

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held on the 17th day of April, 2012, the following Ordinance:

ORDINANCE NO. 2748

**AN ORDINANCE AMENDING CHAPTER 5, ARTICLE II
OF THE CODE OF ORDINANCES OF
THE CITY OF GULFPORT, MISSISSIPPI**

WHEREAS, in 2010 the legislature of the State of Mississippi passed (then) House Bill No: 1737 (now codified as Document # HR40\R2008SG Chapter: 936.0) as local and private legislation which created the Harrison County Motor Vehicle for Hire Commission (HCMVHC); and

WHEREAS, the intent of the legislation was to provide uniform and consistent regulation of the motor vehicle for hire industry within Harrison County; and

WHEREAS, the legislation, among other things, provides that HCMVHC may adopt rules and regulations to accomplish the aforesated goal and that any person violating any of the rules or regulations established by HCMVHC shall be guilty of a misdemeanor, and upon conviction, shall be fined not more than two hundred dollars (\$200.00); and

WHEREAS, the legislation, among other things, also provides the municipalities located in Harrison County may adopt an ordinance making it a misdemeanor to violate the rules and regulations as established and adopted by the HCMVCH; and

WHEREAS, the legislation, among other things, also provides that any such misdemeanor may be prosecuted by the municipality in the municipal court of the municipality in which the infraction or violation occurred; and

WHEREAS, the City of Gulfport hereby finds that it is in the best interest of the City of Gulfport to adopt an ordinance, as suggested by the legislation creating the Harrison County Motor Vehicle for Hire Commission, which, in effect, adopts the rules and regulations of the Harrison County Motor Vehicle for Hire Commission, makes violation of the same a misdemeanor in the City of Gulfport and authorizes prosecution for violation of the same in the City's municipal court.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS:**

SECTION 1. That the matters and things set forth in the above preamble are hereby accepted as stated as the findings of the Gulfport City Council.

SECTION 2. The Council further finds and declares that one of the prevailing purposes of this Ordinance is to protect the public welfare by allowing for consistent county wide regulation of the motor vehicle for hire business and providing for enforcement thereof.

SECTION 3. That Chapter 5, Article II, of the Code of Ordinances of the City of Gulfport, Mississippi, should be amended to read as follows:

The Rules and Regulations of the Harrison County Motor Vehicle for Hire Commission, as adopted by the Commission and on file in the offices of the City Clerk and the Clerk of the City Council, are hereby adopted and incorporated herein by reference and shall regulate and govern the operation of motor vehicles for hire (as that term is defined in the said Rules and Regulations) in the City of Gulfport.

Violation of any rule or regulation contained in the Rules and Regulations of the Harrison County Motor Vehicle for Hire Commission shall be a misdemeanor which may be prosecuted in the Municipal Court of the City of Gulfport and shall be punishable by a fine not to exceed two hundred dollars (\$200.00). Every day any violation of the Rules and Regulations of the Harrison County Motor Vehicle for Hire Commission shall continue shall constitute a separate offence.

SECTION 4. All provisions of Chapter 5 of the Code of Ordinances of the City of Gulfport, Mississippi, not in conflict herewith shall remain in full force and effect as heretofore provided.

SECTION 5. This ordinance shall be in full force and effect thirty (30) days after the date of passage, except should it pass unanimously in which case the ordinance shall be in effect immediately upon its passage. It shall be published according to law and shall be spread on the minutes of the Gulfport City Council.

The above and foregoing Ordinance, after having been first reduced to writing and read by the Clerk, was introduced by Councilmember Flowers, seconded by Councilmember Pucheu, and was adopted by the following roll call vote:

YEAS:

Casey
Roland
Holmes-Hines
Walker
Dombrowski
Flowers
Pucheu

ABSTENTIONS:

None

ABSENCES:

None

NAYS:

None

WHEREUPON the President declared the motion carried and the Ordinance adopted this the 17th day of April, 2012.

(SEAL:)

ATTEST:

ADOPT:

CLERK OF THE COUNCIL

PRESIDENT

The above and foregoing Ordinance, having been submitted and approved by the Mayor, this the 18th day of April, 2012.

MAYOR