

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF SOUTHAVEN, MISSISSIPPI TO AMEND
THE CITY OF SOUTHAVEN CODE OF ORDINANCES,
TITLE XIII, CHAPTER 12, FOOTNOTE 43 COMMERCIAL ZONE DISTRICTS**

The Mayor and Board of Aldermen of the City of Southaven, Mississippi (the “City”), considered the matter of amending the Southaven Code of Ordinances, specifically, TITLE XIII, CHAPTER 12, FOOTNOTE 43 COMMERCIAL ZONE DISTRICTS, (“Ordinances”)

Thereupon Alderman Brooks offered and moved the adoption of the following resolution:

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WHEREAS, pursuant to Miss. Code 17-1-3, the City is vested with authority of regulatory controls over zoning and land uses, and may do all things, consistent with the laws of the state, which they deem necessary to protect the health and welfare of the residents; and

WHEREAS, pursuant to Miss. Code Section 17-1-9, the City’s regulation as set forth in this Resolution and amended ordinance is designed 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

WHEREAS, the City may adopt an ordinance which seeks to regulate certain types of businesses, but does not prohibit their existence; and

WHEREAS, the City has the power and responsibility for planning and zoning in the City and to that end desires to provide clear guidelines for businesses located in the City, which shall ensure compliance with the zoning regulations of the City; and

WHEREAS, the Ordinances, as amended, provide specific guidelines for the governmental authorities, and serves the legitimate City interest for planning and zoning in the City by providing clear locations of certain type of business; and

WHEREAS, the City currently adheres and enforces regulations that allow for the review and recommendations of proposed land uses by the Planning and Development Department; and

WHEREAS, in addition, the requiring of a certain distance for barber shops, hair/beauty salons, hair studios, spa (full-service), hair braiding establishments and wigology establishments will help to avoid undue concentration of population which will ensure adequate parking in commercial areas; and

WHEREAS, the Ordinances, as amended, provide specific guidelines for the governmental authorities, and serves the legitimate City interest; and

WHEREAS, the Board authorizes the Mayor, or his designee, to sign such documents or take actions that are necessary or required for the effectuation of the amended Ordinance; and

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, BY RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI TO AMEND THE CITY OF SOUTHAVEN CODE OF ORDINANCES, TITLE XIII, CHAPTER 12, FOOTNOTE 43 COMMERCIAL ZONE DISTRICTS as follows:

Footnote #43 Barber shops, hair/beauty salons, hair studios, spa (full-service), hair braiding establishments and wigology establishments may locate in the stated zones with the stated requirements so long as an existing establishment of the same classification is not currently located within a half-mile radius of the newly proposed establishment. The distance shall be determined via driving measurements on city right of way or approved and installed private drive in linear footage (1/2 mile=2,640 linear feet).

NOW, THEREFORE BE IT ORDERED that the City Clerk, pursuant to Miss. Code 21-13-11, provide notice of the adoption of the Ordinance in the Desoto Times for one (1) time.

NOW, THEREFORE BE IT FURTHER ORDERED that this Ordinance shall be in effect one month from its passage.

The foregoing Resolution was seconded by Alderman Kelly and brought to a vote as follows:

Alderman Kristian Kelly voted: YES

Alderman Charlie Hoots voted: YES

Alderman George Payne voted: YES

Alderman Joel Gallagher voted: YES

Alderman John David Wheeler voted: YES

Alderman Raymond Flores voted: YES

Alderman William Brooks voted: YES

Having received a majority of affirmative votes, the Mayor declared that the Resolution was carried and adopted as set forth above on this the 2nd day of June, 2020.

CITY OF SOUTHAVEN, MISSISSIPPI

BY: _____

DARREN MUSSELWHITE, MAYOR

ATTEST:

CITY CLERK