

ORDINANCE AMENDING THE CITY'S HOUSING CODE AND REPEALING THE STANDARD UNSAFE BUILDING ABATEMENT CODE, 1985 EDITION AND THE STANDARD HOUSING CODE, 1997 EDITION AND ALL OF ITS ASSOCIATED AMENDMENTS

WHEREAS, the City of Meridian has previously adopted and used the Standard Housing Code, 1997 Edition as the basis for its Housing Code; and

WHEREAS, that while the Standard Housing Code, 1997 Edition represented the best practices and policies within the field of housing code enforcement at the time of its development, those practices and policies have since evolved to the point where an update to the City's Housing Code has become necessary; and

WHEREAS, the 2012 International Property Maintenance Code properly reflects the current best practices and policies within the field of housing code enforcement, as well as addresses the City of Meridian's needs with regard to property maintenance and enforcement; and

WHEREAS, the purpose of the 2012 International Property Maintenance Code is to: (1) establish standards and parameters necessary for regulating and governing the conditions and maintenance of all property, buildings and structures; (2) provide the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; (3) provide for the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such existing structures; and (4) provide for the issuance of permits and collection of fees therefor; and

WHEREAS, the City of Meridian has adopted the 2012 International Property Maintenance Code and it has thus become necessary to repeal all previous housing codes; and

WHEREAS, certain amendments are necessary in order for proper operation under and enforcement of the 2012 International Property Maintenance Code; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF MERIDIAN, MISSISSIPPI, AS FOLLOWS:

That the entirety of Chapter 13 of the City of Meridian's Code of Ordinances, specifically § 13-1 "Code" and § 13.2 "Amendments", is repealed and is replaced by the following:

Section 1. That a certain document, a copy of which is on file in the office of the Clerk of the City of Meridian, being marked and designated as the *International Property Maintenance*

Code, 2012 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Meridian, in the State of Mississippi for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Clerk of the City of Meridian, Mississippi are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections of the International Property Maintenance Code are hereby amended:

Section 101.1. Insert:

Meridian, Mississippi

Section 106.4: Amend to Read:

106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The maximum allowable fines shall be as follows:

First Offense:	\$75.00
Second Offense:	\$200.00
Third Offense:	\$500.00
Subsequent Offenses:	\$500.00

Section 102.4. Amend to Read:

102.4 Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and insanitary. Specifically, in any instances where the *code official* determines, at his or her own discretion, that a property is in such a state of uncleanness as to be a menace to public

health, safety and welfare of the community, the *code official* shall be subject to and shall follow the procedures set forth by Miss. Code Ann. § 21-19-11.

Section 103.5. Insert:

(a) Schedule of building permit fees:

(1) *Generally*. Building permit and inspection fees are established as follows:

Total Valuation	Fees
\$100.00 and less	No fee, unless inspection required, in which case a \$5.00 fee for each inspection shall be charged.
\$101.00 to \$1,000.00	\$12.00.
\$1,000 to \$50,000	\$15.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00.
\$50,000.00 to \$100,000.00	\$260.00 for the first \$50,000 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,000.00 to \$500,000.00	\$460.00 for the first \$100,000 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00.
\$500,000.00 and up	\$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof

(2)

Moving buildings. For the moving of any building or structure, the fee shall be fifty dollars (\$50.00).

(3)

For the demolition of any building or structure over five hundred (500) square feet, the fee shall be twenty-five dollars (\$25.00). For buildings or structures under five hundred (500) square feet, the fee shall be ten dollars (\$10.00).

(4)

Where work for which a permit is required by this Code is started or proceeded with prior to obtaining such permit, the fee herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

(b) Plumbing Permit and Inspection fees.

(1) Generally. Plumbing permit and inspection fees are established as follows:

For issuing each permit a fee of five dollars (\$5.00) plus the following:

Each water closet	\$3.00
Each sink	\$3.00
Each bathtub	\$3.00
Each lavatory	\$3.00
Each grease trap	\$3.00
Each urinal	\$3.00
Each washing machine	\$3.00
Each floor drain	\$3.00
Each shower	\$3.00
Each drinking fountain	\$3.00
Each water heater	\$3.00
Each dishwasher	\$3.00
Each septic tank	\$3.00
Each sewer service	\$3.00
Each water service	\$3.00
Each sewer service repair	\$3.00
Each water service repair	\$3.00
Installation, alteration or repair of water piping	\$5.00
Installation, alteration or repair of drainage or vent piping	\$5.00
Reinspection fee	\$5.00

(c) Gas Permit and Inspection fees.

(1) Generally. Plumbing permit and inspection fees are established as follows:

For issuing each permit a fee of five dollars (\$5.00) plus the following:

Each gas outlet to and including 5	\$3.00
Each gas outlet over 5	\$2.00
Reinspection fee	\$5.00

(d) Electrical Permit and Inspection fees.

- (1) Generally. Plumbing permit and inspection fees are established as follows:

For issuing each permit a fee of eight dollars (\$8.00) plus the following:

Each meter	\$4.00
Each outlet to and including 10	\$0.50
Each outlet over 10	\$0.40
Each electrical sign	\$4.00
Each electrical range	\$4.00
Each electrical fan	\$3.00
Each electrical dryer	\$3.00
Each electrical water heater	\$3.00
Motor up to 1 HP	\$2.00
Motor 1-5 HP	\$3.00
Motor 6-25 HP	\$5.00
Motor over 25 HP	\$7.00
Appliance up to 5 KW	\$4.00
Appliance 5-20 KW	\$5.00
Appliance over 20 KW	\$7.00
Reinspection fee	\$25.00

(e) Mechanical Permit and Inspection fees.

- (1) Generally. Plumbing permit and inspection fees are established as follows:

For issuing each permit a fee of ten dollars (\$10.00) plus the following:

Air conditioner/heat pump outside unit/gas air conditioners/chillers	
Up to 1 ton	\$5.00
1-5 tons	\$7.00
6-25 tons	\$9.00
26-50 tons	\$11.00
51-100 tons	\$17.00
Over 100 tons	\$39.00

Refrigeration units and open coolers	
Up to 1 ton	\$5.00
1-5 tons	\$7.00
6-25 tons	\$9.00
26-50 tons	\$11.00
51-100 tons	\$17.00
Over 100 tons	\$39.00
Boilers	
1-5 HP	\$5.00
6-10 HP	\$8.00
11-25 HP	\$12.00
26-75 HP	\$15.00
76-100 HP	\$23.00
Over 100 HP	\$35.00
Package equipment	
Package unit	\$7.00
Miscellaneous	
Air handler/electrical furnace	\$7.00
Blower coils/freezer/cooling boxes	\$7.00
Unit or duct heater	\$7.00
Central gas furnace	\$7.00
Wall and floor furnaces	\$7.00
Commercial/industrial clothes dryer	\$5.00
Ventilation fans above ¼ HP	\$5.00
Commercial hoods	\$10.00
Incinerators	\$10.00
Reinspection fee	\$10.00

Section 112.4. Amend to Read:

112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to the following penalties:

(a) Upon conviction of any person for the failure to comply for the first offense, such person shall be issued a written warning with a permanent record thereof being retained at city hall, shall pay all costs of court, and may be fined seventy-five dollars (\$75.00).

(b) Upon any second conviction of any person for failure to comply, such person shall be required to perform such community service work as the municipal judge may prescribe and shall be fined two hundred dollars (\$200.00) and all costs of court.

(c) Upon any third and subsequent conviction of any person for failure to comply, such person shall be sentenced to serve not more than thirty (30) days in the municipal jail, or sentenced to community service work for not less than thirty (30) days nor more than six (6) months, and shall be fined not less than five hundred dollars (\$500.00) and all costs of court.

Section 302.4. Insert:

“an average of 12 inches in height”

Section 304.14. Amend to Read:

304.14 Insect screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

Section 602.3. Amend to Read:

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

Section 602.4. Amend to Read:

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Section 3. The City of Meridian's adoption of the Standard Unsafe Building Abatement Code, 1985 Edition, as currently codified in Chapter 7, § 7-196 of the City of Meridian Municipal Code, is hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Meridian hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6. That the Clerk of the City of Meridian is hereby ordered and directed to cause this legislation to be published.

Section 7. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 30 days from and after the date of its final passage and adoption.

ORDAINED this the 2nd day of June 2015.

Motion by Councilwoman Houston second by Councilman Hammon.

Yea: Thomas, Markham, Henson, Houston, Hammon.

Nay: None.

K. DUSTIN MARKHAM, PRESIDENT
CITY COUNCIL, MERIDIAN, MS

DATE

ATTESTED AND SUBMITTED TO THE MAYOR BY THE CLERK OF COUNCIL ON THE
_____ DAY OF JUNE 2015.

CLERK OF COUNCIL

APPROVE () DATE _____

VETO () DATE _____

ATTEST:

CITY CLERK

BY: _____
PERCY BLAND, MAYOR
CITY OF MERIDIAN

(SEAL)