ORDINANCE # 677-12-2025

ORDINANCE OF THE GOVERNING AUTHORITY OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI, AMENDING ORDINANCE NO. 630-07-2018, ENTITLED, "AN ORDINANCE ADOPTING VARIOUS BUILDING AND RELATED CODES AND STANDARDS, AND APPENDIXES REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF BUILDINGS AND STRUCTURES, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTIONS OF FEES THEREFORE; PROVIDING FOR AND RELATING TO INSPECTIONS ACTIVITIES AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN VARIOUS CODES; AND FOR RELATED PURPOSES; AS HERETOFORE AMENDED TO ADOPT THE 2024 REVISIONS TO THE FAMILY OF INTERNATIONAL BUILDING CODES FOR THE CITY OF BAY ST. LOUIS.

WHEREAS, the City of Bay St. Louis, Mississippi is a duly organized and incorporated municipality pursuant to Title 21, Chapter 8, of the Mississippi Code of 1972, annotated and all amendments thereto; and

WHEREAS, the governing authorities of the City of Bay St. Louis, Mississippi having made due investigation therefore, do now find, determined, adjudicate and declare that the 2024 revisions to the International Building and related codes and standards have been published and in order to protect the public health, safety and welfare of the City of Bay St. Louis, it is necessary to adopt certain revisions of the standards, and appendixes and related codes; and

WHEREAS, the governing authorities of the City of Bay St. Louis, Mississippi have found that the City has a need to consistently and regularly update the City's Building Codes, Plumbing Codes, Fuel Gas Codes, Mechanical Codes, Fire Codes, and Sanitary Codes in order to best provide for the public health, safety and welfare of all of the City and the City's citizens; and

WHEREAS, the governing authorities for the City of Bay St. Louis, Mississippi have found that the City of Bay St. Louis should adopt the 2024 edition of the International Building, Residential, Plumbing, Fuel Gas, Mechanical, Fire and Sanitary Codes, Permits and Fees in order to best provide for the public health, safety and welfare of all of the City's citizens, less and except those provisions excluded, as further stated herein; and

WHEREAS, Section 21-19-25, MCA, 1972, as amended authorizes the city to adopt the Codes; and

WHEREAS, the governing authorities for the City of Bay St. Louis, Mississippi does adopt, authorizes and approve the International Building, Residential, Plumbing, Fuel Gas, Mechanical, Fire and Sanitary Codes, and the Permits and Fees schedules shall be effective thirty (30) days after adoption hereof, less and except those provisions excluded, as further stated herein; and

WHEREAS, the governing authorities for the City of Bay St. Louis, Mississippi does find resolve and authorizes the City to publish a Notice of Adoption'1 in the local newspaper as authorized and stated in Section 21-19-25, 1972 as amended; and

WHEREAS, the Statues and Laws of the State of Mississippi, including Section 19-5-9, 21-19-25 and others of the Mississippi Code of 1972, as amended, empowered the City to enact construction codes published by a national recognized code group which sets minimum standards and has the proper provisions to maintain up-to-date amendments with minimum standard guides for building, plumbing, electrical, gas sanitary, and other related codes in Mississippi; and

WHEREAS, this ordinance does hereby amend Ordinance #:630-07-2018 of the Ordinances for the City of Bay St. Louis, Mississippi, amending said Ordinance to enacted, adopted and approved the adoption of "The Family of International Building Codes", less and except those provisions excluded, as further stated herein, 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 structures in the City of Bay St. Louis; providing for the issuance of permits and collection of fees therefore; and repealing all other ordinances and parts of the ordinances in conflict therewith.

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Bay St. Louis, Mississippi, That Ordinance No._____, adopting the Family of International Building Codes is amended to include the 2024 revisions of the Family of International Building Codes and said codes are on file with the City as follows: one (1) copy on file in the office of the City Clerk of the City of Bay St. Louis, one (1) copy in the office of the Building Department of the City of Bay St. Louis, and said documents being marked and designated as Family of International Building Codes.:

Sec. 12-1. Technical codes adopted by reference.

The following standards, revisions, and appendixes are hereby and herein adopted as if copied in words and figures in full and ordered, ordained, decreed and declared an ordinance of the City of Bay St. Louis, Mississippi, known as "The Family of International Building Codes, one copy on file in the office of the City Clerk of the City of Bay St. Louis, one copy in the office of the Building Department of the City of Bay St. Louis, and said documents being marked and designated as follows:

2.1 International Building Code, 2024 edition, including Appendix's A, B, E, F, G, H, I, J, K and P (see International Building Code Section 101.2.1, 2024 edition), as published by the International Code Council;

2.2 International Residential Code, 2024 edition, including Appendix's BA, BC, BD, BF, BO, CA, CB, CC AND CF (see International Residential Code Section R101.2.1, 2024 edition), as published by the International Code Council;

2.3 International Mechanical Code, 2024 edition, including Appendix A (see International Mechanical Code, Section 101.2.1, 2024 edition), as published by the International Code Council;

2.4 International Plumbing Code, 2024 edition, including Appendix

C, and E (see International Plumbing Code, Section 101.2.1, 2024 edition), as published by the International Code Council;

2.5 International Fuel Gas Code, 2024 edition, including Appendix A, (see International Gas Fuel Code Section 101.2.1, 2024 edition), as published by the International Code Council;

2.6 International Private Sewer Disposal Code 2024 edition (see International Private Sewer Disposal Code Section 101.2.1, 2024 edition), as published by the International Code Council;

2.7 International Swimming Pool Code 2024 edition; (see International Swimming Pool and Spa Code Section 101.2.1, 2024 edition) as published by the International Code Council;

2.8 International Existing Building Code 2024 edition, including Appendix C (see International Existing Building Code Section 101.2.1, 2024 edition), as published by the International Code Council;

2.9 NFPA 70 National Electric Code, 2023 edition, as published by the National Fire Protection Association, Inc.;

2.10 International Fire Code, 2024 edition, including Appendix's B, C, D, and E, (see International Fire Code Section 101.2.1, 2024 edition), as published by the International Code Council;

2.11 International Property Maintenance Code, 2024 edition, including Appendix A (see International Property Maintenance Code Section 101.2.1, 2024 edition)

The above codes are hereby adopted as the "Building Codes of the City of Bay St. Louis, Mississippi" for regulating and governing the conditions and maintenance of all property, building, 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 structures as herein provided; providing for the issuance of permits and collection of fee's therefore; and enforcement thereof of each and all of the regulations, provisions, penalties, conditions and terms of said building codes on file in the office of the City Clerk of the City of Bay St. Louis; and said codes are hereby referred to, adopted, and made a part hereof, as if fully set out in this article.

Sec. 12-2. Revisions to adopted technical codes.

The following code sections are hereby revised as follows:

3.1 International Building Code:

3.1.1 *109.2 Schedule of permit fees:* The City of Bay St. Louis adopts the ICC Building Valuation Data formula using a .009 fee multiplier for setting fees, and/or the City of Bay St. Louis' Permit Fees Schedule as attached as Attachment 1, as if fully written.

3.1.2 *109.6 Refunds:* The City's code official shall authorize the refunding of fees, where appropriate, as follows:

1. The full amount of any fee paid which was erroneously paid or collected.
2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done pursuant to a permit issued in accordance with this code.
3. Not more than fifty (50%) percent of the plan review fee paid with an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.
4. The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permit applicant not later than 180 days after the date of fee payment.

3.1.3 *1612.3 Establishment of flood hazard areas:* To establish flood hazard areas, the governing body has adopted a flood hazard map and supporting data. The flood hazard map includes, at a minimum, areas of a special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for the City of Bay St. Louis," dated October 16, 2009, as amended or revised with the accompanying Flood Boundary and Floodway May (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be a part of this section.

3.2 International Residential Code:

3.2.1 *R108.2 Schedule of permit fees:* The City of Bay St. Louis adopts the ICC Building Valuation Data formula using a .009 fee multiplier for setting fees, and/or the City of Bay St. Louis' Permit Fees Schedule as attached as Attachment 1, as if fully written.

3.2.2 *R309 Automatic Fire Sprinkler Systems:* This provision is deleted in its entirety.

3.2.3 P2603.5.1 Insert twelve (12") inches

3.2.4 *P2904 Dwelling Unit Fire Sprinkler Systems:* This provision is deleted in its entirety.

3.2.5 E3606 Service Equipment Omit sections E3606.5 thru E3606.5.4

3.2.6 *E3901.4.2* Delete and replace with *"E3901.4.2 Island and peninsular countertops and work spaces.* Receptacle outlets, if installed to serve and island or peninsular countertop or work surface, shall be installed in accordance with this following:

1. At least one receptacle outlet shall be provided for the first 9 square feet (0.84 square meters), or fraction thereof, of the countertop or work surface. A receptacle outlet shall be provided for every additional 18 square feet (1.7 square meters), or fraction thereof, of the countertop or work surface. [210.52.(C)(2)(a)]
2. At least one receptacle outlet shall be location within 2 feet (600 mm) of the outer end of a peninsular countertop or work surface. [210.52(C)(2)(b)]

A peninsular countertop shall be measured from the connected perpendicular wall

If a receptacle outlet is not provided to serve an island or peninsular countertop or work surface, provisions shall be provided at the island or peninsula for future addition of a receptacle outlet to serve the island or peninsular countertop or work surface. [210.52(C)(2)]"

Section E3901.4.3 Delete and replace with "**E3901.4.3 Receptacle outlet location.** Receptacle outlets rendered not readily accessible by appliances fastened in place, appliance garages, sinks, or range tops as covered in the exception to Section E3901.4.1, or appliances occupying assigned spaces shall not be considered as these required outlets. Required receptacle outlets shall be located in one or more of the following:

1. On or above, but not more than 20 inches (508 mm) above, the countertop or work surface.
2. Receptacle outlet assemblies listed for the use in countertops or work surfaces shall be permitted to be installed in countertops or work surfaces.
3. Not more than 12 inches (305 mm) below the countertop or work surface. Receptacles installed below a countertop or work surface shall not be located where the countertop or work surface extends more than 6 inches (152 mm) beyond its support base. [210.52(C)(3)]"

3.2.7 *E3902 Ground-Fault and Arc-fault circuit-Interrupter Protection. Remove "through 250-volt" in sections: E3902.1 thru E3902.11 and E3902.15*

3.2.8 *E3902.12 Specific appliance outlet. Omit Items 5-9*

3.2.9 *E3902.21 Arc-fault circuit-interrupter protection.* Delete the language in its entirety and replace with:

"Arc-fault protection of bedroom outlets". All branch circuits that supply 120-volt, single phase, 15- and 20-ampere outlets installed in bedrooms shall be protected by a combination type or branch/feeder type arc-fault circuit interrupter installed to provide protection of the entire branch circuit. Effective January 1, 2008, such arc-fault circuit interrupter devices shall be combination type.

Exception: The location of the arc-fault circuit interrupter shall be permitted to be at other than the origination of the branch circuit provided that:

1. The arc-fault circuit interrupter is installed within 6 feet (1.8m) of the branch circuit overcurrent device as measure along the branch circuit conductors and
2. The circuit conductors between the branch circuit over current device and the arc-fault circuit interrupter are installed in a metal raceway or a cable with a metallic sheath.

3.2.10 Delete Chapter 11 in its entirety.

3.3. International Mechanical Code:

3.3.1 *108.2 Fee Schedule:* Schedule of permit fees: The City of Bay St. Louis adopts the Permits Fees Schedule as attached as Attachment 1, as if fully written.

3.3.2 *108.6 Fee Refunds.* The City's code official shall authorize the refunding of fees, where appropriate, as follows:

1. The full amount of any fee paid which was erroneously paid or collected.
2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.
4. The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permit applicant not later than 180 days after the date of fee payment.

3.3.3 *114.4 Violation Penalties.* Any person who shall willfully violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provision of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

3.3.4 *115 Stop Work Orders.* Upon notice from the City's code official or his designee, that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, or in violation of the permit or any requirement of this ordinance, then such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the violation(s) and the conditions under which work is authorized to resume. Any person who violates or willfully fails to comply with such directive shall be liable for a fine of not less than two hundred ($200.00) dollars or more than one thousand ($1,000.00) dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

3.4 International Plumbing Code:

3.4.1 *108.2 Schedule of Permit Fees:* The City of Bay St. Louis adopts the Permits Fees schedule as attached as Attachment 1, as if fully written.

3.4.2 *108.6 Fee Refunds:* The City's code official shall authorize the refunding of fees, where appropriate, as follows:

1. The full amount of any fee paid which was erroneously paid or collected.
2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.
4. The code official shall not authorize the refunding of any fee paid, except upon written application **filed by the original permit applicant not later than 180 days after the date of fee payment.**

3.4.3 *114.4 Violation Penalties.* Any person who shall willfully violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation of the

approved construction documents or directive of the code official, or of a permit or certificate issued under the provision of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

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3.5 International Fuel Gas Code:

3.5.1 *108.2 Fee schedule.* The City of Bay St. Louis adopts the permits Fees Schedule as attached as Attachment 1, as if fully written.

3.5.2 *108.6 Fee refunds:* The City's code official shall authorize the refunding of fees, where appropriate, as follows:

1. The full amount of any fee paid which was erroneously paid or collected.
2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.
4. The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permit applicant not later than 180 days after the date of fee payment.

3.5.3 *113.4 Violation Penalties.* Any person who shall willfully violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provision of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

3.6 International Existing Building Code:

3.6.1 *108.2 Fee Schedule.* The City of Bay St. Louis adopts the ICC Building Valuation Data formula using a .005 fee multiplier for setting fees, and/or the City of Bay St. Louis' Permit Fees Schedule as attached as Attachment 1, as if fully written.

3.6.2 *108.6 Fee Refunds:* The City's code official shall authorize the refunding of fees, where appropriate, as follows:

1. The full amount of any fee paid which was erroneously paid or collected.

2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

4. The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permit applicant not later than 180 days after the date of fee payment.

3.6.3 *113.4 Violation Penalties.* Any person who shall willfully violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provision of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

3.6.4 *114.2 Stop Work Orders.* Upon notice from the City's code official or his designee, that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, or in violation of the permit or any requirement of this ordinance, then such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the violation(s) and the conditions under which work is authorized to resume. Any person who violates or willfully fails to comply with such directive shall be liable for a fine of not less than two hundred ($200.00) dollars or more than one thousand ($1,000.00) dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

3.6.5 *1302.1 Applicability:* Structures existing after sixty (60) days from the adoption of this ordinance, in which there is work involving additions, alterations or changes of occupancy shall be made to comply with the requirements of this section or the provisions of Sections 3403 through 3409. The provisions in Sections 3412.2.1 through 3412.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

3.7 International Property Maintenance Code:

PART 1 SCOPE AND APPLICATION

Section 101.1. Insert: "City of Bay St. Louis, Mississippi"

PART 2—Administration and Enforcement

Section 103. Title replaced with "Community Development" and "Department of Property Maintenance replaced with "Community Development" throughout this Section.

Section 103.1 *General.* Deleted and replaced with "The Building Official or his/her designee shall serve as the code official for the City."

Section 103.2 *Appointment.* Deleted in its entirety.

Section 104 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as adopted by the City's Governing Authority, and amended from time

to time as needed.

Section 105.3. *Right of Entry.* The Building Official shall follow all state and federal laws pertaining to entering private property.

Section 107.3 *Prosecution of violation.* Any person failing to comply with a notice of violation or order served in accordance with Section 107 in this Code shall be deemed guilty of a misdemeanor or civil infraction as determined by the City, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, and in addition to any other remedies and avenues of recourse, the code official may institute an appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Section 107.4 *Violation penalties; Appeals.* 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. Appeals from penalties for civil infractions shall be made as set forth in Section 111.1 through 111.2.2.

Section 107.4.1 *Penalties for civil infractions.* In the event the alleged violator of a provision in Chapter 3 in the Property Maintenance Code fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within the time limit specified in the notice, the City may seek any legal or equitable remedy or remedies available under law and herein, to include, but not limited to, assessment of a civil fine in the amount of $250 for each violation thereof. The City may recover any and all attorneys' fees, court costs, and any other expenses associated with further or other enforcement of the Code, including, but not limited to, sampling and monitoring expenses.

Section 108.4. *Failure to comply.* Any person who continues 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 liable to a fine of not less than $250.00 or more than $1,000.00.

Section 109.2 *Closing of vacant structures.* Mississippi laws shall be followed for all procedures surrounding the closing of vacant structures.

Section 111. *Demolition.* Deleted in its entirety. *Section 111.1. Application for Appeal for violations.* Delete "board of appeals" and replace with "Mayor." Delete "board of appeals" and insert in its place "Mayor" by filing a Notice of Appeal" with the City Clerk, 688 Highway 90, Bay St. Louis, Mississippi 39520, within ten (10) days of service or notice of the decision.

Section 111.2 Delete in its entirety. Insert in its place. *Hearing.* The hearing shall be held by the Mayor or his/her designee (hereinafter "hearing officer") and shall be scheduled as soon as practicable after receiving the "Notice of Appeal." The conduct of the hearing will be in accordance with rules and procedures established by the hearing officer.

Add Section 111.2.1 *Appeal to City Council.* If the affected person is aggrieved by the decision of the hearing officer, they may appeal that decision to the city council by submitting a written notice of appeal to the City Clerk along with a $50.00 filing fee, and submitting a copy of the notice of appeal to clerk of the city council, within ten (10) days of the written decision of the hearing officer. Said appeal shall be heard by the city council no later than thirty (30) days after the date the appeal was received by the City Clerk. If the city council determines that the appeal was meritorious and the decision of the hearing officer is reversed, the $50.00 filing fee shall be returned to the appealing party.

Section 111.2.3 *through Section 111.3* Delete in their entirety.

Section 111.5. *Postponed hearing.* Delete in its entirety.

Section 302.3. *Sidewalks and Driveways.* After "and maintained free from hazardous conditions." insert "The code official is authorized to require that all parking lots and parking spaces are usable and in proper repair. Driving surfaces that have deteriorated to a condition that presents a hazard to vehicles navigating a parking lot or a parking space must be repaired or replaced to eliminate the hazard and thus reduce the potential for property damage (i.e., damage to vehicles). Striping must be maintained so as to be visible to those driving within the parking lot. Parking lots must be kept free from litter, trash, dirt, sand and debris."

Section 302.4. *Weeds.* Insert: "10 inches"

Section 302.7.1. *Wire fencing (other than chain link).* Wire fences other than chain link (including hardware cloth, chicken wire, agricultural wire or the like) are not permitted.

Section 302.7.2. *Barbed or razor wire.* Barbed wire and razor wire are not permitted with the exception of commercial or industrial zones and with approval by the building official.

Section 302.7.3. *Chain Link Fences.* Chain link fences (including hurricane fences, cyclone fences, chain wire or other zig zag pattern fences), where permitted by applicable zoning ordinances and/or other city ordinances, including, but not limited to historical preservation ordinances, must have vertical posts and horizontal rails, which shall be maintained in good repair. Terminal posts must be set in concrete footings, and line posts must not be more than ten (10) feet apart. Tension wires and fencing must be galvanized and maintained in good repair. Leaning posts and damaged rails are not permitted.

Section 302.7.4. *Other fences.* Fences not otherwise addressed (including, but not limited to, picket, wood, PVC) shall be maintained in good repair. Posts must be vertical. Notwithstanding, prior approved decorative designs that require other than vertical pickets in an architecturally pleasing manner as determined and prior approved by the code official may be provided.

Section 302.7.5. *Installation of wood fences.* Wood fences installed on a corner lot or anywhere a fence is visible from the street, the wooden slats or planks must be installed on the outside of the framing. Fence posts shall not exceed the height of the slats or planks except for pre-approved (by the code official) decorative purposes and except for pre-engineered sections. Post for 6' fence must be 30"-36" minimum into ground. Post for 4' fence must be 18"=24' minimum into ground.

Section 302.8.1. *Repair of vehicles in a residential district.* Vehicles under repair in a residential zoning classification must be registered to a resident of the home or dwelling where the work is undertaken or to an immediate family member of the resident.

Section 302.8.2. *Parking of vehicles in a residential district.* No vehicle may be parked in the front yard or side yard of a premises in a residential zoning district unless it is parked on a concrete (including pavers), asphalt, stone or gravel (1.) drive way or (2.) area set aside for parking. Where no onsite parking on a concrete (including pavers), asphalt, stone or gravel driveway or area set aside for parking is available, a vehicle may be parked at a location in the yard consistent with parking areas at adjacent premises.

Section 302.8.3. *Parking and storage of certain vehicles.* Automotive vehicles or trailers of any kind, including recreational vehicles, as defined by this ordinance, without a current license plate shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings, nor shall such vehicles be parked or stored on, or in, the streets therein. Unattended vehicles greater than ten thousand (10,000) pounds gross vehicle weight (manufacturer's capacity rating) and having tires greater than thirty (30) inches in diameter shall not be parked or stored on any residentially zoned property. Further, in all residentially zoned districts, on street parking shall be permitted only for vehicles up to ten thousand (10,000) pounds gross vehicle weight (manufacturer's capacity rating) and having tires not to exceed thirty (30) inches in diameter.

Section 302.8.4. *Parking or storage of major recreational equipment.* Major recreational equipment,

including boats, boat trailers, travel trailers, campers or camper trucks, coaches, motorized dwellings, recreational vehicles or similar equipment shall not be parked or stored in required front yard of any zoning district. No such equipment shall be used for living, sleeping, or housekeeping purposes on any lot except in an approved location, such as a RV campground.

Section 302.10. *Yard storage.* Clutter (i.e., debris, rubbish, unused equipment) may not accumulate in a yard. Items used for other than their intended use are prohibited where, in the opinion of the code official, they cause a blight or are visually detracting to the harmony of the surrounding properties.

Section 302.10.1. *Open carports.* Open carports are to be maintained in a clean and uncluttered state and may not be used for storage of indoor furniture, appliances, machinery or equipment. Vehicles are allowed in open carports.

Section 302.10.3. *Boats/trailers.* Boats/trailers may be parked only in side and rear yards. All boats and trailers must be registered with the State of Mississippi.

Section 302.10.4. *Appliances.* Appliances may not be kept outside within view of the street. Appliances designed for and installed at exterior locations must be installed in a manner that minimizes their view from the street.

Section 302.10.5. *Furniture.* Furniture intended for interior spaces may not be used or stored on porches, open carports or anywhere in view of the street. Except as provided otherwise, portable outdoor furniture such as patio chairs must be maintained in good repair and may not be placed in front yards except while in use. Notwithstanding the foregoing, portable outdoor furniture may be placed and allowed to remain in areas designed for such (patios, porches, gazebos, and the like). Concrete outdoor furniture may be installed and must be maintained in good repair.

Section 302.10.6. *Building Accessories.* Materials used as screens, drapes, shades and partitions shall be manufactured for the purpose they are being used; or, when not designed originally for that use, are adequately adapted for such use without becoming blight, in the opinion of the code official.

Section 304.14. *Insect screens.* Insert "January 1" and "December 31." Insert at the beginning of paragraph "Unless otherwise approved by the Mississippi Department of Health."

Section 306.1.1. *Unsafe Conditions.* Subsection 6.2. After "Deterioration" insert "that affects structural integrity."

Section 306.1.1. *Unsafe Conditions.* Subsection 6.3. After "other vermin" insert "that affects structural integrity."

Section 307.1. *Handrails.* After "Stairs having more than four risers shall have a handrail" insert "measuring between 1.25" and 2" in diameter/width".

Section 308.3.2. *Containers.* After "from the premises for disposal." insert "When containers required by this section are full, they must be emptied within two (2) business days, excluding federal holidays."

Section 308.3.3. The operator of an establishment that produces garbage and is required to provide and use container/s under this section must maintain those container/s in a clean and sanitary condition and not permit the accumulation of rubbish or garbage around the container/s. Should such operator receive three (3) notices in six (6) months for failure to maintain the container/s in a clean and sanitary manner, including the accumulation of rubbish or garbage around the container/s, the owner of the premises, in concert with the operator, upon 60 days written notice, shall cause to be constructed a lockable barrier or fencing consistent with current building codes, zoning ordinances, and surrounding architectural standards so as to secure the container/s.

Section 507.1. *General.* Drainage of roofs and paved or surfaced areas, yards and courtyards, including

any other open areas on premises, shall not be discharged onto adjacent property or in a manner that creates a public nuisance.

Section 602.3. *Heat supply.* Insert "January 1" and "December 31."

Section 602.4. *Occupiable workspaces.* Insert "January 1" and "December 31."

3.8. International Private Sewer Disposal Code:

3.8.1 ***106.2 Fee Schedule.*** The City of Bay St. Louis adopts the permits Fees Schedule as attached as Attachment 1, as if fully written.

3.8.2 ***106.6 Fee Refunds:*** The City's code official shall authorize the refunding of fees, where appropriate, as follows:

1. The full amount of any fee paid which was erroneously paid or collected.
2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.
4. The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permit applicant not later than 180 days after the date of fee payment.

3.8.3 ***113.4 Violation Penalties.*** Any person who shall willfully violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provision of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

3.8.4 ***114.4 Stop Work Orders.*** Upon notice from the City's code official or his designee, that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, or in violation of the permit or any requirement of this ordinance, then such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the violation(s) and the conditions under which work is authorized to resume. Any person who violates or willfully fails to comply with such directive shall be liable for a fine of not less than two hundred ($200.00) dollars or more than one thousand ($1,000.00) dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

3.9 International Swimming Pool Code:

3.9.1 ***109.2 Fee Schedule.*** The City of Bay St. Louis adopts the permits Fees Schedule as attached as Attachment 1, as if fully written.

3.9.2 ***109.6 Fee Refunds:*** The City's code official shall authorize the refunding of fees, where appropriate, as follows:

1. The full amount of any fee paid which was erroneously paid or collected.

2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. Not more than fifty (50%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

4. The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permit applicant not later than 180 days after the date of fee payment.

3.10 International Fire Code:

3.10.1 ***114.4 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 liable to a fine of not less than two hundred ($200.00) dollars or more than one thousand ($1,000.00) dollars.

3.11 NFPA 70 National Electric Code 2023

3.11.1 **Sections 210.8(A) and 210.8(B)** Delete "... through 250-volt..."

Section 210.8(A)(6) Revise as follows: "Kitchens – where the receptacles are installed to serve the countertop surfaces"
Section 210.8(D) Delete items 8 through 12.
Section 210.8(F) Delete "this exception shall expire September 1, 2026."
Section 210.12(B) Delete items 1 through 7 and 9 through 14.
Section 210.12(C) Delete items 2 through 6.
Sections 210.52(C)(2) Delete and replace with "**210.52(C)(2) Island and Peninsular Countertops and Work Surfaces.** Receptacle outlets, if installed to serve and island or peninsular countertop or work surface, shall be installed in accordance with this following:

1. At least one receptacle outlet shall be provided for the first 9 square feet (0.84 square meters), or fraction thereof, of the countertop or work surface. A receptacle outlet shall be provided for every additional 18 square feet (1.7 square meters), or fraction thereof, of the countertop or work surface. [210.52.(C)(2)(a)]
2. At least one receptacle outlet shall be location within 2 feet (600 mm) of the outer end of a peninsular countertop or work surface. [210.52(C)(2)(b)]

A peninsular countertop shall be measured from the connected perpendicular wall
If a receptacle outlet is not provided to serve an island or peninsular countertop or work surface, provisions shall be provided at the island or peninsula for future addition of a receptacle outlet to serve the island or peninsular countertop or work surface."
210.52(C)(3) Delete and replace with "**210.52(C)(3) Receptacle Outlet Location.** Receptacle outlets rendered not readily accessible by appliances fastened in place, appliance garages, sinks, or range tops as covered in the exception to Section E3901.4.1, or appliances occupying assigned spaces shall not be considered as these required outlets. Required receptacle outlets shall be located in one or more of the following:

1. On or above, but not more than 20 inches (508 mm) above, the countertop or work surface.
2. Receptacle outlet assemblies listed for the use in countertops or work surfaces shall be permitted to be installed in countertops or work surfaces.
3. Not more than 12 inches (305 mm) below the countertop or work surface. Receptacles installed below a countertop or work surface shall not be located where the countertop or work surface extends more than 6 inches (152 mm) beyond its support base."

Section 230.67 Delete in its entirety.

SECTION 3. That if any section, subsection, sentence, clause or phrase of this Ordinance is for any reason,

held to be unconstitutional or illegal; such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Bay St. Louis hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4. That nothing in this Ordinance 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 this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 5. That the City Clerk of the City of Bay St. Louis is hereby ordered and directed to cause this Ordinance to be published as per Mississippi code of 1972, Section 19-5-9, the full text of the order adopting and approving the codes, and will publish the city order in the *Sea Coast Echo* three (3) times, and shall be completed within thirty (30) days after the passage of the order in compliance with state law.

SECTION 6. That this Ordinance is adopted and hereby shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage and adoption.

After being reduced to writing, the foregoing Ordinance was read and considered, section by section, and then as a whole, whereupon Council Member SMITH moved for its adoption, and after a second by Council Member DESALVO the following roll call vote was had:

Council Member Jordan Bradford	YEA
Council Member Nancy Moynan	YEA
Council Member Phalba Holmes	YEA
Council Member Kyle Lewis	YEA
Council Member Linda Kay Davis	YEA
Council Member Josh DeSalvo	YEA
Council Member Larry Smith	YEA

Passed by the City Council of the City of Bay Saint Louis on the 2nd day of December 2025.

CERTIFICATION

I, Michael Reso, City Clerk for the City of Bay Saint Louis, Mississippi, do hereby certify that the foregoing Ordinance was approved and adopted in the public meeting of the City Council held on December 2, 2025, a quorum being present, in the City Council Conference Chambers and to be recorded in the Minute Books, said Council being the duly elected, qualified, and acting governing body of Bay Saint Louis, Mississippi.

Presented by me to the Mayor on this, the 3rd day of December 2025.

Michael Reso, City Clerk

Approved, and signed by me on this, the 3rd day of December 2025.

Michael J. Favre, Mayor