

ORDINANCE NO. 507

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AMENDING ORDINANCE NO. 344, AS AMENDED, ENTITLED *THE ZONING ORDINANCE OF THE CITY OF LONG BEACH, MISSISSIPPI*, ADOPTING REGULATIONS FOR EROSION AND SEDIMENT CONTROL, AND CONSTRUCTION AND POST-CONSTRUCTION STORMWATER QUALITY REQUIREMENTS.

WHEREAS, the United States Environmental Protection Agency has promulgated regulations regarding Stormwater Runoff Management Permits; and

WHEREAS, the City of Long Beach has obtained a Stormwater Runoff Management Permit from the Mississippi Department of Environmental Quality; and

WHEREAS, under the Stormwater Runoff Management Permit, the City of Long Beach is required to have Erosion and Sediment Control Policies in place; and

WHEREAS, the City of Long Beach has previously adopted Ordinance No. 344, to enact zoning regulations and controls within the City;

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

SECTION ONE: ARTICLE XI, of Ordinance No. 344, *The Zoning Ordinance of the City of Long Beach, Mississippi*, as amended, SECTION 1102, shall be and the same is hereby amended to read as follows:

SECTION 1102. BUILDING PERMIT REQUIRED.

A building permit issued by the Building Official is required in advance of the initiation of construction, or erection, or moving, or alteration of any building or structure, or the excavation, filling, or change in use of any land or structure. No building permit shall be issued by the Building Official except where all the provisions of the Ordinance have been complied with.

SECTION TWO: ARTICLE XI, of Ordinance No. 344, *The Zoning Ordinance of the City of Long Beach, Mississippi*, as amended, SECTION 1103, shall be and the same is hereby amended to read as follows:

SECTION 1103. APPLICATION FOR BUILDING PERMIT

Application for a residential building permit, if required by the Building Official, and all applications for commercial or multi-family residential building permits shall be accompanied by plans in duplicate, drawn to scale, showing the following:

- 1103.1 Actual dimensions of the lot to be built upon.
- 1103.2 The width of the street or streets upon which the lot fronts or abuts.
- 1103.3 The setback lines of buildings on adjoining lots.

- 1103.4 The exact sizes and locations on the lot of buildings already existing, if any.
- 1103.5 The location and dimensions of the proposed building or alteration.
- 1103.6 The number of dwelling units the building is designed to accommodate.
- 1103.7 Such other information as may be necessary to provide for the enforcement of this Ordinance.
- 1103.8 If the proposed excavation, filling, construction, or movement as set forth in said plans is in conformity with the provisions of this Ordinance and other ordinances of the City of Long Beach, Mississippi, then in force the Building Official shall sign and return one (1) copy of the plans to the applicant and shall issue a building permit upon payment of any required fees. The Building Official shall retain one (1) copy of the building permit and one (1) copy of the plans.
- 1103.9 Time limitations: Any building permit issued shall become invalid if the work authorized by it has not commenced within six (6) months of its date of issue, or if the work authorized by it is suspended or abandoned for a period of six (6) months.
- 1103.10 The City of Long Beach Construction Site Runoff Controls Checklist which form shall be obtained from the City Building Official, must be submitted, completed with, and as part of, the Building Permit Application. No Building Permit will be issued until said form is completed satisfactorily.

**SECTION THREE:** ARTICLE XI, of Ordinance No. 344, *The Zoning Ordinance of the City of Long Beach, Mississippi*, as amended, SECTION 1104, shall be and the same is hereby amended to read as follows:

**SECTION 1104. CERTIFICATE OF OCCUPANCY REQUIRED**

A certificate of occupancy issued by the Building Official is required in advance of occupancy or use of:

- 1104.1 Any lot or change of use thereof.
- 1104.2 A building hereafter erected or altered or a change in the use or occupancy of an existing building.
- 1104.3 Each nonconforming use created by the passage of and subsequent amendment to this Ordinance or that is changed, extended, altered, rebuilt thereafter. The certificate of occupancy will state specifically where the occupancy fails to meet the requirements of occupancy.

Certification of post construction best management practices perpetual responsibility and maintenance must be provided in order to obtain certificate of occupancy.

A record of occupancy permits shall be kept on record in the Building Official's office.

**SECTION FOUR: Severability**

If any section, subsection, sentence, clause or phrase of this Ordinance, or the application thereof be held by any court of competent jurisdiction to be invalid or unconstitutional such holding

shall not affect the remaining portions of this Ordinance.

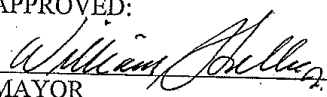
**SECTION THREE: Effective Date**


It being necessary and in the best interests of the public health, safety and welfare, and to provide continuing regulations concerning the construction and use of buildings and structures within the City of Long Beach, Mississippi, and the immediate preservation of order and the public health, safety and welfare requiring it, this Ordinance shall take effect and be in force from and after its adoption; but notice shall nevertheless be given as provided by law and this Ordinance shall be enrolled in the Ordinance Book of the City as by law.

The above and foregoing amending Ordinance No. 507 was introduced in writing by Alderman Bennett, who moved its adoption. Alderman Lishen seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

- Alderman Jimmy Levens voted Aye
- Alderman Jerry Rouse voted Aye
- Alderman Gary Ponthieux voted Aye
- Alderman Richard Bennett voted Aye
- Alderman Mark Lishen voted Aye
- Alderman Allen Holder voted Aye
- Alderman Joseph McNary voted Aye

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and said Ordinance 507 adopted and approved this 20th day of April, 2005.

APPROVED:  
  
MAYOR

ATTEST:  
  
REBECCA SCHRUFF, CITY CLERK

C E R T I F I C A T E

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
CITY OF LONG BEACH

I, the undersigned, Rebecca E. Schruff, City Clerk within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of that certain Ordinance #507 of the City of Long Beach, Mississippi adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on the 20<sup>th</sup> day of April, 2005, as the same appears of record in Ordinance Book #7, pages 71-74 inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 21<sup>st</sup> day of April, 2005.

(SEAL)

  
Rebecca E. Schruff, City Clerk

PuB' 5/10/05 - V121/NO' 219