development is traversed by a watercourse drainage way, channel, or stream, there shall be provided a storm water easement or drainage easement to the watercourse, and the City shall require the developer to fund the installation of such watercourse and maintenance to protect the public health and safety.

City of Petal Zoning Ordinances

EXHIBIT "F"

181

Chapter 15.5 - Surface Water Management

15.51 Introduction

It is the intention of the Board of Aldermen of the City of Petal (the Board) to protect the health and safety of the citizens and visitors of the community and to prevent damage to private property and public facilities from flooding and erosion. The Board recognizes that flood damage to private property and public facilities from flooding and erosion is a significant public safety concern. The Board also recognizes that the threat of flooding and erosion increases as peak flow rates of runoff that may otherwise increase the risk of flooding and the associated risk of public endangerment, property damage and erosion. To accomplish this goal, the Board finds it is necessary to provide stormwater management practices for drainage and control of flood and surface waters within the City of Petal. This is to ensure that storm and surface waters are managed in a manner that is consistent with the best interests of the community, and that the health, property, safety and welfare of the City of Petal and its inhabitants may be safeguarded and protected. Stormwater runoff is a major contributor to degradation and pollution of receiving waters. Discharges into a Stormwater Runoff system may occur because of stormwater runoff, spills, dumping, and/or improper connections to the stormwater system from development, residential, industrial, commercial or institutional discharges. Runoff from impervious surfaces has a cumulative impact on receiving waters which can adversely affect public health and safety, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters. The City of Petal Board of Aldermen, in recognition of the public health, safety and welfare of the community, hereby ordains, enacts, approves, and ratifies the provisions of this chapter to address the impacts of stormwater runoff. This chapter applies to all lands within the corporate limits of the City of Petal.

15.52 Purposes

A. The purpose of this chapter is to protect the environment, public health, safety, property and general welfare of the citizens of Petal. Measures through the regulation of stormwater runoff are necessary to protect the public health, safety and general welfare of the citizens of the City of Petal. Stormwater runoff is a significant public safety concern and must be managed in a manner consistent with the best interests of the community. The City of Petal Board of Aldermen, in recognition of the public health, safety and welfare of the community, hereby ordains, enacts, approves, and ratifies the provisions of this chapter to address the impacts of stormwater runoff. This chapter applies to all lands within the corporate limits of the City of Petal.

City of Petal Zoning Ordinance

184

water from washing soil (silt) and silt into or off onto any other surface of any kind or any other substance which has been or may be determined to be a pollutant.

Pollution. The commission or other alteration of any water, physical, chemical or biological property, including but not limited to the quantity, quality, period or release of the velocity of flow from a facility. Runoff means any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

SWPPPP. Any stream, river, drainage easement, that traverses property in the City of Petal.

15.55 Applicability

This chapter shall apply to any and all water entering a storm drainage system generated on any developed or undeveloped lands throughout all of the corporate limits of the City of Petal unless explicitly exempted by an authorized enforcement agency. The standards set forth herein and any amendments or modifications to this chapter are minimum standards. Violations of this chapter shall not constitute a violation of any other laws, rules, regulations, or other provisions of law which may apply to the same activity. This chapter shall apply to all new construction, reconstruction, or unauthorized discharge of pollutants.

City of Petal Zoning Ordinance

SEWERAGE COLLECTION SYSTEMS. Any facility designed or used for collecting and/or conveying stormwater, including but not limited to streets or roads with drainage systems, gutters, inlets, catch basins, pond or surge drains, pumping facilities, structural stormwater controls, ditches, canals, culverts, stormwater conveyance systems, stormwater conveyance structures, and other drainage facilities. Runoff means any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

Stormwater Runoff. Any surface flow, runoff, and/or drainage consisting essentially of water from any form of natural precipitation, which is not absorbed, impregnated, evaporated or left in surface depressions, and which then flows uncontrolled or unconfined into a watercourse or body of water.

Stormwater Pollution Prevention Plan (SWPPP). A document which describes the Best Management Practices (BMPs) and controls to be implemented by a person or business to identify sources of pollution or contamination at a site and the steps to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

City of Petal Zoning Ordinance

182

15.53 Objectives

A. The objectives of this chapter are:

- (1) To regulate or restrict the introduction of pollutants that may potentially enter the City Drainage System.
- (2) To prohibit illegal Construction and Discharges to any separate storm sewer system.
- (3) To identify, define, and regulate erosion, sediment and detention controls related to stormwater runoff.
- (4) To prevent dumping, improper connections to the City Drainage System, whether or disposal, and/or improper connections to the City Drainage System, whether or disposal, and/or improper connections to the City Drainage System, whether or disposal.
- (5) To provide the City of Petal with the authority to establish enforcement actions for non-compliance and illegal discharges, and to establish enforcement actions for those persons or entities found to be in non-compliance or that refuse to allow access to their facilities.
- (6) To establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this ordinance.

15.54 Definitions

Accidental Discharges. A discharge prohibited by this ordinance, which occurs by chance, and without planning or thought prior to occurrence.

Authorized Enforcement Agency. Employees or designees of the agency designated to enforce this ordinance.

Best Management Practices (BMPs). Techniques of activities, prohibition of practices, general good housekeeping practices, pollution prevention and education practices, maintenance, operation and repair of stormwater conveyance systems, and other practices, procedures, methods, or controls designed to reduce or eliminate the discharge of pollutants to stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or silt disposal, or drainage from raw material storage.

Clean Water Act. The Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and any amendments thereto.

Construction Activities. Activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbances. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Civil Discharge System (CDS). Any City maintained or designated roadways, ditches, culverts, channels, or conduits intended to direct water flows.

City of Petal Zoning Ordinance

183

Structural Stormwater Control. A structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff, including but not limited to, the quantity and quality, the period of release or the velocity of flow.

Uncontaminated Stormwater. Runoff that has not been contaminated by any other liquid, other than uncontaminated stormwater, discharged from a facility.

Watercourse. Any stream, river, drainage easement, that traverses property in the City of Petal.

15.55 Applicability

This chapter shall apply to any and all water entering a storm drainage system generated on any developed or undeveloped lands throughout all of the corporate limits of the City of Petal unless explicitly exempted by an authorized enforcement agency. The standards set forth herein and any amendments or modifications to this chapter are minimum standards. Violations of this chapter shall not constitute a violation of any other laws, rules, regulations, or other provisions of law which may apply to the same activity. This chapter shall apply to all new construction, reconstruction, or unauthorized discharge of pollutants.

City of Petal Zoning Ordinance

SWPPPP. Any stream, river, drainage easement, that traverses property in the City of Petal.

15.56 Responsibility for Administration

The Board of Aldermen of the City of Petal (the Board) shall administer, implement and enforce the provisions of this chapter. Any powers granted or duties imposed upon the authorized enforcement agency may be delegated in writing by the Director of the authorized enforcement agency to persons or entities acting in the best interest of the City of Petal.

15.57 Severability

The provisions of this chapter are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstance shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

15.58 Policy

No owner of any parcel of land or property, whether with or without a structure thereupon, shall permit the erosion or escape of soil, sand, gravel, or similar material from said parcel onto any adjacent property, public street or onto any drainage channel that receives rainwater runoff from said parcel. The owner of any parcel of land or property, whether with or without a structure thereupon, shall not construct or conduct any activity so as to cause the discharge of rainwater runoff from such parcel to cause erosion or to increase blockage of such channel or storm drainage system. This includes, both pre-construction and post-construction.

City of Petal Zoning Ordinance

183

Facility. A structure, installation, or system that is designed to serve a particular purpose, service, or function.

Headings Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or to the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illegal Connections. An illegal connection is defined as any of the following:
Any pipe, open channel, drain, or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the drainage system including but not limited to any conveyance which allows any non-stormwater discharge including sewage, process wastewater, groundwater, surface water, or any other liquid, other than uncontaminated stormwater, to the storm drain system from any source, regardless of whether such pipe, open channel, drain, connection, or source has been previously allowed, permitted, or approved by an authorized enforcement agency.

Illegal Discharges. Any direct or indirect discharge into a stormwater drainage system that is not comparable in quality to stormwater.

Industrial Activity. Activities subject to NPDES Industrial Permit as defined in 40 CFR Section 122.26 (b)(1)(4).

National Pollution Discharge Elimination System (NPDES) Stormwater Discharge Permit. A permit issued by the United States Environmental Protection Agency (EPA) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Stormwater Discharge. Any discharge to the storm drain system that is not composed entirely of stormwater.

Pollution. Any individual, association, organization, partnership, firm, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any American body or other legal entity, joint venture, public or private corporation, or other entity recognized by law and acting as either the owner or as the owner's agent.

Pollutant. Any substance, which causes or contributes to pollution. Pollutants may include, but are not limited to, pests, vermin, asbestos, petroleum hydrocarbons, automotive fluids including grease, degreasers, (hydrocarbons or otherwise), degreasers, cleaning chemicals, non-hazardous liquid and solid wastes, yard wastes, refuse, rubbish, garbage, litter, discarded or abandoned objects, incombustible, inflammable, accumulative materials, dusts, dirt, and other materials, toxic substances, pesticides, herbicides, hazardous substances such as acids, alkalis, flammable, volatile, or highly volatile liquids, and any other substance or material that may result from constructing a building or structure including concrete/cement (this includes masonry of stormwater).

City of Petal Zoning Ordinance

184

15.59 Permits

Stormwater permits and Stormwater Pollution Prevention Plans (SWPPP) are required as follows:

- 0.9 Acres of land disturbed. No permit or SWPPP currently required.
- 1.5 Acres of land disturbed. Permit required from City of Petal Building Inspection Department. A Notice of Intent (NOI) and SWPPP must be submitted to the Planning Commission.
- Above 5 Acres. Permit required from MDEQ. SWPPP must also be submitted to MDEQ.

15.59.1 Construction and/or Industrial Activity

Any person subject to an industrial or construction activity National Pollution Discharge Elimination System (NPDES) stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the authorized enforcement agency. Non-compliance with the stormwater discharge system, including but not limited to, the discharge of pollutants, shall be cause for denial of a discharge permit. Dumping excess materials and/or hazardous materials shall be prohibited.

Section A Standards and Requirements for Erosion/Sediment Controls

(a) Prior to the final approval of the plan of any subdivision, or prior to commencement of construction, the owner of the property shall submit to the authorized enforcement agency for the installation of stormwater facilities that have not been previously approved. The owner of the property shall submit to the authorized enforcement agency a detailed construction plan for such owner's site. The plan shall include a detailed drainage report and construction plan for the installation of all stormwater facilities required for such subdivision or lot, including any off-site facilities required to convey stormwater to existing drains, channels, streams, or water bodies.

(b) No final subdivision plan, subdivision construction plan, site plan or building permit shall be approved by the City unless the plan for the proposed development include temporary erosion control and sedimentation control measures such that the erosion and sedimentation control measures shall be accomplished through a combination of the following practices:

1. Installation of silt fences and rock or hay bales before and during construction in order to reduce on-site soil erosion and provide temporary capture of sediment.
2. Temporary and/or permanent revegetation of bare ground in order to stabilize disturbed soil at the earliest practicable date.
3. Installation of silt fences and rock or hay bales at the backwater or detention in a manner such that detention ponds function as temporary sedimentation basins until permanent revegetation of the subject tract is accomplished.
4. Other measures which may be necessary to control erosion and sedimentation on a site-by-site basis.

City of Petal Zoning Ordinance

EXHIBIT "F"

195

Chapter 15.6 -- Other Standards

15.6.1. Telecommunication Facilities

(Reserved for standards for telecommunication facilities, as may be adopted in conformance with the Federal Telecommunications Act (1996).)

Chapter 15.7 -- Signative Lands

(Reserved)

194

health, safety and welfare and environment is declared and deemed a nuisance, and may be summarily abated by private or other equitable relief as provided by law, or otherwise restrained at the violator's expense, and/or a civil action to abate, injunct, or otherwise compel the cessation of such nuisance may be taken.

Section C. Suspension of Access to Storm Drainage Systems

A. Suspension due to Illness, Disasters, or Emergencies Situations:

The Board may, without prior notice, suspend discharge access to a person when such suspension is necessary to stop an actual or threatened discharge, which present or may occur, from entering the storm drainage system. The Board may suspend access to persons or Waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the authorized enforcement agency may take such steps as deemed necessary to prevent or minimize damage to the Waters of the United States, or to minimize danger to person.

B. Suspension due to the Disruption of Illness, Disasters

1. Any person discharging to the City drainage system in violation of this chapter may have their access terminated if such termination would abate or reduce an illicit discharge. The authorized enforcement agency will notify a violator of the proposed termination of its city drainage system access. The violator may petition the authorized enforcement agency for a hearing to determine if such termination is necessary to abate or reduce an illicit discharge. If the hearing is terminated pursuant to this Section, without the prior approval of the authorized enforcement agency.

15.33 I. Appeal

Any person receiving a Notice of Violation may appeal the determination of the authorized enforcement agency. The notice of appeal must be filed with the Board of Aldermen. A hearing on the appeal before the Board of Aldermen shall be set by the Board with a least ten (10) days notice to the violator.

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or in the event of an unsuccessful appeal, then representatives of the authorized enforcement agency may enter upon the subject private property and are authorized to take any and all measures necessary to show the violator and/or restore the property. It shall be unlawful for any owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

City of Petal Zoning Ordinances

197

Aldermen Moore YEA

The above and foregoing Ordinance having received the unanimous vote of each of the Aldermen of the City of Petal, Mississippi, said Ordinance was passed and effective on this, the 3rd day of September, A.D., 2005.

By: Carol Scott Mayor
City of Petal, Mississippi

(SEAL)

Attest:

Janet Libbe, City Clerk

City of Petal Zoning Ordinances

193

ten days, or such greater period as the local permitting authority shall deem appropriate after the permitting authority has taken one or more of the actions described above. The local permitting authority may seek, any legal, or equitable remedy available under the law. The authorized enforcement agency may recover all attorney's fees, court costs, and other expenses associated with enforcement of this chapter, including sampling and monitoring expenses.

B. Criminal

Violations of this chapter shall be deemed a misdemeanor. The local permitting authority may issue a citation to the alleged violator requiring such person to appear before the appropriate court to answer charges for the following: (1) 1,000.00 or more for each day of violation; (2) 1,000.00 or more for each day upon which any violation shall continue, will continue a separate offense.

C. Criminal Prosecution

Any person that has violated or continues to violate this chapter shall be guilty of a misdemeanor and subject to criminal prosecution to the fullest extent of the law.

D. Injunction

If a person has violated or continues to violate the provisions of this chapter, the authorized enforcement agency may petition the court for an injunction restraining the person from activities which would create further violation, or compelling the person to perform abatement or remediation of the violation.

E. Alternative Action

In addition to any other remedy the authorized enforcement agency may impose upon a violator alternative, compensatory action, such as storm drain, trenching, attendance at compliance workshops, creek cleanup, etc.

Section A Remedies Not Exclusive

The remedies listed in this chapter are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies. The local enforcement authority may recover attorney's fees, court costs, and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

Section B Violations Deemed a Public Nuisance

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this chapter is a threat to public

City of Petal Zoning Ordinances

194

Appendix A Billboards

ORDINANCE 2005 (3)

AN ORDINANCE PROHIBITING THE ERECTION OF BILLBOARDS OR OTHER OUTDOOR ADVERTISING DEVICES, REQUIRING THE REMOVAL OF ALL EXISTING OUTDOOR ADVERTISING DEVICES WITHIN A PERIOD OF SEVEN (7) YEARS; PROVIDING PENALTIES FOR VIOLATION THEREOF; AND ESTABLISHING AN EFFECTIVE DATE

Section 1:

No billboards or outdoor advertising devices as described in 49-21-5 of the Mississippi Code of 1972 or of a similar nature, shall be permitted, constructed, or built within the limits of the City of Petal, Mississippi.

Section 2:

All existing billboards or outdoor advertising devices, including but not limited to those described in 49-21-5 of the Mississippi Code of 1972 and all structures pertaining thereto, and appendages thereto, shall be removed from the City of Petal, Mississippi, within seven (7) years from the effective date of this Ordinance.

Section 3:

Any person, firm, corporation, or other legal entity violating the terms and provisions of this ordinance, shall be guilty of a misdemeanor, and shall be subject to fine not exceeding one thousand (\$1,000.00) dollars.

Section 4:

This Ordinance shall be in full force and effect thirty (30) days from and after its passage.

Section 5:

This Ordinance is adopted pursuant to and in compliance with 49-21-23 of the Mississippi Code of 1972.

The above and foregoing Ordinance having been referred to writing, first section by section and filed as a public, the following vote was taken to adopt the Ordinance:

Alderman Clayton YEA
Alderman Stronger YEA
Alderman Weaver YEA
Alderman Parley YEA

City of Petal Zoning Ordinances

EXHIBIT "F"

<p style="text-align: right;">199</p> <p>application for a conditional use permit as per the procedures outlined in the zoning ordinance.</p> <ul style="list-style-type: none">c. All exterior lighting and piping shall be screened from view from public areas.d. Trash receptacles and loading docks shall be screened from view by masonry walls that match the building's primary facade materials. Trash receptacles shall be placed at the rear of the building. <p>2. The City Zoning Official shall review development plans on a case by case basis to determine compliance with these design guidelines.</p> <p>3. These guidelines shall be called the "Petal Design Standard" and shall be considered an Appendix to the City of Petal Zoning Ordinance.</p> <p>SECTION 3. All ordinances in conflict herewith, be and the same are hereby repealed.</p> <p>SECTION 4. This ordinance shall take effect and be in full force from and after its passage as provided by law.</p> <p>The foregoing Ordinance, having been read to writing, the same was introduced and read, and a vote was taken thereon, first section by section and then upon the Ordinance as a whole with the following result:</p> <p>Those present and voting "AYE" and in favor of the passage, adoption and approval of Sections 1, 2, 3, and 4 of the foregoing Ordinance:</p> <ul style="list-style-type: none">Alderman Michael W. DraughnAlderman Willie W. HinsonAlderman Joe C. McHenry, Sr.Alderman Steve StrickerAlderman William A. Travis <p>Those present and voting "NAY" or against the adoption of any section of the foregoing Ordinance as a whole:</p> <p style="text-align: center;">NONE</p> <p>Those present and voting "AYE" and in favor of the adoption of the foregoing Ordinance as a whole:</p> <ul style="list-style-type: none">Alderman Michael W. DraughnAlderman Willie W. HinsonAlderman Joe C. McHenry, Sr. <p style="text-align: center;">City of Petal Zoning Ordinance</p>	<p style="text-align: right;">200</p> <p style="text-align: center;">City of Petal Zoning Ordinance</p>
---	---

EXHIBIT "F"

THIS

PAGE

LEFT

BLANK

INTENTIONALLY

EXHIBIT "G"

03/02/2009 06:20 1

MIKE BACKSTROM

PAGE 02

C & M Striping Service
Post Office Box 16506
Hattiesburg, Mississippi 39404-6506
601-268-6459

PROPOSAL

Proposal Submitted to: CITY OF PETAL, MS	Date: 2-Mar-09
	Phone:
City, State, Zip	FAX:
Job Name: SENIOR CITIZENS BUILDING	Job Location: SOUTH GEORGE STREET

C & M Striping Service hereby submits specifications and estimates for:

TO LAYOUT AND STRIPE NEW ASPHALT PARKING LOT INCLUDING HANDICAPS.

WE PROPOSE THE ABOVE LISTED SPECIFICATIONS FOR THE SUM OF:
\$450.00
FOUR HUNDRED FIFTY DOLLARS AND NO/100-----

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alterations or deviations from the above specifications involving extra costs will be executed upon written orders, and will become an extra charge over and above this proposal. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, wind damage and other necessary insurance.

C & M Striping Service
Authorized Signature: Mike Backstrom

NOTE: This Proposal may be withdrawn by us if not accepted within 60 days.

ACCEPTANCE OF PROPOSAL **Date:** _____
The above prices, specifications and conditions are hereby accepted. C & M Striping Service is authorized to do the work as specified above. **Signature** _____
Payment will be as outlined above. **Title:** _____

PROPOSAL

EXHIBIT "H"

PROPOSAL

Proposal Submitted to: CITY OF PETAL	Date: 6-Jan-09
	Phone:
City, State, Zip: PETAL, MS	FAX:
Job Name:	Job Location: HWY 42 EAST

Proposal Submitted to: CITY OF PETAL	Date: 6-Jan-09
	Phone:
City, State, Zip:	FAX:
Job Name:	Job Location: EASTWOOD HEIGHTS

C & M Striping Service hereby submits specifications and estimates for
TO STRIPE THE FOLLOWING STREET YELLOW CENTER LINE 2 WHITE EDGE STRIPES AND STOP BARS.

DOGWOOD LANE	\$1188.00
OAK DRIVE	\$396.00
MAPLE DRIVE	\$3208.00
YELLOW PINE DRIVE	\$2060.00
MULBERRY LANE	\$792.00
MAGNOLIA LANE	\$812.00
POPLAR LOOP	\$1208.00

C & M Striping Service hereby submits specifications and estimates for:
TO STRIPE FOLLOWING STREETS YELLOW CENTER LINE AND STOP BARS:

EASTWOOD DRIVE	\$172.00
PINEWOOD DRIVE	\$396.00
DOGWOOD CIRCLE	\$548.00
WOODLAND SQUARE	\$660.00

WE PROPOSE THE ABOVE LISTED SPECIFICATIONS FOR THE SUM OF:

WE PROPOSE THE ABOVE LISTED SPECIFICATIONS FOR THE SUM OF:

PAYMENT CONDITION:

PAYMENT CONDITION:

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alterations or deviations from the above specifications involving extra costs will be executed upon written orders, and will become an extra charge over and above this proposal. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, wind damage and other necessary insurance.
 C & M Striping Service
 Authorized Signature: Mike Backstrom

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alterations or deviations from the above specifications involving extra costs will be executed upon written orders, and will become an extra charge over and above this proposal. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, wind damage and other necessary insurance.
 C & M Striping Service
 Authorized Signature: Mike Backstrom

NOTE: This Proposal may be withdrawn by us if not accepted within 90 days.

ACCEPTANCE OF PROPOSAL
 The above prices, specifications and conditions are hereby accepted. C & M Striping Service is authorized to do the work as specified above.
 Payment will be as outlined above.

Date: _____
 Signature: _____
 Title: _____

NOTE: This Proposal may be withdrawn by us if not accepted within 90 days.

ACCEPTANCE OF PROPOSAL
 The above prices, specifications and conditions are hereby accepted. C & M Striping Service is authorized to do the work as specified above.
 Payment will be as outlined above.

Date: _____
 Signature: _____
 Title: _____

PROPOSAL

Proposal Submitted to: CITY OF PETAL	Date: 6-Jan-06
	Phone:
City, State, Zip:	FAX:
Job Name:	Job Location: MAPLE STREET

C & M Striping Service hereby submits specifications and estimates for
TO STRIPE YELLOW CENTER LINE AND 2 WHITE EDGE LINES. \$416.00

WE PROPOSE THE ABOVE LISTED SPECIFICATIONS FOR THE SUM OF:

PAYMENT CONDITION:

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alterations or deviations from the above specifications involving extra costs will be executed upon written orders, and will become an extra charge over and above this proposal. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, wind damage and other necessary insurance.
 C & M Striping Service
 Authorized Signature: Mike Backstrom

NOTE: This Proposal may be withdrawn by us if not accepted within 90 days.

ACCEPTANCE OF PROPOSAL
 The above prices, specifications and conditions are hereby accepted. C & M Striping Service is authorized to do the work as specified above.
 Payment will be as outlined above.

Date: _____
 Signature: _____
 Title: _____

EXHIBIT "I"



SHOWS, DEARMAN & WAITS, INC.

CONSULTING ENGINEERS

P.O. BOX 1711, 301 SECOND AVENUE
HATTIESBURG, MISSISSIPPI, 39403-1711
P: (601) 544-1821 F: (601) 544-0501
HTTP://WWW.SD-W.COM

RAYMOND M. DEARMAN, P.E., R.L.S.
MICHAEL T. WAITS, P.E., R.L.S.
NICHOLAS M. CONNOLLY, P.E., P.L.S.
KYLE D. WALLACE, P.E.
SHEA E. McNEASE, P.E.
ERIC F. LANG, P.E.
JOHN T. WEEKS, P.E.

PAUL J. SHOWS (1996)

March 2, 2009

City of Petal
P.O. Box 564
Petal, MS 39465

ATTN: Mayor Carl Scott

RE: Hillcrest Loop Mill, Overlay, and Striping

Dear Mayor Scott:

To activate the above referenced project as outlined in the latest LPA manual, the Board of Aldermen must spread on the minutes of a regularly scheduled Board meeting authorization for the LPA Chief Official (Mayor of the City of Petal) to request activation of the project. The Board should also authorize the execution of the STIP amendment form to be forwarded to the Metropolitan Planning Organization (MPO). We are anticipating being able to utilize Economic Recovery Funds disbursed through the Metropolitan Planning Organization (MPO). Upon approval of the Board of Aldermen, please forward my office a hard copy of the meeting minutes.

Should you have any questions and/or comments, please do not hesitate to contact me.

Sincerely,

John T. Weeks, P.E.
Project Engineer

/mj

Enclosure

EXHIBIT "J"



SHOWS, DEARMAN & WAITS, INC.

CONSULTING ENGINEERS

P.O. BOX 1711, 301 SECOND AVENUE
HATTIESBURG, MISSISSIPPI, 39403-1711
P: (601) 544-1821 F: (601) 544-0501
HTTP://WWW.SD-W.COM

RAYMOND M. DEARMAN, P.E., R.L.S.
MICHAEL T. WAITS, P.E., R.L.S.
NICHOLAS M. CONNOLLY, P.E., P.L.S.
KYLE D. WALLACE, P.E.
SHEA E. MCNEASE, P.E.
ERIC F. LANG, P.E.
JOHN T. WEEKS, P.E.

PAUL J. SHOWS (1996)

March 2, 2009

City of Petal
P.O. Box 564
Petal, MS 39465

ATTN: Mayor Carl Scott

RE: Carterville Road Mill, Overlay, and Striping

Dear Mayor Scott:

To activate the above referenced project as outlined in the latest LPA manual, the Board of Aldermen must spread on the minutes of a regularly scheduled Board meeting authorization for the LPA Chief Official (Mayor of the City of Petal) to request activation of the project. The Board should also authorize the execution of the STIP amendment form to be forwarded to the Metropolitan Planning Organization (MPO). We are anticipating being able to utilize Economic Recovery Funds disbursed through the Metropolitan Planning Organization (MPO). Upon approval of the Board of Aldermen, please forward my office a hard copy of the meeting minutes.

Should you have any questions and/or comments, please do not hesitate to contact me.

Sincerely,

John T. Weeks, P.E.
Project Engineer

/mj

Enclosure



SHOWS, DEARMAN & WAITS, INC.
CONSULTING ENGINEERS
P.O. BOX 1711, 305 SECOND AVENUE
HATTIESBURG, MISSISSIPPI 39403-1711
P. (601) 544-1821 F. (601) 544-5801
HTTP://WWW.SD&W.COM

RAYMOND M. DEARMAN, P.E., R.L.S.
MICHAEL T. WAITS, P.E., R.L.S.
NICHOLAS M. CONNOLLY, P.E., P.L.S.
KYLE D. WALLACE, P.E.
SHEA E. MONASE, P.E.
ERIC F. LANG, P.E.
JOHN T. WEEKS, P.E.
PAUL J. SHOWS (1986)

CITY OF PETAL
MINUTE BOOK 28
PAUL H. DEBBIE M. PUCKETT
71 KELLY ROSE LANE
PETAL MS, 39465

523

March 2, 2009

City of Petal
P.O. Box 564
Petal, MS 39465

Attn: Mayor Carl Scott

Re: Kelly Rose to Green's Creek

Dear Mayor Scott:

Enclosed please find the legal descriptions needed for the necessary Right-of-Way for the above referenced project.

Should you have any questions and/or comments, please, do not hesitate to contact me.

Sincerely,

John T. Weeks, P.E.
Project Engineer

/mj

Enclosures

EXHIBIT "K"

STATE OF MISSISSIPPI
COUNTY OF FORREST
CITY OF PETAL

THIS IS TO CERTIFY THAT I HAVE MADE A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY:

A part of the Southwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 12 West, in the City of Petal, County of Forrest, State of Mississippi, and being more particularly described as follows:

Commencing at the Northeast Corner of said Southwest 1/4 of the Northeast 1/4;

- thence run South for 434.10 feet,
- thence run West for 9.60 feet to the West Right-of-Way Line of Kelly Rose Lane,
- thence run S00°11'02"W and along said West Right-of-Way Line for 6.13 feet to the **Point of Beginning**, 30.00 feet Left of Station 31+50 of Project LSBP-18(11);
- thence continue S00°11'02"W and along said West Right-of-Way Line for 300.00 feet,
- thence run N89°48'58"W for 10.00 feet,
- thence run N00°11'02"E for 300.00 feet to the **Point of Beginning**,
- comprising 0.069 Acres, more or less.

F:\PROJECTS\Forrest County\LSBP-18(11)\Kelly Rose-Green's Ck\Corresp\LSBP 18(11)_Mayor_Legal Descriptions.doc

JO C. DOHERTY
70 KELLY ROSE LANE
PETAL MS, 39465

STATE OF MISSISSIPPI
COUNTY OF FORREST
CITY OF PETAL

THIS IS TO CERTIFY THAT I HAVE MADE A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY:

A part of the Southeast 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 12 West, in the City of Petal, County of Forrest, State of Mississippi, and being more particularly described as follows:

Commencing at the Northwest Corner of said Southeast 1/4 of the Northeast 1/4;

- thence run South for 602.42 feet,
- thence run East for 50.06 feet to the intersection of the East Right-of-Way Line of Kelly Rose Lane and the Centerline of Green's Creek for the **Point of Beginning**, 30.00 feet Right of Station 29+88.01 of Project LSBP-18(11);
- thence run S67°56'01"E and along the Centerline of Green's Creek for 10.78 feet,
- thence run S00°11'02"W for 134.07 feet,
- thence run N89°48'58"W for 10.00 feet to the East Right-of-Way Line of Kelly Rose Lane,
- thence run N00°11'02"E and along said East Right-of-Way Line for 138.09 feet to the **Point of Beginning**,
- comprising 0.031 Acres, more or less.

JAMES D. & LILLIAN M. WILLIAMSON
92 KELLY ROSE LN.
PETAL MS, 39465

STATE OF MISSISSIPPI
COUNTY OF FORREST
CITY OF PETAL

THIS IS TO CERTIFY THAT I HAVE MADE A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY:

A part of the Southeast 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 12 West, in the City of Petal, County of Forrest, State of Mississippi, and being more particularly described as follows:

Commencing at the Northwest Corner of said Southeast 1/4 of the Northeast 1/4;

- thence run South for 440.42 feet,
- thence run East for 50.38 feet to the East Right-of-Way Line of Kelly Rose Lane for the **Point of Beginning**, 30.00 feet Right of Station 31+50 of Project LSBP-18(11);
- thence run S89°48'58"E for 10.00 feet,
- thence run S00°11'02"W for 156.61 feet to the North Bank of Green's Creek,
- thence run N54°16'01"W and along said North Bank for 12.29 feet to the East Right-of-Way Line of Kelly Rose Lane.
- thence run N00°11'02"E and along said East Right-of-Way Line for 149.46 feet to the **Point of Beginning**,
- comprising 0.035 Acres, more or less.



AIA Document B141

Standard Form of Agreement Between Owner and Architect

1987 EDITION

THIS DOCUMENT HAS IMPORTANT LEGAL CONSEQUENCES. CONSULTATION WITH AN ATTORNEY IS ENCOURAGED WITH RESPECT TO ITS COMPLETION OR MODIFICATION.

EXHIBIT "L"

AGREEMENT

made as of the Third (3rd) day of March in the year of Two Thousand Nine.

BETWEEN the Owner: CITY OF PETAL
119 West 8th Avenue
P.O. Box 568
Petal, Mississippi 39465

and the Architect: LANDRY AND LEWIS ARCHITECTS, P.A.
#1 Commerce Drive, Suite 200
Hattiesburg, Mississippi 39402

For the following Project:
(Include detailed description of Project, location, address and scope.)

MULTI-PURPOSE BUILDING FOR
CITY OF PETAL
PETAL, MISSISSIPPI
CN 09-3178

The Owner and Architect agree as set forth below.

Copyright 1917, 1926, 1948, 1951, 1953, 1958, 1961, 1963, 1966, 1970, 1974, 1977, ©1987 by The American Institute of Architects, 1735 New York Avenue, N.W., Washington, D.C. 20006. Reproduction of the essential terms or substantial portion of its provisions without written permission of the AIA violates the copyright laws of the United States and will be subject to legal prosecution.

AIA DOCUMENT B141 • OWNER-ARCHITECT AGREEMENT • FOURTEENTH EDITION • AIA® • ©1987
THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVENUE, N.W., WASHINGTON, D.C. 20006

B141-1987 1

2.8.4 The Architect shall be a representative of and shall advise and consult with the Owner (1) during construction until final payment to the Contractor is due, and (2) as an Additional Service at the Owner's direction from time to time during the correction period described in the Contract for Construction. The Architect shall have authority to act on behalf of the Owner only to the extent provided in this Agreement unless otherwise modified by written instrument.

2.8.5 The Architect shall visit the site at intervals appropriate to the stage of construction or as otherwise agreed by the Owner and Architect in writing to become generally familiar with the progress and quality of the Work completed and to determine in general if the Work is being performed in a manner indicating that the Work when completed will be in accordance with the Contract Documents. However, the Architect shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the Work. On the basis of on-site observations as an architect, the Architect shall keep the Owner informed of the progress and quality of the Work, and shall endeavor to guard the Owner against defects and deficiencies in the Work. (More extensive site representation may be agreed to as an Additional Service, as described in Paragraph 3.2.)

2.8.6 The Architect shall not have control over or charge of and shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work, since these are solely the Contractor's responsibility under the Contract for Construction. The Architect shall not be responsible for the Contractor's schedules or failure to carry out the Work in accordance with the Contract Documents. The Architect shall not have control over or charge of act or omissions of the Contractor, subcontractors, or their agents or employees, or of any other persons performing portions of the Work.

2.8.7 The Architect shall at all times have access to the Work wherever it is in preparation or progress.

2.8.8 Except as may otherwise be provided in the Contract Documents or when direct communications have been specially authorized, the Owner and Contractor shall communicate through the Architect. Communications by and with the Architect's consultants shall be through the Architect.

2.8.9 Based on the Architect's observations and evaluations of the Contractor's Applications for Payment, the Architect shall review and certify the amounts due the Contractor.

2.8.10 The Architect's certification for payment shall constitute a representation to the Owner, based on the Architect's observations at the site as provided in Subparagraph 2.6.5 and on the data comprising the Contractor's Application for Payment, that the Work has progressed to the point indicated and that, to the best of the Architect's knowledge, information and belief, quality of the Work is in accordance with the Contract Documents. The foregoing representations are subject to an evaluation of the Work for conformance with the Contract Documents upon Substantial Completion, to results of subsequent tests and inspections, to minor deviations from the Contract Documents correctable prior to completion and to specific qualifications expressed by the Architect. The issuance of a Certificate for Payment shall further constitute a representation that the Contractor is entitled to payment in the amount certified. However, the issuance of a Certificate for Payment shall not be a representation that the Architect has (1) made exhaustive or continuous on-site inspections to check the quality or

quantity of the Work, (2) reviewed construction means, methods, techniques, sequences or procedures, (3) reviewed copies of requests received from Subcontractors and material supplies and other data requested by the Owner to substantiate the Contractor's right to payment or (4) ascertained how or for what purpose the Contractor has used money previously paid on account of the Contract Sum.

2.8.11 The Architect shall have authority to reject Work which does not conform to the Contract Documents. Whenever the Architect considers it necessary or advisable for implementation of the intent of the Contract Documents, the Architect will have authority to require additional inspection or testing of the Work in accordance with the provisions of the Contract Documents, whether or not such Work is fabricated, installed or completed. However, neither the authority of the Architect nor a decision made in good faith shall confer or not to confer such authority shall give rise to a duty of responsibility of the Architect to the Contractor, Subcontractors, material and equipment suppliers, their agents or employees or other persons performing portions of the Work.

2.8.12 The Architect shall review and approve or take other appropriate action upon Contractor's submittals such as Shop Drawings, Product Data and Samples, but only for the limited purpose of checking for conformance with information given and the design concepts expressed in the Contract Documents. The Architect's action shall be taken with such reasonable promptness as to cause no delay in the Work or to the construction of the Owner or of separate contractors, while allowing sufficient time in the Architect's professional judgment to permit adequate review. Review of such submittals is not conducted for the purpose of determining the accuracy and completeness of other details such as dimensions and quantities or for substantiating instructions for installation or performance of equipment or systems designed by the Contractor, all of which remain the responsibility of the Contractor to the extent required by the Contract Documents. The Architect's review shall not constitute approval of safety precautions or, unless otherwise specifically stated by the Architect, of construction means, methods, techniques, sequences or procedures. The Architect's approval of a specific item shall not indicate approval of an assembly of which the item is a component. When professional certification of performance characteristics of materials, systems or equipment is required by the Contract Documents, the Architect shall be entitled to rely upon such certification to establish that the materials, systems or equipment will meet the performance criteria required by the Contract Documents.

2.8.13 The Architect shall prepare Change Orders and Construction Change Directives, with supporting documentation and data if deemed necessary by the Architect as provided in Subparagraphs 3.1.1 and 3.3.3, for the Owner's approval and execution in accordance with the Contract Documents, and may authorize minor changes in the Work not involving an adjustment in the Contract Sum or an extension of the Contract Time which are not inconsistent with the intent of the Contract Documents.

2.8.14 The Architect shall conduct inspections to determine the date or dates of Substantial Completion and the date of final completion, shall receive and forward to the Owner for the Owner's review and records written warranties and related documents required by the Contract Documents and assembled by the Contractor, and shall issue a final Certificate for Payment upon compliance with the requirements of the Contract Documents.

ARTICLE 1
ARCHITECT'S RESPONSIBILITIES

1.1 ARCHITECT'S SERVICES

1.1.1 The Architect's services consist of those services performed by the Architect, Architect's employees and Architect's consultants as enumerated in Articles 2 and 3 of this Agreement and any other services included in Article 12.

1.1.2 The Architect's services shall be performed as expeditiously as is consistent with professional skill and care and the orderly progress of the Work. Upon request of the Owner, the Architect shall submit for the Owner's approval a schedule for the performance of the Architect's services which may be adjusted as the Project proceeds, and shall include allowances for periods of time required for the Owner's review and for approval of submittals by authorities having jurisdiction over the Project. Time limits established by this schedule approved by the Owner shall not, except for reasonable cause, be exceeded by the Architect or Owner.

1.1.3 The services covered by this Agreement are subject to the time limitations contained in Subparagraph 11.3.1.

ARTICLE 2
SCOPE OF ARCHITECT'S BASIC SERVICES

2.1 DEFINITION

2.1.1 The Architect's Basic Services consist of those described in Paragraphs 2.2 through 2.6 and any other services identified in Article 12 as part of Basic Services, and include normal structural, mechanical and electrical engineering services.

2.2 SCHEMATIC DESIGN PHASE

2.2.1 The Architect shall review the program furnished by the Owner to ascertain the requirements of the Project and shall arrive at a mutual understanding of such requirements with the Owner.

2.2.2 The Architect shall provide a preliminary evaluation of the Owner's program, schedule and construction budget requirements, each in terms of the other, subject to the limitations set forth in Subparagraph 5.2.1.

2.2.3 The Architect shall review with the Owner alternative approaches to design and construction of the Project.

2.2.4 Based on the mutually agreed-upon program, schedule and construction budget requirements, the Architect shall prepare, for approval by the Owner, Schematic Design Documents consisting of drawings and other documents illustrating the scale and relationship of Project components.

2.2.5 The Architect shall submit to the Owner a preliminary estimate of Construction Cost based on current area, volume or other unit costs.

2.3 DESIGN DEVELOPMENT PHASE

2.3.1 Based on the approved Schematic Design Documents and any adjustments authorized by the Owner in the program,

AIA DOCUMENT B141 • OWNER-ARCHITECT AGREEMENT • FOURTEENTH EDITION • AIA® • ©1987
THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVENUE, N.W., WASHINGTON, D.C. 20006

B141-1987 2

2.8.18 The Architect shall interpret and decide matters concerning performance of the Owner and Contractor under the requirements of the Contract Documents on written request of either the Owner or Contractor. The Architect's response to such requests shall be made with reasonable promptness and within any time limits agreed upon.

2.8.19 Interpretations and decisions of the Architect shall be consistent with the intent of and reasonably inferable from the Contract Documents and shall be in writing or in the form of drawings. When making such interpretations and final decisions, the Architect shall endeavor to secure faithful performance by both Owner and Contractor, shall not show partiality to either, and shall not be liable for results of interpretations or decisions so rendered in good faith.

2.8.17 The Architect's decisions on matters relating to aesthetic effect shall be final if consistent with the intent expressed in the Contract Documents.

2.8.18 The Architect shall render written decisions within a reasonable time on all claims, disputes or other matters in question between the Owner and Contractor relating to the execution or progress of the Work as provided in the Contract Documents.

2.8.19 The Architect's decisions on claims, disputes or other matters in question between the Owner and Contractor, except for those relating to aesthetic effect as provided in Subparagraph 2.6.17, shall be subject to arbitration as provided in this Agreement and in the Contract Documents.

ARTICLE 3
ADDITIONAL SERVICES

3.1 GENERAL

3.1.1 The services described in this Article 3 are not included in Basic Services unless so identified in Article 12, and they shall be paid for by the Owner as provided in this Agreement, in addition to the compensation for Basic Services. The services described under Paragraphs 3.2 and 3.4 shall only be provided if authorized or confirmed in writing by the Owner. If services described under Contingent Additional Services in Paragraph 3.3 are required due to circumstances beyond the Architect's control, the Architect shall notify the Owner prior to commencing such services. If the Owner deems that such services described under Paragraph 3.3 are not required, the Owner shall give prompt written notice to the Architect. If the Owner instructs in writing that all or part of such Contingent Additional Services are not required, the Architect shall have no obligation to provide those services.

3.2 PROJECT REPRESENTATION BEYOND BASIC SERVICES

3.2.1 If more extensive representation at the site than is described in Subparagraph 2.6.5 is required, the Architect shall provide one or more Project Representatives to assist in carrying out such additional on-site responsibilities.

3.2.2 Project Representatives shall be selected, employed and directed by the Architect, and the Architect shall be compensated therefor as agreed by the Owner and Architect. The duties, responsibilities and limitations of authority of Project Representatives shall be as described in the edition of AIA Document B152 current as of the date of this Agreement, unless otherwise agreed.

3 B141-1987

AIA DOCUMENT B141 • OWNER-ARCHITECT AGREEMENT • FOURTEENTH EDITION • AIA® • ©1987
THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVENUE, N.W., WASHINGTON, D.C. 20006

B141-1987 4

schedule or construction budget, the Architect shall prepare, for approval by the Owner, Design Development Documents consisting of drawings and other documents to fix and describe the size and character of the Project as to architectural, structural, mechanical and electrical systems, materials and such other elements as may be appropriate.

2.3.2 The Architect shall advise the Owner of any adjustments to the preliminary estimate of Construction Cost.

2.4 CONSTRUCTION DOCUMENTS PHASE

2.4.1 Based on the approved Design Development Documents and any further adjustments to the scope or quality of the Project or in the construction budget authorized by the Owner, the Architect shall prepare, for approval by the Owner, Construction Documents consisting of Drawings and Specifications setting forth in detail the requirements for the construction of the Project.

2.4.2 The Architect shall assist the Owner in the preparation of the necessary bidding information, bidding forms, the Conditions of the Contract, and the form of Agreement between the Owner and Contractor.

2.4.3 The Architect shall advise the Owner of any adjustments to previous preliminary estimates of Construction Cost caused by changes in requirements or general market conditions.

2.4.4 The Architect shall assist the Owner in connection with the Owner's responsibility for filing documents required for the approval of governmental authorities having jurisdiction over the Project.

2.5 BIDDING OR NEGOTIATION PHASE

2.5.1 The Architect, following the Owner's approval of the Construction Documents and of the least preliminary estimate of Construction Cost, shall assist the Owner in obtaining bids or negotiated proposals and assist in awarding and preparing contracts for construction.

2.6 CONSTRUCTION PHASE—ADMINISTRATION OF THE CONSTRUCTION CONTRACT

2.6.1 The Architect's responsibility to provide Basic Services for the Construction Phase under this Agreement commences with the award of the Contract for Construction and terminates at the earlier of the issuance to the Owner of the final Certificate for Payment or 60 days after the date of Substantial Completion of the Work, unless extended under the terms of Subparagraph 10.3.3.

2.6.2 The Architect shall provide administration of the Contract for Construction as set forth below and in the edition of AIA Document A201, General Conditions of the Contract for Construction, current as of the date of this Agreement, unless otherwise provided in this Agreement.

2.6.3 Duties, responsibilities and limitations of authority of the Architect shall not be restricted, modified or extended without written agreement of the Owner and Architect with consent of the Contractor, which consent shall not be unreasonably withheld.

2.6.4 Through the observations by such Project Representatives, the Architect shall endeavor to provide further protection for the Owner against defects and deficiencies in the Work, but the furnishing of such project representation shall not modify the rights, responsibilities or obligations of the Architect as described elsewhere in this Agreement.

3.3 CONTINGENT ADDITIONAL SERVICES

3.3.1 Making revisions in Drawings, Specifications or other documents when such revisions are:

1. inconsistent with approvals or instructions previously given by the Owner, including revisions made necessary by adjustments in the Owner's program or Project budget;
2. required by the enactment or revision of codes, laws or regulations subsequent to the preparation of such documents; or
3. due to changes required as a result of the Owner's failure to render decisions in a timely manner.

3.3.2 Providing services required because of significant changes in the Project including, but not limited to, size, quality, complexity, the Owner's schedule, or the method of bidding or negotiating and contracting for construction, except for services required under Subparagraph 3.2.5.

3.3.3 Preparing Drawings, Specifications and other documentation and supporting data, evaluating Contractor's proposals, and providing other services in connection with Change Orders and Construction Change Directives.

3.3.4 Providing services in connection with evaluating submittals proposed by the Contractor and making subsequent responses to Drawings, Specifications and other documentation resulting therefrom.

3.3.5 Providing consultation concerning replacement of Work damaged by fire or other cause during construction, and furnishing services required in connection with the replacement of such Work.

3.3.6 Providing services made necessary by the default of the Contractor, or by failure of performance of either the Owner or Contractor under the Contract for Construction.

3.3.7 Providing services in evaluating an extensive number of claims submitted by the Contractor or others in connection with the Work.

3.3.8 Providing services in connection with a public hearing, arbitration proceeding or legal proceeding except where the Architect is party thereto.

3.3.9 Preparing documents for alternate, separate or sequential bids or providing services in connection with bidding, negotiation or construction prior to the completion of the Construction Documents Phase.

3.4 OPTIONAL ADDITIONAL SERVICES

3.4.1 Providing analyses of the Owner's needs and programming the requirements of the Project.

3.4.2 Providing financial feasibility or other special studies.

3.4.3 Providing planning surveys, site evaluations, panoramic studies of prospective sites.

- 3.4.4 Providing special surveys, environmental studies and submissions required for approvals of governmental authorities or others having jurisdiction over the Project.
- 3.4.5 Providing services relative to future facilities, systems and equipment.
- 3.4.6 Providing services to investigate existing conditions or facilities or to make measured drawings thereof.
- 3.4.7 Providing services to verify the accuracy of drawings or other information furnished by the Owner.
- 3.4.8 Providing coordination of construction performed by separate contractors or by the Owner's own forces and coordination of services required in connection with construction performed and equipment supplied by the Owner.
- 3.4.9 Providing services in connection with the work of a construction manager or separate consultants retained by the Owner.
- 3.4.10 Providing detailed estimates of Construction Cost.
- 3.4.11 Providing detailed quantity surveys or inventories of material, equipment and labor.
- 3.4.12 Providing analyses of owning and operating costs.
- 3.4.13 Providing interior design and other similar services required for or in connection with the selection, procurement or installation of furniture, furnishings and related equipment.
- 3.4.14 Providing services for planning tenant or rental spaces.
- 3.4.15 Making investigations, inventories of materials or equipment, or valuations and detailed appraisals of existing facilities.
- 3.4.16 Preparing a set of reproducible record drawings showing significant changes in the Work made during construction based on marked-up plans, drawings and other data furnished by the Contractor to the Architect.
- 3.4.17 Providing assistance in the utilization of equipment or systems such as testing, adjusting and balancing, preparation of operation and maintenance manuals, training personnel for operation and maintenance, and consultation during operation.
- 3.4.18 Providing services after issuance to the Owner of the final Certificate for Payment, or in the absence of a final Certificate for Payment, more than 60 days after the date of Substantial Completion of the Work.
- 3.4.19 Providing services of consultants for other than architectural, structural, mechanical and electrical engineering portions of the Project provided as a part of Basic Services.
- 3.4.20 Providing any other services not otherwise included in this Agreement or not customarily furnished in accordance with generally accepted architectural practice.

**ARTICLE 4
OWNER'S RESPONSIBILITIES**

- 4.1 The Owner shall provide full information regarding requirements for the Project, including a program which shall set forth the Owner's objectives, schedule, constraints and criteria, including space requirements and relationships, flexibility, expandability, special equipment, systems and site requirements.

- 4.2 The Owner shall establish and update an overall budget for the Project, including the Construction Cost, the Owner's other costs and reasonable contingencies related to all of these costs.
- 4.3 If requested by the Architect, the Owner shall furnish evidence that financial arrangements have been made to fulfill the Owner's obligations under this Agreement.
- 4.4 The Owner shall designate a representative authorized to act on the Owner's behalf with respect to the Project. The Owner or such authorized representative shall render decisions in a timely manner pertaining to documents submitted by the Architect in order to avoid unreasonable delay in the orderly and sequential progress of the Architect's services.
- 4.5 The Owner shall furnish surveys describing physical characteristics, legal limitations and utility locations for the site of the Project, and a written legal description of the site. The surveys and legal information shall include, as applicable, grades and lines of streets, alleys, pavements and adjoining property and structures, adjacent drainage, rights-of-way, restrictions, easements, encroachments, zoning, deed restrictions, boundaries and contours of the site; locations, dimensions and necessary data pertaining to existing buildings, other improvements and trees; and information concerning available utility services and lines, both public and private, above and below grade, including inverts and depths. All the information on the survey shall be referenced to a project benchmark.
- 4.6 The Owner shall furnish the services of geotechnical engineers when such services are requested by the Architect. Such services may include but are not limited to test borings, test pits, determination of soil bearing values, percolation tests, evaluations of hazardous materials, ground corrosion and reactivity tests, including necessary operations for anticipating subsurface conditions, with reports and appropriate professional recommendations.
- 4.6.1 The Owner shall furnish the services of other consultants when such services are reasonably required by the scope of the Project and are requested by the Architect.
- 4.7 The Owner shall furnish structural, mechanical, chemical, air and water pollution tests, tests for hazardous materials, and other laboratory and environmental tests, inspections and reports required by law or the Contract Documents.
- 4.8 The Owner shall furnish all legal, accounting and insurance consulting services as may be necessary at any time for the Project, including auditing services the Owner may require to verify the Contractor's Applications for Payment or to ascertain how or for what purposes the Contractor has used the money paid by or on behalf of the Owner.
- 4.9 The services, information, surveys and reports required by Paragraphs 4.5 through 4.8 shall be furnished at the Owner's expense, and the Architect shall be entitled to rely upon the accuracy and completeness thereof.
- 4.10 Prompt written notice shall be given by the Owner to the Architect if the Owner becomes aware of any fault or defect in the Project or nonconformance with the Contract Documents.
- 4.11 The proposed language of certificates or certifications requested of the Architect or Architect's consultants shall be submitted to the Architect for review and approval at least 14 days prior to execution. The Owner shall not request certifications that would require knowledge or services beyond the scope of this Agreement.

- 2 Ten percent of the total compensation for Basic and Additional Services earned to date if termination occurs during the Design Development Phase; or
- 3 Five percent of the total compensation for Basic and Additional Services earned to date if termination occurs during any subsequent phase.

**ARTICLE 9
MISCELLANEOUS PROVISIONS**

**ARTICLE 8
TERMINATION, SUSPENSION OR ABANDONMENT**

- 8.1 This Agreement may be terminated by either party upon not less than seven days' written notice should the other party fail substantially to perform in accordance with the terms of this Agreement through no fault of the party initiating the termination.
- 8.2 If the Project is suspended by the Owner for more than 30 consecutive days, the Architect shall be compensated for services performed prior to notice of such suspension. When the Project is resumed, the Architect's compensation shall be equitably adjusted to provide for expenses incurred in the interruption and resumption of the Architect's services.
- 8.3 This Agreement may be terminated by the Owner upon not less than seven days' written notice to the Architect in the event that the Project is permanently abandoned. If the Project is abandoned by the Owner for more than 90 consecutive days, the Architect may terminate this Agreement by giving written notice.
- 8.4 Failure of the Owner to make payments to the Architect in accordance with this Agreement shall be considered substantial nonperformance and cause for termination.
- 8.5 If the Owner fails to make payment when due the Architect for services and expenses, the Architect may, upon seven days' written notice to the Owner, suspend performance of services under this Agreement. Unless payment in full is received by the Architect within seven days of the date of the notice, the suspension shall take effect without further notice. In the event of a suspension of services, the Architect shall have no liability to the Owner for delay or damage caused the Owner because of such suspension of services.
- 8.6 In the event of termination not the fault of the Architect, the Architect shall be compensated for services performed prior to termination, together with Reimbursable Expenses then due and all Termination Expenses as defined in Paragraph 8.7.
- 8.7 Termination Expenses are in addition to compensation for Basic and Additional Services, and include expenses which are directly attributable to termination. Termination Expenses shall be computed as a percentage of the total compensation for Basic Services and Additional Services earned to the time of termination, as follows:
 - 1 Twenty percent of the total compensation for Basic and Additional Services earned to date if termination occurs before or during the pre-design, site analysis, or Schematic Design Phases; or

- 9.1 Unless otherwise provided, this Agreement shall be governed by the law of the principal place of business of the Architect.
- 9.2 Terms in this Agreement shall have the same meaning as those in AIA Document A201, General Conditions of the Contract for Construction, current as of the date of this Agreement.
- 9.3 Causes of action between the parties to this Agreement pertaining to acts or failures to act shall be deemed to have accrued and the applicable statutes of limitations shall commence to run not later than either the date of Substantial Completion for acts or failures to act occurring prior to Substantial Completion, or the date of issuance of the final Certificate for Payment for acts or failures to act occurring after Substantial Completion.
- 9.4 The Owner and Architect waive all rights against each other and against the contractors, consultants, agents and employees of the other for damages, but only to the extent covered by property insurance during construction, except such rights as they may have to the proceeds of such insurance as set forth in the edition of AIA Document A201, General Conditions of the Contract for Construction, current as of the date of this Agreement. The Owner and Architect each shall require similar waivers from their contractors, consultants and agents.
- 9.5 The Owner and Architect, respectively, bind themselves, their partners, successors, assigns and legal representatives to the other party to this Agreement and to the partners, successors, assigns and legal representatives of such other party with respect to all covenants of this Agreement. Neither Owner nor Architect shall assign this Agreement without the written consent of the other.
- 9.6 This Agreement represents the entire and integrated agreement between the Owner and Architect and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both Owner and Architect.
- 9.7 Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Owner or Architect.
- 9.8 Unless otherwise provided in this Agreement, the Architect and Architect's consultants shall have no responsibility for the discovery, presence, handling, removal or disposal of or exposure of persons to hazardous materials in any form at the Project site, including but not limited to asbestos, asbestos products, polychlorinated biphenyl (PCB) or other toxic substances.
- 9.9 The Architect shall have the right to include representations of the design of the Project, including photographs of the exterior and interior, among the Architect's promotional and professional materials. The Architect's materials shall not include the Owner's confidential or proprietary information if the Owner has previously advised the Architect in writing of

- 3 If the Project is abandoned, terminate in accordance with Paragraph 8.3; or
 - 4 Cooperate in revising the Project and quality as required to reduce the Construction Cost.
- 5.2.5 If the Owner chooses to proceed under Clause 5.2.4.4, the Architect, without additional charge, shall modify the Contract Documents as necessary to comply with the fixed limit, if established as a condition of this Agreement. The modification of the Contract Documents shall be the limit of the Architect's responsibility arising out of the establishment of a fixed limit. The Architect shall be entitled to compensation in accordance with this Agreement for all services performed whether or not the Construction Phase is commenced.

**ARTICLE 6
USE OF ARCHITECT'S DRAWINGS,
SPECIFICATIONS AND OTHER DOCUMENTS**

- 6.1 The Drawings, Specifications and other documents prepared by the Architect for this Project are instruments of the Architect's service for use solely with respect to this Project and, unless otherwise provided, the Architect shall be deemed the author of those documents and shall retain all common law, statutory and other reserved rights, including the copyright. The Owner shall be permitted to retain copies, including reproducible copies, of the Architect's Drawings, Specifications and other documents for information and reference in connection with the Owner's use and occupancy of the Project. The Architect's Drawings, Specifications or other documents shall not be used by the Owner or others on other projects, for additions to this Project or for completion of this Project by others, unless the Architect is adjudged to be in default under this Agreement, except by agreement in writing and with appropriate compensation to the Architect.
- 6.2 Submission or distribution of documents to meet official regulatory requirements or for similar purposes in connection with the Project is not to be construed as publication in derogation of the Architect's reserved rights.

**ARTICLE 7
ARBITRATION**

- 7.1 Claims, disputes or other matters in question between the parties to this Agreement arising out of or relating to this Agreement or breach thereof shall be subject to and decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association currently in effect unless the parties mutually agree otherwise.
- 7.2 Demand for arbitration shall be filed in writing with the other party to this Agreement and with the American Arbitration Association. A demand for arbitration shall be made within a reasonable time after the claim, dispute or other matter in question has arisen. In no event shall the demand for arbitration be made after the date when institution of legal or equitable proceedings based on such claim, dispute or other matter in question would be barred by the applicable statute of limitations.
- 7.3 No arbitration arising out of or relating to this Agreement shall include, by consolidation, kindred or in any other manner, an additional person or entity not a party to this Agreement.

- 10.1 Direct Personnel Expense is defined as the direct salaries of the Architect's personnel engaged on the Project and the portion of the cost of their mandatory and customary contributions and benefits related thereto, such as employment taxes and other statutory employee benefits, insurance, sick leave, holidays, vacations, pensions and similar contributions and benefits.

**ARTICLE 10
PAYMENTS TO THE ARCHITECT**

- 10.1 DIRECT PERSONNEL EXPENSE
- 10.1.1 Direct Personnel Expense is defined as the direct salaries of the Architect's personnel engaged on the Project and the portion of the cost of their mandatory and customary contributions and benefits related thereto, such as employment taxes and other statutory employee benefits, insurance, sick leave, holidays, vacations, pensions and similar contributions and benefits.
- 10.2 REIMBURSABLE EXPENSES
- 10.2.1 Reimbursable Expenses are in addition to compensation for Basic and Additional Services and include expenses incurred by the Architect and Architect's employees and consultants in the interest of the Project, as identified in the following clauses:
 - 10.2.1.1 Expense of transportation in connection with the Project; expenses in connection with authorized out-of-town travel, long-distance communications; and fees paid for securing approval of authorities having jurisdiction over the Project.
 - 10.2.1.2 Expense of reproductions, postage and handling of Drawings, Specifications and other documents.
 - 10.2.1.3 If authorized in advance by the Owner, expense of overtime work requiring higher than regular rates.
 - 10.2.1.4 Expense of renderings, models and mock-ups requested by the Owner.
 - 10.2.1.5 Expense of additional insurance coverage or limits, including professional liability insurance, requested by the Owner in excess of that normally carried by the Architect and Architect's consultants.
 - 10.2.1.6 Expense of computer-aided design and drafting equipment time when used in connection with the Project.

10.3 PAYMENTS ON ACCOUNT OF BASIC SERVICES

- 10.3.1 An initial payment as set forth in Paragraph 11.1 is the minimum payment under this Agreement.
- 10.3.2 Subsequent payments for Basic Services shall be made monthly and, where applicable, shall be in proportion to service performed within each phase of service, on the basis set forth in Subparagraph 11.2.2.
- 10.3.3 If and to the extent that the time initially established in Subparagraph 11.5.1 of this Agreement is exceeded or extended through no fault of the Architect, compensation for any services rendered during the additional period of time shall be computed in the manner set forth in Subparagraph 11.3.2.
- 10.3.4 When compensation is based on a percentage of Construction Cost and any portions of the Project are deleted or otherwise not constructed, compensation for those portions of the Project shall be payable to the extent services are performed on those portions, in accordance with the schedule set forth in Subparagraph 11.1.2, based on (1) the lowest bona fide bid or negotiated proposal, or (2) if no such bid or proposal is received, the most recent preliminary estimate of Construction Cost or detailed estimate of Construction Cost for such portions of the Project.

10.4 PAYMENTS ON ACCOUNT OF ADDITIONAL SERVICES

- 10.4.1 Payments on account of the Architect's Additional Services and for Reimbursable Expenses shall be made monthly upon presentation of the Architect's statement of services rendered or expenses incurred.

10.5 PAYMENTS WITHHELD

- 10.5.1 No deductions shall be made from the Architect's compensation on account of penalty, liquidated damages or other sums withheld from payments to contractors, or on account of the cost of changes in the Work other than those for which the Architect has been found to be liable.

10.6 ARCHITECT'S ACCOUNTING RECORDS

- 10.6.1 Records of Reimbursable Expenses and expenses pertaining to Additional Services and services performed on the basis of a multiple of Direct Personnel Expense shall be available to the Owner or the Owner's authorized representative at mutually convenient times.

**ARTICLE 11
BASIS OF COMPENSATION**

- The Owner shall compensate the Architect as follows:

11.1 AN INITIAL PAYMENT OF	NONE	Dollars (\$ 0)
shall be made upon execution of this Agreement and credited to the Owner's account at final payment.		
11.2 BASIC COMPENSATION		
11.2.1 FOR BASIC SERVICES, as described in Article 2, and any other services included in Article 12 as part of Basic Services, Basic Compensation shall be computed as follows: <i>(Fixed basis of compensation, including stipulated sums, multiples or percentages, and identify phases to which particular methods of compensation apply, if necessary.)</i>		
A single stipulated sum construction contract of six percent (6%).		

11.2.2 Where compensation is based on a stipulated sum or percentage of Construction Cost, progress payments for Basic Services in each phase shall total the following percentages of the total Basic Compensation payable:
(Insert additional phases as appropriate.)

Schematic Design Phase:	Zero	percent (0 %)
Design Development Phase:	Thirty-Five	percent (35 %)
Construction Documents Phase:	Forty	percent (40 %)
Bidding or Negotiation Phase:	Five	percent (05 %)
Construction Phase:	Twenty	percent (20 %)
Total Basic Compensation:		one hundred percent (100%)

11.3 COMPENSATION FOR ADDITIONAL SERVICES

11.3.1 FOR PROJECT REPRESENTATION BEYOND BASIC SERVICES, as described in Paragraph 3.2, compensation shall be computed as follows:

Hourly rate of \$125.00 per hour or Additional 18 Added to Basic Compensation.

N/A

11.3.2 FOR ADDITIONAL SERVICES OF THE ARCHITECT, as described in Articles 3 and 12, other than (1) Additional Project Representation, as described in Paragraph 3.2, and (2) services included in Article 11 as part of Additional Services, but excluding services of consultants, compensation shall be computed as follows:
(Insert basis of compensation, including basis under multiple of Owner Personnel Expenses for Principal and employee, and identify Principal and client employees, if required. Identify specific services to which particular methods of compensation apply, if necessary.)

1. Principals time at the fixed rate of \$150.00 per hour. (David Landry and Kevin Lewis)
2. Technical Level I at the fixed rate of \$125.00 per hour.
3. Technical Level II at the fixed rate of \$100.00 per hour.
4. Technical Level III at the fixed rate of \$75.00 per hour.
5. Technical Level IV at the fixed rate of \$50.00 per hour.

11.3.3 FOR ADDITIONAL SERVICES OF CONSULTANTS, including additional structural, mechanical and electrical engineering services and those provided under Subparagraph 3.4.19 or identified in Article 12 as part of Additional Services, a multiple of one & one third (1-1/3) times the amount billed to the Architect for such services.
(Identify specific types of consultants in Article 12, if required.)

11.4 REIMBURSABLE EXPENSES

11.4.1 FOR REIMBURSABLE EXPENSES, as described in Paragraph 10.2, and any other items included in Article 12 as Reimbursable Expenses, a multiple of one & one third (1-1/3) times the expenses incurred by the Architect, the Architect's employees and consultants in the interest of the Project.

11.5 ADDITIONAL PROVISIONS

11.5.1 IF THE BASIC SERVICES covered by this Agreement have not been completed within Twenty-Four (24) months of the date hereof, through no fault of the Architect, extension of the Architect's services beyond that time shall be compensated as provided in Subparagraphs 10.3.3 and 11.3.2.

11.5.2 Payments are due and payable Fifteen (15) days from the date of the Architect's invoice. Amounts unpaid Thirty (30) days after the invoice date shall bear interest at the rate entered below, or in the absence thereof at the legal rate prevailing from time to time at the principal place of business of the Architect.
(Insert rate of interest agreed upon.)

(Insert basis and requirements under the Federal Truth in Lending Act, whether state and local consumer credit laws and other regulations as the Owner and Architect's principal places of business, the location of the Project and otherwise may affect the validity of the provision. Specific legal advice should be obtained with respect to deletion or modification, and also regarding requirements such as written disclosure to borrower.)

CITY OF PETAL
 MINUTE BOOK 29

11.5.3 The rates and multiples set forth for Additional Services shall be annually adjusted in accordance with normal salary review practices of the Architect

526

EXHIBIT "L"

ARTICLE 12
 OTHER CONDITIONS OR SERVICES

(Insert description of other services, identify Additional Services included within Basic Compensation and modifications to the payment and compensation terms included in this Agreement.)

This Agreement entered into as of the day and year first written above.

OWNER City of Petal

ARCHITECT Landry and Lewis Architects, P.A.

(Signature)

(Signature)

Mr. Carl Scott - Mayor
(Printed name and title)

Mr. Kevin P. Lewis - Vice President
(Printed name and title)