

Proceedings of the City Council Meeting of the City of Bay Saint Louis, State of Mississippi, taken at a meeting held July 24, 2018 in the City Council Chambers at the Bay Saint Louis Conference Center at 598 Main Street. The meeting began at 5:30 p.m.

ATTENDANCE:

COUNCIL: Gene Hoffman, President (Ward 2), Doug Seal (Ward 1), Jeff Reed (Ward 3), Larry Smith (Ward 4), Buddy Zimmerman (Ward 5), Josh DeSalvo (Ward 6) and Gary Knoblock (Council Member-at-Large)

- COUNCIL STAFF: Lisa Tilley, Clerk of Council

ADMINISTRATIVE STAFF: Mike Favre; Mayor, and Heather Smith, City Attorney

ABSENT: Sissy Gonzales, City Clerk/Comptroller

Council Member Reed delivered the Invocation and the Pledge of Allegiance.

PUBLIC HEARINGS

- \* 5211 1<sup>st</sup> Avenue

*Motion to declare 5211 1<sup>st</sup> Avenue' a menace to the public health, safety and welfare of the citizens of the City of Bay Saint Louis under Ordinance 539, an ordinance prohibiting weed, debris, vermin, abandoned automobiles and/or vessels, other objectionable matter and noncompliant buildings, structures, partial structures, and pilings and property control, with property found to be an unsafe structure as reported by the certified Bay Saint Louis Building Inspector and that the City of Bay Saint Louis shall demolish the unsafe structure and the cost shall be adjudicated to the property taxes*

Council Member DeSalvo motioned, seconded by Council Member Smith, to declare 5211 1<sup>st</sup> Avenue a menace to the public health, safety and welfare of the citizens of the City of Bay Saint Louis under Ordinance 539, an ordinance prohibiting weed, debris, vermin, abandoned automobiles and/or vessels, other objectionable matter and noncompliant buildings, structures, partial structures, and pilings and property control, with property found to be an unsafe structure as reported by the certified Bay Saint Louis Building Inspector and that the City of Bay Saint Louis shall demolish the unsafe structure and the cost shall be adjudicated to the property taxes. (Exhibit "A")

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmelman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

- 10002 Perch Street

*Motion to declare 10002 Perch Street a menace to the public health, safety and welfare of the citizens of the City of Bay Saint Louis under Ordinance 539, an ordinance prohibiting weed, debris, vermin, abandoned automobiles and/or vessels, other objectionable matter and noncompliant buildings, structures, partial structures, and pilings and property control, with property found to be an unsafe structure as reported by the certified Bay Saint Louis Building Inspector and according to Ordinance Number 539 and that the City of Bay Saint Louis has given property notice and shall demolish the unsafe structure and the cost shall be adjudicated to the property taxes*

Council Member DeSalvo motioned, seconded by Council Member Smith, to declare 10002 Perch Street a menace to the public health, safety and welfare of the citizens of the City of Bay Saint Louis under Ordinance 539, an ordinance prohibiting weed, debris, vermin, abandoned automobiles and/or vessels, other objectionable matter and

noncompliant buildings, structures, partial structures, and pilings and property control, with property found to be an unsafe structure as reported by the certified Bay Saint Louis Building Inspector and according to Ordinance Number 539 and that the City of Bay Saint Louis has given property notice and shall demolish the unsafe structure and the cost shall be adjudicated to the property taxes. (Exhibit "B")

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmerman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

- 4059 Robin Street Phillip Blake spoke regarding the property and in favor of the

*Motion to declare 4059 Robin Street a menace to the public health, safety and welfare of the citizens of the City of Bay Saint Louis under Ordinance 539, an ordinance prohibiting weed, debris, vermin, abandoned automobiles and/or vessels, other objectionable matter and noncompliant buildings, structures, partial structures, and pilings and property control, with property found to be an unsafe structure as reported by the certified Bay Saint Louis Building Inspector and according to Ordinance Number 538 and that the City of Bay Saint Louis has given property notice and shall demolish the unsafe structure and the cost shall be adjudicated to the property taxes*

Council Member DeSalvo motioned, seconded by Council Member Zimmeiman, to declare 4059 Robin Street a menace to the public health, safety and welfare of the citizens of the City of Bay Saint Louis under Ordinance 539, an ordinance prohibiting weed, debris, vermin, abandoned automobiles and/or vessels, other objectionable matter and noncompliant buildings, structures, partial structures, and pilings and property control, with property found to be an unsafe structure as reported by the certified Bay Saint Louis Building Inspector and according to Ordinance Number 538 and that the City of Bay Saint Louis has given property notice and shall demolish the unsafe structure and the cost shall be adjudicated to the property taxes. (Exhibit "C7")

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmell \_\_ Ian, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

#### CODE ENFORCEMENT REPORT (Exhibit "D")

#### GUESTS

- Kristyn Gunter — South Mississippi Planning and Development District Pavement Management Plan Presentation

Kristyn Gunter presented a plan to the Bay Saint Louis City Council detailing the condition of all the roads in the city. Ms. Gunter talked about how to spend the City road money efficiently and invest in the preservation of the roadways.

- Mike Cure — Temporary fence for the property for the hotel

Mike Cure sent a letter requesting that the Bay Saint Louis City Council allow a temporary fence on the property located on State Street as to allow for the property to be used as a temporary storage yard. No action take; both items must go through Bay Saint Louis Planning and Zoning as well as the Bay Saint Louis Historic Preservation Commission.

- Rodney Davis and Kathy Benesta — Discussion of water utility, garbage, sewer and gas billing system audit

*Motion to rescind the approval of the contract with Water Company of America that was approved at the Bay Saint Louis City Council Meeting on July 10,*

*2018 contingent on approval by the City Attorney heading contract and approving contract*

Council Member DeSalvo motioned, seconded by Council Member Smith, to rescind the , approval of the contract with Water Company of America that was approved at the Bay Saint Louis City Council Meeting on July 10, 2018 contingent on approval by the City Attorney heading contract and approving contract.

Council Member Reed stated, for the record, that the contract Delta Water, L.L.C. presented is a great contract but that both utility audit companies should come back before the Bay Saint Louis City Council.

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmerman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

Council Member Knoblock made a motion to bid out this proposal to allow other interested parties to put in similar specs.

Council Member Smith requested a substitute motion to allow Delta Water, L.L.C. to be the company the City of Bay Saint Louis uses.

Council Member Reed seconded Council Member Knoblock's motion to bid out this contract to allow other interested parties to put in similar specs.

City Attorney Smith asked Council Member Knoblock about bids or proposals.

Council Member Knoblock amended the motion to put the utility billing audit out for proposals.

After further discussion, Council Member Knoblock withdrew the motion to request proposals for the utility audit.

*Motion to allow both utility audit companies, Delta Water, L.L.C. and Water Company of America, to return to the next City Council Meeting on August 7, 2018, subject to both contracts being reviewed by City Attorney Smith*

Council Member Knoblock motioned, seconded by Council Member Reed, to allow both utility audit companies, Delta Water, L.L.C. and Water Company of America, to return to the next City Council Meeting on August 7, 2018, subject to both contracts being reviewed by City Attorney Smith.

A vote was called for with the following response:

VOTING YEA: Hoffman, Reed, Seal and Knoblock

VOTING NAY: DeSalvo, Zimmerman and Smith

ABSENT: None

CONSENT AGENDA

- a. Cash Balances in the amount of \$3,606,728.43 before the docket and \$3,320,841.15 after the docket
- b. Certification Letter dated July 24, 2018
- c. Payroll dated June 9, 2018 for three employees
- d. Spread fully executed Paylocity contract
- e. Spread fully executed Agreement Between Owner and Contractor for Construction Contract (Stipulated Price) for the Mississippi Department of Transportation Lighting Modifications along Highway 90
- f. Approve street closures for Cruisin the Trail September 28, 2018, 5:00 p.m. — 7:00 p.m. and September 29, 2018, 9:00 a.m. — 7:00 p.m. Cue Street and Gex Street, sponsored by Hancock County Chamber of Commerce
- g. Approve street closures for the Lundi Gras Parade March 4, 2019, 5:00 p.m. — 8:00 p.m. Bookter Street to Necaise Avenue to Main Street to 2<sup>nd</sup> Street to DeMontluzin Avenue, to Beach Boulevard to Main Street to Cue Street sponsored by Mystic Krewe of the Seahorse

*Motion to approve the Bay Saint Louis Consent Agenda, subject to the removal of items c), d) and e), and with item g) being contingent upon the approval of the Hancock County Board of Supervisors, on the Minutes*

Council Member Knoblock motioned, seconded by Council Member Zimmerman, to approve the Bay Saint Louis Consent Agenda, subject to the removal of item c), d) and e), and with item g) being contingent upon the approval of the Hancock County Board of Supervisors, spread on the Minutes. (All documents as Exhibit "E")

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmerman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

#### CITY CLERIC/COMPTROLLER'S REPORT

*Motion to approve the Docket of Claims #18-025 dated July 24, 2018, in the amount of \$285,887.28*

Council Member Reed motioned, seconded by Council Member Smith, to approve the Docket of Claims #18-025 dated July 24, 2018, in the amount of \$285,887.28 (Exhibit "F") as follows:

001 General Fund	\$80,861.53
005 Municipal Reserve Fund	\$4,088.49
200 Debt Service Fund	\$4,286.83
300 DOJ Funds	\$11,336.02
350 County Road & Bridge Fund	\$3,206.36
400 Utility Operating Fund	\$130,650.45
450 Municipal Harbor Fund	\$47,437.60
<u>650 Community Hall Unearned</u>	<u>\$4,020.00</u>
Total	\$285,887.28

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmerman, Smith, Hoffiiian Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

#### PUBLIC FORUM

Harold Weber — Vacation Rental by Ordinance. Mr. Weber read a letter regarding the Vacation Rental by Ordinance and asked that it be made part of the record. (Exhibit "G")

Virginia Michel — Vacation Rental by Ordinance.

Joey Manieri — Vacation Rental by Ordinance.

Cliff Rabalais — Vacation Rental by Ordinance.

Gary Yarborough for Bob and Mary Ellen Warner — Vacation Rental by Ordinance.

#### ORDINANCES

- Adopt Vacation Rental by Ordinance (VRBO)

*Motion to adopt Ordinance Number 629-07-2018, An Ordinance to Authorize Short-term Rentals of Dwellings in Residential/Commercial/Waterfront Districts as written*

Council Member Seal motioned, seconded by Council Member Smith, to adopt Ordinance Number 629-07-2018, An Ordinance to Authorize Short-term Rentals of Dwellings in Residential/Commercial/VVaterfront Districts as written. (Exhibit "H")

A vote was called for with the following response:

VOTING YEA: Zimmerman, Smith, Reed, Seal and Knoblock

VOTING NAY: DeSalvo and Hoffman

ABSENT: None

- Amend Ordinance for 2018 Building Codes

*Motion to adopt Ordinance Number 630-07-2018, An Ordinance of the Governing Authority of the City of Bay Saint Louis, Mississippi, Amending Ordinance Number 548., 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 2012 Revisions to the Family of International Building Codes for the City of Bay Saint Louis and to include "to verify that the ICC Multiplier, if it has changed, or if it still remains the same*

Council Member Seal motioned, seconded by Council Member DeSalvo, to adopt Ordinance Number 630-07-2018, An Ordinance of the Governing Authority of the City of Bay Saint Louis, Mississippi, Amending Ordinance Number 548., 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 2012 Revisions to the Family of International Building Codes for the City of Bay Saint Louis and to include "to verify that the ICC Multiplier, if it has changed, or if it still remains the same. (Exhibit "I")

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmerman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

- Adopt Golf Cart Ordinance (fees)

*Motion to adopt Ordinance Number 631-07-2018, An Ordinance of the City of Bay Saint Louis, Mississippi, to Allow the Operation of Golf Carts on Certain Public Roads and Streets Within the City*

Council Member Seal motioned, seconded by Council Member Smith, to adopt Ordinance Number 631-07-2018, An Ordinance of the City of Bay Saint Louis, Mississippi, to Allow the Operation of Golf Carts on Certain Public Roads and Streets Within the City. (Exhibit C.)

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmerman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

ENGINEER'S REPORT (Exhibit "K")

*Motion to authorize Mayor Favre to execute the standard contract for construction and Notice to Proceed as required by Mississippi Department of Transportation, for the Carroll Avenue Safe Routes Project, which is a Mississippi Department of Transportation*

Council Member Seal motioned, seconded by Council Member Reed, to authorize Mayor Favre to execute the standard contract for construction and Notice to Proceed as required by Mississippi Department of Transportation, for the Carroll Avenue Safe Routes Project, which is a Mississippi Department of Transportation. (Exhibit "K")

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmeiman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

*Motion to approve the recommendation to accept the quote from Rocky's Plumbing to relocate the water line at Bouslog Street near The Pit Stop contingent upon the approval of the Mississippi Department of Transportation, authorize Mayor Favre to execute the contract and issue the Notice to Proceed contingent upon Mississippi Department of Transportation approval*

Council Member DeSalvo motioned, seconded by Council Member Smith, to approve the recommendation to accept the quote from Rocky's Plumbing to relocate the water line at Bouslog Street near The Pit Stop contingent upon the approval of the Mississippi Department of Transportation, authorize Mayor Favre to execute the contract and issue the Notice to Proceed contingent upon Mississippi Department of Transportation approval. (Exhibit "K")

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmeiman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

*Motion to authorize and resolution committing to \$2,000.00 match, which is a 20% match of the total amount of \$10,000.00 funded through Gulf Region Planning Commission for a downtown planning grant match for a connection from downtown to the Depot District, and authorize City Engineer Chiniche to coordinate with the City of Bay Saint Louis Mayor's Office on the letter request to be sent to Gulf Region Planning Commission for review, with the money to be paid from the Bay Saint Louis Reserve Fund*

Council Member Seal motioned, seconded by Council Member Reed, to authorize and resolution committing to \$2,000.00 match, which is a 20% match of the total amount of \$10,000.00 funded through Gulf Region Planning Commission for a downtown planning grant match for a connection from downtown to the Depot District, and authorize City Engineer Chiniche to coordinate with the City of Bay Saint Louis Mayor's Office on the letter request to be sent to Gulf Region Planning Commission for review, with the money to be paid from the Bay Saint Louis Reserve Fund. (Exhibit "K")

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmeiman, Smith, Hoffiian Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

*Motion to approve the final payment to Mississippi Department of Transportation for the Old Spanish Trail Sidewalk Project and to authorize City Clerk/Comptroller Gonzales to issue the payment of \$71,340.91 from the Bay Saint Louis Capital Maintenance and Bay Saint Louis Utility Account and to be repaid to both the Bay Saint Louis Capital Maintenance and Bay Saint Louis Utility Account when the City of Bay Saint Louis is reimbursed from Mississippi Department of Transportation (MDOT)*

Council Member DeSalvo motioned, seconded by Council Member Reed, to approve the final payment to Mississippi Department of Transportation for the Old Spanish Trail Sidewalk Project and to authorize City Clerk/Comptroller Gonzales to issue the payment of \$71,340.91 from the Bay Saint Louis Capital Maintenance and Bay Saint Louis Utility Account and to be repaid to both the Bay Saint Louis Capital Maintenance and Bay Saint Louis Utility Account when the City of Bay Saint Louis is reimbursed from Mississippi Depai tment of Transportation (MDOT). (Exhibit "L")

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmerman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

Council Member Zimmerman left the meeting.

#### COUNCIL BUSINESS

- Discuss laptop purchase

*Motion to approve the purchase of one more laptop for the City Attorney to use for City Council Business*

Council Member DeSalvo motioned, seconded by Council Member Smith, to approve the purchase of one more laptop for the City Attorney to use for City Council Business.

A vote was called for with the following response:

VOTING YEA: DeSalvo, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: Zimmerman

Council Member Zimmerman returned to the meeting.

- Alice Moseley lease of "the kitchen area" at the Train Depot

Council Member Reed read, for the record, a letter from the Alice Moseley Museum regarding rental of the kitchen area at the Train Depot.

*Motion to lease space at the Train Depot, commonly known as "the kitchen area", to the Alice Moseley Folk Museum in the amount of \$377.00 per month, for a total of \$4,524.00 per year, on a month to month basis until the lease catches up to the lease with the Alice Moseley Museum, and being contingent upon the City of Bay Saint Louis finding storage space for the items currently in that space or moving the items to Council Member Hoffman 's building as a donation for storage*

Council Member Reed motioned, seconded by Council Member Knoblock, to lease space at the Train Depot, commonly known as "the kitchen area", to the Alice Moseley Museum in the amount of \$377.00 per month, for a total of \$4,524.00 per year, on a month to month basis until the lease catches up to the lease with the Alice Moseley Folk Museum, and being contingent upon the City of Bay Saint Louis finding storage space for the items currently in that space or moving the items to Council Member Hoffman's building as a donation for storage.

A vote was called for with the following response:

VOTING YEA: Zimmerman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: DeSalvo

ABSENT: None

*Motion to change the entire length of State Street to one-way street and erect the proper signage*

Council Member Hoffman motioned, seconded by Council Member Reed, to change the entire length of State Street to one-way street and erect the proper signage.

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmerman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

MAYOR'S REPORT

*Motion to authorize advertising two times, on July 28, 2018 and August 1, 2018, for five grass cutting proposals for each ward to be opened on August 13, 2018 at 5:00 p.m.*

Council Member DeSalvo motioned, seconded by Council Member Reed, to authorize advertising two times, on July 28, 2018 and August 1, 2018, for five grass cutting proposals for each ward to be opened on August 13, 2018 at 5:00 p.m.

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmerman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

*Motion to authorize advertising two times, on July 28, 2018 and August 1, 2018, for grapple truck proposals, with one bid including the company paying for their own disposal fees and the other one the City of Bay Saint Louis would negotiate the disposal fees, to be opened at a Workshop on August 13, 2018 at 5:00 p.m.*

Council Member DeSalvo motioned, seconded by Council Member Seal, to authorize advertising two times, on July 28, 2018 and August 1, 2018, for grapple truck proposals, with one bid including the company paying for their own disposal fees and the other one the City of Bay Saint Louis would negotiate the disposal fees, to be opened at a Workshop on August 13, 2018 at 5:00 p.m.

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmerman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

*Motion to approve purchase of a F350 Ford 2x4 Chassis with dump bed from Gary Daniels Ford for a total price of \$36,210.00 and that Mayor Favre shall attach supporting documentation stating this vehicle will have a 3 yard dump bed*

Council Member Seal motioned, seconded by Council Member Smith, to approve purchase of a F350 Ford 2x4 Chassis with dump bed from Gary Daniels Ford for a total price of \$36,210.00 and that Mayor Favre shall attach supporting documentation stating this vehicle will have a 3 yard dump bed.

After discussion, Motion was withdrawn.

ATTORNEY REPORT

*Motion to approve Resolution Requesting and Memorializing the Mississippi Legislature to Amend the Applicable Sales Tax Laws and Use Tax Laws to Continue to Provide that 18.5 Percent of the Sales Tax Collected from Internet Interstate Sales Shall be Paid to the Municipalities as Currently Provided for In-State Sales; and for Related Purposes*

Council Member Knoblock motioned, seconded by Council Member Seal, to approve Resolution Requesting and Memorializing the Mississippi Legislature to Amend the Applicable Sales Tax Laws and Use Tax Laws to Continue to Provide that 18.5 Percent of the Sales Tax Collected from Internet Interstate Sales Shall be Paid to the Municipalities as Currently Provided for In-State Sales; and for Related Purposes. (Exhibit "M")

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmerman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

PUBLIC FORUM

Brian Therolf — Martin Luther King Park and Washington Street clean up.  
Cliff Rabalais - Vacation Rental by Ordinance.

MINUTES

*Motion to approve the Workshop Minutes of the July 10, 2018, Minutes of July 10, 2018, Workshop Minutes of July 12, 2018 and the Workshop Minutes of July 19, 2018 as corrected*

Council Member Smith moved, seconded by Council Member Zimmerman, to approve the Workshop Minutes of the July 10, 2018, Minutes of July 10, 2018, Workshop Minutes of July 12, 2018 and the Workshop Minutes of July 19, 2018 as corrected.

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmerman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

ADJOURN

*Motion to adjourn*


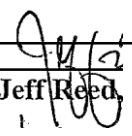

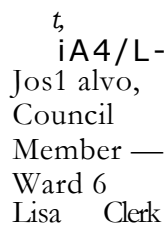
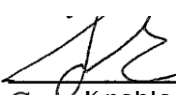
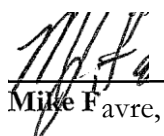
Council Member Smith moved, seconded by Council Member DeSalvo, to adjourn.

A vote was called for with the following response:

VOTING YEA: DeSalvo, Zimmerman, Smith, Hoffman Reed, Seal and Knoblock

VOTING NAY: None

ABSENT: None

_____  Doug Seal, Council Member — Ward 1	_____  Jeff Reed, Council Member — Ward 6
_____ Gene Hoffman, President, Council Member — Ward 3	_____  Lisa Clerk of Council
_____  Larry Smith, Council Member — Ward 4	_____ Lisa Clerk of Council
_____ BiiZiu irman, Cocil Member -- Ward 5	_____ Lisa Clerk of Council
_____  Gary Knoblock Council Member-at-Large	_____ Lisa Clerk of Council
_____  Mike Favre, Mayor	_____ Lisa Clerk of Council

RESOLUTION OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI  
AUTHORIZING THE CLEANING OF PRIVATE  
PROPERTY AND MAKING PROVISION FOR COLLECTION

RECEIVED  
JUL 09 2018  
BY: Get email  
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WHEREAS, pursuant to Miss. Code Ann. Section 2149-11, the Mayor and City Council of the City of Bay St. Louis, Mississippi are authorized and empowered on their own motion to clean private property which is in a condition to be a menace to the public health, safety and welfare of the community, and

WHEREAS, it has been brought to the attention of the Mayor and City Council that certain property owned by Michael Price (the "Owner") and located at 5211 1<sup>a</sup> Ave Bay St Louis, MS (the "Property") is in such a state of uncleanliness and dilapidation so as to constitute a menace to the public health and safety, in violation of State Law and local Ordinance, and

WHEREAS, proper legal notice was provided as set forth in Exhibit A; and

WHEREAS, to-date no action has been taken to bring the property into compliance with applicable health and safety standards, and

WHEREAS, the Mayor and City Council are convinced that the condition of said property is such as to be a menace to the public health, safety and welfare of the community and that the property should be cleaned, and

WHEREAS, attached hereto as Collective Exhibit "B" are various pictures documenting the deteriorated and hazardous condition of the home and parcel of land, and

NOW, THEREFORE, BE IT ORDERED by the Mayor and City Council of the City of Bay St. Louis, Mississippi as follows, to wit:

1. The Property, 5211 1<sup>st</sup> Ave (the "Property" is declared to be a menace to the public health, safety and welfare.
2. If the Owner does not do so himself, the City shall proceed to clean the Property by use of City crews, or an outside contractor, at the choice of the City. The City may cut the grass and weeds, fill cisterns, remove rubbish, remove dilapidated fences, remove outside toilets, remove dilapidated buildings, remove personal property, which removal of such personal property shall not be subject to the provisions of Mississippi Code 21-39-21, and drain cesspools and standing water. If addressed by outside contractor, the City will follow the mandates as set forth in Mississippi Code Ann. Sect. 31-7-13.
3. If the City proceeds with cleaning the Property, upon completion of activities related to the cleaning of the Property, the Mayor and City Council shall determine the actual cost incurred by the City.
4. The Mayor and City Council shall then adopt a resolution determining the amount of the actual cost incurred and consider the imposition of a penalty not to exceed fifty per

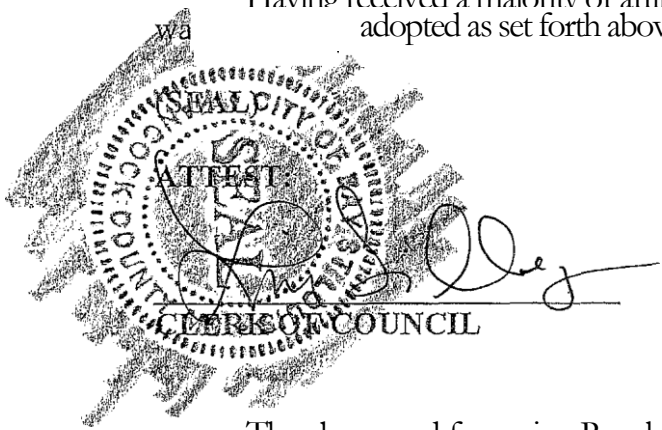
Exhibit "A"  
July 24, 2018

cent (50%) of such actual cost, or the imposition of a penalty of One Thousand Five Hundred and 00/100 Dollars (\$1,500.00), whichever is greater, and shall determine the appropriate method for collecting same against the property identified herein.

The above and foregoing Resolution, after having been first reduced to writing and read aloud, was introduced by Councilman L. K. Sedki and seconded by Councilman \_\_\_\_\_ . The Resolution was then put to a roll call vote and the results were as follows, to-wit:

Councilman Gary Knoblock	EA/NAY
Councilman Doug Seal	11-YEA/NAY
Councilman Gene Hoffman	11-YEA/NAY
Councilman Jeffery Reed	17FA/NAY
Councilman Larry Smith	AEA/NAY
Councilman Buddy Zimmerman	14LEA/NAY
Councilman Josh Desalvo	IA/NAY

Having received a majority of affirmative votes, the President declared that the Resolution adopted as set forth above on this the 11 day of July, 2018.



ADOPTE  
*Jai*

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 \_\_\_\_\_  
 MAYOR

The above and foregoing Resolution submitted to and approved by the Mayor, this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

000e /

# BAY SAINT LOUIS

A PLACE APART

P.O. Box 2550 Bay St. Louis, MS 39521 - 2550

RECEIVED  
JUL 05 2018

BY: *Jet mail*  
*Don*  
*7-24-18*

*Michael Price*  
*10025 Shady Place*  
*Biloxi MS 39532*

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**CERTIFIED MAIL**



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Code - 5211 1st Ave

# BAY SAINT LOUIS

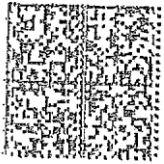
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P.O. Box 2550 Bay St. Louis, MS 39521 - 2550

Michael Price  
5211 1st Ave  
Bay St Louis MS 39522



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June 22, 2018  
Michael T Price  
5211 1<sup>st</sup> Ave  
Bay St Louis Ms 39520  
RE: Municipal Code Violations (Ordinance 539) at 5211 1<sup>st</sup> Ave  
Bay St. Louis, MS  
139A-0-40-306.001

Please be advised that the violations noted below have been confirmed by the City of Bay St. Louis Code Enforcement Office at the above-referenced location. Please contact this office within seven (7) days of receipt of this notice to discuss the disposition of this matter.

Should this notice be ignored or you desire to be heard by the City Council, a hearing will take place by the City of Council of Bay St. Louis on 24<sup>th</sup> July 2018 pursuant to Mississippi Code Sect. 21-19-11 to determine if the property is a menace to the public health, safety and welfare of the community and upon a finding that the property is a menace, the City may enter and clean the property. An adjudication at the hearing that the property is in need of cleaning will authorize the City of Bay St. Louis to reenter the property for a period of one (1) year after final adjudication without any further hearing if notice is posted on the property and at Bay St. Louis City Hall at least (7) seven days before the property is reentered for cleaning.

Please contact this office at 228-469-0531. Cooperation in this matter is appreciated.

**ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS,**

Sincerely,

A handwritten signature in black ink, appearing to read "Don M. Siebenkittel", is written over a horizontal line.

Don M. Siebenkittel  
Code Enforcement Officer  
Municipal Code Office City  
of Bay St. Louis .

---

**VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PILING, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.**



June 22, 2018  
Michael T Price  
10025 Shady Place  
Biloxi Ms 39532  
RE: Municipal Code Violations (Ordinance 539) at 5211 1<sup>st</sup> Ave  
Bay St. Louis, MS  
139A-0-40-306.001

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Please contact this office at 228-469-0531. Cooperation in this matter is appreciated.

Sincerely

A handwritten signature in black ink, appearing to be "M. Siebenkittel", is written over a solid black horizontal line.

on M. Siebenkittel

Code Enforcement Officer  
Municipal Code Office City  
of Bay St. Louis

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**ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PILING, AND PROPERTY CONTROL WITH FINDINGS AND SCHEDULE.**

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OFFICE OF THE CITY CLERK

June 22, 2018  
Michael T. Price  
5211 1<sup>st</sup> Ave  
Bay St. Louis Ms 39520  
RE: Municipal Code Violations (Ordinance 539) at 5211 1<sup>st</sup> Ave  
Bay St. Louis, MS  
139A-0-40-306.001



June 22, 2018  
Michael T. Price  
5211 1<sup>st</sup> Ave  
Bay St. Louis Ms 39520  
RE: Municipal Code Violations (Ordinance 539) at 5211 1<sup>st</sup> Ave  
Bay St. Louis, MS  
139A-0-40-306.001

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Please contact this office at 228-469-0531. Cooperation in this matter is appreciated.

If the City of St. Louis is notified within 10 days of receipt of this notice...

Sincerely,

Michael T. Price

City Clerk

Michael T. Price  
City Clerk

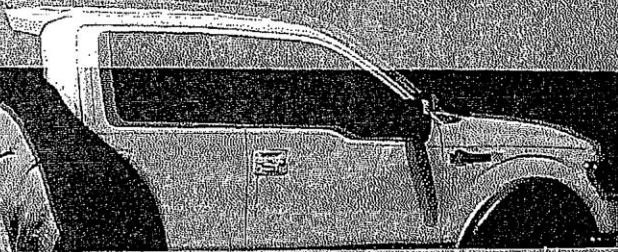
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REGULATING WEED, DEBRIS,  
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ORDINANCE 539  
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AND PROPERTY CONTROL WITH FINDINGS I Nit) SCHEDULE.

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No smoking  
within 30 feet  
of this building

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May 23, 2018  
Michael T Price  
10025 Shady Place  
Biloxi Ms 39532

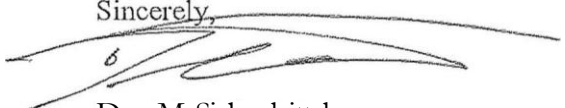
**RE: Municipal Code Violations (Ordinance 539) at 5211 1<sup>st</sup> Ave  
Bay St. Louis, MS  
139A-0-40-306.001**

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**ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS,**  
Sincerely,



Don M. Siebenlittel  
Code Enforcement Officer  
Municipal Code Office City  
of Bay St. Louis

---

**VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE  
MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND  
PILINGS, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.**

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Estimate

RC Louis Construction

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Itemized Estimate

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This is an estimate only, not a contract for services. This estimate is for completing the 'job as described above. It is based on our evaluation and does not include material price increases or additional labor and materials which may be required should unforeseen problems arise after the work has started.

## NOTICE OF VIOLATION

DATE: April 23, 2018

PROPERTY LOCATION: 5211 1<sup>st</sup> Ave  
# 139A-0-40-306.001 Bay St. Louis, MS 39520

BY THIS NOTICE YOU ARE HEREBY ADVISED THAT YOU ARE IN VIOLATION OF THE CITY OF BAY ST. LOUIS'S CITY CODE OF ORDINANCES AS FOLLOWS;

After a site inspection of your property on December 12, 2017 it was found that there are violations to include but not limited to the following.

ORDINANCE AN ORDINANCE PROHIBITING AND REGULATING WEED,DEBRIS,VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS,OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS,STRUCTURES, PARTIAL STRUCTURES,AND PILINGS, AND PROPERTY CONTROL,WITH FINDINGS AND SCHEDULE.

The scope of the 2012 International Property Maintenance Code, Section 101.2 states: -"The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises, and constitute minimum requirements and standards for premises, structure, equipment and facilities for light, ventilation space, heating, sanitation protection from the elements, life safety safety from fire and other hazards, and for the safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures, premises, and for administration, enforcement and penalties.

Section 301.2 General Requirements: Responsibility states: "The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided in the code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition. and which do not comply with the requirements of this chapter.

Section 301.3 Vacant structures, Slabs and land: "All vacant structures and premises thereof or vacant land with slabs shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem. or adversely affect the public health and safety.

Please allow this letter to serve as the City's official notification as a NOTICE OF VIOLATION and also allowing you the opportunity to bring the property into compliance.

You are further advised that if the violation has not been corrected by May 14, 2018, this matter will be referred to legal counsel for appropriate legal action.

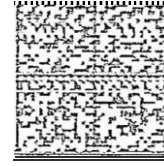
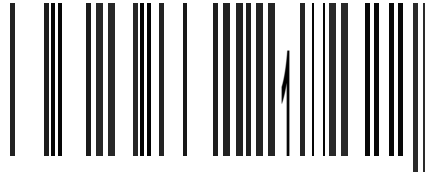
Please feel free to contact me at (228) 4665522 to discuss this matter further.

  
\_\_\_\_\_  
COI (E-61) ENFORCEMENT OFFICER  
Don M. Siebenlittel

**BAY SAINT LOUIS**  
A PLACE APART  
P.O. Box 2550 Bay St. Louis, MS 39521 - 2550

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# BAY SAINT LOUIS

A PLACE APART

May 23, 2018

Michael T Price  
10025 Shady Place  
Biloxi Ms 39532

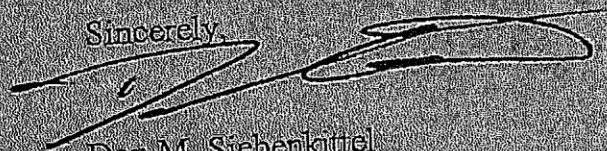
RE: Municipal Code Violations (Ordinance 539) at 5211 1<sup>st</sup> Ave  
Bay St. Louis, MS  
139A-0-40-306.001

Please be advised that the violations noted below have been confirmed by the City of Bay St. Louis Code Enforcement Office at the above-referenced location. Please contact this office within seven (7) days of receipt of this notice to discuss the disposition of this matter.

Should this notice be ignored or you desire to be heard by the City Council, a hearing will take place by the City of Council of Bay St. Louis on 19<sup>th</sup> June 2018 pursuant to Mississippi Code Sect. 21-19-11 to determine if the property is a menace to the public health, safety and welfare of the community and upon a finding that the property is a menace, the City may enter and clean the property. An adjudication at the hearing that the property is in need of cleaning will authorize the City of Bay St. Louis to reenter the property for a period of one (1) year after final adjudication without any further hearing if notice is posted on the property and at Bay St. Louis City Hall at least (7) seven days before the property is reentered for cleaning.

Please contact this office at 228-469-0531. Cooperation in this matter is appreciated.

Sincerely,



Don M. Siebenkittel  
Code Enforcement Officer  
Municipal Code Office  
City of Bay St. Louis

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS,  
ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE  
STRUCTURES AND

# BAY SAINT LOUIS

A PLAGE APART

1025 24th St.  
St. Louis, MO 63104  
Tel: (314) 437-1111  
Fax: (314) 437-1112

These notices have been delivered to the owner by the City of St. Louis, Missouri, on this date. Please contact the office within seven (7) days of receipt of this notice to discuss the disposition of this matter.

Should the owner be unable to comply with the above conditions, the City of St. Louis will be required to take action to enforce the Ordinance. The City of St. Louis will be responsible for the cost of such action. The City of St. Louis will also be responsible for the cost of any and all other expenses incurred by the City of St. Louis in connection with the enforcement of this Ordinance. The City of St. Louis will also be responsible for the cost of any and all other expenses incurred by the City of St. Louis in connection with the enforcement of this Ordinance.

Please contact the office at (314) 437-1111 for information regarding this matter.  
Sincerely,  
City of St. Louis  
City Engineer  
City of St. Louis

ORDINANCE 537 - AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PLINGS AND PROPERTY CONTROL WITH FINDINGS AND SCHEDULE.

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A PLAGE APART

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City Engineer  
City of St. Louis

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# BAY SAINT LOUIS

A PLAGE APART

1025 24th St.  
St. Louis, MO 63104  
Tel: (314) 437-1111  
Fax: (314) 437-1112

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City of St. Louis  
City Engineer  
City of St. Louis

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5/23

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No smoking  
within 30 feet  
of this building

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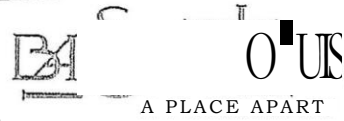
Please contact th 228-469-0531 Cooperation in this matter is appreciated.

Sincerely,  


5/29/10



5/24/18



May 23, 2018  
Michael T. Price  
10025 Shady Place  
Biloxi Ms 39532  
DE: Municipal Code Violations (Ordinance 539) ni 5211 Ave  
Bay Ni. Louis. MS  
139A-0411-306A

Please be advised that the violations noted below have been confirmed by the City of Bay St. Louis Code Enforcement Office at the above-referenced location. Please contact this office within seven (7) days of receipt of this notice to discuss the disposition of this matter.

Should this notice be ignored or you wish to be heard by the City Council, a hearing will be held by the City of Bay St. Louis on June 11, 2018 pursuant to Mississippi Code Section 21-19-11 to determine if the property is a menace to the public health, safety and welfare of the community and upon a finding that the property is a menace, the City may enter and clean the property. An adjudication at the hearing that the property is in need of cleaning will authorize the City of Bay St. Louis to reenter the property for a period of one (1) year without any further hearing if notice is posted on the property and at Bay St. Louis City Hall at least (7) seven days before the property is reentered for cleaning.

Please contact this office at 228-169-0531. Cooperation in this matter is

Sincerely,

Don M. Sicbunkin  
Code Enforcement Manager  
Municipal Code Office  
City of Bay St. Louis

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND FENCES, AND PROPERTY CONTROL WITH FINDINGS AND SCHEDULE.



A PLACE APART

688 Highways 90, Bay St. Louis, MS 39520  
228-469-0531

CODE ENFORCEMENT DEPARTMENT

## NOTICE OF VIOLATION

DATE: April 23, 2018.

PROPERTY LOCATION: 5211 1<sup>st</sup> Ave  
# 139A-0-40-306.001 Bay St. Louis, MS 39520

BY THIS NOTICE YOU ARE HEREBY ADVISED THAT YOU ARE IN VIOLATION OF THE CITY OF BAY ST. LOUIS'S CITY CODE OF ORDINANCES AS FOLLOWS;

After a site inspection of your property on December 12, 2017 it was found that there are violations to include but not limited to the following.

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PILINGS, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.

The scope of the 2012 International Property Maintenance Code, Section 101.2 states: "The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structure, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for the safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties."

Section 301.2 General Requirements: Responsibility states: "The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided in the code. A. person shall not occupy as owner occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter."

Section 301.3 Vacant structures, Slabs and land: "All vacant structures and premises thereof or vacant land with slabs shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health and safety."

Please allow this letter to serve as the City's official notification as a NOTICE OF VIOLATION and also allowing you the opportunity to bring the property into compliance.

You are further advised that if the violation has not been corrected by May 14, 2018, this matter will be referred to legal counsel for appropriate legal action.

Please feel free to contact me at (228) 466-5522 to discuss this matter further.



CONFORCEMENT OFFICER

Don M. Siebenlittell

PRICE MICHAEL T ETUX

Owner Name: PRICE MICHAEL T ETUX  
Parcel Number: 139A-0-40-306.001  
Owner Address: 10025 SHADY PLACE  
Owner City, State ZIP: BILOXI MS 39532  
Physical Address: 5211 1ST AVE  
Improvement Type: RES  
Year Built: 1990  
Base Area: 1232  
Improvement Value: 19151  
Land Value: 16000  
Estimated Tax: 637.03  
Deed Book: 2010  
Deed Page: 600  
Legal Description 1: LOTS 2 & 3 BLK 3 SHORELINE PK  
Legal Description 2: UN 3  
Legal Description 3: Legal  
Description 4: Legal  
Description 5: Legal  
Description 6: Longitude: -  
89.41673494268167  
Latitude: 30.32419597423472  
Square Footage: 15071.167701936885

---

Sketches

Sketch Sketch Name

139A-0-40-30600101-Model.gif

12. 12/12/17 DMS

City Of Bay St Louis, Ms  
2" **NOTICE OF VIOLATION**

December, 12, 2017

Re: 5211 1st Ave  
Bay St Louis, MS

Dear Owner/Manager:

The City of Bay St Louis continues to identify property that is considered to be blighted or in need of remediation. You have been identified as the owner or manager of the above listed address. This property has been identified by the City Code Enforcement Officer as being in violation of the 2012 International Property Maintenance Code and the City Ordinance No. 539 the formal adoption of the 2012 Family of International Building Codes for the City of Bay St Louis.

**The scope of the 2012 International Property Maintenance Code, Section 101.2 states:** "The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structure, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for the safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties."

**\* Section 301.2 General Requirements: Responsibility states:** The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided in the code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter."

**\* Section 301.3 Vacant structures, Slabs and land:** "All vacant structures and premises thereof or vacant land with slabs shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health and safety."

Please rectify this situation or contact me at 228-466-5522 within *14 days* of receipt of this letter. Thank you for your attention to this situation and we look forward to hearing from you. If I am not in the office please leave your name, phone number, and a convenient time of the day that you can talk about this issue so I can call you back.

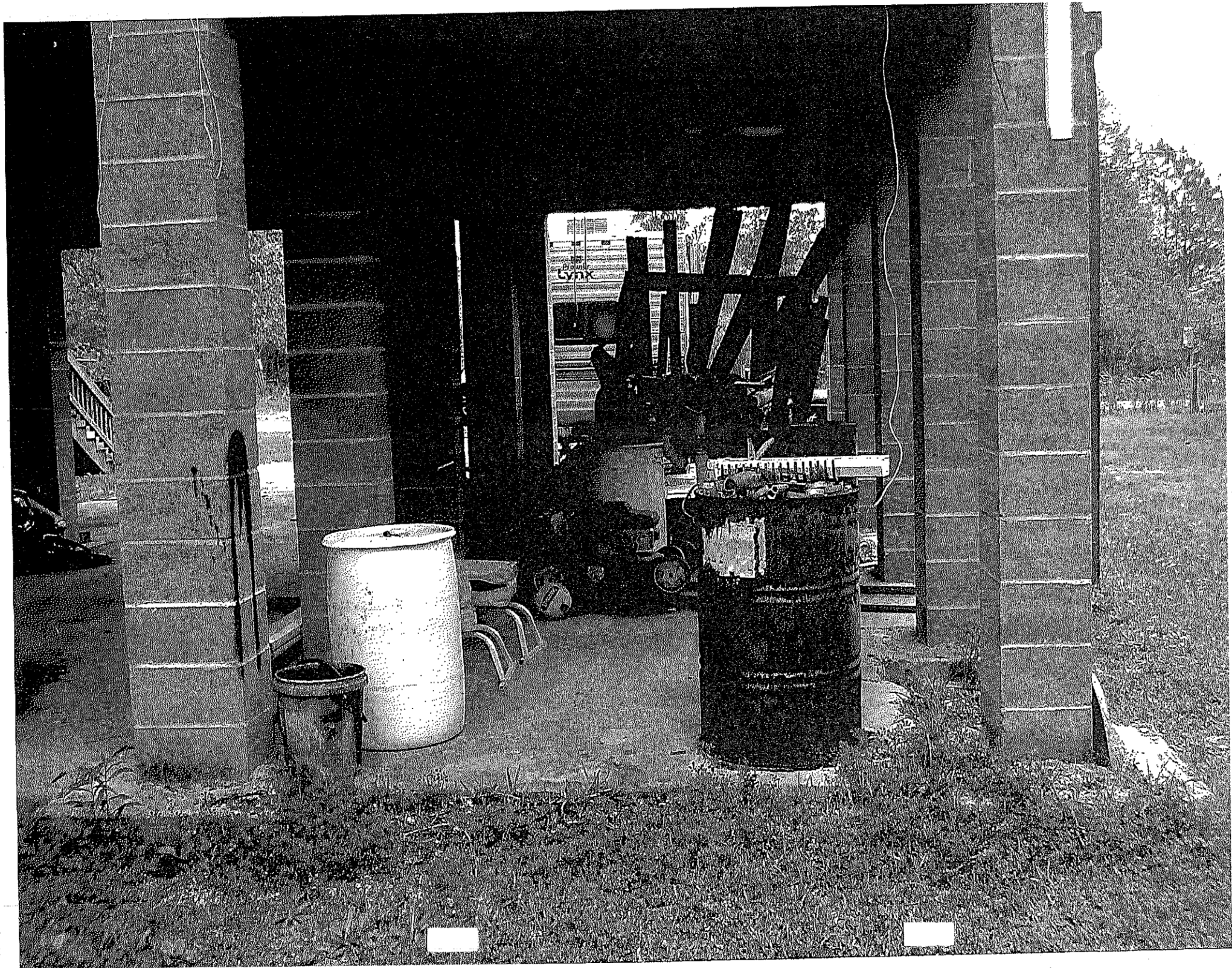
**Please allow this letter to serve as the City's official notification as a NOTICE OF VIOLATION and also give you the opportunity to bring your property into compliance within 14 days of the date of the letter or to be referred to our attorney for appropriate legal action.**

Respectfully,  
Don Siebenkittel

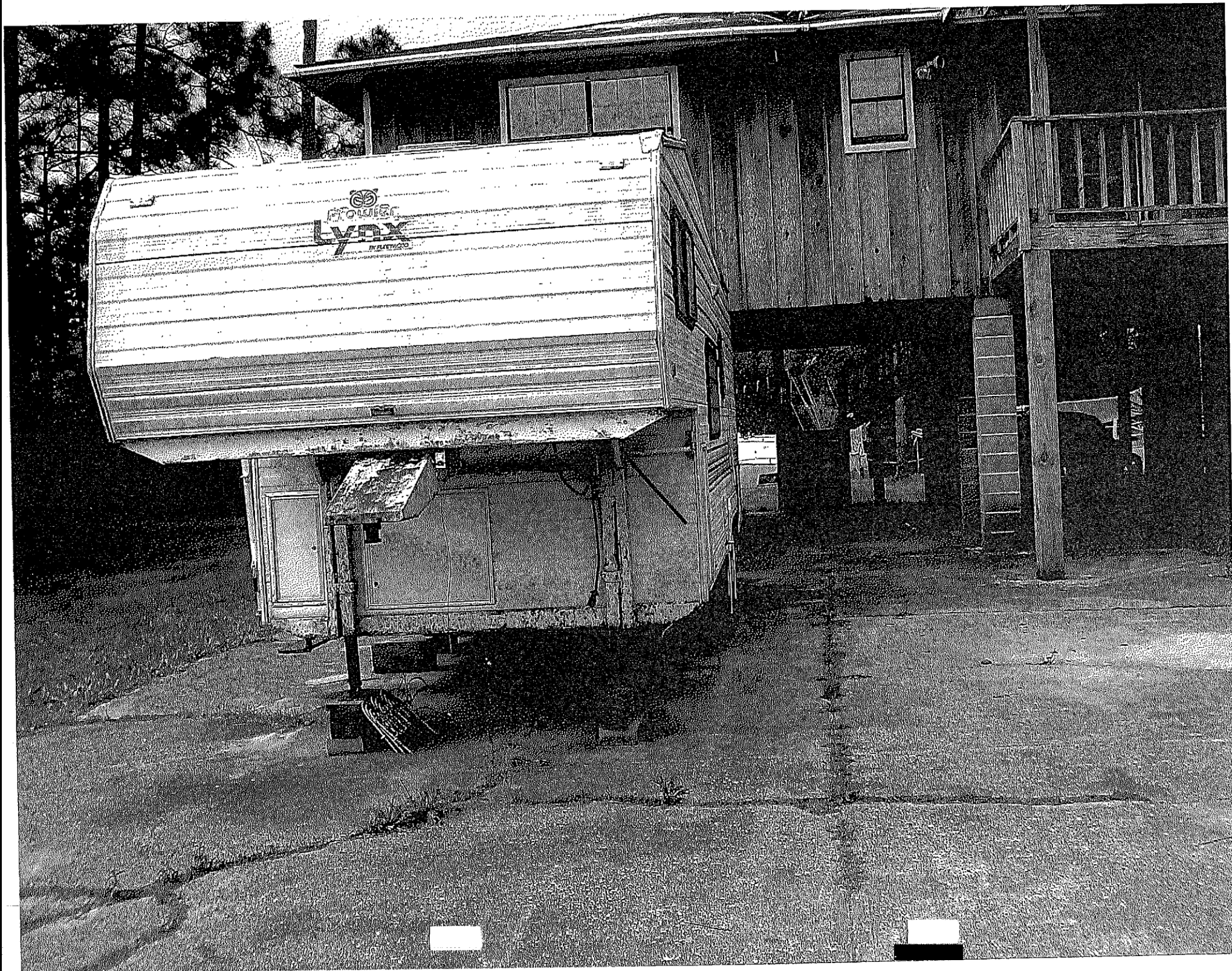
Code Enforcement Officer











POWER  
LUX  
TRAILERS

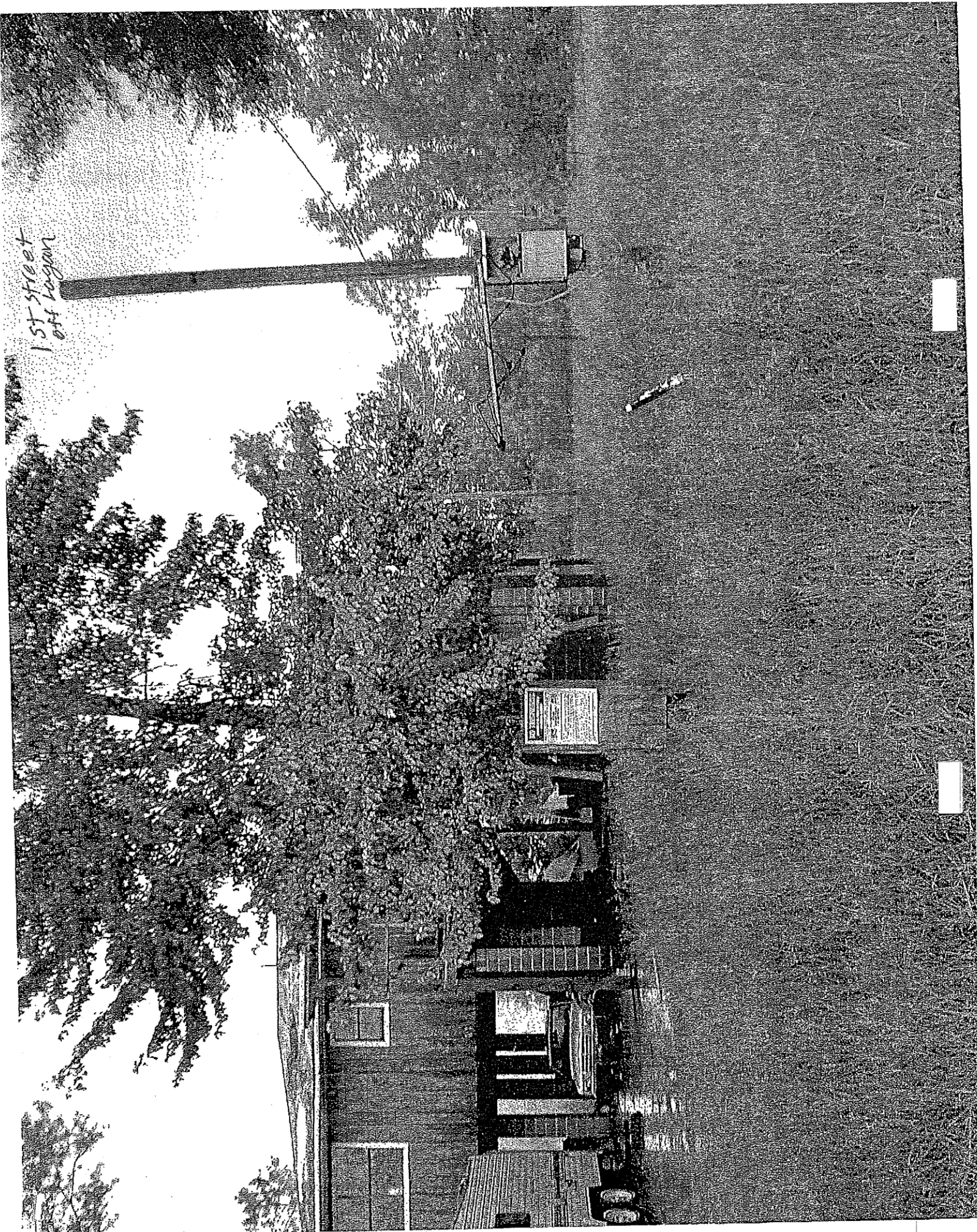
ALVA TUSA







1st street  
off Logan





**BAY ST. LOUIS BEAUTIFICATION DEPARTMENT  
COMPLAINT FORM**

To: Building Department  
Code Enforcement Office

Name: \_\_\_\_\_

Address: 4//'/-: t-7- \_\_\_\_\_

Phone: A/ffC (-?k23-z701 \_\_\_\_\_

S u b j e c t : \_\_\_\_\_


Please complete the dialog box requesting specific information or requesting attention be given to a specific problem located in your area or another location in the city (use a separate page if necessary). Sign and date the form.

Your request will be reviewed and a copy of the action taken will be forwarded to you. Please limit your request to one topic per statement.

\*\*\*\*\*

\_\_\_\_\_

\_\_\_\_\_ Complaintant Signature \_\_\_\_\_ Date

Received by:  \_\_\_\_\_  
Signature \_\_\_\_\_ Date

Inspected by: \_\_\_\_\_

Action taken: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

V1



July 21, 2017

Price Michael T ETUX  
10025 Shady Place  
Biloxi MS. 39532

**NOTICE OF VIOLATION  
CITY ORDINANCE 539  
PROPERTY CLEANUP REQUIREMENTS**

Dear Sir/Madam:

The City of Bay St. Louis has received complaints regarding overgrowth and/or abandoned unsecured building located on your property listed as **5211 eave.** and described as Legal description 1:Lots 2&3 BLK 3 Shoreline pk. **Deed book 2010 and Deed page 600 Bay St. Louis, Hancock County, Mississippi, parcel # 139A040306.001** As listed on the Hancock County tax rolls, the property is said to be owned by Michael Price. The property is in violation of ordinance No. 539 regarding overgrowth and/or abandoned unsecured building. **Please see the attached ordinance.**

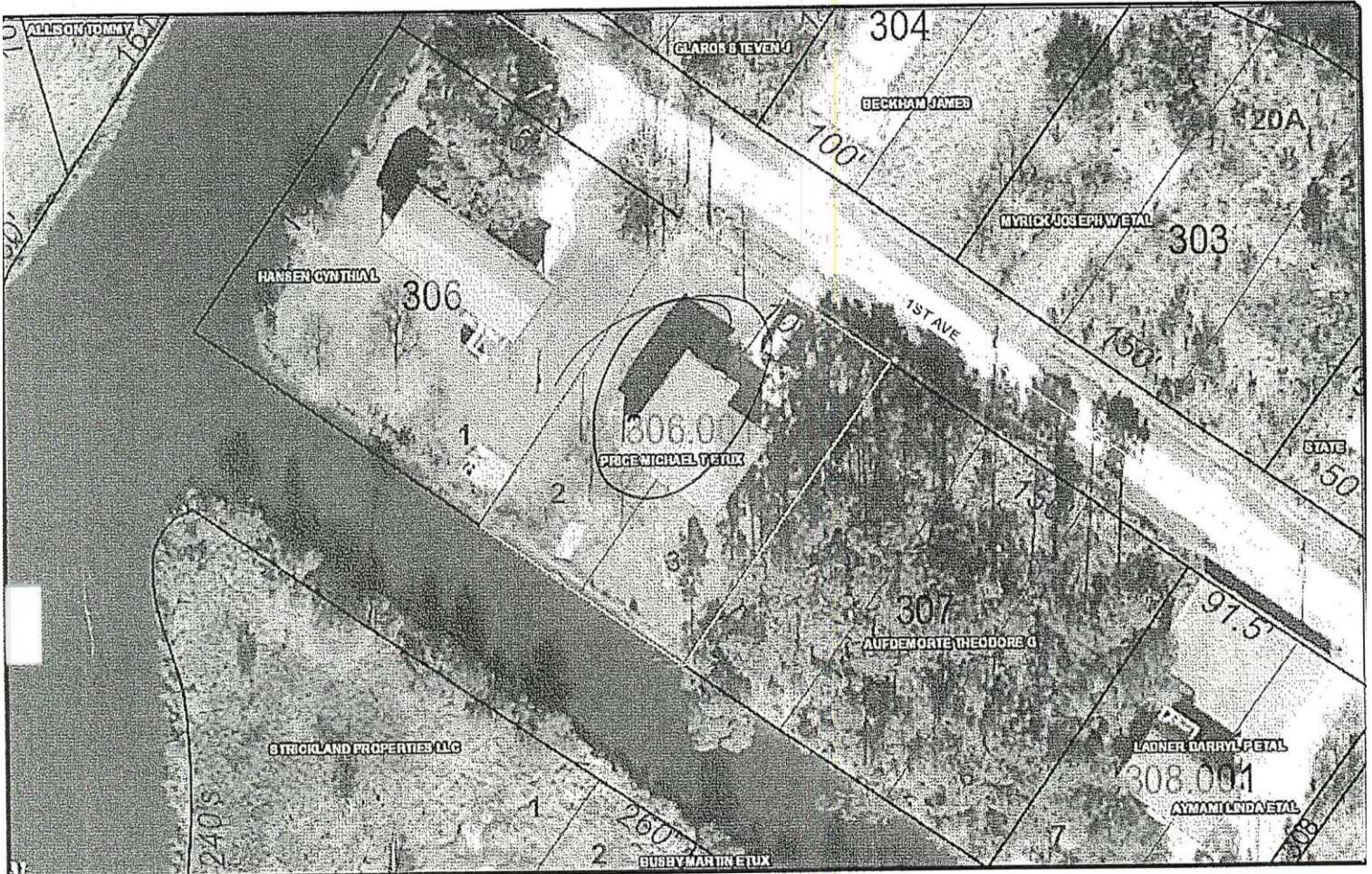
You are hereby notified that the property in question shall be cleaned and/or the building secured to alleviate this problem. Please take care of this matter within the next 30 days. If the violation is not taken care of in the allotted 30 day period, this matter will be turned over to the city's attorney for appropriate legal action; which may include the City of Bay St. Louis having the property cleaned by a contractor. All costs of removing this violation will be placed as a lien against your property taxes.

I urge you to take care of this matter within 30 days of receipt of this letter. If you have any questions, please contact me at (228)467-5505.

Sincerely,

Kim Favre  
Public Works Director  
City of Bay St. Louis

Geoportal Map



July 21, 2017

DISCLAIMER: My user of this map product accepts its faults and assumes all responsibility for its use thereof, and further agrees to hold Hancock County harmless from and against any damage, loss or liability arising from any use of the map product. Users are cautioned to consider carefully the provisional nature of the maps and data before using it for decisions that concern personal or public safety or the conduct of business that involves monetary or operational consequences. Conclusions drawn hereon, or actions undertaken, on the basis of such maps and data, are the sole responsibility of the user.

1 inch = 51 feet

0 25 50 75 100 Feet

RECEIVED  
JUL 09 2018  
8. get email  
mtg 7-20-18

**RESOLUTION OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI  
AUTHORIZING THE CLEANING OF PRIVATE  
PROPERTY AND MAKING PROVISION FOR COLLECTION**

**WHEREAS**, pursuant to Miss. Code Ann. Section 21-19-11, the Mayor and City Council of the City of Bay St. Louis, Mississippi are authorized and empowered on their own motion to clean private property which is in a condition to be a menace to the public health, safety and welfare of the community, and

**WHEREAS**, it has been brought to the attention of the Mayor and City Council that certain property owned by Charles J. Carlson (the "Owner") and located at 10002 Perch St Bay St Louis, MS (the "Property") is in such a state of uncleanliness and dilapidation so as to constitute a menace to the public health and safety, in violation of State Law and local Ordinance, and

**WHEREAS**, proper legal notice was provided as set forth in Exhibit A; and

**WHEREAS**, to-date no action has been taken to bring the property into compliance with applicable health and safety standards, and

**WHEREAS**, the Mayor and City Council are convinced that the condition of said property is such as to be a menace to the public health, safety and welfare of the community and that the property should be cleaned, and

**WHEREAS**, attached hereto as Collective Exhibit "B" are various pictures documenting the deteriorated and hazardous condition of the home and parcel of land, and

**NOW, THEREFORE, BE IT ORDERED** by the Mayor and City Council of the City of Bay St. Louis, Mississippi as follows, to wit:

1. The Property, 10002 Perch St (the "Property) is declared to be a menace to the public health, safety and welfare.
2. If the Owner does not do so himself, the City shall proceed to clean the Property by use of City crews, or an outside contractor, at the choice of the City. The City may cut the grass and weeds, fill cisterns, remove rubbish, remove dilapidated fences, remove outside toilets, remove dilapidated buildings, remove personal property, which removal of such personal property shall not be subject to the provisions of Mississippi Code 21-39-21, and drain cesspools and standing water. If addressed by outside contractor, the City will follow the mandates as set forth in Mississippi Code Ann. Sect. 31-7-13.
3. If the City proceeds with cleaning the Property, upon completion of activities related to the cleaning of the Property, the Mayor and City Council shall determine the actual cost incurred by the City.
4. The Mayor and City Council shall then adopt a resolution determining the amount of the actual cost incurred and consider the imposition of a penalty not to exceed fifty per

**S**

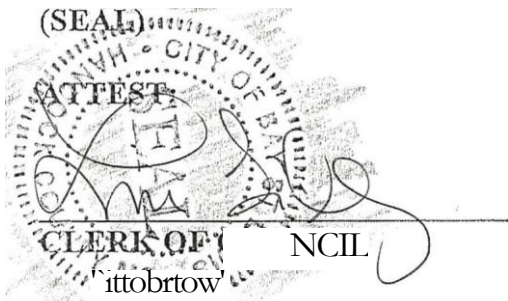
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cent (50%) of such actual cost, or the imposition of a penalty of One Thousand Five Hundred and 00/100 Dollars (\$1,500.00), whichever is greater, and shall determine the appropriate method for collecting same against the property identified herein.

The above and foregoing Resolution, after having been first reduced to writing and read aloud, was introduced by Councilman QA50-0-u o and seconded by Councilman ak-L,. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

Councilman Gary Knoblock	EA/NAY
Councilman Doug Seal	"YEA/NAY
Councilman Gene Hoffman	'YEA/NAY
Councilman Jeffery Reed	!EA/NAY
Councilman Larry Smith	YEA/NAY
Councilman Buddy Zimmerman	EJVNAY
Councilman Josh Desalvo	-A/NAY

Having received a majority of affirmative votes, the President declared that the Resolution was carried and adopted as set forth above on this the 1<sup>st</sup> day of July, 2018.



ADOPTED:

PRESIDENT

The above and foregoing Resolution submitted to and approved by the Mayor, this the 1<sup>st</sup> day of July, 2018.

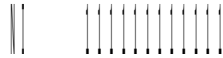
MAYOR

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits. 1.

Article Addressed to:

*Z1a17 Ci 1/41<sup>7</sup>,*

*ac)*



9590 9402 3631 7305 4036 21

All Ir. IP Number (Transfer from service label)

7017 1450 0000 7082 4985

PS Form 3811, July 2015 PSN 7530-02-000-9053

A. Signature  
X

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? 0 Yes  
If YES, enter delivery address below: 0 No

CI Agent  
0 Addressee

3. Service Type

0 Adult Signature

0 Adult Signature Restricted Delivery Certified Mail®

0 Certified Mail Restricted Delivery

0 Collect on Delivery

0 Collect on Delivery Restricted Delivery

El Insured Mail

7 Insured Mail Restricted Delivery (over \$500)

El Priority Mail Express®

0 Registered Mail™

0 Registered Mail Restricted Delivery

0 Return Receipt for Merchandise

0 Signature Confirmation™

0 Signature Confirmation Restricted Delivery

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RETURN RECEIPT

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P.O. Box 2550 Bay St. Louis

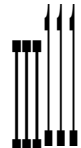
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APART  
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PLACE STICKIT AT TOP OF ENVELOPE TO THE RIGHT  
.....OF THE RETURN ADDRESS, FOLLO AT DOTTED LINE

VERTIFIED MAIL

521 - 2550



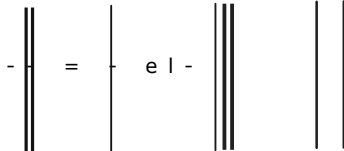
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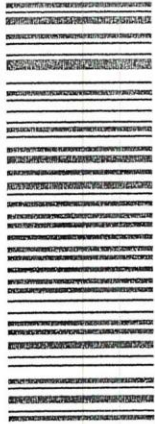
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## A PLACE APART

O. Box 2550 Bay St. Louis, MS 39521 - 2550

PLAC STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS FOLD AT DOTTED LINE

**CERTIFIED MAIL**



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RESOLUTION OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI  
AUTHORIZING THE CLEANING OF PRIVATE  
PROPERTY AND MAKING PROVISION FOR COLLECTION

WHEREAS, pursuant to Miss. Code Ann. Section 21-19-11, the Mayor and City Council of the City of Bay St. Louis, Mississippi are authorized and empowered on their own motion to clean private property which is in a condition to be a menace to the public health, safety and welfare of the community, and

WHEREAS, it has been brought to the attention of the Mayor and City Council that certain property owned by Charles J. Carlson (the "Owner") and located at 10002 Perch St Bay St Louis, MS (the "Property") is in such a state of uncleanliness and dilapidation so as to constitute a menace to the public health and safety, in violation of State Law and local Ordinance, and

WHEREAS, proper legal notice was provided as set forth in Exhibit A; and

WHEREAS, to-date no action has been taken to bring the property into compliance with applicable health and safety standards, and

WHEREAS, the Mayor and City Council are convinced that the condition of said property is such as to be a menace to the public health, safety and welfare of the community and that the property should be cleaned, and

WHEREAS, attached hereto as Collective Exhibit "B" are various pictures documenting the deteriorated and hazardous condition of the home and parcel of land, and

NOW, THEREFORE, BE IT ORDERED by the Mayor and City Council of the City of Bay St. Louis, Mississippi as follows, to wit:

1. The Property, 10002 Perch St (the "Property" is declared to be a menace to the public health, safety and welfare.
2. If the Owner does not do so himself, the City shall proceed to clean the Property by use of City crews, or an outside contractor, at the choice of the City. The City may cut the grass and weeds, fill cisterns, remove rubbish, remove dilapidated fences, remove outside toilets, remove dilapidated buildings, remove personal property, which removal of such personal property shall not be subject to the provisions of Mississippi Code 21-39-21, and drain cesspools and standing water. If addressed by outside contractor, the City will follow the mandates as set forth in Mississippi Code Ann. Sect. 31-7-13.
3. If the City proceeds with cleaning the Property, upon completion of activities related to the cleaning of the Property, the Mayor and City Council shall determine the actual cost incurred by the City.
4. The Mayor and City Council shall then adopt a resolution determining the amount of the actual cost incurred and consider the imposition of a penalty not to exceed fifty per

cent (50%) of such actual cost, or the imposition of a penalty of One Thousand Five Hundred and 00/100 Dollars (\$1,500.00), whichever is greater, and shall determine the appropriate method for collecting same against the property identified herein.

The above and foregoing Resolution, after having been first reduced to writing and read aloud, was introduced by Councilman \_\_\_\_\_ and seconded by Councilman \_\_\_\_\_. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

Councilman Gary Knoblock	YEA/NAY
Councilman Doug Seal	YEA/NAY
Councilman Gene Hoffman	YEA/NAY
Councilman Jeffery Reed	YEA/NAY
Councilman Larry Smith	YEA/NAY
Councilman Buddy Zimmerman	YEA/NAY
Councilman Josh Desalvo	YEA/NAY

Having received a majority of affirmative votes, the President declared that the Resolution was carried and adopted as set forth above on this the \_\_\_\_\_ day of July, 2018.

(SEAL)

ATTEST:

ADOPTED:

\_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
PRESIDENT

The above and foregoing Resolution submitted to and approved by the Mayor, this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
MAYOR

hir



## A PLACE APART

688 Highways 90, Bay St. Louis, MS 39520  
228-469-0531

CODE ENFORCEMENT DEPARTMENT

### NOTICE OF VIOLATION

DATE: March 23, 2018

PROPERTY LOCATION: 10002 Perch St #138D-  
0-47-100.000 Bay St. Louis, MS 39520

NAME OF INDIVIDUAL; Charles I Carlson

BY THIS NOTICE YOU ARE HEREBY ADVISED THAT YOU ARE IN VIOLATION OF THE CITY OF BAY ST. LOUIS'S CITY CODE OF ORDINANCES AS FOLLOWS;

After a site inspection of your property on March 15, 2018, it was found that there are violations to include but not limited to the following.

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PILING, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.

All vacant structures and premises thereof or vacant land with slabs shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health and safety."

Please allow this letter to serve as the City's official notification as a NOTICE OF VIOLATION and also allowing you the opportunity to bring the property into compliance.

NOTICE OF WARNING TO BRING THE PROPERTY INTO COMPLIANCE IS April 18, 2018.

You are further advised that if the violation has not been corrected by April 18, 2018, this matter will be referred of appropriate legal action.

Please feel free to contact me at (228) 466-5522 to discuss this matter further.



A PLACE APART

688 Highways 90, Bay St. Louis, MS 39520  
228-469-0531

CODE ENFORCEMENT DEPARTMENT

NOTICE OF VIOLATION

DATE: April 23, 2018

PROPERTY LOCATION: 10002 Perch St  
# 138D-0-47-100.00 Bay St. Louis, MS 39520

NAME OF INDIVIDUAL; Charles J. Carlson

BY THIS NOTICE YOU ARE HEREBY ADVISED THAT YOU ARE IN VIOLATION OF THE CITY OF BAY ST. LOUIS'S CITY CODE OF ORDINANCES AS FOLLOWS;

After a site inspection of your property on March 15, 2018 it was found that there are violations to include but not limited to the following.

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERIVIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PILINGS, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.

The scope of the 2012 International Property Maintenance Code, Section 101.2 states: "The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structure, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for the safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties."

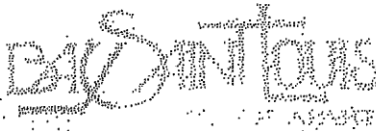
Section 301.2 General Requirements: Responsibility states: "The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided in the code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter."

Section 301.3 Vacant structures, Slabs and land: "All vacant structures and premises thereof or vacant land with slabs shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health and safety."

Please allow this letter to serve as the City's official notification as a NOTICE OF VIOLATION and also allowing you the opportunity to bring the property into compliance.



6/20/18  
Hick



Charles J. Chisholm  
SAB - Council Chairman  
San Antonio, TX 78251  
RE: Municipal Code Violations (Ordinance 539) at 10002 Perch St.  
Bay St. Louis, MS  
139A-0-40-508,001

Charles J. Chisholm  
11907 Parkway  
Bay St. Louis, MS 39520  
RE: Municipal Code Violations (Ordinance 539) at 10002 Perch St.  
Bay St. Louis, MS  
139A-0-40-508,001

Please be advised that the violations cited below have been confirmed by the City of Bay St. Louis Code Enforcement Office at the above referenced location. Please contact this office within seven (7) days of receipt of this notice to discuss the disposition of this matter.

Please be advised that the violations cited below have been confirmed by the City of Bay St. Louis Code Enforcement Office at the above referenced location. Please contact this office within seven (7) days of receipt of this notice to discuss the disposition of this matter.

Should this notice be ignored or you desire to be heard by the City Council, a hearing will take place by the City of Council of Bay St. Louis on 24<sup>th</sup> July 2018 pursuant to Mississippi Code Sect. 21-19-11. In determining if the property is a nuisance to the public health, safety and welfare of the community and upon a finding that the property is a nuisance, the City may enter and clean the property. An adjudication at the hearing that the property is in need of cleaning will authorize the City of Bay St. Louis to re-enter the property for a period of one (1) year after final adjudication without any further hearing if notice is posted on the property and at Bay St. Louis City Hall at least 10 business days before the property is re-entered for cleaning.

Should this notice be ignored or you desire to be heard by the City Council, a hearing will take place by the City of Council of Bay St. Louis on 24<sup>th</sup> July 2018 pursuant to Mississippi Code Sect. 21-19-11. In determining if the property is a nuisance to the public health, safety and welfare of the community and upon a finding that the property is a nuisance to the public health, safety and welfare of the community, an adjudication at the hearing that the property is in need of cleaning will authorize the City of Bay St. Louis to re-enter the property for a period of one (1) year after final adjudication without any further hearing if notice is posted on the property and at Bay St. Louis City Hall at least 10 business days before the property is re-entered for cleaning.

Cooperation with this office at 228-469-0531 in this matter is appreciated.

Cooperation with this office at 228-469-0531 in this matter is appreciated.

Sincerely,  


Sincerely,  


Don M. Steinkind  
Code Enforcement Officer  
Municipal Code Office  
City of Bay St. Louis

Don M. Steinkind  
Code Enforcement Officer  
Municipal Code Office  
City of Bay St. Louis

ORDINANCE 539 - AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND BUILDINGS AND PROPERTY CONTROL WITH FINDINGS AND SCHEDULE.

ORDINANCE 539 - AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND BUILDINGS AND PROPERTY CONTROL WITH FINDINGS AND SCHEDULE.

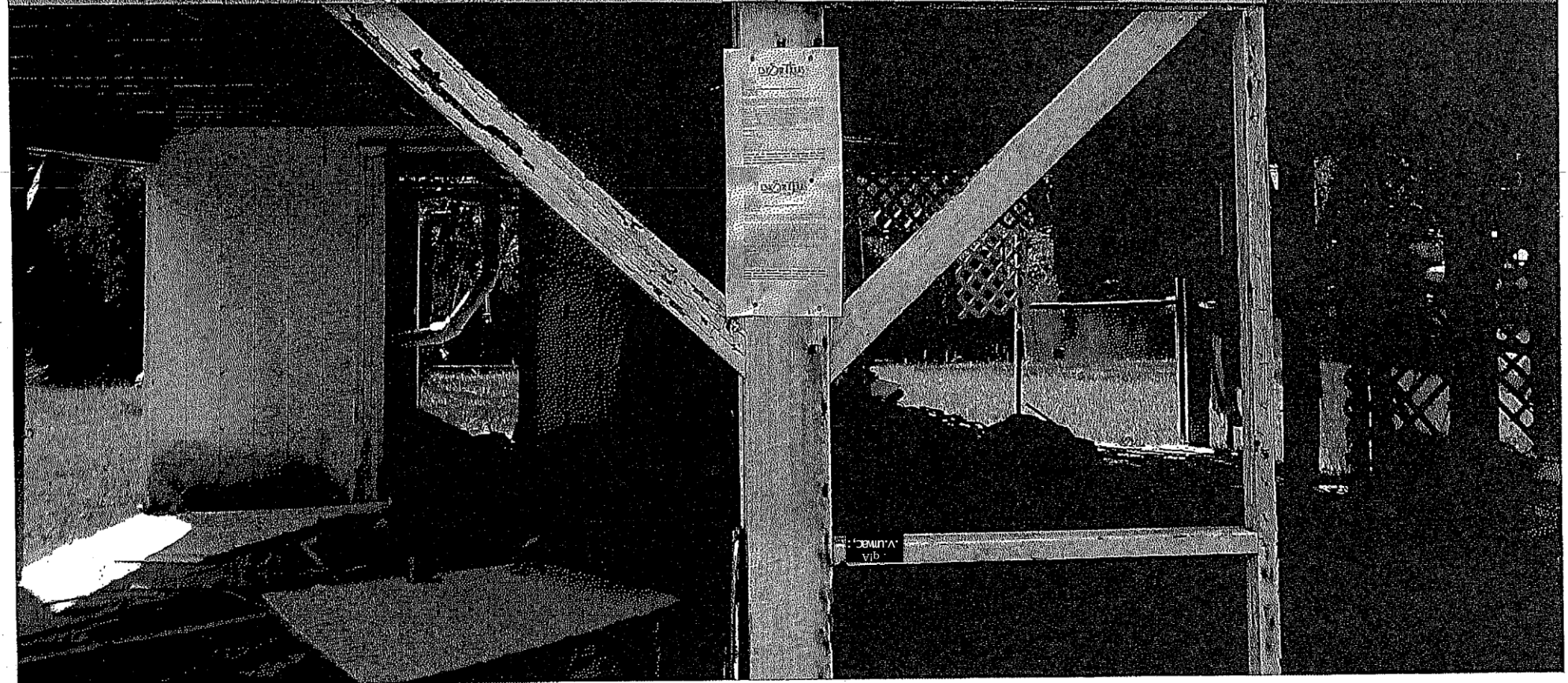
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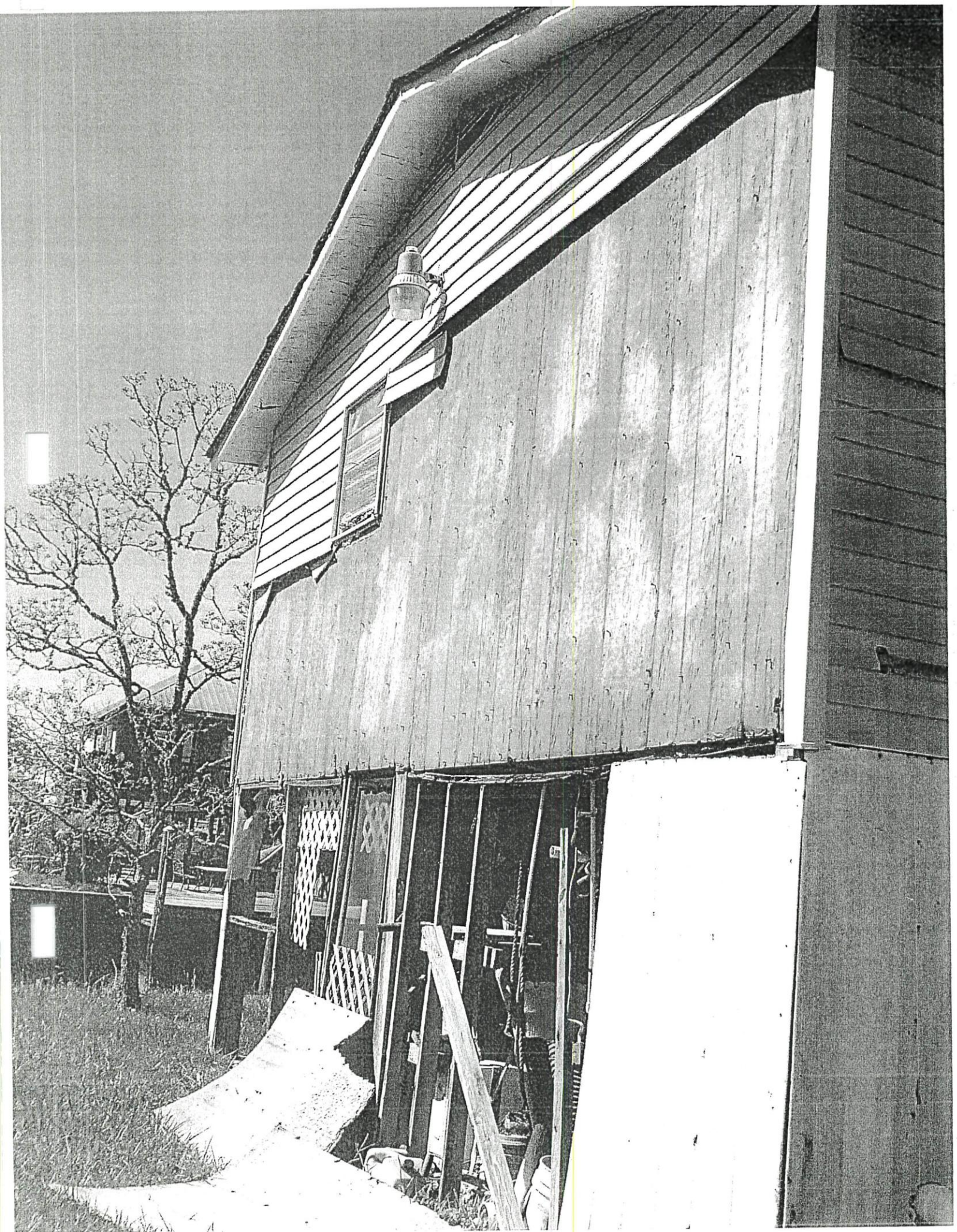
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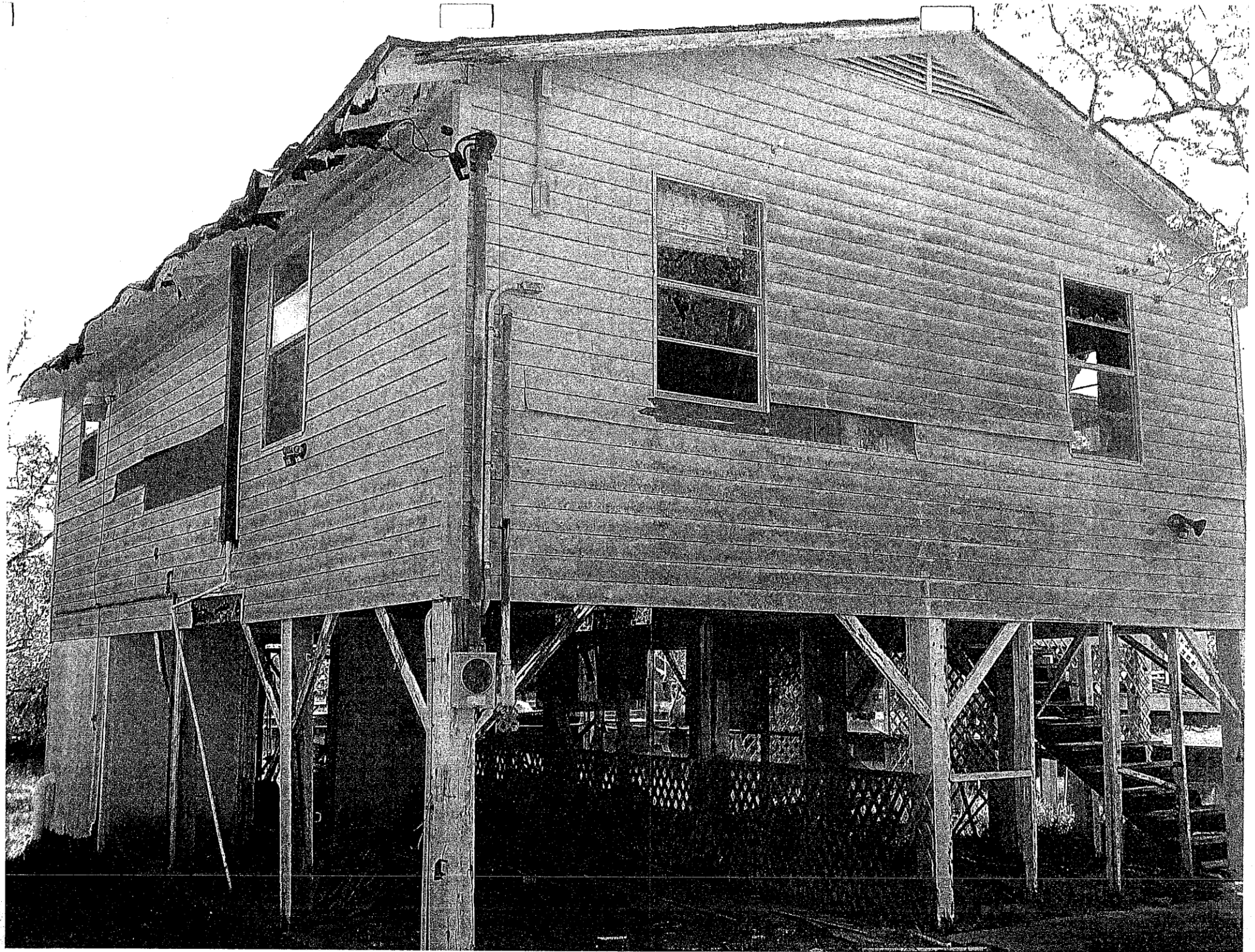
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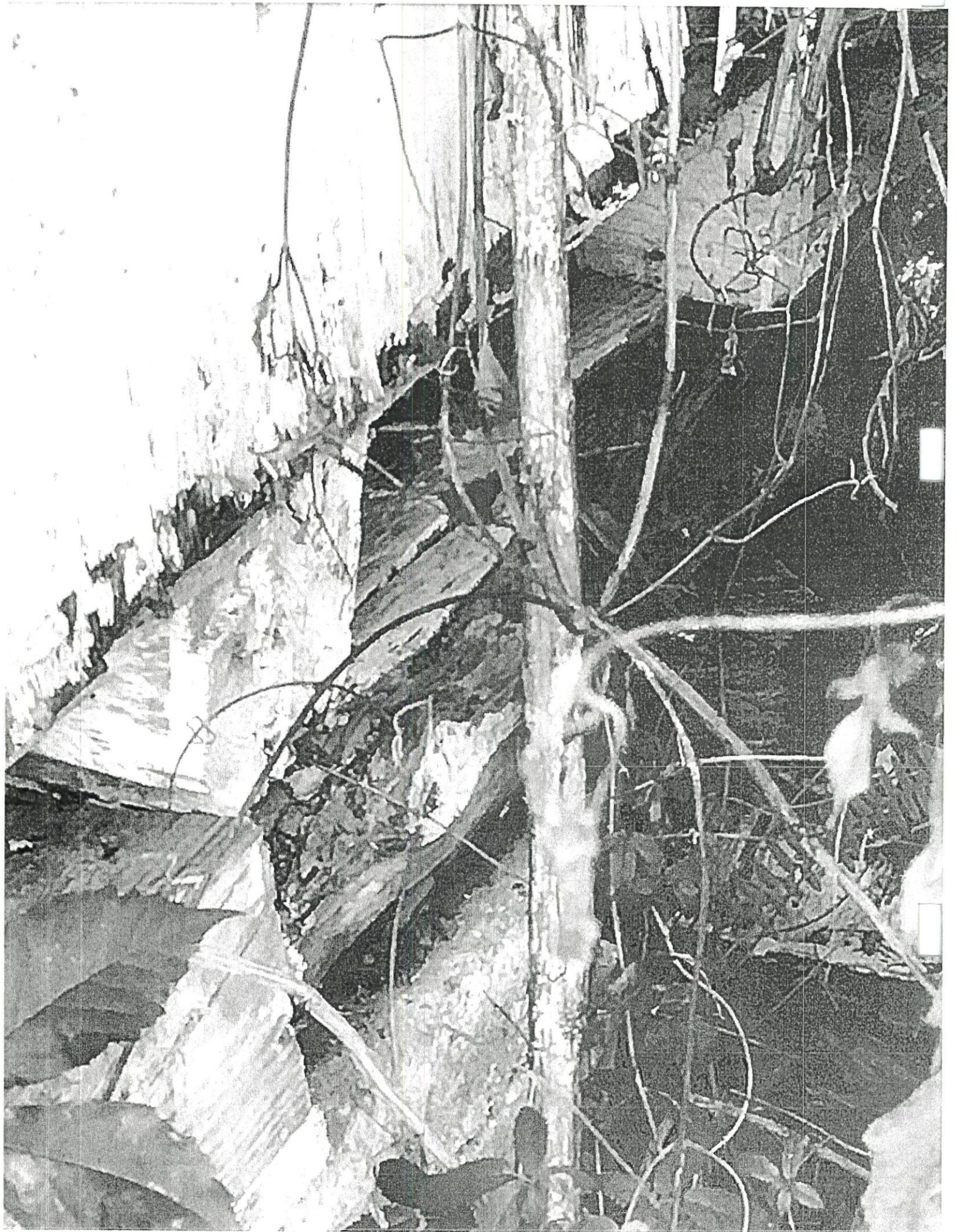












balVita

TOWOW CENTRE

No smoking  
within 30 feet  
of this building

7-771-3474  
No smoking  
within 30 feet  
of this building  
WISCONSIN  
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OPEN

USE  
OTHER  
DOOR  
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No  
Soliciting

6/21/14  
[Signature]

In: AV 10 Mow



June 22, 2018  
Charles I Carlson  
10002 Perch St  
Bay St Louis, Ms 39520  
RE: Municipal Code Violations (Ordinance 539) at 10002 Perch St  
Bay St. Louis, MS  
139A-0-40-306.001

Please be advised that the violations noted below have been confirmed by the City of Bay St. Louis Code Enforcement Office at the above-referenced location. Please contact this office within seven (7) days of receipt of this notice to discuss the disposition of this matter.

Should this notice be ignored or you desire to be heard by the City Council, a hearing will take place by the City of Council of Bay St. Louis on 24<sup>th</sup> July 2018 pursuant to Mississippi Code Sect. 21-19-11 to determine if the property is a menace to the public health, safety and welfare of the community and upon a finding that the property is a menace, the City may enter and clean the property. An adjudication at the hearing that the property is in need of cleaning will authorize the City of Bay St. Louis to reenter the property for a period of one (1) year after final adjudication without any further hearing if notice is posted on the property and at Bay St. Louis City Hall at least (7) seven days before the property is reentered for cleaning.

Please contact this office at 228-469-0531. Cooperation in this matter is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Siebenkittel", is written over a horizontal line.

Douglas Siebenkittel  
Code Enforcement Officer  
Municipal Code Office  
City of Bay St. Louis

---

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PILINGS, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.



June 22, 2018  
Charles J. Carlson  
930 Conqar Country  
San Antonio TX 78251  
RE: Municipal Code Violations (Ordinance 539) at 10002 Perch St  
Bay St. Louis, MS  
139A-0-40-306.001

Please be advised that the violations noted below have been confirmed by the City of Bay St. Louis Code Enforcement Office at the above-referenced location. Please contact this office within seven (7) days of receipt of this notice to discuss the disposition of this matter.

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Please contact this office at 228-469-0531. Cooperation in this matter is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Don M. Siebenldttel", is written over a horizontal line.

Don M. Siebenldttel  
Code Enforcement Officer  
Municipal Code Office  
City of Bay St. Louis

---

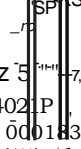
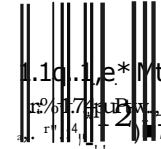
ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUI LONGS, STRUCTURES, PARTIAL STRUCTURES, AND PILINGS, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.

# BAY SAINT LOUIS

A PLACE APART

P.O. Box 2550 Bay St. Louis, MS 39521 - 2550

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6/21/2018

Perch street demo - Don Siebenkittel

## Perch street demo

Ray Ladner

Thu 6/21/2018 8:53 AM

To: Don Siebenkittel <[dsiebenkittel@baystlouis-ms.gov](mailto:dsiebenkittel@baystlouis-ms.gov)>;

Upon my inspection of 10002 perch street, it is my recommendation that this house be demolished due to unsafe structure and ,Irving conditions. The support post for foundation are rotted between 75-90% through at the ground level.

.Rickey Ladner  
Bay St Louis building inspector

Sent from my iPad

6/21/2018

Houses for demo recommendation - Don Siebenkittel

## Houses for demo recommendation

Ricky Ladner

Tue 5/29/2018 4:49 PM

To: Don Siebenkittel <[dsiebenkittel@baystlouis-ms.gov](mailto:dsiebenkittel@baystlouis-ms.gov)>;

Cc: Charlene Black <[cblack@baystlouis-ms.gov](mailto:cblack@baystlouis-ms.gov)>; Mike Favre <[mfavre@baystlouis-ms.gov](mailto:mfavre@baystlouis-ms.gov)>;

The following addresses have been inspected by myself and Tommy McConnell. We recommend that they be demolished due to the unsafe condition they are presently in. I will send a series of photos showing the unsafe conditions of each address.

The following addresses are:

5057 California  
gagiStirVataggV: ::2:4  
350 Kellar St

ie<sup>cel</sup>

Pr-r-C' e<sup>2</sup>-----

Estimate

RC Louis Construction

601-569-6365

WIL 444 agz v/eJ

To:

S'it:, Xd

Description

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Leave et 74 avic. ea 74:

Itemize Estimate

r./r 44,71-40-or-i2zee -----

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ezA:cl

+ plus

Total Estimated Job Cost fAc

This is an estimate only, not a contract for services. This estimate is for completing the ob as described above. It is based on our evaluation and does not include material price increases or additional labor and materials which may be required should unforeseen problems arise after the work has started.

### CARLSON CHARLES J ETAL

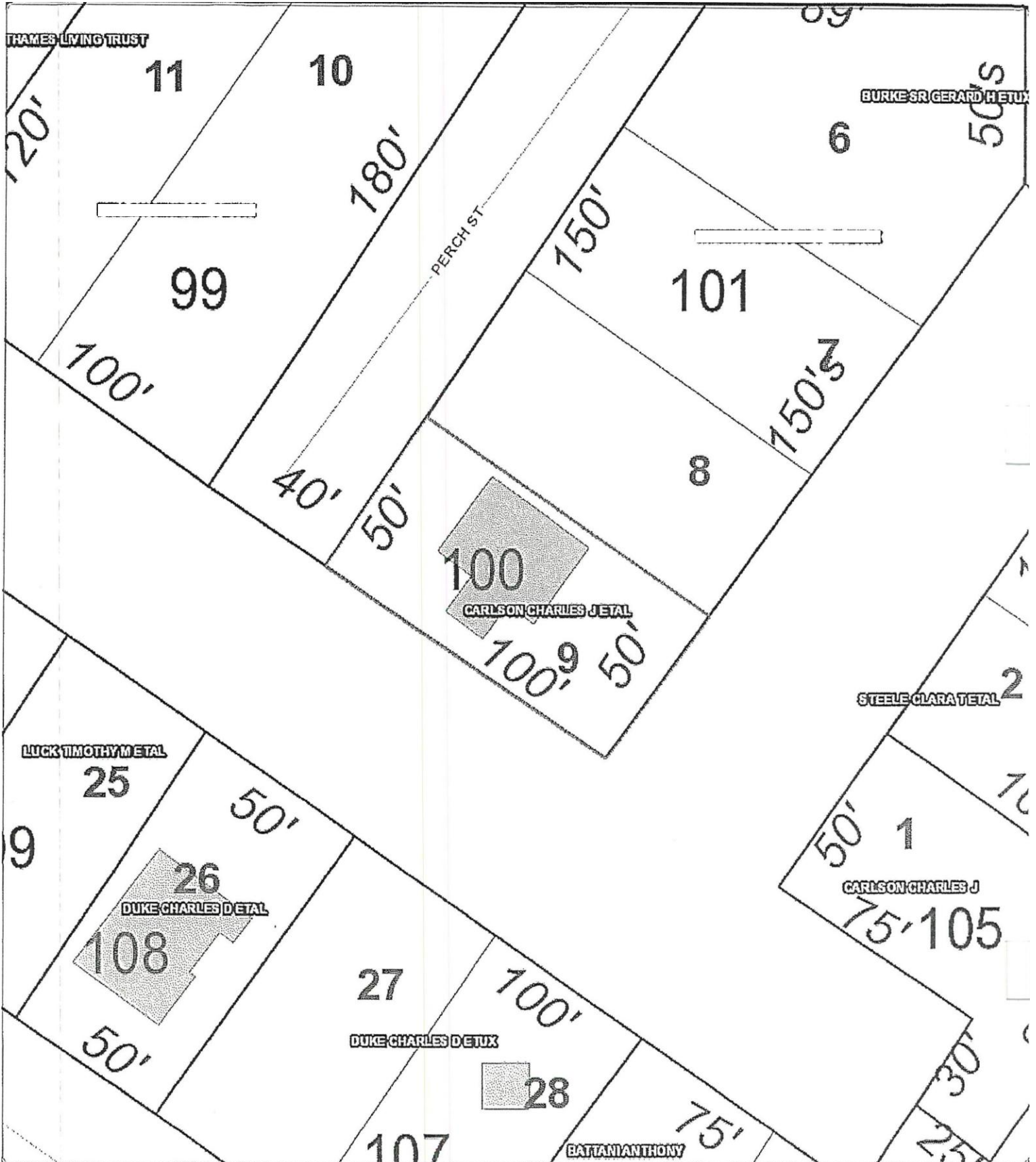
Parcel Number: 138D-0-47-100.000  
 Owner Name: CARLSON CHARLES J ETAL  
 Owner Address: 930 CONQAR COUNTRY  
 Owner City, State ZIP: SAN ANTONIO TX 78251  
 Physical Address: 10002 PERCH ST  
 Improvement Type: RES  
 Year Built: 1982  
 Base Area: 768  
 Adjusted Area: 1094  
 Improvement Value: 12426  
 Land Value: 9000  
 Total Value: 21426  
 Estimated Tax: 396.19  
 Homestead Exemption: No  
 Deed Book: B125  
 Deed Page: 0256  
 Legal Description 1: 9 BLK 803 SHORELINE PARK UN  
 Legal Description 2: 8  
 Legal Description 3:  
 Legal Description 4:  
 Legal Description 5:  
 Legal Description 6:  
 Longitude: -89.40258  
 Latitude: 30.31947  
 Square Footage: 4967.325783

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#### Sketches

Sketch	Sketch Name
	138D-0-47-100_00001-Model.gif

ueoportai ivtap

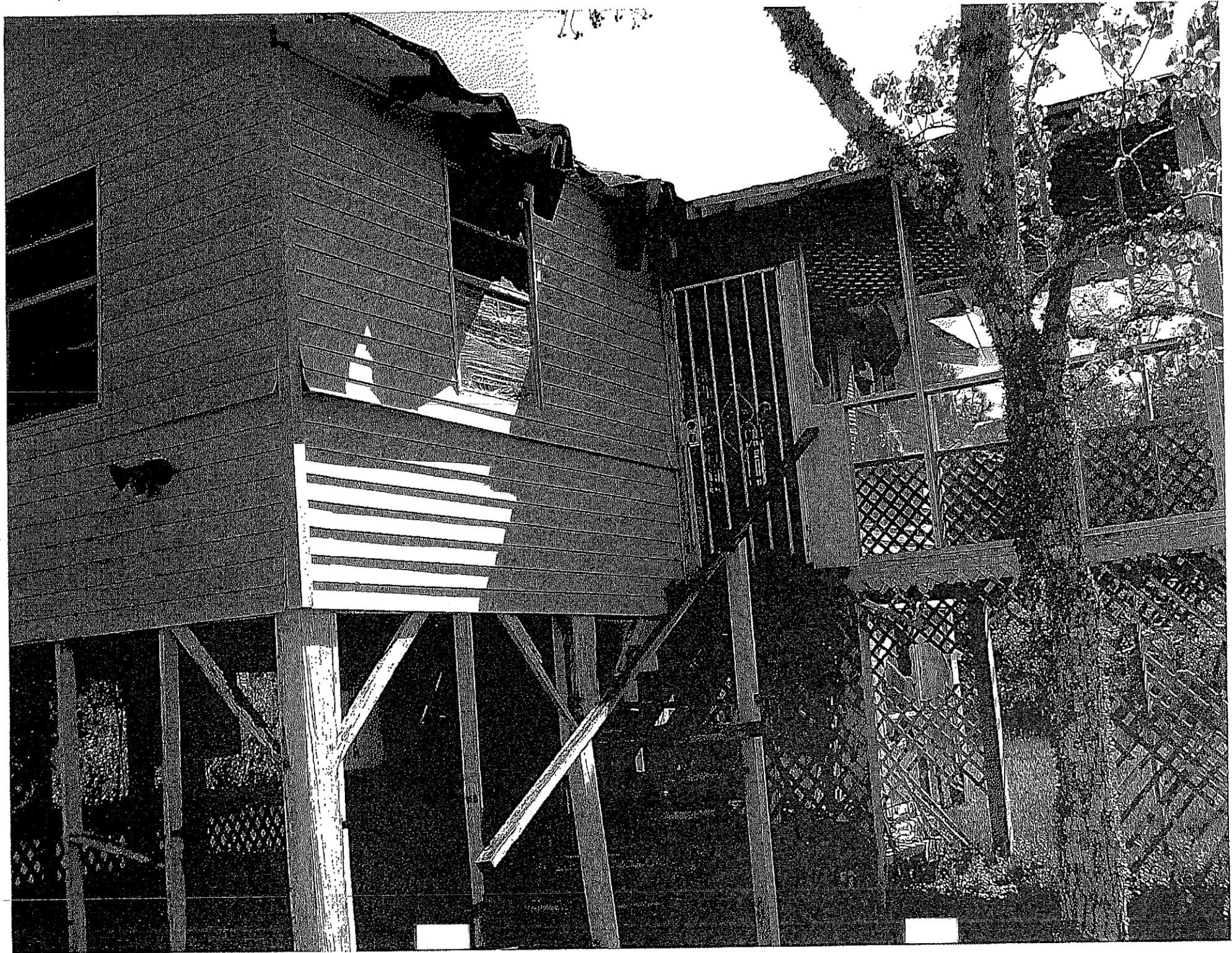


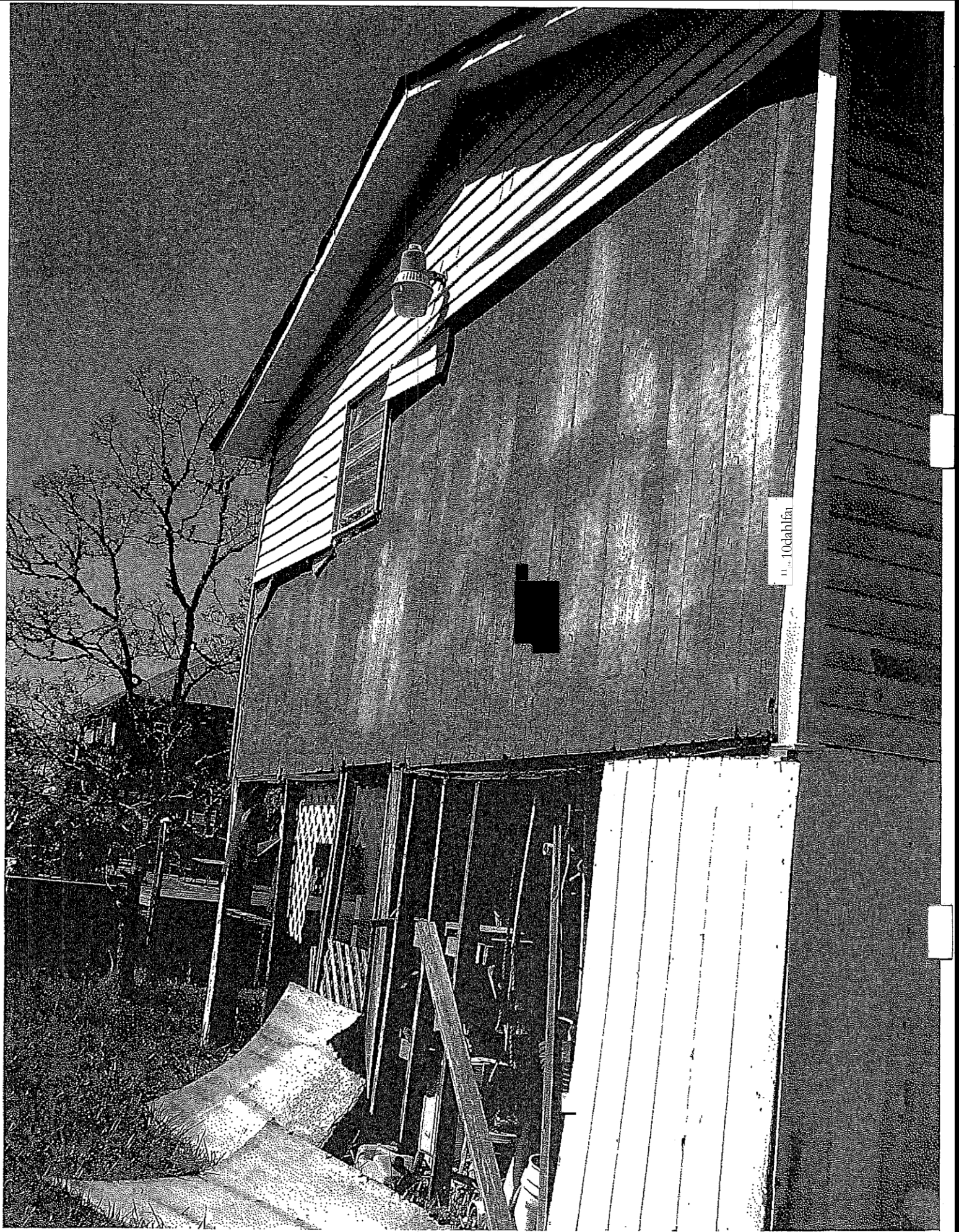
DISCLAIMER: Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold Hancock County harmless from and against any damage, loss or liability arising from any use of the map product. Users are cautioned to consider carefully the provisional nature of the maps and data before using it for decisions that concern personal or public safety or the conduct of business that involves monetary or operational consequences. Conclusions drawn from, or actions undertaken, on the basis of such maps and data, are the sole responsibility of the user.

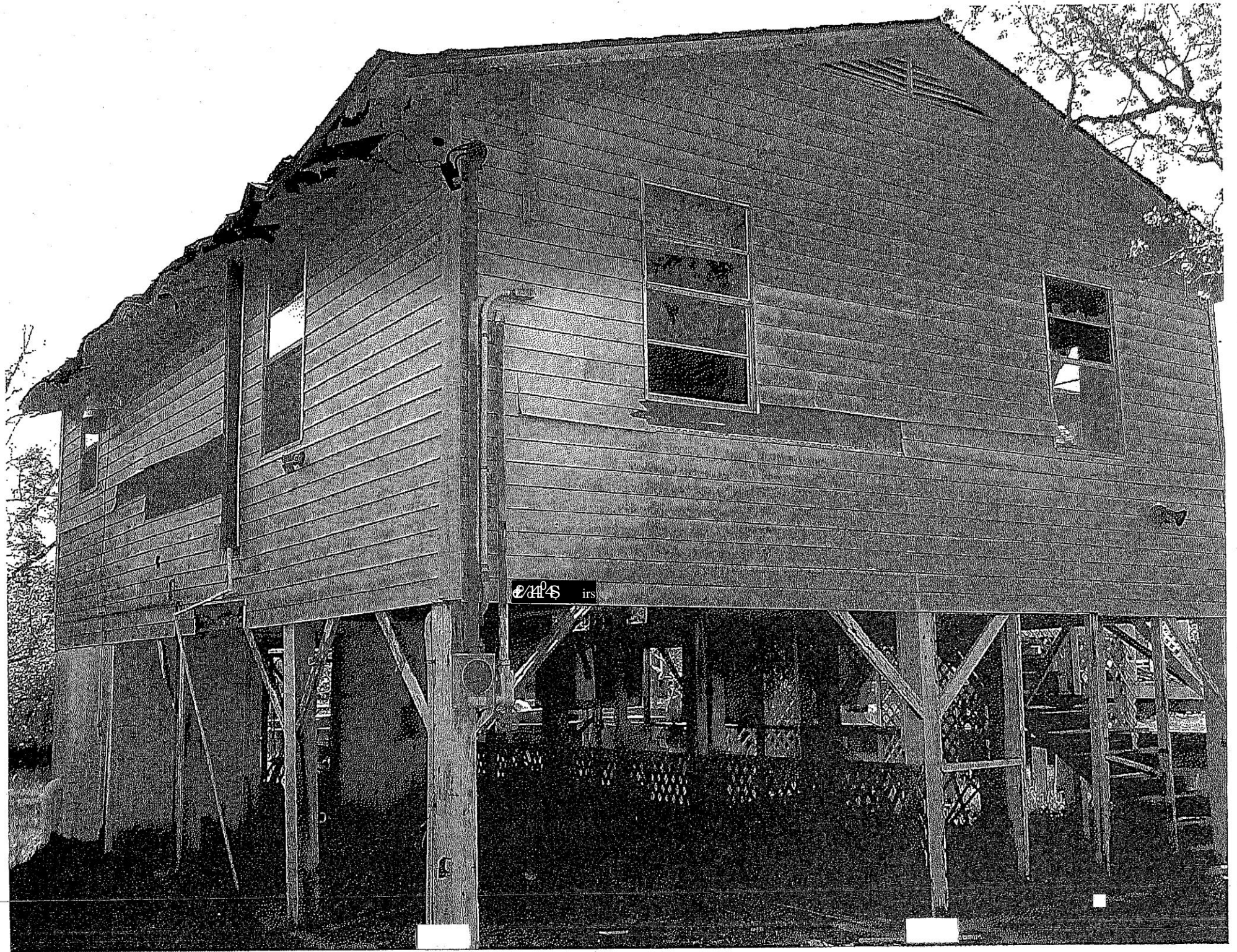
March 23, 2018

1 inch = 36 feet

0 10 20 30 40  
itinelliCIESSIC1Feet







CWS irs









June 22, 2018  
Theodore A Ladner  
4059 Robin St  
Bay St Louis, Ms 39520  
RE: Municipal Code Violations (Ordinance 539) at 4059 Robin **St**  
Bay St Louis, MS  
139A-0-40-306.001

Please be advised that the violations noted below have been confirmed by the City of Bay St. Louis Code Enforcement Office at the above-referenced location. Please contact this office within seven (7) days Of receipt of this notice to discuss the disposition of this matter.

Should this notice be ignored or you desire to be heard by the City Council, a hearing will take place by the City of Council of Bay St. Louis on 24<sup>th</sup> July 2018 pursuant to Mississippi Code Sect. 21-1941 to determine if the property is a menace to the public health, safety and welfare of the community and upon a finding that the property is a menace, the City may enter and clean the property. An adjudication at the hearing that the property is in need of cleaning will authorize the City of Bay St. Louis to reenter the property for a period of one (1) year after final adjudication without any further hearing if notice is posted on the property and at Bay St. Louis City Hall at least (7) seven days before the property is reentered for cleaning.

**ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS,**

Please contact this office at 228-469-0531. Cooperation in this matter is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Don M. Siebenkittel", is written over a horizontal line.

Don M. Siebenkittel  
Code Enforcement Officer  
Municipal Code Office City  
of Bay St. Louis

---

**VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDNGS, STRUCTURES, PARTIAL STRUCTURES, AND PILINGS, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.**



June 22, 2018

Theodore A Ladner

PO Box 9524

Metairie La 70055

**RE: Municipal Code Violations (Ordinance 539) at 4059 Robin St**

**Bay St. Louis, MS**

**139A-0-40-306.001**

Please be advised that the violations noted below have been confirmed by the City of Bay St. Louis Code Enforcement Office at the above-referenced location. Please contact this office within seven (7) days of receipt of this notice to discuss the disposition of this matter.

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Please contact this office at 228-469-0531. Cooperation in this matter is appreciated.

Sincerely,

on

M. Siebenlittell

Code Enforcement Officer

Municipal Code Office

City of Bay St. Louis

---

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PILINGS, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.

# BAY SAINT LOUIS

A

PLACE APART

P.O. Box 2550 Bay St. Louis, MS

39521 - 2550

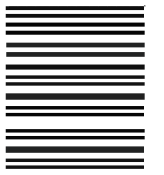
Theodore A. Lusher  
4059 ROBIN ST,  
Bay St Louis MS.  
39520



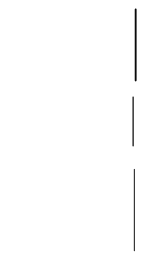
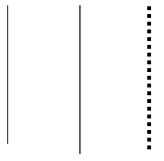
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4059 12/11/11

# BIG SAINT LOUIS

A

PLACE APART

Theodore A. Lauer  
PO Box 9524  
MONTAIRE, LA

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS FOLD AT DOTTED LINE  
**CERTIFIED MAIL**



7017 1450 0000 7082 4961






June 22, 2018  
 Theodore A. Linder  
 4059 Robin St  
 Bay St. Louis, MS 39520  
 RE: Municipal Code Violations (Ordinance 539) at 4059 Robin St  
 Bay St. Louis, MS  
 139A-0-40-306-001

Please be advised that the violations noted below have been confirmed by the City of Bay St. Louis Code Enforcement Office at the above-referenced location. Please contact this office within seven (7) days of receipt of this notice to discuss the disposition of this matter.

Should this notice be ignored or you desire to be heard by the City Council, a hearing will take place by the City of Council of Bay St. Louis on 24<sup>th</sup> July 2018 pursuant to Mississippi Code Section 19-2-11. To determine if the property is an encroachment to the public health, safety and welfare of the community and upon a finding that the property is a nuisance, the City may enter and clean the property. In adjudication at the hearing that the property is indeed a nuisance, the City will authorize the City of Bay St. Louis to re-enter the property for a period of one (1) year after final adjudication without any further notice. No other notices posted on the property and at Bay St. Louis City Hall on 15th and 16th days after the property is re-entered for cleaning.

Please contact this office at 228-449-4059. Cooperation in this matter is appreciated.

  
 Debra Shebenette  
 Code Enforcement Officer  
 Municipal Code Office  
 City of Bay St. Louis

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PLINGS, AND PROPERTY CONTROL WITH FINDINGS AND SCHEDULE.




June 22, 2018  
 Theodore A. Linder  
 PO Box 9524  
 McJannet La 70055  
 RE: Municipal Code Violations (Ordinance 539) at 4059 Robin St  
 Bay St. Louis, MS  
 139A-0-40-306-001


Please be advised that the violations noted below have been confirmed by the City of Bay St. Louis Code Enforcement Office at the above-referenced location. Please contact this office within seven (7) days of receipt of this notice to discuss the disposition of this matter.

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Please contact this office at 228-449-4059. Cooperation in this matter is appreciated.

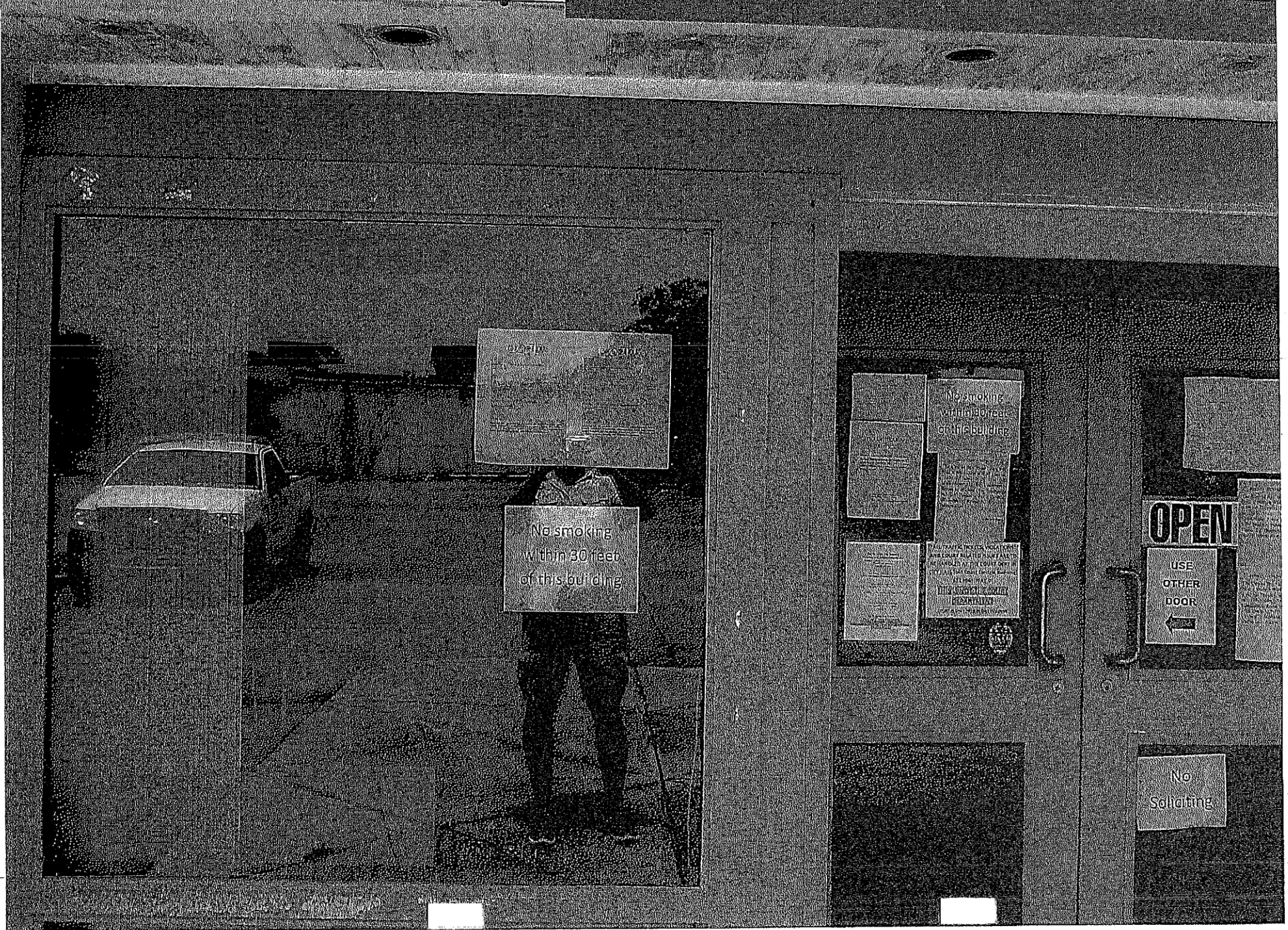
  
 Debra Shebenette  
 Code Enforcement Officer  
 Municipal Code Office  
 City of Bay St. Louis

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PLINGS, AND PROPERTY CONTROL WITH FINDINGS AND SCHEDULE.

6/26/18 

6/26/14

17.79aWawmegg3f



No smoking within 30 feet of this building

No smoking within 30 feet of this building

No smoking within 30 feet of this building

OPEN

USE OTHER DOOR


No Soliciting

# BAY SAINT LOUIS

A PLACE APART

June 22, 2018  
Theodore A. Lidner  
PO Box 9524  
Metairie La 70055  
RE: Municipal Code Violations (Ordinance 539) at 4059 Robin St  
Bay St. Louis, MS  
139A-0-10-306-001

46-Aida T. ESO-69eln: qulhusUeu  
[Illegible text block containing address and contact information]


Sincerely,  
  
Don M. Siebenkittel  
Code Enforcement Officer  
Municipal Code Office  
City of Bay St. Louis

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PILING, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.

# BAY SAINT LOUIS

A PLACE APART

[Illegible text block, possibly a second letter or notice]

Sincerely,  
  
Don M. Siebenkittel  
Code Enforcement Officer  
Municipal Code Office  
City of Bay St. Louis

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PILING, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.

  
6/21/18

Robin 6/21/18

Robin



0511 - Area No

Nov 1997

6/21/97

## LADNER THEODORE A SR

Parcel Number: 135N-1-39-300.000  
Owner Name: LADNER THEODORE A SR  
Owner Address: P O BOX 9524  
Owner City, State ZIP: META\_TRIE LA 70055  
Physical Address: 4059 ROBIN ST  
Improvement Type: RES  
Year Built: 1978  
Base Area: 640  
Adjusted Area: 832  
Improvement Value: 9185  
Land Value: 7000  
Total Value: 16185  
Estimated Tax: 299.3  
Homestead Exemption: No  
Deed Book: 2012 Deed Page: 11268 Legal Description  
1:13 BLK 616 SHORELINE PK UN 6 A  
Legal Description 2: DD 3  
Legal Description 3:  
Legal Description 4:  
Legal Description 5:  
Legal Description 6:  
Longitude: -89.403597  
Latitude: 30.32832  
Square Footage: 5303.978761

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### Sketches

Sketch Sketch Name

135N-1-39-300\_00001-Model.gif



Street View  
300.000  
THEODORE A  
524  
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BIN ST  
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7000  
16185  
299.3  
-89A03597  
30.32832  
5303.978761

e/e, 5-6' 4i; 71 *J*

Estimate

RC Loris Construction

601-569-6365

*e*ch '4' r. v

reir *I-4'*  
cr

To: City of *p*

Job Description

+ Permits

*1* cmovz 5<sup>74</sup>/ake v.S

9<sup>11</sup>/Z-cc net /er et 7 **5e(d\_**  
Total Estimated Job C

Itemized Estimate

~~nine~~ *nine* thousand  
plus permits

~~99,000.00~~  
9,000.00  
g/hej

This is an estimate only, not a contract for services. This estimate is for completion of work as described or above. It is based on our evaluation and does not include material price increases, additional labor, and materials which may be required should unforeseen problems arise after the work started.

|



Public Works Department  
688 Hwy 90  
Bay St. Louis, MS 39520  
228-467-5505

Date: June 19, 2018  
To: Mayor Mike Favre  
CC: Heather Smith  
From: Kim Favre  
Director of Public Works  
Re: 4056 Robin

The following is the cost of Employee's and Vehicle's per hours  
for the demo on 4056 Robin

Demo: Job Duration 8 hrs

Name	Per Hour With Benefits	Total
Jamie McKay	8 Jars	\$138.96
Brian Mathery	8 hrs	\$110.48
Mitch Swanier	8 hrs	\$118.96
Track Hoe	8 hrs	\$312.00
22 yd Grapple Truck	8 hrs	640.00
Pickup Truck	8 hrs	\$112.00
Dumping Fees	88 yards @4.75	\$418.00
Sub Total		\$1850.40
Administrative Fee	25%	\$462.60
Total		\$2,313.00

\*\*\* Hazardous Material

May be applied at the end of job. \*\*\*

Req. no. 2.  
①



A PLACE

APART

688 Highways 90, Bay St. Louis MS 39520  
228-469-0531

CODE ENFORCEMENT DEPARTMENT

## NOTICE OF VIOLATION

DATE: April 23, 2018

PROPERTY LOCATION; 4059 Robin St  
# 135N-1-39-300.00 Bay St. Louis, MS 39520

NAME OF INDIVIDUAL; Theodore A Ladner

BY THIS NOTICE YOU ARE HEREBY ADVISED THAT YOU ARE IN VIOLATION OF THE CITY OF BAY ST. LOUIS'S CITY CODE OF ORDINANCES AS FOLLOWS;

After a site inspection of your property on April 5, 2018 it was found that there are violations to include but not limited to the following.

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PILING, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.

The scope of the 2012 International Property Maintenance Code, Section 1012 states: "The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structure, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for the safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

Section 301.2 General Requirements: Responsibility states: "The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided in the code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter."

Section 301.3 Vacant structures, Slabs and land: "All vacant structures and premises thereof or vacant land with slabs shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health and safety."

Please allow this letter to serve as the City's official notification as a NOTICE OF VIOLATION and also allowing you the opportunity to bring the property into compliance.



WY

A PLACE APART

688 Highways 90, Bay St. Lon's, MS 39520  
228-469-0531

CODE ENFORCEMENT DEPARTMENT

- NOTICE OF VIOLATION

DATE: May 17, 2018

PROPERTY LOCATION: 4059 Robin St  
# 135N-1-39-300.000 Bay St. Louis, MS 39520

NAME OF INDIVIDUAL; Theodore A Ladner

BY THIS NOTICE YOU ARE HEREBY ADVISED THAT YOU ARE IN VIOLATION OF THE CITY OF BAY ST. LOUIS'S CITY CODE OF ORDINANCES AS FOLLOWS;

After a site inspection of your property on April, 2018 it was found that there are violations to include but not limited to the following.

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERVEIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PILING, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.

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Section 301.3 Vacant structures, Slabs and land: "All vacant structures and premises thereof or vacant land with slabs shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health and safety."

Please allow this letter to serve as the City's official notification as a NOTICE OF VIOLATION and also allowing you the opportunity to bring the property into compliance. •

You are further advised that if the violation has not been corrected by May 31, 2018, this matter will be referred to legal counsel for appropriate legal action.

6/21/2018

Houses for demo recommendation - Don Siebenkittel

## Houses for demo recommendation

Ricky Ladner

Tue 5/29/2018 4:49 PM

To: Don Siebenkittel <[dsiebenkittel@baystious-ms.gov](mailto:dsiebenkittel@baystious-ms.gov)>;

Cc: Charlene Black <[cblack@baystious-ms.gov](mailto:cblack@baystious-ms.gov)>; Mike Fevre <[mfavre@baystlouis-ms.gov](mailto:mfavre@baystlouis-ms.gov)>;

The following addresses have been inspected by myself and Tommy McConnell. We recommend that they be demolished due to the unsafe condition they are presently in. I will send a series of photos showing the unsafe conditions of each address.

The following addresses are:

5057 California  
OPW Robiri St  
350 Kellar St

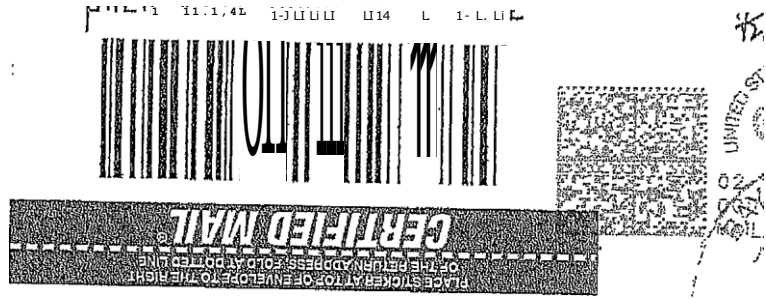
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# BAIX SAINT LOUIS

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RESOLUTION OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI  
AUTHORIZING THE CLEANING OF PRIVATE  
PROPERTY AND MAKING PROVISION FOR COLLECTION

WHEREAS, pursuant to Miss. Code Ann. Section 21-19-11, the Mayor and City Council of the City of Bay St. Louis, Mississippi are authorized and empowered on their own motion to clean private property which is in a condition to be a menace to the public health, safety and welfare of the community, and

WHEREAS, it has been brought to the attention of the Mayor and City Council that certain property owned by Theodore A Ladner (the "Owner") and located at 4059 Robin St Bay St Louis, MS (the "Property") is in such a state of uncleanliness and dilapidation so as to constitute a menace to the public health and safety, in violation of State Law and local Ordinance, and

WHEREAS, proper legal notice was provided as set forth in Exhibit A, and

WHEREAS, to-date no action has been taken to bring the property into compliance with applicable health and safety standards, and

WHEREAS, the Mayor and City Council are convinced that the condition of said property is such as to be a menace to the public health, safety and welfare of the community and that the property should be cleaned, and

WHEREAS, attached hereto as Collective Exhibit "B" are various pictures documenting the deteriorated and hazardous condition of the home and parcel of land, and

NOW, THEREFORE, BE IT ORDERED by the Mayor and City Council of the City of Bay St. Louis, Mississippi as follows, to wit:

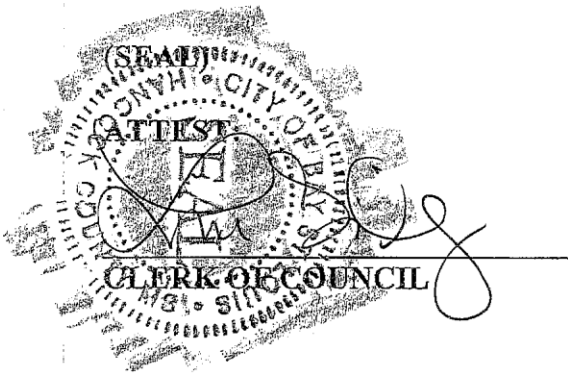
1. The Property, 4059 Robin St (the "Property" is declared to be a menace to the public health, safety and welfare.
2. If the Owner does not do so himself, the City shall proceed to clean the Property by use of City crews, or an outside contractor, at the choice of the City. The City may cut the grass and weeds, fill cisterns, remove rubbish, remove dilapidated fences, remove outside toilets, remove dilapidated buildings, remove personal property, which removal of such personal property shall not be subject to the provisions of Mississippi Code 21-39-21, and drain cesspools and standing water. If addressed by outside contractor, the City will follow the mandates as set forth in Mississippi Code Ann. Sect. 31-7-13. ;
3. If the City proceeds with cleaning the Property, upon completion of activities related to the cleaning of the Property, the Mayor and City Council shall determine the actual cost incurred by the City.
4. The Mayor and City Council shall then adopt a resolution determining the amount of the actual cost incurred and consider the imposition of a penalty not to exceed fifty per

cent (50%) of such actual cost, or the imposition of a penalty of One Thousand Five Hundred and 00/100 Dollars (\$1,500.00), whichever is greater, and shall determine the appropriate method for collecting same against the property identified herein.

The above and foregoing Resolution, after having been first reduced to writing and read aloud, was introduced by Councilman \_\_\_\_\_ and seconded by Councilman vnoA-0A-A- The Resolution was then put to a roll call vote and the results were as follows, to-wit:

Councilman Gary Knoblock	vYEAJNAY
Councilman Doug Seal	EA/NAY
Councilman Gene Hoffman	crEA/NAY
Councilman Jeffery Reed	t*BA/NAY
Councilman Larry Smith	lEA/TAY
Councilman Buddy Zimmerman	A
Councilman Josh Desalvo	JNAY
	'YEA/NAY

Having received a majority of affirmative votes, the President declared that the Resolution was carried and adopted as set forth above on this the \_\_\_\_\_ day of July, 2018.



ADOPTED:

PRESIDENT

The above and foregoing Resolution submitted to and approved by the Mayor, this the a<sup>3</sup> day of \_\_\_\_\_ 2018

MAYOR

# BAY SAINT LOUIS

A PLACE APART  
Bay St. Louis, MS 39521 - 2550

P.O. Box 2550

0 266 B 1 39270

9992007572 510

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921235050

1588-07523-2-36

*Theodore L  
4059 Roland  
1 Bay St Louis*

*39520*

INDEX

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*Robyn St*

PRICE

AUG 09 2018

BY: *Get folder held 8-8-17  
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# BAY SAINT LOUIS

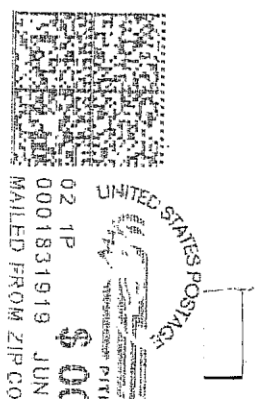
A PLACE APART

P.O. Box 2550 Bay St. Louis, MS 39521 - 2550

Theodore A. Laddner  
4059 Robin St.  
Bay St Louis's ms.  
39520



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# BAY SAINT LOUIS

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PLACE APART

P.O. Box 2550 Bay St. Louis, MS 39521 - 2550

*Theodore A. Labuer  
PO Box 9524  
MOBILE, AL*

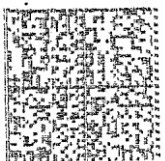


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RESOLUTION OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI  
AUTHORIZING THE CLEANING OF PRIVATE  
PROPERTY AND MAKING PROVISION FOR COLLECTION

WHEREAS, pursuant to Miss. Code Ann. Section 21-19-11, the Mayor and City Council of the City of Bay St. Louis, Mississippi are authorized and empowered on their own motion to clean private property which is in a condition to be a menace to the public health, safety and welfare of the community, and

WHEREAS, it has been brought to the attention of the Mayor and City Council that certain property owned by Theodore A Ladner (the "Owner") and located at 4059 Robin St Bay St Louis, MS (the "Property") is in such a state of uncleanliness and dilapidation so as to constitute a menace to the public health and safety, in violation of State Law and local Ordinance, and

WHEREAS, proper legal notice was provided as set forth in Exhibit A; and

WHEREAS, to-date no action has been taken to bring the property into compliance with applicable health and safety standards, and

WHEREAS, the Mayor and City Council are convinced that the condition of said property is such as to be a menace to the public health, safety and welfare of the community and that the property should be cleaned, and

WHEREAS, attached hereto as Collective Exhibit "B" are various pictures documenting the deteriorated and hazardous condition of the home and parcel of land, and

NOW, THEREFORE, BE IT ORDERED by the Mayor and City Council of the City of Bay St. Louis, Mississippi as follows, to wit:

1. The Property, 4059 Robin St (the "Property) is declared to be a menace to the public health, safety and welfare.
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cent (50%) of such actual cost, or the imposition of a penalty of One Thousand Five Hundred and 00/100 Dollars (\$1,500.00), whichever is greater, and shall determine the appropriate method for collecting same against the property identified herein.

The above and foregoing Resolution, after having been first reduced to writing and read aloud, was introduced by Councilman \_\_\_\_\_ and seconded by Councilman \_\_\_\_\_. The Resolution was then put to a roll call vote and the results were as follows, to-wit:

Councilman Gary Knoblock	YEA/NAY
Councilman Doug Seal	YEA/NAY
Councilman Gene Hoffman	YEA/NAY
Councilman Jeffery Reed	YEA/NAY
Councilman Larry Smith	YEA/NAY
Councilman Buddy Zimmeonan	YEA/NAY
Councilman Josh Desalvo	YEA/NAY

Having received a majority of affirmative votes, the President declared that the Resolution was carried and adopted as set forth above on this the \_\_\_\_\_ day of July, 2018.

(SEAL)

ATTEST:

ADOPTED:

\_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
PRESIDENT

The above and foregoing Resolution submitted to and approved by the Mayor, this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
MAYOR



June 22, 2018  
Theodore A Ladner  
PO Box 9524  
Metairie La 70055  
RE: Municipal Code Violations (Ordinance 539) at 4059 Robin St  
Bay St. Louis, MS  
139A-0-40-306.001

Please be advised that the violations noted below have been confirmed by the City of Bay St. Louis Code Enforcement Office at the above-referenced location. Please contact this office within seven (7) days of receipt of this notice to discuss the disposition of this matter.

Should this notice be ignored or you desire to be heard by the City Council, a hearing will take place by the City of Council of Bay St. Louis on 24<sup>th</sup> July 2018 pursuant to Mississippi Code Sect. 21-19-11 to determine if the property is a menace to the public health, safety and welfare of the community and upon a finding that the property is a menace, the City may enter and clean the property. An adjudication at the hearing that the property is in need of cleaning will authorize the City of Bay St. Louis to reenter the property for a period of one (1) year after final adjudication without any further hearing if notice is posted on the property and at Bay St. Louis City Hall at least (7) seven days before the property is reentered for cleaning.

Please contact this office at 228-469-0531. Cooperation in this matter is appreciated.

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS,  
Sincerely,

Don M. Siebenkittel  
Code Enforcement Officer  
Municipal Code Office City  
of Bay St. Louis

---

VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE  
MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND  
PILINGS, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.



June 22, 2018  
Theodore A Ladner  
4059 Robin St  
Bay St Louis, Ms 39520  
RE: Municipal Code Violations (Ordinance 539) at 4059 Robin St  
Bay St. Louis, MS  
139A-0-40-306.001

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Please contact this office at 228-469-0531. Cooperation in this matter is appreciated.

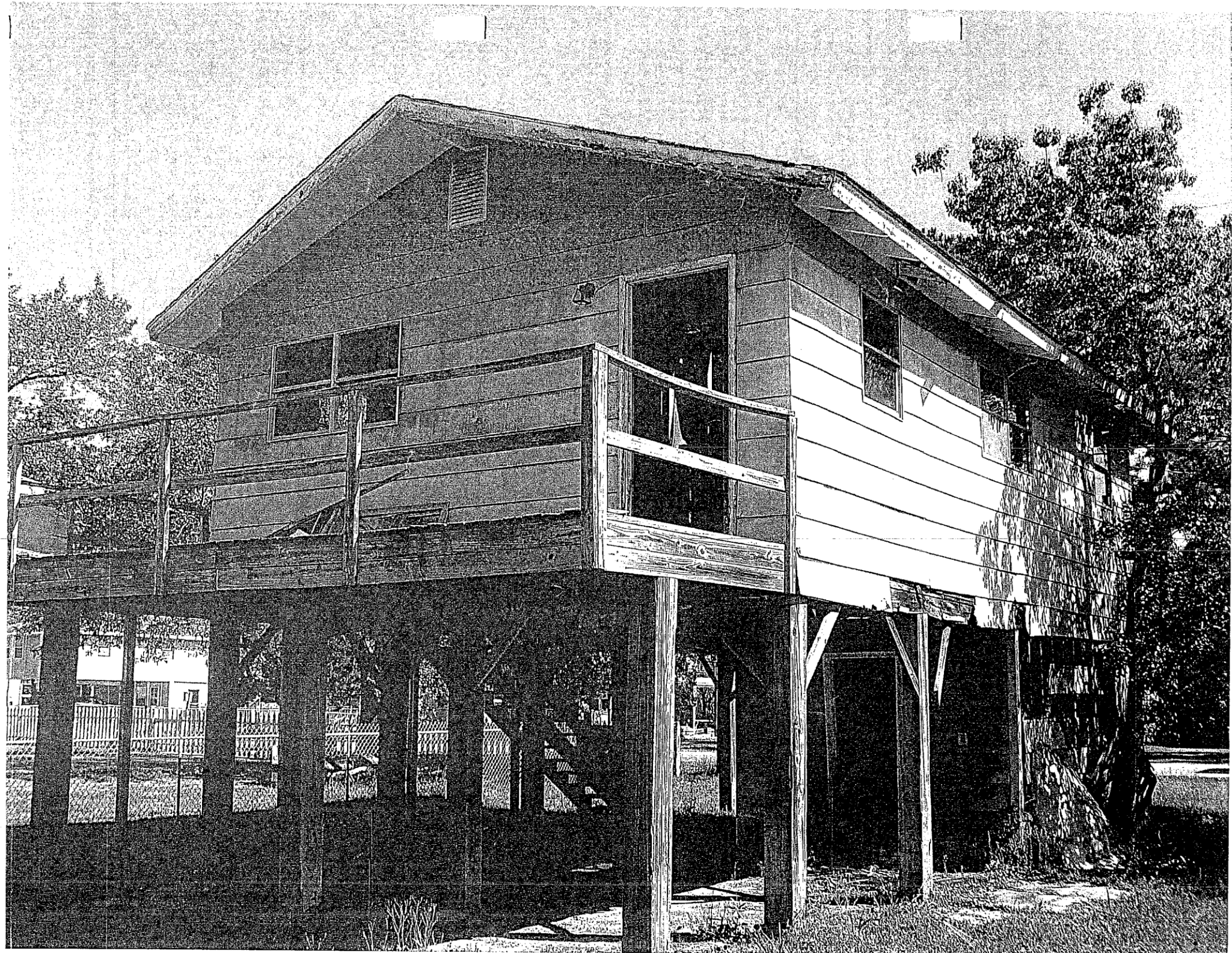
Sincerely,

A handwritten signature in black ink, appearing to read "M. Siebenkittel", is written over a horizontal line.

n M. Siebenkittel  
Code Enforcement Officer  
Municipal Code Office  
City of Bay St. Louis

---

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PILING, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.



BEVERLY HILLS  
CITY OF BEVERLY HILLS  
PLACEMENT APART

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RE; MOniciple\_ 'odo Violations (Ordinance 539) ti4059 Robin St:  
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BEVERLY HILLS  
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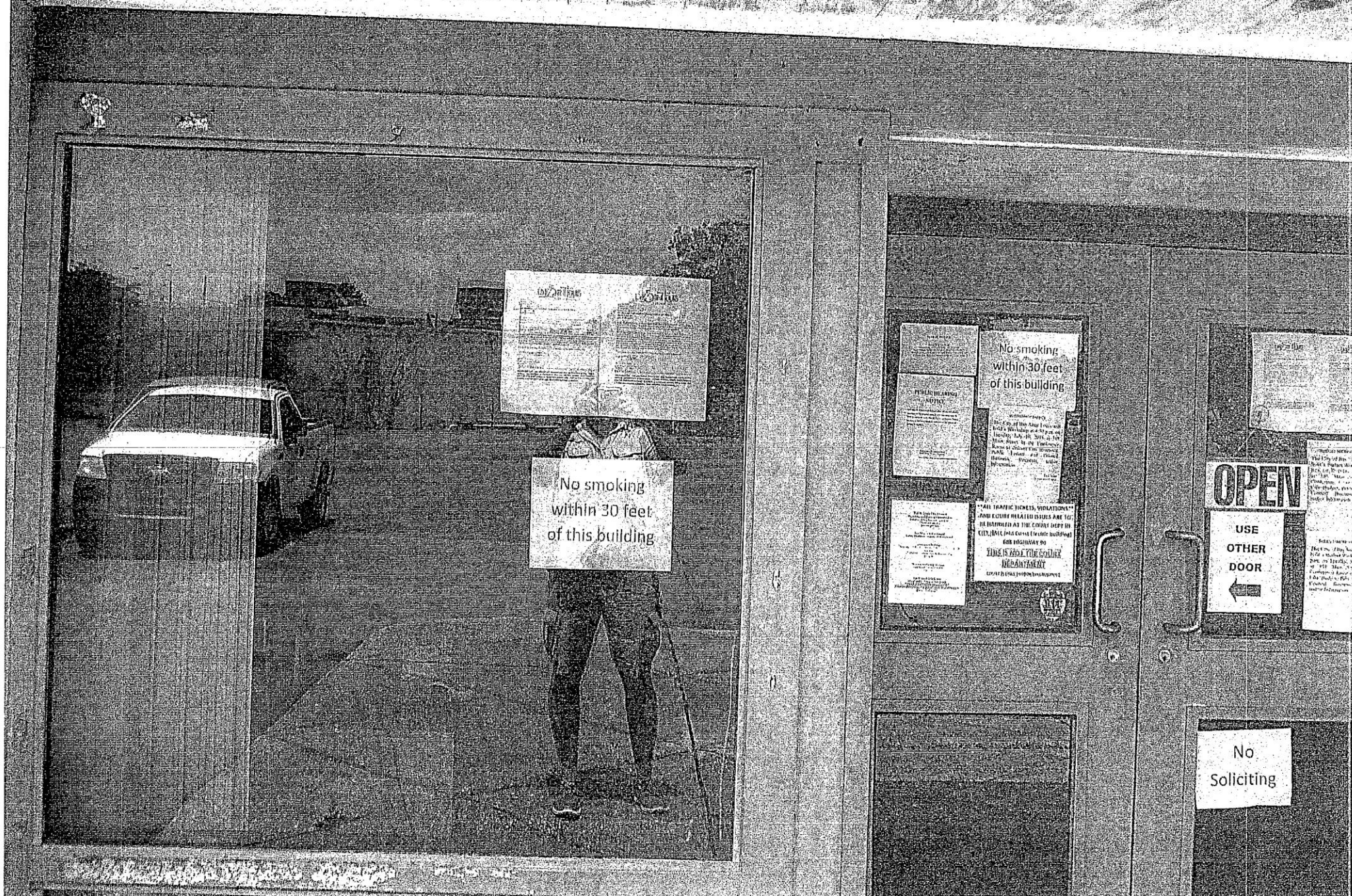
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Code Enloicentent•Officer  
City of 13431;:3.1'. 'liittir".

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6/20/18  


2/26/14



NO SMOKING  
WITHIN 30 FEET  
OF THIS BUILDING

No smoking  
within 30 feet  
of this building

No smoking  
within 30 feet  
of this building

PUBLIC HEARING  
NOTICE

ALL TRAFFIC TICKETS, VIOLATIONS,  
AND EQUINE RELATED ISSUES ARE TO  
BE RESOLVED AS THE COUNTY DEPT OF  
CLERK, MAIL, AND COURT SERVICES  
FOR HIGHWAY 90  
ELKS IS BACK TO THE SPARK  
DEPARTMENT  
DEPARTMENT OF HIGHWAY 90

OPEN

USE  
OTHER  
DOOR  
←

No  
Soliciting

# BAY SAINT LOUIS

A

## PLACE APART

June 22, 2019 • •  
Theodore A. Ladner  
PO Box 9524  
Nletairie La 71007-3 •

RE: Municipal-Code Violations (Ordinance 539) at 4059 Robin St

Bay St. Louis, MS. • •

• • 130A-0-40306.001 . Please be advised that the violations noted below have been defined by the City of Bay St. Louis Code Enforcement Office at the above-referenced location. Please contact this office within 7 days of receipt of this notice to discuss the disposition of this matter.

Should this notice be ignored or you desire to be heard by the City Council, a hearing will take place by the City of Council of Bay St. Louis on 24<sup>th</sup> July 2019 pursuant to Mississippi Code Sect. 21-19-1110 determine if the property is a menace to the public health, safety and welfare of the community and upon a finding that the property is a menace, the City may enter and clean the property. An adjudication at the hearing that the property is in need of cleaning



I will authorize the  
City, of Bay St.

Louis to reenter the property for a period of one (1) year after final adjudication Without any further hearing if notice is posted on the property and at Bay St. Louis City Hall at least (7) seven days before the property is reentered for cleaning. Please contact this office at 228-169-0531. Cooperation in this matter is appreciated.

# BAY SAINT LOUIS

A PLACE APART

Sincerely,

Don N. Siebenkind Code Enforcement Officer Municipal Code Office City of Bay St. Louis

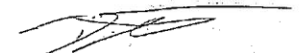
ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, TRASH, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTS, MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PILING, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.

Theodore A. Ladner  
4059 Robin St  
Bay St. Louis, MS 39520

RE: Municipal Code Violations (Ordinance 539) at 4059 Robin St  
Bay St. Louis, MS  
139A-0-40-306.001

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Don N. Siebenkind Code Enforcement Officer  
Municipal Code Office  
City of Bay St. Louis  
City of Bay St. Louis to reenter the property for a period of one (1) year after final adjudication Without any further hearing if notice is posted on the property and at Bay St. Louis

6/21/19

6/21/19

least (7) seven days before the property is reentered for cleaning-ng.

Please contact this \*Mee at 220-469-0531. Cooperation in this matter is appreci.c!

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ORDINANCE .539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS,  
VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS; OTHER OBJECTIONABLE  
MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND  
PILING, AND PROPERTY CONTROL, WITH FINDINGS 4N13 SCHEDULE.

Escalator

11,

Robin



6/2/11

### LADNER THEODORE A SR

Parcel Number: 135N-1-39-300.000  
 Owner Name: LADNER THEODORE A SR  
 Owner Address: P 0 BOX 9524  
 Owner City, State ZIP: METAIRIE LA 70055  
 Physical Address: 4059 ROBIN ST  
 Improvement Type: RES  
 Year Built: 1978  
 Base Area: 640  
 Adjusted Area: 832  
 Improvement Value: 9185  
 Land Value: 7000  
 Total Value: 16185  
 Estimated Tax: 299.3  
 Homestead Exemption: No  
 Deed Book: 2012  
 Deed Page: 11268  
 Legal Description 1: 13 BLK 616 SHORELINE PK UN 6 A  
 Legal Description 2: DD 3  
 Legal Description 3:  
 Legal Description 4:  
 Legal Description 5:  
 Legal Description 6:  
 Longitude: -89.403597  
 Latitude: 30.32832  
 Square Footage: 5303.978761

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#### Sketches

Sketch Sketch Name

1135N-1-39-300 00001-Model.gif



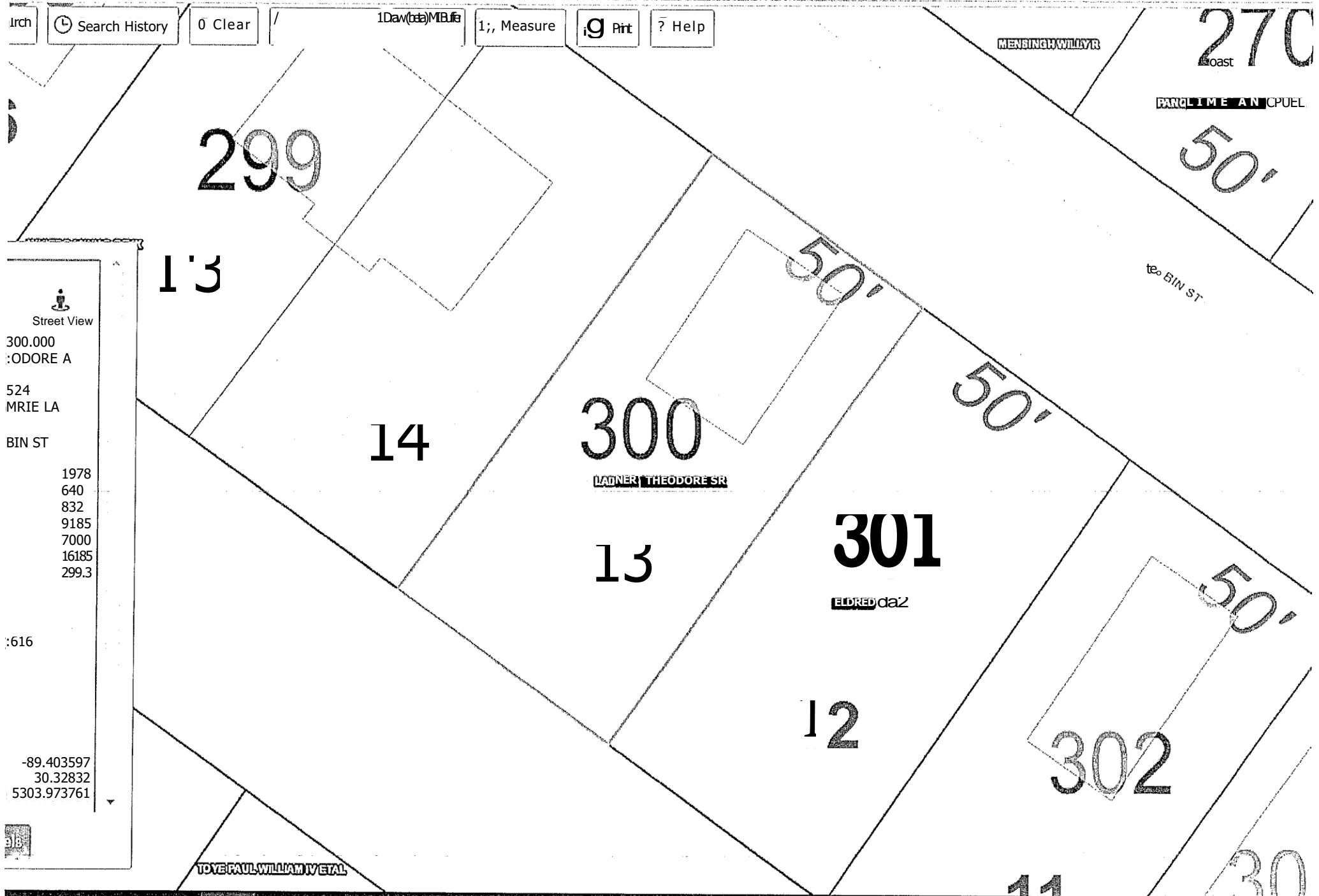
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Public Works Department  
688 Hwy 90  
Bay St. Louis, MS 39520  
228-467-5505

Date: June 19, 2018  
To: Mayor Mike Favre  
CC: Heather Smith  
From: Kim Favre  
Director of Public Works  
Re: 4056 Robin

The following is the cost of Employee's and Vehicle's per hours  
for the demo on 4056 Robin

Demo: Job Duration 8 hrs

Name	Per Hour With Benefits	Total
Jamie McKay	8 hrs	\$138.96
Brian Mathery	8 hrs	\$110.48
Mitch Swanier	8 hrs	\$118.96
Track Hoe	8 hrs	<b>\$312.00</b>
22 yd Grapple Truck	8 hrs	<b>\$640.00</b>
Pickup Truck	8 hrs	<b>\$112.00</b>
Dumping Fees	88 yards @ 4.75	\$418.00
Sub Total		\$1850.40
Administrative Fee	25%	\$462.60
Total		\$2,313.00

\*\*\* Hazardous Material  
I

May be applied at the end of job. \*\*\*

1

Req. 1112.2.  
①



688 Highways 90, Bay St. Louis, MS 39520  
228-469-0531

CODE ENFORCEMENT DEPARTMENT

## NOTICE OF VIOLATION

DATE: April 23, 2018

PROPERTY LOCATION; 4059 Robin St  
# 135N-1-39-300.00 Bay St. Louis, MS 39520

NAME OF INDIVIDUAL; Theodore A Ladner

BY THIS NOTICE YOU ARE HEREBY ADVISED THAT YOU ARE IN VIOLATION OF THE CITY OF BAY ST. LOUIS' CITY CODE OF ORDINANCES AS FOLLOWS; After a site inspection of your property on April 5, 2018 it was found that there are violations to include but not limited to the following.

ORDINANCE 539: AN ORDINANCE PROHIBITING AND REGULATING WEED, DEBRIS, VERMIN, ABANDONED AUTOMOBILES AND/OR VESSELS, OTHER OBJECTIONABLE MATTER, AND NONCOMPLIANT BUILDINGS, STRUCTURES, PARTIAL STRUCTURES, AND PILING, AND PROPERTY CONTROL, WITH FINDINGS AND SCHEDULE.

The scope of the 2012 International Property Maintenance Code, Section 101.2 states: "The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structure, equipment and facilities for light, ventilation, space, heating, sanitation protection from the elements, life safety safety from fire and other hazards, and for the safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

Section 301.2 General Requirements: Responsibility states: "The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided in the code. No person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter."

Section 301.3 Vacant structures, Slabs and land: "All vacant structures and premises thereof or vacant land with slabs shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health and safety."

Please allow this letter to serve as the City's official notification as a NOTICE OF VIOLATION and also allowing you the opportunity to bring the property into compliance.



## A PLACE ARkRT

688 Highways 90, Bay St. Louis, MS 39520  
228-469-0531

CODE ENFORCEMENT DEPARTMENT

## OTICE OF VIOLATION

DATE: May 17, 2018

PROPERTY LOCATION: 4059 Robin St  
# 135N-1-39-300.000 Bay St. Louis, MS 39520

NAME OF INDIVIDUAL; Theodore A Ladner

BY THIS NOTICE YOU ARE HEREBY ADVISED THAT YOU ARE IN VIOLATION OF THE CITY OF BAY ST. LOUIS'S CITY CODE OF ORDINANCES AS FOLLOWS;

After a site inspection of your property on April, 2018 it was found that there are violations to include but not limited to the following.

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Please allow this letter to serve as the City's official notification as a NOTICE OF VIOLATION and also allowing you the opportunity to bring the property into compliance.

You are further advised that if the violation has not been corrected by May 31, 2018, this matter will be referred to legal counsel for appropriate legal action.

61211201P

Houses for demo recommendation - Don Siebenkittel

1

## Hoses for demo recommendation

Ricky Ladner

Tue 5/29/2018 4:49 PM

To: Don Siebenkittel <[dsiebenkittel@baystlouis-ms.gov](mailto:dsiebenkittel@baystlouis-ms.gov)>;

cc: Charlene Black <[cblack@baystlouis-ms.gov](mailto:cblack@baystlouis-ms.gov)>; Mike Favre <[mfavre@baystlouis-ms.gov](mailto:mfavre@baystlouis-ms.gov)>;

The following addresses have been inspected by myself and Tommy McConnell. We recommend that they be demolished due to the unsafe condition they are presently in. I will send a series of photos showing the unsafe conditions of each address.

The following addresses are:

5057 C4fornia  
4056 Robin St ,  
350 Kellar St

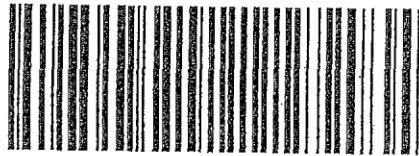
**EX SAINT LOUIS**

A PLACE APART

88 Bay St. Louis, MS 39521 - 2550

904-0-0-92 2-0,66-13-9-2 7 0-

13717115 7E 0LJULJ 000 L L LUC-



**CERTIFIED MAIL**  
PLACE STICKER AT TOP OR BOTTOM FOR THE RIGHT OF THE ADDRESSEE TO RETURN TO THE SENDER

*h* COIAfil<sup>43--/e.</sup>  
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2205/20/18

RETURN TO SENDER  
NO RECERTACLE  
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3

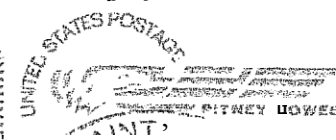


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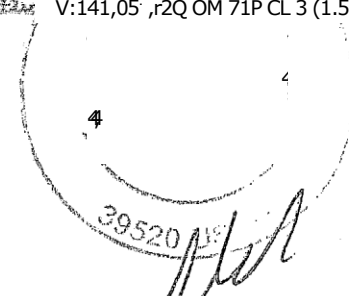
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## WARD 1 Doug Seal

**Hold NeW Owners Notice of violation**

**Update 6/29/18**

**514(caniii4gere7 Closed Case 6/21/18**

**32 North Beach — Blighted slab on property 7/31/18**

**295 Hwy 90 Reopened case- 7/9/18**

**Notice of violation sent**

**331 State St HPD - Property Maintenance 7/31**

**762 North Second St- Pool**

**632 Beach Blvd- Ord. 539 Grass, weeds on slab 7/31/18**

Exhibit "D"  
July 24, 2018

## WARD 2 Gene Hoffman

601 N. Second St and Breath Ln — property maintenance

LL1 LL(1) court date 7/20/18

Working 45%

343 St George - Abandoned structure

update 7/20

514 Main St- outdoor storage, contacted working progress 45%

update 7/30/18

512 Main St- outdoor storage, \_\_\_\_\_<sup>jt</sup> court date 7/20/18

447 Easterbrook St- Abandoned structure 7/30

438 Main St- Ord 539

126 Demontluzin- living in RV 7/31/18

212 Easterbrook St- Ord 539 Weeds, Grass 7/31/18

### **WARD 3 Jeffrey Reed**

350 Kelki . - Set Menace date 5/22/18

300 Washin. on St- Abandoned Structure, Abandoned Auto's, junk  
Closed iCase 6/26/18

417 Citizen St- Overgrown Closed Case 6/26/18

118 Sycamore St- **2** sheds on property Closed Case 7/09/18

Lot 203 Sycamore St -auto and sheds, Overgrown Court 7/13/18

Lot 16 Citizen St- 2/23/18 1st notice of violation outdoor storage on hold  
per WI

150 Cathy Dr- Abandoned Structure notice of violation  
Update 6/29/18 Closed Case 6/25/18 turned over to building dept

**641 Washington** St- Abandoned Structure - Property Maintenance

5g5 (31d Spanish TrOk (2n4 Letter 12/19/17) final Legal Notice set on  
Board meeting 3/20/18 EM

259 Washington — letter Abandoned Structure Notice of violation  
5/19/18 **14**

802 Washington- Outdoor Storage

540 Easterbrook — No building permits, Business License Stop work  
order issued Closed Case 7/108

226 Washington — Demo Closed Case 6/18

448 Easterbrook- Abandoned Structure

224 Sycamore- Auto, Trash Debris

235 Sycamore- Auto's

422 Sycamore- Codes/ Rv, No permits fence 7/31/18

231 Sycamore- Abandoned Structure notice of violation  
update 7/9

206 Keller- Codes portable buildings Closed Case 6/25/18

**206** Sycamore- Abandoned Auto notice of violation  
Closed Case 7/17/18

229 Sycamore HPD - Abandoned Structure notice of violation  
Update 7/9

403 Blai7e Ave- Abandoned Horse trailer and RV notice of violation  
Update 7/9

310 Railroad Ave HPD- Abandoned Structure notice of violation  
Update 7/9

**120** Railroad Ave HPD -Abandoned Struquire notice of violation  
Update 7/9

206 Kellar St HPD — Code Portable Building Closed Case 6/29/18

400 Hancock St-

501 OST- Outdoor storage of construction material 7/31/18

## WARD 4 Larry Smith

502 Spanish Acres- Outdoor Storage [REDACTED] court 7/13/18

301 Victoria St- B/P Abandoned Auto on roadway on Ioor  
[REDACTED] Summons

725 Webb St- Ord 539, Blighted Shed, Property Maintenance 7/30/18

**206** Caron Ln- AbandonedAutos [REDACTED] court 7/20/18

**206 (A)** Caron Ln- Abandoned Autos [REDACTED] court 7/20/18

204 Caron Ln- AbandonedlAuto [REDACTED] court 7/20/18

358 Ballentine - Blighted Property update 6/22/18

319 Ballentine- court 8/10

206 Kellar- Code Pod Storage HPD Closed Case 6/29/18

810 S. Beach — Code Tree protection Closed Case 6/21/18

454 Ballentine -



## WARD 6 Josh DeSalvo

5211 r' kve- Notice of violation debris, trash, Rv. Auto 7/24/18 menace hearing

167 Clara St- Outdoor Storage notice of violation (Lit Liell c).\* 7/9

3013 oid St mailed waiting on date to entry of property M.

4114 13th S multiple abandoned automobiles on multiple parcels  
Working 80%

4073 BanraSuda st-over grown, structure  
On HOLD

4113 Barracuda St- Notice of violation (structure)

11035 Missouri St- IPMC, Property maintenance 7/20

5023 S. Carolina St- outdoor storage 7/20

10343 Ave B- over grown grass, outdoor storage letter sent 5/7/18 70%  
Closed case 6/26/18

10015 Alabama ST- Property Maintenance Closed case 6/20/18

5039 California St- Abandoned Structure Closed case 6/20/18

5057 California St- DEMO MI

5002 S. Carolina St- Property maintenance, autos  
working 70% update on 7/31

10045 Grissom St-outdoor storage, Notice of violation

10676 Hwy 603- property Maintenance Closed case 7/17/18

4064 Baffin St-3 Abandoned Autos under Structure  
X3 court 7/2018

**Citation Summons**

**4068 Baffin St- \_L,LLUJ W1.u3LiE\_ X 2 collet 7/20/18**

10,092 Perch St- Abandoned Structure 7/24/18 menace hearing

11519 Bayou View- Abandoned Structure

4090 ist Ave- Structure Maintenance

11035 Missouri St- Property Maintenance, Abandoned Structure 7/20

222 Iris-Abandoned tractor Notice of violation  
update 7/10

4056 Robin St-, Abandoned Structure 7/24/18 menace hearing

10034 Semeru St- Abandoned Structure Notice of violation 7/20

4086 Nineteenth St- Stop work order for shed, notice sent 7/20

125 Edith Dr- 302.123 Rec Vehicle RV Notice of violation  
Update on 7/23

200 Skyline Dr- Living in RV Closed Case 7/11/2018

4208 21st St- High grass Closed Case 7/17/18

Helen Dr- Living in RV

5<sup>142</sup> ist - Property Maintenance, Code permits

9 Pompano Circle- Property Maintenance high grass 7/31/18

## **State of Menace 7124/18**

5211 1<sup>st</sup> Ave- Abandoned Structure  
10002 Perch St- Abandoned Structure  
4056 Robin St - Abandoned Structure

## **Menace Properties**

3012 Second St  
10034 Quailway  
350 Kellar St — Permitted Demo 7/16/18  
5057 California


525 Old Spanish Trl  
259 Washington

CITY OF BAY ST LOUIS					
CASH BALANCES					
7/20/2018					
FUND	TYPE	DESCRIPTION	Before	Docket	After
001	COMMITTED	GENERAL FUND OPERATING	\$ 1,061,026.24	\$ 80,861.53	\$ 980,164.71
001	RESTRICTED	MUN FIRE REBATE FUND & 1/4 MILL	\$ 33,167.32		\$ 33,167.32
005	COMMITTED	MUNICIPAL RESERVE FUND	\$ 285,073.46	\$ 4,088.49	\$ 280,984.97
020	COMMITTED	NARCOTIC'S TASK FORCE ACCT	\$ 5,267.19		\$ 5,267.19
200	COMMITTED & RESTRICTED	DEBT SERVICE ACCOUNT	\$ 38,936.73	\$ 4,286.83	\$ 34,649.90
270	RESTRICTED	2016 ROAD & BRIDGE DEBT SERVICE	\$ 121,458.79		\$ 121,458.79
300	RESTRICTED	DOJ FUNDS	\$ 323,295.30	\$ 11,336.02	\$ 311,959.28
330	RESTRICTED	2016 ROAD CONSTRUCTION BOND	\$ 4,382.83		\$ 4,382.83
350	COMMITTED	COUNTY ROAD & BRIDGE	\$ 119,275.67	\$ 3,206.36	\$ 116,069.31
400	COMMITTED	UTILITY FUND OPERATING	\$ 213,062.56	\$ 130,650.45	\$ 82,412.11
400	COMMITTED	UTILITY CAPITAL AND MAINTENANCE	\$ 630,965.10		\$ 630,965.10
400	RESTRICTED	UTILITY METER DEPOSITS	\$ 371,235.14		\$ 371,235.14
450	COMMITTED	MUNICIPAL HARBOR FUND	\$ 239,266.44	\$ 47,437.60	\$ 191,828.84
450	COMMITTED	MUNICIPAL HARBOR CAPITAL & MAINTENANCE	\$ 65,058.93		\$ 65,058.93
650	RESTRICTED	COMMUNITY HALL ACCOUNT	\$ 38,218.88	\$ 4,020.00	\$ 34,198.88
654	RESTRICTED	UNEMPLOYMENT REVOLVING FUND	\$ 45,995.13		\$ 45,995.13
100	RESTRICTED	KATRINA LONG TERM RECOVERY (FEMA)	\$ 153.44		\$ 153.44
115	RESTRICTED	KATRINA SUPPLEMENTAL CDBG ACCOUNT	\$ 10,889.28		\$ 10,889.28
		TOTAL ALL FUNDS:	\$ 3,606,728.43	\$ 285,887.28	\$ 3,320,841.15

Exhibit "E"  
July 24, 2018

RECEIVED  
JUL 20 2018  
BY: SHARON S. [Signature]  
mtg 7-24-18



RECEIVED  
JUL 20 2018  
BY:   
mtg 7-24-18

July 24, 2018

**CERTIFICATION**

I certify that funds are available and make the recommendation to approve and pay the following claims dockets:

Claims Docket 07/24/2018\_18-025 - \$285,887.28

A handwritten signature in black ink, appearing to read "Sissy Gonzales". The signature is written in a cursive, flowing style.

Sissy Gonzales  
City Clerk  
City of Bay St. Louis

CITY OF BAY ST. LOUIS_COUNCIL DOCKET_07/24/2018_18-025						
CLAIM #	VENDOR NAME	DATE	DESCRIPTION	FUND	DEPARTMENT	PAGE 1 AMOUNT
11357	ADRIAN ELKINS	7/12/2018	RESTITUTION REFUND	GENERAL FUND	NON-DEPARTMENTAL	\$ 3,095.50
					TOTAL:	\$ 3,095.50
11329	ADS SYSTEMS, LLC.	7/10/2018	ANNUAL EXTINGUISHER INSPECTION	MUNICIPAL HARBOR FUND	ADMINISTRATION	\$ 85.00
					TOTAL:	\$ 85.00
11338	AIR MASTERS	7/4/2018	FS#2 A/C TROUBLESHOOT	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 425.00
11338		7/4/2018	FREON	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 510.00
					TOTAL:	935.00
11314	AIRGAS	6/30/2018	CYLINDER RENTAL	UTILITY FUND	UTILITY OPERATIONS	\$ 218.19
					TOTAL:	\$ 218.19
					TOTAL:	147.54
11286	AT&T	6/30/2018	HARBOR UVERSE	MUNICIPAL HARBOR FUND	ADMINISTRATION	194.93
11263	ALL SEASONS FARM EQUIPMENT	7/6/2018	BLADES(6)	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 147.54
					TOTAL:	\$ 194.93
11253	B&J PIT STOP	6/13/2018	OIL CHANGE UNIT #009	GENERAL FUND	POLICE	\$ 30.00
11252		6/13/2018	OIL CHANGE UNIT #878	GENERAL FUND	POLICE	\$ 52.00
					TOTAL:	\$ 82.00
11265	B.E.A.R. ELECTRICAL APPARATUS & REPAIR	6/21/2018	SERVICE CALL	UTILITY FUND	UTILITY OPERATIONS	\$ 430.00
					TOTAL:	<del>430.00</del> 37.76
11316	BAILEY LUMBER	7/11/2018				

PAGE 2						
CLAIM #	VENDOR NAME	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
11335	BAILEY LUMBER	7/12/2018	2x8x14 DECKING(6)	MUNICIPAL HARBOR FUND	ADMINISTRATION	104.46
11335		7/12/2018	2x8x10 DECKING(6)	MUNICIPAL HARBOR FUND	ADMINISTRATION	
11335		7/12/2018			ADMINISTRATION	56.55
						27.89
						2.94
						80.28
11335			6x6 POST_FISHING PIER(2) MUNICIPAL HARBOR FUND			
11335		7/12/2018	DECK SCREWS(1)	MUNICIPAL HARBOR FUND	ADMINISTRATION	
11335		7/12/2018	DRIVER BITS(6)	MUNICIPAL HARBOR FUND	ADMINISTRATION	-\$

TOTAL: 366.88

BANCORPSOUTH EQUIPMENT FINANCE	7/4/2018	PAY#11 KUBOTA W/KING	DEBT SERVICE FUND	DEBT SERVICE	1,343.98
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TOTAL:						\$ 1,343.98
11241	BAY ICE COMPANY	7/2/2018	ICE_HARBOR	MUNICIPAL HARBOR FUND	ADMINISTRATION	\$ 33.00
11255		7/6/2018	ICE_HARBOR	MUNICIPAL HARBOR FUND	ADMINISTRATION	165.00
11300		7/9/2018	ICE_HARBOR	MUNICIPAL HARBOR FUND	ADMINISTRATION	\$ 44.00

TOTAL: \$ 242.00

11317	BNB BUSINESS SOLUTIONS	7/9/2018	BLANK CASE BINDERS(250)	GENERAL FUND	POLICE	\$ 372.50
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TOTAL: 372.50

11355	BURKE'S OUTLET	6/29/2018	RESTITUTION REFUND	GENERAL FUND	NON-DEPARTMENTAL	\$ 20.00
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TOTAL: \$ 20.00

11249	CARQUEST AUTO PARTS	7/9/2018	BATTERY UNIT #922	GENERAL FUND	POLICE	\$ 114.44
11248		7/10/2018	FRONT PADS_UNIT #037	GENERAL FUND	POLICE	\$ 27.51
11248		7/10/2018	REAR PADS	GENERAL FUND	POLICE	\$ 27.51
11248		7/10/2018	FRONT ROTORS	GENERAL FUND	POLICE	\$ 143.56
11248		7/10/2018	REAR ROTORS	GENERAL FUND	POLICE	\$ 130.50
11277		7/3/2018	BATTERY	GENERAL FUND	FIRE	\$ 91.27

TOTAL: \$ 836.87

11276		7/3/2018	BELT	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 26.78
11312		7/3/2018	EXPANSION VALVE	GENERAL FUND	STREETS & PUBLIC WORKS	22.32
11275		7/3/2018	FREON CYLINDER 33LBS	GENERAL FUND	STREETS & PUBLIC WORKS	131.24
11274		7/3/2018	BELT	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 121.74

						PAGE 3
CLAIM #	VENDOR NAME	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
11270	CHANCELLOR	7/5/2018	PHASE MONITOR	UTILITY FUND	UTILITY OPERATIONS	\$ 90.00
					TOTAL:	\$ 90.00
11285	CINTAS UNIFORMS	7/5/2018	P.W. UNIFORMS_07/05/2018	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 433.04
11333		7/12/2018	P.W. UNIFORMS 07/12/2018	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 248.84
11256		7/5/2018	HARBOR UNIFORMS_07/05/2018	MUNICIPAL HARBOR FUND	ADMINISTRATION	\$ 37.91
11328		7/12/2018	HARBOR UNIFORMS 07/12/2018	MUNICIPAL HARBOR FUND	ADMINISTRATION	37.91
					TOTAL:	\$ 757.70
11351	CITY OF BAY SAINT LOUIS	7/18/2018	TRF GF TO COUNTY R&B TAXES	GENERAL FUND	ADMINISTRATION	\$ 2,867.98
11352		7/18/2018	TRF GF TO DEBT SERVICE TAXES	GENERAL FUND	ADMINISTRATION	\$ 2,358.11
11353		7/18/2018	TRF GF TO 2016 R&B DEBT SERVICE	GENERAL FUND	ADMINISTRATION	\$ 5,061.01
113-10		7/12/2018	HARBOR SLIP PAYMENT 45-104300	UJILITY FUND	NON-DEPARTMENTAL	\$ 923.20
11232		7/3/2018	TRF OLD TOWN TO GF_REV EARNED	COMMUNITY HALL UNEARNED	NON-DEPARTMENTAL	\$ 1,500.00
11231		7/2/2018	TRF COMM HALL TO GF_REV EARNED	COMMUNITY HALL UNEARNED	NON-DEPARTMENTAL	\$ 2,520.00
					TOTAL:	\$ 15,230.30
11291	COAST ELECTRIC POWER ASSOCIATION	7/5/2018	870474-003 HWY90 & DRINKWATER	GENERAL FUND	STREETS & PUBLIC WORKS	46.87
11345		7/6/2018	386820-002 TURNER ST LIGHT	GENERAL FUND	STREETS & PUBLIC WORKS	104.05
11345		7/6/2018	386820-009 HWY 90 LIGHTING	GENERAL FUND	STREETS & PUBLIC WORKS	131.09
11345		7/6/2018	386820-033 HWY 90 ACROSS POST OFFICE	GENERAL FUND	STREETS & PUBLIC WORKS	74.54
11345		7/6/2018	386820-034 HWY 90 LIGHTING	GENERAL FUND	STREETS & PUBLIC WORKS	97.38
11345		7/6/2018	386820-035 HWY 90 LIGHTING	GENERAL FUND	STREETS & PUBLIC WORKS	101.12
11345		7/6/2018	386820-036 HWY 90 LIGHTING	GENERAL FUND	STREETS & PUBLIC WORKS	78.57
11345		7/6/2018	386820-037 HWY 90 LIGHTING	GENERAL FUND	STREETS & PUBLIC WORKS	32.77
11345		7/6/2018	386820-039 HWY 90W LIGHTING	GENERAL FUND	STREETS & PUBLIC WORKS	68.88
11345		7/6/2018	386820-040 HWY 90 LIGHTING	GENERAL FUND	STREETS & PUBLIC WORKS	87.06
11345		7/6/2018	386820-041 HWY 90 LIGHTING	GENERAL FUND	STREETS & PUBLIC WORKS	34.17
11345		7/6/2018	386820-042 HWY 90 LIGHTING	GENERAL FUND	STREETS & PUBLIC WORKS	102.77
11345		7/6/2018	386820-043 HWY 90 LIGHTING	GENERAL FUND	STREETS & PUBLIC WORKS	81.85
11345		7/6/2018	386820-044 CITY HALL	GENERAL FUND	STREETS & PUBLIC WORKS	5,661.40
11345		7/6/2018	386820-045 VEHICLE MAINTENANCE	GENERAL FUND	STREETS & PUBLIC WORKS	1,617.84
11345		7/6/2018	386820-046 POLICE DEPARTME	GENERAL FUND	STREETS & PUBLIC WORKS	173.92
11345		7/6/2018	386820-047 CARPENTER SHED	GENERAL FUND	STREETS & PUBLIC WORKS	111.72
11345		7/6/2018	386820-048 DRY STORAGE	GENERAL FUND	STREETS & PUBLIC WORKS	34.17

						PAGE 4
CLAIM #	VENDOR NAME	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
11345	COAST ELECTRIC POWER ASSOCIATION	7/6/2018	386820-050 DRINKWATER MEDIAN	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 165.43
11345		7/6/2018	386820-052 WASHINGTON SILTS	GENERAL FUND	STREETS & PUBLIC WORKS	56.73
11345		7/6/2018	386820-053 BLUE MEADOW CAU	GENERAL FUND	STREETS & PUBLIC WORKS	38.01
11345		7/6/2018	386820-054 WASH/CHAP CAUTION	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 44.31
11345		7/6/2018	386820-055 WASH RD 3119 SIREN	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 35.63
11344		7/6/2018	870474-002 HWY 90 & WASHINGTON	GENERAL FUND	STREETS & PUBLIC WORKS	47.42
11344		7/6/2018	870474-004 MAIN ST. LIGHTS	GENERAL FUND	STREETS & PUBLIC WORKS	47.87
11344		7/6/2018	870474-007 HWY 603/LAGAN	GENERAL FUND	STREETS & PUBLIC WORKS	33.90
11344		7/6/2018	870474-008 HWY 603/SUGARFIELD	GENERAL FUND	STREETS & PUBLIC WORKS	166.07
11344		7/6/2018	870474-009 HWY 603/GULF CO	GENERAL FUND	STREETS & PUBLIC WORKS	416.30
11344		7/6/2018	870474-010 HWY 603/GATOR STOP	GENERAL FUND	STREETS & PUBLIC WORKS	91.17
11345		7/6/2018	386820-003 LS#20 WASHINGTON	UTILITY FUND	UTILITY OPERATIONS	105.51
11345		7/6/2018	386820-005 LS#18 EASTERB ROOK	UTILITY FUND	UTILITY OPERATIONS	38.38
11345		7/6/2018	386820-006 LS#14 HWY 90	UTILITY FUND	UTILITY OPERATIONS	\$ 39.01
11345		7/6/2018	386820-007 LS#13 HWY 90	UTILITY FUND	UTILITY OPERATIONS	47.69
11345		7/6/2018	386820-016 LS#31 BLUE MEADOW	UTILITY FUND	UTILITY OPERATIONS	\$ 90.77
11345		7/6/2018	386820-017 LS#29 HWY 90	UTILITY FUND	UTILITY OPERATIONS	91.65
11345		7/6/2018	386820-018 LS#27 PONYIAC DRIVE	UTILITY FUND	UTILITY OPERATIONS	49.29
11345		7/6/2018	386820-020 LS#26 HWY 90	UTILITY FUND	UTILITY OPERATIONS	59.14
11345		7/6/2018	386820-021 LS#24 SUEBE ST	UTILITY FUND	UTILITY OPERATIONS	229.19
11345		7/6/2018	386820-022 LS#28 HWY 90	UTILITY FUND	UTILITY OPERATIONS	230.60
-11345		7/6/2018	386820-023 LS#30 GREEN MEAD_OW	UTILITY FUND	UTILITY OPERATIONS	\$ 101.46
11345		7/6/2018	386820-026 TENTH ST WATER	UTILITY FUND	UTILITY OPERATIONS	1,359.03
11345		7/6/2018	386820-029 LS#12 HWY 90	UTILITY FUND	UTILITY OPERATIONS	\$ 39.11
11345		7/6/2018	386820-031 LS#38 SCIANNA LANE	UTILITY FUND	UTILITY OPERATIONS	\$ 59.12
					TOTAL:	\$ 12,322.96
11347	COASTAL HARDWARE	6/7/2018	FIELD CHALK(56)	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 531.44

					TOTAL:	625.00
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CLAIM #	VENDOR NAME	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
11269	CPC TRAFFIC SIGNS	6/18/2018	SHEETED BLANK GREEN(24)	GENERAL FUND	STREETS & PUBLIC WORKS	210.72
11269		6/18/2018	SHEETED BLANK YELLOW(20)	GENERAL FUND	STREETS & PUBLIC WORKS	139.60
11269		6/18/2018	RAPID FLUID TAC(2)	GENERAL FUND	STREETS & PUBLIC WORKS	50.78
11269		6/18/2018	FREIGHT	GENERAL FUND	STREETS & PUBLIC WORKS	53.51
11268		6/18/2018	18"X 24"BLAN KS WHT(20)	GENERAL FUND	STREETS & PUBLIC WORKS	250.80
11268		6/18/2018	FREIGHT	GENERAL FUND	STREETS & PUBLIC WORKS	45.70

					TOTAL:	\$ 751.11
11251	DASH MEDICAL	7/2/2018	NITRILE GLOVES LG	GENERAL FUND	POLICE	\$ 70.90
11251		7/2/2018	NITRILE GLOVES MED	GENERAL FUND	POLICE	\$ 70.90

					TOTAL:	\$ 141.80
- 11299 -	DAVID'S CHAINSAW & LAWNMOWER SHOP	7/9/2018	2 SAW REPAIR	GENERAL FUND	FIRE	d 28.00

TOTAL: 28.00

11258	DELL, INC.	6/26/2018	MONITOR	DOJ FUNDS	DOJ-PO LICE	1,271.49
11258		6/26/2018	OPTIPLEX 5050 SFF	DOJ FUNDS	DOJ-POLICE	3,413.95
11257		6/27/2018	13620 MINI TOWER	DOJ FUNDS	DOJ-POLICE	6,650.58

					TOTAL:	\$ 11,336.02
11244	DELTA WORLD TIRE	7/2/2018	REAR TIRE_UN IT 922	GENERAL FUND	POLICE	\$ 19.95

TOTAL: 19.95

11298	DPS CRIME LAB	7/3/2018	ANALYTICAL FEES	GENERAL FUND	POLICE	60.00
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TOTAL: 60.00

11283	FUELMAN	7/9/2018	FUELMAN_P.D. #5899	GENERAL FUND	POLICE	1,323.40
11348		7/16/2018	FUELMAN_P.D. #2037	GENERAL FUND	POLICE	1,295.13
11339		7/2/2018	FUELMAN_F.D.	GENERAL FUND	FIRE	209.86
11341		7/9/2018	FUELMAN F.D.	GENERAL FUND	FIRE	128.89

TOTAL: 2,957.28

CLAIM #	VENDOR NAME	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
11356	GLADYS DEDEAUX	6/4/2018	RESTITUTION REFUND	GENERAL FUND	NON-DEPARTMENTAL	10.00
					TOTAL:	10.00
11340	GULFSOUTH PIPELINE	6/11/2018	MAY 2018_REMAINING AMOUNT DUE	UTILITY FUND	UTILITY OPERATIONS	273.00
					TOTAL:	273.00
11238	HANCOCK COUNTY SHERIFF'S DEPARTMENT	5/3/2018	HOUSING INMATES_APRIL 2018	GENERAL FUND	JUDICIAL	4,340.00
					TOTAL:	4,340.00
11354	HC LIBRARY SYSTEM	7/18/2018	TAX REVENUE	GENERAL FUND	ADMINISTRATION	5,388.00
					TOTAL:	\$ 5,388.00
11282	HC SENIOR CITIZENS	7/10/2018	MONTHLY SUPPORT	GENERAL FUND	ADMINISTRATION	\$ 200.00
					TOTAL:	\$ 200.00
11319	HC SOLID WASTE AUTHORITY	7/9/2018	OVERAGE JUNE 2018	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 1,425.00
1-13-26		-716/-2018	SOLID WASTE JUNE-2018	UTILIT-Y FUND	UTILITY-OPERATIONS-----	39,000.43_
11326		7/6/2018	BULKY WASTE JUNE 2018	UTILITY FUND	UTILITY OPERATIONS	4,694.09
					TOTAL:	\$ 45,119.52
11318	HC TOURISM DEVELOPMENT BUREAU	7/1/2018	MONTHLY SUPPORT	GENERAL FUND	ADMINISTRATION	2,083.00
					TOTAL:	2,083.00
11254	HC UTILITY AUTHORITY	6/30/2018	ADMIN FEE & DEBT SVC_06/2018	UTILITY FUND	UTILITY OPERATIONS	76,760.05
					TOTAL:	\$ 76,760.05
11336	JAMES J. CHINICHE, P.A. INC.	7/16/2018	MDOT HWY 90 LIGHTING	MUNICIPAL RESERVE	MUNICIPAL RESERVE	4,088.49
11337		7/16/2018	HARBOR IMPROVEMENTS	MUNICIPAL HARBOR FUND	ADMINISTRATION	2,370.00
					TOTAL:	6,458.49

						PAGE 7
CLAIM #	VENDOR NAME	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
11284	LOWE'S	7/10/2018	CARPET GRASS	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 74.10
11284		7/10/2018	CARPET FLOORING ADHESIVE	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 16.13
					TOTAL:	\$ 90.23
11288	MISSISSIPPI POWER	7/2/2018	06084-1/009 FIRE STATION #1	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 1,969.08
11288		7/2/2018	20735-99025 PARKING GARAGE	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 350.75
11288		7/2/2018	21512-44005 COMMUNITY HALL	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 2,214.41
11288		7/2/2018	30517-12007 CITY PARK BATHROOM	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 46.24
11288		7/2/2018	33911-46001 SENIOR CENTER	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 1,395.37
11288		7/2/2018	54271-48002 TRAIN DEPOI	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 852.10
11288		7/2/2018	04055-18078 SPLASH PAD RESTROOM	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 51.11
11288		7/2/2018	05889-10169 HISTORICAL BLD	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 1,023.18
11288		7/2/2018	03549-31061 OLD TOWN COMM	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 964.07
<del>1-1-287</del>			13961-46018 WATER WELL #3	UTILITY FUND	UTILITY OPERATIONS	\$ 268.73
11287		7/5/2018	62891-46001 WASH WATER TOWER	UTILITY FUND	UTILITY OPERATIONS	\$ 50.31
11287		7/5/2018	64741-49003 WATER WELL #4	UTILITY FUND	UTILITY OPERATIONS	\$ 1,570.22
11287		7/5/2018	72561-48023 WATER WELL #1	UTILITY FUND	UTILITY OPERATIONS	\$ 429.23
					TOTAL:	\$ 11,184.80
11315	MISSISSIPPI UTILITIES SUPPLY CO	7/2/2018	6" SCH 35 14' PIPE	UTILITY FUND	UTILITY OPERATIONS	\$ 163.80
					TOTAL:	\$ 163.80
11304	MORREALE CONSTRUCTION LLC	7/9/2018	#57 LIMESTONE(15 TON)	COUNTY ROAD & BRIDGE FUND	GENERAL	\$ 600.00
					TOTAL:	\$ 600.00
11311	MS DEPT OF REVENUE-MOTOR VEHICLE LICEN	7/11/2018	2009 FORD F-150_1482	GENERAL FUND	POLICE	\$ 14.75
11311		7/11/2018	2010 DODGE CHARGER_7037	GENERAL FUND	POLICE	\$ 14.75
11311		7/11/2018	2013 TOYOTA TUNDRA_5567	GENERAL FUND	POLICE	\$ 14.75
					TOTAL:	\$ 44.25

CLAIM #	VENDOR NAME	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
11359	MS STATE TREASURER	7/9/2018	COURT REMITTANCE - OM	GENERAL FUND	NON-DEPARTMENTAL	622.50
11359		7/9/2018	COURT REMITTANCE - TV	GENERAL FUND	NON-DEPARTMENTAL	5,812.00
11359		7/9/2018	COURT REMITTANCE - ABF	GENERAL FUND	NON-DEPARTMENTAL	20.00
11359		7/9/2018	COURT REMITTANCE - CC	GENERAL FUND	NON-DEPARTMENTAL	35.00
11359		7/9/2018	COURT REMITTANCE - IC	GENERAL FUND	NON-DEPARTMENTAL	834.50
11359		7/9/2018	COURT REMITTANCE - MVL	GENERAL FUND	NON-DEPARTMENTAL	642.00
11359		7/9/2018	COURT REMITTANCE -	GENERAL FUND	N O	448.00
11359		7/9/2018	COURT REMITTANCE - VBF	GENERAL FUND	NON-DEPARTMENTAL	50.00
TOTAL:						8,464.00

11358	MS. DEPARTMENT OF PUBLIC SAFETY	7/6/2018	CRIMESTOPPERS	GENERAL FUND	NON-DEPARTMENTAL	81.00
11358		7/6/2018	WIRELESS	GENERAL FUND	NON-DEPARTMENTAL	550.00

					TOTAL:	\$	
							631.00
11250	NAPA AUTO PARTS	7/9/2018	STARTER/SOLENOID_B-2	GENERAL FUND	POLICE	\$	174.80
11297		7/9/2018	INVERTER_ENGINE 3	GENERAL FUND	FIRE	\$	232.67
11294		7/9/2018	BATTERY RESCUE 2	GENERAL FUND	FIRE	\$	109.38
11294		7/9/2018	CORE DEPOSIT	GENERAL FUND	FIRE	\$	18.00
11294		7/9/2018	RETURN CORE DEPOSIT	GENERAL FUND	FIRE	\$	(18.00)
11296		7/11/2018	MAP SENSOR_DODGE	GENERAL FUND	FIRE	\$	25.18
11295		7/11/2018	INLET_SHORE POWER E-3	GENERAL FUND	FIRE	\$	53.32
11278		7/3/2018	BEARING_ZERO TURN(4)	GENERAL FUND	STREETS & PUBLIC WORKS	\$	14.72
11313		7/3/2018	CABIN AIR FILTER	GENERAL FUND	STREETS & PUBLIC WORKS	\$	74.62

TOTAL:						684.69
11240	OMNI TECHNOLOGIES	7/1/2018	COUNCIL SUPOORT	GENERAL FUND	CITY COUNCIL	79.92
11240		7/1/2018	COURT SUPPORT	GENERAL FUND	JUDICIAL	39.96
11240		7/1/2018	ADMIN SUPPORT	GENERAL FUND	ADMINISTRATION	517.41
11240		7/1/2018	ENVELOC BACKUP	GENERAL FUND	ADMINISTRATION	35.00
11240		7/1/2018	LOGMEIN	GENERAL FUND	ADMINISTRATION	39.96
11240		7/1/2018	WEB HOSTING	GENERAL FUND	ADMINISTRATION	74.99
11330		7/13/2018	MICROSOFT OFFICE 2016PRO	GENERAL FUND	BUILDING DEPARTMENT	399.99
11240		7/1/2018	BLDG/P&Z SUPPORT	GENERAL FUND	BUILDING DEPARTMENT	239.95
11240		7/1/2018	POLICE DEPT SUPPORT	GENERAL FUND	POLICE	689.69
11240		7/1/2018	DATA STORAGE	GENERAL FUND	POLICE	1,167.93
11240		7/1/2018	FIRE DEPT SUPPORT	GENERAL FUND	FIRE	19.98

							PAGE 9
CLAIM #	VENDOR NAME	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT	
11332	11240 OMNI TECHNOLOGIES	7/1/2018	PUBLIC WORKS SUPPORT	GENERAL FUND	STREETS & PUBLIC WORKS	134.96	
11240		7/1/2018	UTILITIES SUPPORT	UTILITY FUND	ADMINISTRATION	9.99	
11247		7/1/2018	HARBOR SUPPORT	MUNICIPAL HARBOR FUND	ADMINISTRATION	399.98	
TOTAL:						3,849.71	
	ONE STOP GOODYEAR TIRES	5/23/2018	TIRES UNIT #899	GENERAL FUND	POLICE	296.04	
11245		6/14/2018	TIRES UNIT #875	GENERAL FUND	POLICE	296.04	
11246		6/22/2018	TIRES UNIT #085	GENERAL FUND	POLICE	444.06	
11281							
TOTAL:						1,036.14	
11280	PITNEY BOWES RESERVE ACCOUNT	7/10/2018	POSTAGE FOR METER	GENERAL FUND	ADMINISTRATION	500.00	
11279							

TOTAL:						500.00	
	POSTMASTER	7/10/2018	PERMIT #14	UTILITY BILLING	UTILITY FUND	ADMINISTRATION-	1,800.00
		7/10/2018	PERMIT#PD95015-000	POSTAGE	UTILITY FUND	ADMINISTRATION	200.00

TOTAL:						\$ 92.50	
						2000.	
11242	QUALITY CUSTOM CARTS	7/6/2018	GOLF CART SPARE TIRES(2)	MUNICIPAL HARBOR FUND	ADMINISTRATION	40.00	
11271							
TOTAL:						40.00	
	RED BUD SUPPLY, INC.	6/24/2018	RESPIRATORY FACE MASK(10)	UTILITY FUND	UTILITY OPERATIONS		

TOTAL:						\$ 92.50	
11349	S&L OFFICE SUPPLIES, INC	7/14/2018	NAMEPLATE J.BEZOU SR	GENERAL FUND	CITY COUNCIL	\$ 16.50	
11239		7/9/2018	COPY PAPER(2)	GENERAL FUND	JUDICIAL	\$ 70.00	
11346		7/16/2018	PRINTER CARTRIDGE(1)	GENERAL FUND	ADMINISTRATION	\$ 99.00	
11350		7/16/2018	FOLDERS(1)	GENERAL FUND	BUILDING DEPARTMENT	\$ 59.35	

TOTAL:						583.97	
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11350		7/16/2018	POSTCARDS(4)	GENERAL FUND	BUILDING DEPARTMENT	\$	99.36
11350		7/16/2018	LAMINATE(1)	GENERAL FUND	BUILDING DEPARTMENT	\$	23.79
11350		7/16/2018	FASTENERS	GENERAL FUND	BUILDING DEPARTMENT	\$	7.89
11331		7/9/2018	TISSUE(2)	MUNICIPAL HARBOR FUND	ADMINISTRATION	\$	69.58
11331		7/9/2018	LINERS(2)	MUNICIPAL HARBOR FUND	ADMINISTRATION	\$	138.50

CLAIM #	VENDOR NAME	DATE	DESCRIPTION	FUND	DEPARTMENT	PAGE 10 AMOUNT
11320	SENTRYNET	8/1/2018	MONITORING LS BAY OAKS	UTILITY FUND	UTILITY OPERATIONS	18.00
11325		8/1/2018	MONITORING LS_BAILEY LUMBER	UTILITY FUND	UTILITY OPERATIONS	18.00
11322		8/1/2018	MONITORING LS_DUNBAR VILLAGE	UTILITY FUND	UTILITY OPERATIONS	18.00
11323		8/1/2018	MONITORING LS_HOLLYWOOD	UTILITY FUND	UTILITY OPERATIONS	18.00
11324		8/1/2018	MONITORING LS_RUELLA ST	UTILITY FUND	UTILITY OPERATIONS	18.00
11321		8/1/2018	MONITORING LS_HARRY ST WEL	UTILITY FUND	UTILITY OPERATIONS	18.00
					TOTAL:	108.00
11243	SOUTHERN ADMINISTRATORS	6/21/2018	CAFETERIA PLAN JULY 2018	GENERAL FUND	ADMINISTRATION	196.00
					TOTAL:	196.00
11267	SOUTHERN PIPE & SUPPLY	6/29/2018	30"CULVERT PIP(40)	GENERAL FUND	STREETS & PUBLIC WORKS	1,030.00
11267		6/29/2018	30" COUPLING(4)	GENERAL FUND	STREETS & PUBLIC WORKS	420.00
11273		6/25/2018	2" SCH 40 PVC TEE(4)	UTILITY FUND	UTILITY OPERATIONS	4.69
11273		6/25/2018	2' 40 FEMALE ADAPTER(2)	UTILITY FUND	UTILITY OPERATIONS	1.81
11273		6/25/2018	2" PVC PIPE(10)	UTILITY FUND	UTILITY OPERATIONS	10.31
11273		6/25/2018	1" PVC S40 BE PIPE(20)	UTILITY FUND	UTILITY OPERATIONS	10.50
					TOTAL:	1,477.31
11327	SPEEDY PRINTING	5/17/2018	MONEY RECEIPTS(500)	GENERAL FUND	POLICE	136.20
					TOTAL:	\$ 136.20
111260	SUNSOUTH LLC	7/6/2018	BELT	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 26.06
11260		7/6/2018	VALVE	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 132.02
11260		7/6/2018	COMPRESSOR	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 715.54
11260		7/6/2018	RECEIVER	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 45.51
11262		7/9/2018	MOTOR HYDRAULIC GEAR	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 2,047.37
11262		7/9/2018	FREIGHT	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 70.03
					TOTAL:	3,036.53
11306	THE FIRST BANK	7/10/2018	2018 CHEVY TRUCK_MAYOR	DEBT SERVICE FUND	DEBT SERVICE	509.63
11306		7/10/2018	2018 CHEVY TRUCK_CHIEF P.D	DEBT SERVICE FUND	DEBT SERVICE	509.63
11305		7/10/2018	DURA SPRAY PATCHER	DEBT SERVICE FUND	DEBT SERVICE	882.91

							PAGE 11	
CLAIM #	VENDOR NAME	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT		
11305	THE FIRST BANK	7/10/2018	KUBOT ZERO TURN(2)	DEBT SERVICE FUND	DEBT SERVICE	275.77		
11307		7/10/2018	2018 KUBOTA EXCAVATOR	DEBT SERVICE FUND	DEBT SERVICE	443.08		
11308		7/10/2018	2018 KUBOTA MINI EXCAVATOR	DEBT SERVICE FUND	DEBT SERVICE	321.83		
					TOTAL:	\$	2,942.85	
11234	TIMOTHY A. KELLAR, HANCOCK CO CHANCERY	7/2/2018	TAX REDEMPTION JUNE 2018	GENERAL FUND	ADMINISTRATION	\$	530.00	
							TOTAL:	530.00
11303	TIRE SPOT	6/6/2018	TIRE USED 225/70R15	GENERAL FUND	STREETS & PUBLIC WORKS		32.50	
11261		6/20/2018	TIRE	GENERAL FUND	STREETS & PUBLIC WORKS		37.50	
11302		6/14/2018	TIRE REPAIR	GENERAL FUND	STREETS & PUBLIC WORKS		20.00	
					TOTAL:	\$	00.00	
11293	TYLER WORKS/TYLER TECHNOLOGIES	6/30/2018	UTILITY BILLING NOTIFICATION	UTILITY FUND	ADMINISTRATION	\$	33.80	
					TOTAL:	\$	33.80	
11259	UNIVERSAL TELCOM, LLC	7/1/2018	UNIVERSAL TELCOM, LLC	GENERAL FUND	ADMINISTRATION	\$	3,083.88	
11259		7/1/2018	UNIVERSAL TELCOM, LLC	UTILITY FUND	ADMINISTRATION	\$	342.65	
11259		7/1/2018	UNIVERSAL TELCOM, LLC	MUNICIPAL HARBOR FUND	ADMINISTRATION	\$	61.11	
					TOTAL:		3,487.64	
11334	VINSON UNIFORMS	7/5/2018	SGT INSIGNIA(7)	GENERAL FUND	POLICE		52.50	
11334		7/5/2018	LT BAR SILVER(4)	GENERAL FUND	POLICE		19.80	
					TOTAL:		72.30	
11309	VISA	7/13/2018	MML LODGING BEAU L. SMITH	GENERAL FUND	CITY COUNCIL		358.00	
11309		7/13/2018	MML LODGING BEALLMAYOR FAVRE	GENERAL FUND	ADMINISTRATION		537.00	

11309

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TOTAL: 1,195.00

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CLAIM #	VENDOR NAME	DATE	DESCRIPTION	FUND	DEPARTMENT	PAGE 12 AMOUNT
11342	WARING OIL	7/6/2018	GAS & DIESEL	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 1,183.21
11264		7/3/2018	GAS & DIESEL	GENERAL FUND	STREETS & PUBLIC WORKS	\$ 1,579.18
11236		6/28/2018	GAS_HARBOR	MUNICIPAL HARBOR FUND	ADMINISTRATION	\$ 11,330.44
11235		6/29/2018	DIESE_HARBOR	MUNICIPAL HARBOR FUND	ADMINISTRATION	\$ 9,718.44
11290		7/5/2018	GAS_HARBOR	MUNICIPAL HARBOR FUND	ADMINISTRATION	\$ 11,180.44
11343		7/11/2018	GAS_HARBOR	MUNICIPAL HARBOR FUND	ADMINISTRATION	\$ 11,259.24
					TOTAL:	\$ 46,250.95
11266	WARREN PAVING INC	6/28/2018	CRUSHED CONCRETE	COUNTY ROAD & BRIDGE FUND	GENERAL	\$ 2,511.60
					TOTAL:	\$ 2,511.60
			----- == FUND			
		FUND 001	GENERAL FUND			80,861.53
		FUND 005	MUNICIPAL RESERVE FUND	\$		4,088.49
		FUND 200	DEBT SERVICE FUND	\$		4,286.83
		FUND 300	DOJ FUNDS	\$		11,336.02
		FUND 350	COUNTY ROAD & BRIDGE FUND	\$		3,206.36
		FUND 400	UTILITY OPERATING FUND			130,650.45
		FUND 450	MUNICIPAL HARBOR FUND	\$		47,437.60
		FUND 650	COMMUNITY HALL UNEARNED			4,020.00
			TOTAL:	\$		285,887.28

I would like the City Council and City Attorney to consider the following as it relates to the proposed ordinance dealing with Vacation Rentals.

Many of the new property/homeowners that have or will be relocating to build and live in Bay St Louis purchased their property and had their homes constructed with the understanding that commercial business would not be allowed in residential neighborhoods. The current city ordinance prohibits a commercial business however you as council members are considering an ordinance that takes away that protection in residential neighborhoods. There has been much discussion and concern regarding possible individual lawsuits that could be brought against the city by those who are in favor of allowing vacation rental business if an ordinance attempts to limit or control what they can or can't do. Consider this, if you were to pass the proposed ordinance, the residential property values would be reduced, and the residential property owners will unite and have reason to file a class action lawsuit against the city and possibly the members of the city council. It only takes one or two property owners to find an attorney willing to take a class action on a contingency or minimum cost basis.

I realize that the past city administrations chose to look the other way over the years when vacation rentals began to pop up throughout the city, now the current council must somehow find a way to regulate them. That is the key, regulate what is in violation, not propose an ordinance to allow more vacation rentals. I suggest that you pass an ordinance that grandfathers the vacation rentals that are presently active and establish rules to regulate them, and enforce the existing ordinance that prohibits commercial business in residential neighborhoods.

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CITY OF BAY ST. LOUIS  
STATE OF MISSISSIPPI

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**ORDINANCE NO. 0'251 - CY -201**

**AN ORDINANCE TO AUTHORIZE SHORT-TERM RENTALS OF DWELLINGS IN RESIDENTIAL / COMMERCIAL / WATERFRONT DISTRICTS**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BAY ST. LOUIS, MISSISSIPPI, as follows:**

**Be it known that on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, the Mayor and City Council for the City of Bay St. Louis, Mississippi, at its regular meeting declare, find, authorize and approve, as follows:**

**WHEREAS**, the City intends to regulate the use of residential property **used as shortterm rentals in** order to protect the rights of citizens in residential neighborhoods; **and**

**WHEREAS**, short-term rentals in residential, commercial and waterfront **districts are considered a** valuable and needed use for those desiring to rent their residential property in exchange for compensation, and such use will aid and promote tourism; **and**

**WHEREAS**, the City Council, has conducted numerous public hearings on the proposed **adoption of** an ordinance which regulates short-terms rentals; **and**

**WHEREAS**, after due consideration, the Mayor and the City Council now find and determine that it would be in the best interest of the City to adopt an ordinance to permit short-term rentals of properties in residential, commercial and waterfront districts after proper licensing and permitting.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI, that this Ordinance shall be named the "BAY ST. LOUIS SHORT-TERM RENTALS ORDINANCE" and is as follows:**

**SECTION I TITLE: .This Ordinance shall be known as the "BAY ST. LOUIS SHORT-TERM RENTALS ORDINANCE."**

**SECTION II: DEFINITIONS**

**A. Short Term Rental:** "Short-Term Rental" means any residential property, dwelling, condominium, or portion thereof that is available for use or is used for accommodations or lodging of guests, who pay a fee or other compensation, for a period of less than thirty (30) days. The term "Short-Term Rental" does not include any hospital, convalescent or nursing home or sanitarium, or any facility associated with a hospital providing rooms for medical patients and their families, nor do they include any hotel, motel, or bed and breakfast facility.

**B. Unit:** "Unit" shall mean any Short-Term Rental or any portion thereof. In the case of multiple rentals on the same property, each rental will be considered a separate "Unit."

C. Property Manager: A person specifically named on the application and permits who is responsible for overseeing the Short-Term Rental, and who may be contacted twenty-four (24) hours a day if there is an issue or problem. The Property Manager may be the owner and or an agent of the owner.

D. Contact Person: A person who may be the owner and/or an agent of the owner specifically named on the application and permit who resides within 60 miles of the short term rental unit who is responsible for the day to day operation of the Short-Term Rental, and who may be contacted twenty-four (24) hours a day if there is an issue or problem. The local contact person may be the owner, property manager, and/or an agent of the owner. The contact Person must be available during the term of the rental.

E. Bedroom: A room furnished with a bed and intended primarily for sleeping.

### SECTION III: PERMITTING

A. Districts Where Allowed: Short-Term Rentals are allowed in the following residential, commercial and waterfront districts of the City by right: R-1, R-IA, R-2, R-3, R-4, C-1, C-2, C-3, WF-1 and WF-2..

B. Permit Required: To operate a Short-Term Rental, the owner of such unit must have a Short-Term Rental Permit issued by the City of Bay St. Louis. The cost of said Permit shall be one hundred dollars (\$100.00). This fee is per Unit. Each Permit shall be for one (1) year and shall expire on September 30 of each year.

C. Permit Required:

1. Permit Applications: All permit applications shall be submitted to the Bay St. Louis Planning & Zoning Department on approved forms. Applications shall contain such information as: 1) the location/address of each Unit, 2) the number of bedrooms in each Unit, 3) the property owner's name, address, and phone number, 4) the Property Manager's address and phone number, 5) a copy of a typical rental agreement, 6) sales tax collection number for the State of Mississippi, and 7) any other information reasonably necessary to establish the required use as requested by the City.

2. Review Process: A Permit will be granted within forty five (45) days of the date of the filing of the application unless the applicant fails to meet the minimum standard(s) for use of the real property as a Short-Term Rental as outlined herein or for other good cause shown. The review includes City review of documentation pertaining to the dwelling or structure, zoning, building codes, and/or other applicable laws or regulations. Filed complaints involving violations of the zoning ordinance, building codes, and/or applicable laws or regulations may be a basis for denying a Permit.

3. Copies of violations and complaints shall be made available to the Applicant. A permit which has been denied may be appealed to the Planning & Zoning Commission within thirty (30) business days of notification of denial and thereafter to the City Council by presenting copies of the application and any violations and complaints to the Clerk of the City Council for Council's review and scheduling of the appeal. The Applicant shall be notified not less than fourteen (14) business days before the scheduled appeal before the City Council.

4. Renewal Permit: Renewal of each Permit may be obtained for Fifty dollars (\$50.00). This renewal fee is per unit. The Permit renewal process will include City review of City records and other documentation pertaining to complaints, if any, that have been received about the specific Unit under consideration. Filed complaints involving violations of the zoning codes, building codes, and/or applicable laws or regulations may be a basis for denying a permit renewal. A receipt showing the amount of State sales tax paid shall be required before a Permit is renewed.

5. Approval of a Permit does not legalize any non-permitted use or structure. Units are not to be used to distribute retail products or personal services to invitees for marketing or similar purposes. The outdoor display of goods and merchandise for sale is prohibited.

6. Permits granted pursuant to this Ordinance are non-transferrable.

7. Upon the sale and transfer and or change of ownership of the real property for which a Permit has been obtained, the new owner or designee shall apply for a Permit in accordance with this Ordinance.

8. Any Unit that is deed-restricted, and/or classified as affordable housing shall not be used as a Short-Term Rental. Compliance shall be the responsibility Of the Applicant.

9. Units existing as of July 1, 2018 will have forty five (45) days to obtain a Permit.

10. A Permit may be revoked following the receipt of a written notice of violation of this Ordinance stating the reasons for any violations. The Permit shall have ten (10) days from receipt of notice to provide the City with a written plan on correcting any violation(s). Any revocation of a Permit by the Planning & Zoning Department may be appealed through the appeals process set forth in the Bay St. Louis Zoning Ordinance:

#### SECTION IV: REGULATIONS

A. Occupancy: The maximum occupancy for a Short-Term Rental shall be as follows: 1) Single bedroom - 2 to 4 guests; 2) Two Bedroom - 4 to 6 guests; 3) Three Bedroom - 6 to 9 guests; 4) Four Bedroom - 8 to 10 guests; and 5) Five Bedroom - 10 to 12 guests. Maximum occupancy is defined as the number of people (adults & kids) on site at any given time,

B. Parking — Number of Vehicles: All parking for Vacation Rentals shall be determined by the zoning classification wherein the parcel of land is located pursuant to Article VIII of the Zoning Ordinance. The zoning classification shall control the number of parking space for each Unit. In no event shall on-street parking be allowed, this is to include any types of vehicles or trailers.

C. Nuisance: Property Managers shall ensure that the occupants of the Unit do not disturb the peace and enjoyment of the surrounding neighborhood and area.

D. Premises and Garbage Management: It shall be the duty of every Property Manager to keep all Units in clean and sanitary condition. Garbage shall be disposed of in covered containers permitted by the City's garbage collection contract and placed at the scheduled pick up, near curb side of street

in front of the dwelling. Containers emptied by the trash collector shall be removed from the curb within 12 hours after each emptying and placed out of site from the street.

E. Posting of Rules and Information: Unit rules shall be posted inside the Unit in a location readily visible by all occupants. The rules shall include but not be limited to occupancy, parking limits, noise rules, garbage management, no wake zones, if applicable, and shall also include the name, address and phone number(s) of the Property Manager and/or Contact Person.

F. Records: The Property Manager shall maintain records of all occupying tenants, rental agreements, owner information and management agreement. The Building Department shall submit a list of all Units with their respective Property Manager or Contact Person and their phone numbers to the City Police Department. The City Police Department shall immediately notify the Property Manager or Contact Person of any complaint, citation, arrest and or any other concerns of a Vacation Rental, its lodging and or its occupants. The Property Manager shall be, considered the responsible contact person for violations of this Ordinance. Records shall be retained for a minimum of three (3) years.

G. Complaints and Dispute Resolution: Complaints regarding any violation of this Ordinance should first be directed to the Property Manager. If the Property Manager is unable to resolve the issue and/or the issue relates to public safety, the Property Manager will contact the City Police Department or the appropriate authority.

H. Prohibited Acts: All uses of the property shall be in compliance with Federal, State and Local Laws and Ordinances.

J. Violations: Any person violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished for each offense by paying a fine not to exceed one hundred dollars (\$100.00) and/or imprisonment not to exceed the limits according to the state statutes of Mississippi. Each day such violation continues shall be deemed a separate offense. Violations may also result in the revocation of permit. The Council reserves the right to deny a Short-Term Rental application in the event the owner/operator fails to following the provisions of this Ordinance.

## SECTION V: OTHER

### A. Constitutionality

Should any portion, provision, or section of this Ordinance be held void, unconstitutional or invalid, the remaining portion of the Ordinance shall remain in full force and effect.

### B. Conflicts

It is hereby provided the provisions of this Ordinance shall not be construed as conflicting with the provisions of any other regulations of the City of Bay St. Louis, Mississippi. In any case when the provisions of these regulations and the provisions of other regulations both apply, the provisions of this Ordinance shall govern for the purposes of Short-Term Rentals.

### C. Reservation of Rights

The City of Bay St. Louis reserves the right to modify or repeal this Ordinance, and any district designation created hereunder, at any time, with or without notice.

SECTION VI: EFFECTIVE DATE: This Ordinance shall be effective upon approval, as required by law, execution and publication.

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

Councilman Gary Knoblock	YEA / NAY
Councilman Doug Seal	YEA / NAY
Councilman Gene Hoffman	YEA / NAY
Councilman Jeffrey Reed	YEA / NAY
Councilman Larry Smith	YEA / NAY
Councilman Buddy Zimmerman	YEA / NAY
Councilman Josh Desalvo	YEA / NAY

Passed by the City Council of the City of Bay St. Louis on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

CERTIFICATION

I, Lisa Tilley, Clerk of Council for the City of Bay Saint Louis, Mississippi, do hereby certify that the foregoing Ordinance Number \_\_\_\_\_ was approved and adopted in the public meeting of the City Council held on \_\_\_\_\_, 2018 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.

Presented by me to the Mayor on this, the day \_\_\_\_\_ of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Lisa Tilley, Clerk of Council

Approved and signed by me on this, \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mike Favre, Mayor

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ORDINANCE #: (SO-

AN

ORDINANCE OF THE GOVERNING AUTHORITY OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI, AMENDING ORDINANCE N09K, 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 2012 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 2018 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 2018 edition of the International Building, Residential, Plumbing, Fuel Gas, Mechanical, Fire, and Sanitary Codes, Pelluits 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 of this ordinance, and the enforcement provisions shall also 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"<sup>1</sup> in the local newspaper as authorized and stated in Section 21-19-25, MCA, 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 nationally 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 #: S41 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. 1-11 is amended to include and to add the 2018 revisions of the following International Building Codes as follows:

Section 1. That Ordinance No. T, adopting the Family of International Building Codes is amended to include the 2018 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.:

Section 2. That 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 (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 follows:

- 2.1 International Building Code, 2018 edition, including Appendix's A, B, E, F, G, and J (see International Building Code Section 101.2.1, 2018 edition), as published by the International Code Council;
- 2.2 International Residential Code, 2018 edition, including Appendix's A, B, C, D, E, J, M and P (see International Residential Code Section R102.5, 2018 edition), as published by the International Code Council;
- 2.3 International Mechanical Code, 2018 edition, including Appendix A (see International Mechanical Code, Section 101.2.1, 2018 edition), as published by the International Code Council;
- 2.4 International Plumbing Code, 2018 edition, including Appendix A as published by the International Code Council;
- 2.5 International Fuel Gas Code, 2018 edition, including Appendix A, (see International Gas Fitel Code Section 101.3, 2018 edition), as published by the International Cede Council;
- 2.6 International Private Sewer Disposal Code 2018 edition (see International Private Sewer Disposal Code Section 101.2.1, 2018 edition), as published by the International Code Council;
- 2.7 International Swimming Pool Code 2018 edition;
- 2.8 International Existing Building Code 2018 edition, including Appendix C (see International Existing Building Code Section 101.6, 2018 edition), as published by the International Code Council;
- 29 NFPA 70 National Electric Code, 2017 edition, as published by the National Fire Protection Association, Inc.;
- 2.10 International Fire Code, 2018 edition, including Appendix's B, C, D, and E, (see International Fire Code Section 101.2.1, 2018 edition), as published by the International Code Council;

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 penalties and collection of fees 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 ordinance.

Section 3. 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 .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.
- 3.1.2 109.6 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 Map (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.
- 3.1.4 3412.2 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.

3.2 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 .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.
- 3.2.2 R313 Automatic Fire Sprinkler Systems: This provision is deleted in its entirety.
- 3.2.3 P2904 Dwelling Unit Fire Sprinkler Systems: This provision is deleted in its entirety.
- 3.2.4 E3902.16 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 measured along the branch circuit conductors and
2. The circuit conductors between the branch circuit overcurrent device and the arc-fault circuit interrupter are installed in a metal raceway or, a cable with a metallic sheath.

### 3.3. International Mechanical Code:

3.3.1 106.5.2 Fee Schedule: Schedule of permit fees: The City of Bay St. Louis adopts the Permit Fees Schedule as attached as Attachment 1, as if fully written.

3.3.2 106.5.3 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.

3.3.3 108.4 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.

3.3.4 108.5 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:

3.4.1 106.6.2: The City of Bay St. Louis adopts the Permit Fees schedule as attached as Attachment 1, as if fully written.

- 3.4.2 106.6.3 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 peunit issued in accordance with this code.
  3. Not more than fifty (50%) Percent of the plan review fee paid when an application for a peunit 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 pellnit applicant not later than 180 days after the date of fee payment.

3.4.3 108.4 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 peimit 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.

3.4.4 108.5 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 peimit 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 nat 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.

3.5 International Fuel Gas Code:

3.5.1 106.6.2 Fee schedule. The City of Bay St. Louis adopts the permits Fees Schedule as attached as Attachment 1, as if fully written.

- 3.5.2 106.6.3 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 peimit 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 peimit applicant not later than 180 days after the date of fee payment.

3.5.3 108.4 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



- 3.8.2 106.4.3 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.
- 3.8.3 108.4 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.
- 3.8.4 108.5 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:

- 3.9.1 105.6.2 Fee Schedule. The City of Bay St. Louis adopts the permits Fees Schedule as attached as Attachment 1, as if fully written.
- 3.9.2 105.6.3 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:

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

Section 4. Fees: That the fees for permits, inspections, re-inspections and the activities stated herein which are hereby adopted shall be reviewed each September prior to adoption of the City's budget to determine the necessity for amending the fees to reflect any increase or decrease due to activity or work upon the City. If at any time construction has begun without a permit, the cost of the permit fee shall be doubled. •

Section 5. Severability: That if any section, subsection sentence clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The governing authority of the City of Bay St. Louis does hereby declares its intent to enact this ordinance, 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 void or stricken.

Section 6. Pending Action: That nothing in this ordinance or in these Building Codes hereby adopted shall be construed to affect any suit or proceeding pending 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 7. Publication: That the Council 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, as amended, Section 19-5-9, the full text of the order adopting and approving the codes, and will publish the City's Ordinance in the official newspaper of the city three (3) times, and shall be effective thirty (30) days after the passage of the order in compliance with state law.

Section 8. Effective Date: That this ordinance and the rules, regulations, provisions, requirements, orders and matter established and adopted 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.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Bay St. Louis, Mississippi, that Ordinance #:6141 is amended to adopt The Family of International Building Codes of the City of Bay St. Louis, Mississippi as stated and revised herein as hereby adopted, approved, enacted, authorized and filed and recorded on the City Council Minute Book Number,--, Pages \_\_\_\_\_ in the office of the Council Clerk, the City of Bay St. Louis, Mississippi.

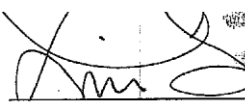

After being reduced to writing, the foregoing Ordinance as read and considered, section by section, and then as a whole, whereupon councilman J moved for its adoption, and after a second by Councilman ceit.0.00, the following roll call vote was had:

Councilman Gary Knoblock	-"/YEA		NAY
Councilman Doug Seal	EA /		NAY
Councilman Gene Hoffman	/		NAY
Councilman Jeffrey Reed	^-/YEA /		NAY
Councilman Larry Smith	L/YEA /		NAY
Councilman Buddy Zimmerman	Y A /		NAY
Councilman Josh DeSalvo	YEA /		NAY

Passed by the City Council of the City of Bay Saint Louis on the 14-th day of July, 2018

ATTESTATION

I, Lisa Tilley, Clerk of Council for the City of Bay Saint Louis; Mississippi, do hereby attest that the foregoing amendment of Ordinance Number Fyo - Zolq was approved and adopted in the public meeting of the City Council held on July 24, 2018 a quorum being present, in the City Council Conference Chambers and said City Council being the duly elected, qualified, and acting governing body of Bay Saint Louis. Given under my hand and the official seal of the City of Bay Saint Louis, on the 1 day of CAAA Vt., 2018.

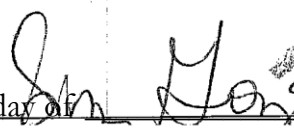
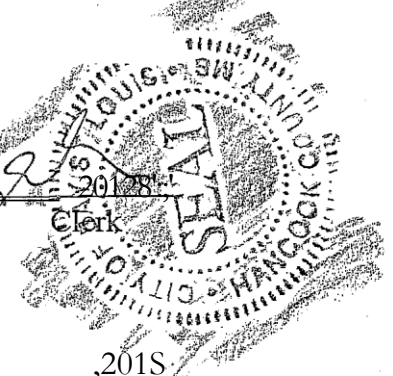
  


- Lisa Tilley, Clerk of Cp,

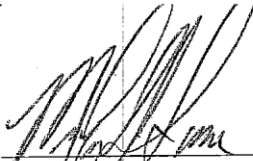
City of Bay Saint Lou  
CERTIFICATION

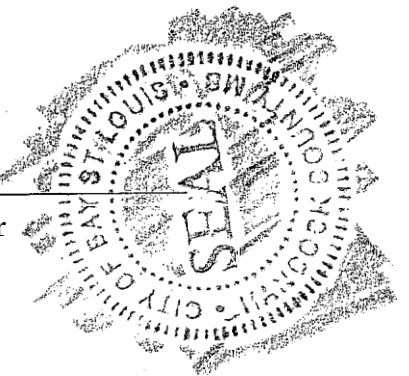
I, Sissy Gonzales, Municipal Clerk for the City of Bay Saint Louis, Mississippi, do hereby certify that the foregoing amendment of Ordinance Number Li Q - was approved and adopted in the public meeting of the City Council held on 11/11, 2018 a quorum being present, in the City Council Conference Chambers and to be published according to Mississippi Code, said Council being the duly elected, qualified, and acting governing body of Bay St. Louis.

Presented by me to the Mayor on this, the 11 day of November, 2018  
Sissy Gonzales, Municipal Clerk  
City of Bay Saint Louis

Approved and signed by me on this, the 11 day of November, 2018

  
Michael J. Favre, Mayor  
City of Bay Saint Louis



Copy-original at City Hall

after deadline  
RECEIVED

at 2-3-2018

Juka-Zi-

7-1-1-rg

ORDINANCE NO. AL-07-201  
CITY OF BAY ST. LOUIS, MISSISSIPPI

AN ORDINANCE OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI,  
TO ALLOW THE OPERATION OF GOLF CARTS  
ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE CITY.

WHEREAS, the Mississippi Legislature passed Senate Bill 3026 during the 2018 regular session. See Exhibit "A" attached hereto; and

WHEREAS, Senate Bill 3026 allows the legal use of golf carts on public roads and streets within the City of Bay St. Louis with a speed limit of twenty-five (25) miles per hour or less; and

WHEREAS, the City of Bay St. Louis desires to pass an ordinance to regulate the lawful operation of Golf Carts and Low-speed Vehicles, as described herein, on public roads and streets within city limits; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAY ST. LOUIS AS FOLLOWS:

SECTION I. Chapter 82, Article VIII is hereby created to read as follows:

Sec. 82-425. Definitions. The following term and phrase, when used in this chapter, shall have the meaning ascribed to it in, this section, except where the context clearly indicates a different meaning:

*Golf Cart* means a motor vehicle that is designated and manufactured for operation on a golf course for sporting and recreational purposes and that is not capable of exceeding speeds of twenty-five (25) miles per hour and is equipped with a parking brake, head lamps, tail lamps, seat belts, rear view mirror, horn, a Reflective Triangle as defined herein, and front and rear turn signals.

*Low-speed Vehicle* means any four-wheeled electric or gasoline-powered vehicle is

capable of a top speed greater than twenty (20) miles per hour, but less than twenty-five (25) miles per hour and is equipped with a parking brake, head lamps, tail lamps, seat belts, rear view mirror, horn, a Reflective Triangle as defuied herein, and front and rear turn signals.

*Reflective Triangle* is a reflective "slow moving vehicle" sign that is mounted to the rear of the Golf Cart or Low-speed Vehicle and is clearly visible at all times. The Reflective Triangle must me a minimum of 12 inches by 12 inches.

Sec. 82-426. Areas of City of Bay St. Louis where Golf Carts and Low-speed Vehicles may be used; requirements for drivers of Golf carts and Low-speed Vehicles; operation of Golf carts and Low-speed Vehicles; and violation of traffic laws.

- (1) Golf carts and Low-speed Vehicles may only be operated on public roads and streets with a speed limit of twenty-five (25) miles per hour or less.
- (2) Drivers are required to operate Golf carts and Low-speed Vehicles only in the outside lane of multi-lane streets and roads, when applicable.
- (3) Any person operating a Golf cart or Low-speed Vehicles on City public roads and streets must have in his or her possession a valid driver's license from Mississippi or another state, proof of insurance, as per Section 63-7-91, Mississippi Code of 1972, and must also follow the applicable requirements of Section 63-1 5-1, *et seq.*, Mississippi Code of 1972.
- (4) Violation of state or local traffic laws and/or regulations of this Ordinance may result in issuance of traffic citations in the same mannet as if the infraction occurred while operating a vehicle.
- (5) Golf carts may only be parked in the same manner and at the same place designated for parking of motor vehicles or in parking spaces specifically dedicated for Golf Cart or Low-speed Vehicle.

Sec. 82-427. U.S. Highway 90 Intersections Which Allow for the crossing of Golf Carts or Low-speed Vehicles

Golf Carts and Low-speed Vehicles may not be operated on U.S. Highway 90 or Mississippi Highway 603. The following are the ONLY intersections which are equipped with red lights that Golf Carts and Low-speed Vehicles will be allowed to cross over U.S. Highway 90:

- a) Signalized intersection at Highway 90 and Beach Boulevard,
- b) Signalized Intersection at Highway 90 and Dunbar Avenue,
- c) Signalized Intersection at Highway 90 and Main Street/Blue Meadow Road,
- d) Signalized Intersection at Highway 90 and Drinkwater Road,
- e) Signalized intersection at Highway 90 and Washington Street, and
- f) Signalized intersection at Highway 90 and Bouslog Street.

Sec. 82-427. Registration of Golf cart of Low-Speed Vehicles with City

- a) The owner of every Golf Cart or Low-speed Vehicle to be operated on a public road or street shall be required to register the vehicle with the City of Bay St. Louis by September 30 of each year. See Golf Cart Registration Form as Exhibit A.
- b) The owner shall sign an acknowledgement that he or she has read and understands the provisions of this Ordinance and certifies that the Golf Cart or Low-speed Vehicle is in compliance with all requirements of this Ordinance.
- c) An initial registration fee of \$50.00 for each Golf Cart or Low-speed Vehicle shall be payable at the time of registration and the registration shall be valid from October 1 to

September 30. Registration occurring midyear is effective only until September 30 and a proration or adjustment will not be made.

- d) Each year thereafter, the Owner of each Golf Cart or Low-speed Vehicle shall be required to renew the registration by submitted a Golf Cart Registration Form and payment of \$50.00 renewal fee on or before September 30 of each year.
- e) The City will issue to the Owner of each Golf Cart or Low-speed Vehicle, a Decal to be displayed in the center of the Reflective Triangle located on the rear of the Golf Cart or Low-speed Vehicle. The decal must remain visible at all times.
- f) The Decal is non-transferrable meaning upon sale or transfer of the Golf Cart or Low-speed vehicles, the new owner must register the vehicle with the City within 15 days of the transfer of ownership. A new Decal will be issued to the new owner.

Operating a Golf Cart or Low-speed Vehicle without a decal, an expired decal or a decal registered to another owner or vehicle shall constitute a violation of this Ordinance and subject the Owner to a fine of \$100.00 per occurrence.

- h) The City may refuse to register and issue a permit for the operation of a Golf Cart or Low-speed Vehicle, or may revoke a previously issued permit, if the registered Golf Cart or Low-speed Vehicle and/or the Owner of the Golf Cart or Low-Speed Vehicle is involved in three or more violations of this Ordinance within a one-year period. Said revocation and/or denial of a permit shall be effective for up to one year.
- i) The registration fee imposed under this section shall be deposited into the municipal general fund.

a) This Ordinance is adopted to address the interest of public safety. Golf Cart and/or Low-

speed Vehicles are not designed or manufactured to be used on the public streets and the City is no way advocates or endorses their operation on public streets or roads. The City, by regulations this operation, is addressing obvious safety issues, and adoption of this Ordinance is not to be relied upon as determination that operation on public streets is safe or advisable if done in accordance with this Ordinance. All person who operate or ride upon Golf Carts or Low-speed Vehicles on public streets or road do so at their own risk and peril, and must be observant of an attentive to the safety of themselves and others, including their passengers, other motorist, bicyclists and pedestrians. The City has no liability under any theory of liability and the City assumes no liability, for permitting Golf Carts or Low-speed Vehicles to be operated on the public streets and road under this legislation granted by the State Legislature.

SECTION 2. This ordinance shall become effective as provided by law.

41316188.v1  
42436294.v2  
43045120.v2

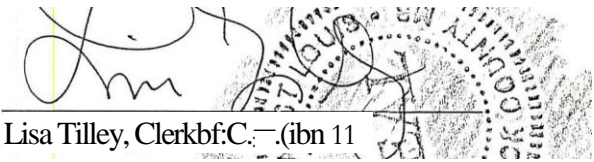
After being reduced to writing, the foregoing Ordinance amendment was read and considered, section by section, and then as a whole, whereupon Councilman \_\_\_\_\_ moved for its adoption, and after a second by Councilman J. vwdki, the following roll call vote was had:

Councilman Doug Seal	"YEA / NAY
Councilman Gene Hoffman	'YEA / NAY
Councilman Jeffrey Reed	'YEA / NAY
Councilman Larry Smith	/ NAY
Councilman Buddy Zimmerman	YEA / NAY
Councilman Josh DeSalvo	'YEA / NAY
Councilman Gary Knoblock	/ NAY

Passed by the City Council of the City of Bay Saint Louis on the <sup>(r</sup> 11 day of July, 2018.

**ATTESTATION**

I, Lisa Tilley, Clerk of Council for the City of Bay Saint Louis, Mississippi, do hereby attest that the foregoing amendment of Ordinance Number V3 - 01 - was approved and adopted in the public meeting of the City Council held on u3k, 0, 2018 a quorum being present, in the City Council Conference Chambers and said City Council being the duly elected, qualified, and acting governing body of Bay Saint-Louis. Given under my hand and the official seal of the City of Bay Saint Louis, this, the 0, 11 day of August, 2018. City of Bay Saint Lou

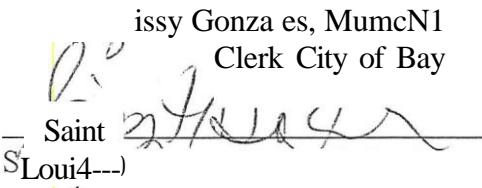
  
 Lisa Tilley, Clerk of Council for the City of Bay Saint Louis

I, Sissy Gonzales, Municipal Clerk for the City of Bay Saint Louis, Mississippi, do hereby certify that the foregoing amendment of Ordinance Number U:1 -


**CERTIFICATION**

of the City Council held on .k -) - (4, 2018 a quorum being present, in the City Council Conference Chambers and to be published according to Mississippi Code, said Council being the duly elected, qualified, and acting governing body of Bay St. Louis.

— Presented by me to the Mayor on this, the gri]k. day of AAA, 2018.

Sissy Gonzales, Municipal Clerk City of Bay Saint Louis  


Approved and signed by me on this, the \_\_\_\_\_ day of Aug., 2018.

  
 Michael Favre, Mayor City of Bay Saint Louis

ago

THE CITY OF BAY ST. LOUIS, MISSISSIPPI" •

GOLF CART REGISTRATION FORM

AM 8 3 X2

BY:

<b>Name</b>	
<b>Address</b>	
<b>City, State, Zip</b>	
<b>Email Address</b>	
<b>Phone #</b>	
<b>Driver's License No:</b>	
<b>Affidavit Executed</b>	

**Permittee acknowledges the following in order to receive this permit:**

A copy of "Ordinance of the City of Bay St. Louis, Mississippi to Allow the Operation of Golf Carts on Certain Public Roads and Streets within the City: Charter 82, Article VIII" has been provided to the Permittee. All persons who operate or ride in golf carts or low-speed vehicles, as defined in Mississippi Senate Bill 3026 in the 2018 Regular Legislative Sessions roads do so at their own risk and peril, and must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists and pedestrians. The City of Bay St. Louis has no liability under any theory of law for permitting golf carts to be operated on City streets or roads. Golf carts and low-speed vehicles, as defined in Senate Bill 3026, are only permitted to be operated on roads within the City's municipal boundaries except for prohibited streets.

Acknowledge by:

Permittee/Applicant Signature

**For Staff Use Only:**

- Golf Cart Registration Form Executed
- Golf Cart Registration Affidavit Notarized
- Proof of insurance provided
- Valid Driver's License
- \$50.00 Registration Fee Paid
- \$25.00 Renewal Registration Fee Paid
- City Issued Permit Number:

GOLF CART REGISTRATION AFFIDAVIT

State of Mississippi  
County of Hancock

AUG 3 211  
~~a44.a~~  
~~2118~~

BEFORE ME, the undersigned Notary, [name of Notary

whom affidavit is sworn], on this [day of month] day of \_\_\_\_\_ [month], 20 \_\_\_\_

personally appeared \_\_\_\_\_ [name of affiant], known to

me to be of lawful age, who being by me first duly sworn, on \_\_\_\_\_ [his or her] oath, deposes and

says:

The Golf Cart that is being registered meets all requirements for such vehicles in State law and specifically those detailed in Mississippi Statutes including, but not limited to, those contained Section 63-7-91, Mississippi Code of 1972 and the City of Bay St. Louis Code Sections 82-426 to 428.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this the \_\_\_\_\_ day of 2018.

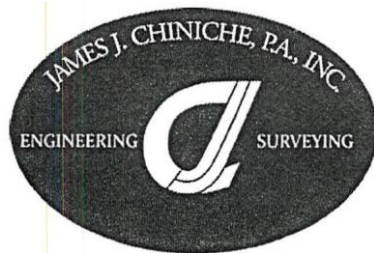
Name of Affiant \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Personally appeared before me, the undersigned authority in and for the said county and state, on this day of , 2018, within my jurisdiction, the within named \_\_\_\_\_ , who acknowledged that he executed the above and foregoing durable general power of Attorneys.

NOTARY PUBLIC  
My Commission Expires:

\_\_\_\_\_  
42984842. vi [AFFIX NOTARIAL SEAL]



PECE  
two=  
ivtl, -02L4- /

7.24.18

- 1) Old Spanish Trail Sidewalk Close Out
- 2) Public Works/Utilities
  - a) Seminary Sink Hole — setback due to rain last week.
  - b) City Wide Sewer Issues
    - i) MDEQ SRF Grant/Loan (1.75%)
    - ii) Sunset Dr. to Dunbar Lift Station Sewer Line Repairs
      - (1) 2,300 LF 10" Steel Pipe
      - (2) Recommend to clean, TV to check for damaged pipe, line sewer pipe
      - (3) Total Estimated Project cost \$200,000
    - iii) Raise Sewer Manholes near Felicity St. (1 Block)
    - iv) Senior Citizen clay sewer line
    - v) Lift Station 1 upgrades — replace valves and install permanent by-pass to prevent over-flows
  - c) Dunbar Ave Settlement Repair — remove asphalt to inspect extent of sub-surface void (in house)
- 3) Carrol Ave Safe Routes Project — Request authorization for the mayor to sign contract, Notice to Proceed and other documents, as required by MDOT
- 4) MDOT HWY 90 Lighting Modifications — underway
- 5) MDOT HWY 90 Utility Relocation — recommend award of water line diversion to Rocky's Plumbing. See attached quotes.
- 6) Grants
  - a) GRPC— Depot District to Downtown Planning Grant (\$10,000 total cost, \$2,000 Match)
- 7) City Wide Drainage Plan
  - a) See attached breakdown per Ward
  - b) Preliminary Cost Estimates currently being developed.

**Bid Proposal**

**ROCKY'S PLUMBING LLC  
406 FAVRE ST.  
WAVELAND, MS 39576  
FAX (228) 467-2651  
PHONE (228) 493-0321  
CELL (228) 493-2622**

**[Email: rocksplumbing@aol.com](mailto:rocksplumbing@aol.com)**

**To: Jason Chiniche Ph.:  
(228)467-6755 Cell:  
(228)493-0679 Email:  
[jasongjjc-eng.com](mailto:jasongjjc-eng.com)**

**Date: 7/13/18**

**Job: Highway 90 & Bouslog St. BSL**

**Job Description:**

- \* Re-route water line at Hwy. 90 and Bouslog St. for the City of Bay St. Louis**
- \* Price includes all labor, materials, & equipment**

**Price: \$ 3,000.00**

**Please call with any questions. Thank you for considering this bid!**

**Rocky Pagano**

00700 QUOTATION PROPOSAL

QUOTATION PROPOSAL

Proposal of *Iv A Udiro ow*, *Lex*, . (hereinafter called "BIDDER"), organized and existing under the laws of the State of MISSISSIPPI doing business as a 1:44 1-1 insert: "(corporation, partnership, limited liability company, or individual) to CITY OF BAY ST. LOUIS, (hereinafter called "OWNER"). In compliance with your advertisement for Bids, BIDDER, hereby proposes to perform all WORK for construction of WATER LINE DIVERSION ON HWY 90 AND BOUSLOG ST.

In strict accordance with the CONTRACT DOCUMENTS, within the time set forth herein, and at the prices stated below. By submission of the BID, each BIDDER certifies, and in the case of a joint BID each party thereto certifies as to his own organization, that this BID has been developed independently, without consultation, communication or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this contract on or before a date to be specified in a written "NOTICE TO PROCEED" and to fully complete the Project within 2 consecutive calendar days thereafter. BIDDER further agrees to pay as liquidated damages, the sum of \$250.00 for each consecutive calendar day thereafter as provided for elsewhere in these CONTRACT DOCUMENTS.

BIDDER ACKNOWLEDGES receipt of the following ADDENDA:

NUMBER:	<u>Ai/A</u>	DATE:	<u>AdA</u>
NUMBER:	<u>Arbt</u>	DATE:	<u>NO</u>
NUMBER:	<u>AIA</u>	DATE:	<u>it//A</u>
NUMBER:	<u>A/A</u>	DATE:	<u>/UM</u>

**00700 QUOTATOIN PROPOSAL**

By submitting this BID, the BIDDER certifies that he has thoroughly examined the plans, specifications and contract documents and has visited the job site to inform himself fully of the conditions at the site relating to the completion of the project

BIDDER understands that the quantities mentioned below are approximate only and are subject to either increase or decrease, and hereby proposes to perform any increased or decreased quantities of work at the Unit Price Bid.

In accordance with the requirements of the Plans, Specifications and Contract Documents, BIDDER proposes to furnish all necessary materials, equipment, labor, tools and other means of construction and to construct the Project in accordance with the Contract Documents within the specified Contract Time for the following Unit Prices specified below.

BIDDER further agrees to execute the contract agreement as bound herein within **ten (10)** days after receipt of contract forms from the OWNER.

BIDDER agrees to pay as liquidated damages the amount provided herein for each consecutive calendar day after the Contract completion date specified in a written "NOTICE TO PROCEED" that he fails to complete the work unless the Contract Time is extended by a written Change Order.

\_\_\_\_\_

\_\_\_\_\_ e-kandred-p \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

#### 00700 QUOTATION PROPOSAL

Further, the BIDDER agrees to abide by the requirements under Executive Order No. 11246, as amended, including specifically the provision of the Equal Opportunity Clause set forth in the Federal Requirements, if applicable.

The low BIDDER shall supply the names and address of major MATERIAL SUPPLIERS AND SUBCONTRACTORS when required to do so by the OWNER.

BIDDER agrees to perform all the work described in the CONTRACT DOCUMENTS for the following unit prices:

#### NOTES:

1. Any erasure, change or alteration of any kind must be initialed by the BIDDER.
2. Bid prices shall include sales tax and all other applicable taxes and fees. Quantities are estimated and there shall be no additional cost to the owner should an increase or decrease in quantities required be necessary. Bidder also agrees to bid each item in a fair and equitable manner. Any bid items deemed to be "unbalanced" shall be subject to negotiation between Owner and Bidder.
3. Any item of work not specified on the Proposal as a separate pay item or indicated as an absorbed cost in a pay item but which is incidental to completion of the work shall be considered as an absorbed cost with full compensation included in the unit price bid for the particular item involved.
4. OWNER reserves the right to award any combination of base and alternate bids (if any) it deems advantageous and in the event that all specified bid item units are lump sum (LS), the OWNER reserves the right to delete any such item or combination of such items from the project. The OWNER further reserves the right to delete any item or items desired from the Bid Schedule after the Contract has been awarded. Any deletions, if any made, shall be by Change Order and BIDDER hereby agrees to accept such Change Orders.
5. Quotations are due by July 20, 2018 by 2:00 PM.

00700 QUOTATOIN PROPOSAL

BID SCHEDULE

TO: CITY OF BAY ST. LOUIS

Owner

The undersigned, in compliance with the request for bids for the above referenced project hereby proposes to furnish all labor, permits, material, machinery, tools, supplies and equipment to faithfully perform all work required for construction of the Project in accordance with the project manual, project drawings and issued Addenda (if any) within the specified time of performance for the following LUMP SUM amount:

PAY ITEM	ITEM DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	EXTENSION
----------	------------------	----------	-------	------------	-----------

**BID — WATER LINE DIVERSION**

1	8" PVC WATER LINE DIVERSION — to include All equipment, labor and Material required to excavate, Disconnect and remove existing Water line, connect new water Line, backfill, pressure test and Sample new water line.	1	LS	<u>/0<sub>1</sub> (-I S-0</u>	<u>/0<sub>1</sub> 41S-0.</u>
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TOTAL QUOTE \$ \_\_\_\_\_ /91dS-°c\*1 \_\_\_\_\_

CONTRACTOR

By:

A-a-co"

Title: \_\_\_\_\_

ADDRESS: \_1 (plo1\_5\_

64 rorf. km 59 c-o3

CERTIFICATE OF  
RESPONSIBILITY

NUMBER: Oct 01 M C

END OF SECTION

# State of Mississippi

## BOARD OF CONTRACTORS

ACTIVE

DNA UNDERGROUND LLC  
16101 S. SYCAMORE RD  
GULFBORO MS 39501

is duly registered and entitled to perform

- 1) CULVERTS AND DRAINAGE STRUCTURES
- 2) DEMOLITION
- 3) DIRECTIONAL BORING/PIPE INSTALLATION
- 4) HIGHWAY, STREET AND BRIDGE CONSTRUCTION
- 5) UNDERGROUND UTILITIES



*We have hereunto set our hand and caused the Seal of the Mississippi Board of Contractors to be affixed this 22 day of Dec, 2017*

CERTIFICATE OF REGISTRATION  
No. 2007LMC  
Expires Dec. 22, 2018

*Jaal A. Canell*

CHAIRMAN OF THE BOARD

**F0108**

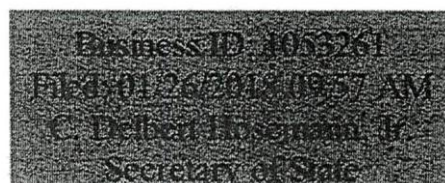
Fee: \$

P.O. BOX 136  
JACKSON, MS 39205-0136

**2018020944**



DELBERT HOSEMANN  
*Secretary of State*



TELEPHONE: (601) 359-1633

## 2018 LLC Annual Report

### Business Information

*Business ID:* 1053261

*State of Incorporation:* MS

*Phone:* (\*\*\*)\*\*\*\_\*\*\*\*

*FEIN:* \*\*\_\*\*\*\*\*

*Business Name:* DNA Underground LLC

*Business [Email:](mailto:cinutilities@grnalcorn)* [cinutilities@grnalcorn](mailto:cinutilities@grnalcorn)

*Principal Address:* 16101 S Swan Road, 16101 S Swan Road  
Gulfport, MS 39503

### Registered Agent

*Name:* Dustin Gartman

16101 S Swan Road

*Address:*

Gulfport, MS 39503

### Managers and Members

#### Members

*Name:*

Dustin Gartman

*Member*

*Address:*

16101 S Swan Road

Gulfport, MS 39503

**Officers**

*Title/Name:*

*Address:*

*Director:*

**President:**

**Vice President:**

**Secretary:**

0

**Treasurer:**

0

Z This LLC has a written Operating Agreement.

NAICS\_CodeThatreidialisinksS.

237990 - Other Heavy and Civil Engineering Construction

**Signature**

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day **01/26/2018**.

*Name:*

*Address:*

Dustin L Gartman

16101 S Swan Road

*Other*

Gulfport, MS 39503

Officers List

*Name:*

Dustin Gai. linan

*Member*

*Address:*

16101 S Swan Road

Gulfport, MS 39503



**DELBERT HOSEMANN**  
*Secretary of State*  
Office of the Secretary of State  
Jackson, Mississippi

## Certificate of Good Standing

I, C. DELBERT HOSEMANN, JR., Secretary of State of the State of Mississippi, and as such, the legal custodian of the records as required by The Mississippi Limited Liability Company Act to be filed in my office do hereby certify:

**DNA UNDERGROUND LLC Registered the 9th day of October, 2014**

A Mississippi Limited Liability Company has filed the necessary documents in this office and has obtained a certificate of formation under the provisions of The Mississippi Limited liability Company Act as shown by the records in this office.

That the registered office of said Limited Liability Company is located at:

523 Royal Oak Dr  
Pass Christian, MS 39571

And that the registered agent at that address is: Dustin Gartman

I further certify that said Limited Liability Company has paid the fees for filing the above papers required by law as shown by the records of this office, and that said Limited Liability Company is in good standing to do business in Mississippi at this time

Given under my hand and seal of office the 13th day of October, 2016

**'bale**                      *ir •*

C. DELBERT HOSEMANN, JR.  
*Secretary of State*

Certificate Number: CNI 6029073

Verify this certificate online at <http://corp.sos.ms.gov/cotpconviverifycertificate.aspx>

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## City Wide Drainage Improvements Plan

July 17, 2018

### Ward 1

1. Sports Complex Parking lot culverts - contract
2. Woods Place concrete panels - In house
3. Woods Place swale and trench grating - In house
4. Dan M. Russell Drive culverts - In house
5. Esplanade Ave. - contract
6. Highland Drive - contract

### Ward 2

1. St. John St. - contract
2. Dunbar Ave (near MS Power) - contract
3. Carroll Ave curb and gutter (400 block) - contract
4. Demontluzin Ave (between Necaise and Dunbar) - contract
5. State St. and Demontluzin Ave. near Beach Blvd, 1<sup>st</sup> block - contract
6. Genin St. at the Service Road, collapse culvert at junction box - in house
7. Sink Hole Near Dominoes - MDOT
8. Ulman Ave - contract
9. Second St. at City Park St. - contract
10. State St. at Dunbar Ave - contract

### Ward 3

1. Easterbrook St. - contract
2. Sycamore St. - contract
3. Keller St. (ditch cleaning) - In house
4. Depot District Sinkhole (across from Sideways Bar) - In house
5. Senior Center Drain (near Bookter St.) - In house
6. Washington St. (near Michael and Cathy Drive) - In house

### Ward 4

1. Shieldsboro Subdivision sink holes - drainage has not been turned over to the city
  2. Pecan Park Drive swales - In house
  3. Romoneda St. and Third St. - In house
  4. Bay Oaks Ditch - In house
  5. Turner St. and Old Spanish Trail - contract
  6. Suebe St. and 7<sup>th</sup> St. - contract
  7. Gladstone St. - contract
  8. Spanish Acres Drive - contract
  9. Easy St. - In house
-

Ward 5

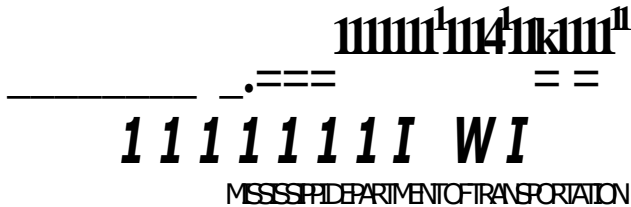
1. Blue Meadow Road (near Hollywood Drive) - contract
2. 9<sup>th</sup> St. (north of HWY 90) - contract
3. Chapman Road at ditch crossing - contract
4. Pontiac St. and Cadillac St. — in house
5. Longfellow Road at ditch crossing -in house
6. Cain Drive Cross drain — in house

Ward 6

1. Ave B Culvert
2. Elain Dr. side laterals
3. 19<sup>th</sup> st.
4. Central Ave, near HWY 603
5. Central Ave and Nile St.
6. Sixth St.
7. Seventh St.
8. Road 560 and 19<sup>th</sup> St.
9. 19' St. and Ave. B
10. Ave B, south side near bayou
11. Ave **B**, north side near bayou
12. Chapman Road and Clara
13. Skyline Road (raise and add guard rails)
14. Tahiti St. (raise and add guard rails)
15. Central Ave ditch improvements
16. B Ave ditch improvements
17. Washington St. cross drain and ditch improvements (Main Drain 28)

Melinda L. McGrath  
Executive Director

P. O. Box 1850  
Jackson, MS 39215-1850  
Telephone (601) 359-7001  
FAX (601) 359-7110  
GoMDOT.com



James A. Williams, III  
Deputy Executive Director/Chief Engineer  
Lisa M. Hancock  
Deputy Executive Director/Administration  
Willie Huff  
Director, Office of Enforcement  
Charles R. Carr  
Director, Office of Intermodal Planning

July 13, 2018

Honorable Les Fillingame  
Mayor, City of Bay St. Louis  
P.O. Box 2550  
Bay St. Louis, MS 39520

RE: SRSP-0030-00(034)LPA/106939-401000  
Hancock County

Dear LPA Official:

This is to advise that the Mississippi Transportation Commission has concurred in your request to award the contract for the construction of the subject project and you are hereby authorized to send the Notice of Award Letter and contract documents to Morreale Construction, LLC., Waveland, MS. Upon execution of the contract, you are authorized to issue the Notice to Proceed/Notice of Execution to the contractor and copies of this Notice should be furnished to the Chief Engineer, State Local Public Agency Engineer, Materials Engineer and Construction Engineer, MDOT, Box 1850, Jackson, Mississippi 39215, and to the District Engineer P.O. Box 551, Hattiesburg, MS 39403 & District LPA Coordinator, 16499 Highway 49, Saucier, MS 39574. Prior approval by MDOT is required for any Supplemental Agreement and Quantity Adjustment to become part of this contract. 'See Chapter 7, Item 7.5 Supplemental Agreements in the on-line PDM ([www.gomdot.com](http://www.gomdot.com), Projects, Local Public Agencies).

The LPA's percentage share (20%) will be deducted from each monthly LPA-001 (Generated by MDOT's LPA Site Manager). The Construction Engineering Estimate will be generated in the LPA Division and will be e-mailed to your consultant (James J. Chiniche, P.A., Inc.) to set up the monthly engineering progress estimate. The total project cost (consists of the low bid, the CE&I amount, and contingencies) for this project is \$193,855.00. Federal funds in the amount of \$155,084.00 will be applied toward this project. As a reminder, any cost exceeding the federal amount of \$155,084.00 will be borne by the LPA.

The CFDA number, 20.205-Highway Planning and Construction, is to be used on the Schedule of Federal Expenditures to report the federal project expenditures incurred in the current fiscal year.

Your attention is respectfully directed to the on-line PDM as it pertains to engineering and supervision of the construction and sampling and testing of materials. Also, as contained in the PDM, it is requested that ten (10) copies of the executed proposal, contract documents, and half scale plans be furnished to this office for distribution. One of these copies must be certified by the LPA as a true and correct copy of the original.

Attached are the original OCR-481-LPA Forms for the referenced project. Copies of this original, approved form must be inserted into each of the executed contracts. The LPA must retain the Original OCR-481-LPA Form for their files.

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Page 2

There are several forms used to monitor the contractor's progress in administering the Disadvantaged Business Enterprise requirements in this contract: OCR-482-LPA, OCR-483-LPA, OCR-484-LPA, OCR-487-LPA. If you have questions concerning usage of these forms and what you should do with them, you may contact the Civil Rights Division, Box 1850, Jackson, Mississippi, or @ (601) 359-7466.

Also, included in the attachments are the following forms:

- RPS-1 (Rev. 5-05) - Request for Permission to Subcontract, which we are recommending that LPA's utilize unless they have their own form. Please do not use the MDOT CAD-720 form.
- NRAA-I (Rev 6-05) - Notice of Requirements for Affirmative Action to Ensure Equal Employment Opportunity (Executive Order 11246).
- SCC-1 (Rev. 12-02) - Sub-Contract Certification for Federal Aid Projects.

It will be necessary to hold a preconstruction conference before the contract time is scheduled to begin and before the beginning of any construction on this project. Please contact your District LPA Coordinator for the persons that should be included in attendance at the preconstruction conference.

Sincerely,



Jeffrey C. Altman, P. E.  
State Engineer, Local Projects

JCA:phm

cc: Commissioner Tom King  
Chief Engineer  
Asst. Chief Engr.-Operations  
Construction Engineer  
Materials Division  
District Engineer  
Civil Rights DBE Coordinator  
Federal Highway Administration

LPA Division  
District LPA Coordinator (Seyfarth, Starita)

James J; c,11,111Jelle,Y,A, Inc  
Office File  
Central File

OCR-481-LPA  
REV. 06/16

*NO DBE  
GOAL  
plan  
7/13/18*

**LPA PROJECT**

**DISADVANTAGED BUSINESS ENTERPRISE LIST**

PROJECT NUMBER: SRSP-0030-00(034) LPA 106939-401000  
 NAME OF DBE FIRM: \_\_\_\_\_ 0 RACE CONSCIOUS  RACE NEUTRAL  
 COUNTY: Hancock  
 CITY: Bay St. Louis

A	B	C
REFERENCE NUMBER OF ITEMS	PERCENT WORK SUBCONTRACTED, (SEE NOTE 4 & 5 BELOW)	VALUE OF ITEM (SUBCONTRACTED, MANUFACTURED OR SUPPLIED)
TOTAL		
PER CENT OF TOTAL BID		
*** I ACKNOWLEDGE AND COMMIT TO THE ITEMS AND PRICES STATED ABOVE.***		
SIGNATURE OF DBE		SIGNATURE OF PRIME

DATE APPROVED: 6.15.18 \_\_\_\_\_ Prime Contractor Firm Name \_\_\_\_\_  
 APPROVED BY: Dana FeJerstein \_\_\_\_\_ Submitted By Name \_\_\_\_\_  
 If: Project Director or Name (Printed) OJVLJ 2 AV 11/1-1- TITLE \_\_\_\_\_  
 LPA Project Director (Signature)

I AGREE TO SUBCONTRACT OR PURCHASE MATERIAL FROM THE DBE FIRM LISTED ABOVE AND I MAKE THIS COMMITMENT WITH THE UNDERSTANDING THAT IF I FAIL FOR GOOD REASON TO FULFILL THIS COMMITMENT I HAVE LISTED I WILL FULFILL THE TERMS OF MY CONTRACT AS LONG AS I REACH OR EXCEED THE CONTRACT GOAL OF 0 %.

- |  |  |
|--|--|
| <ol style="list-style-type: none"> <li>SUBMIT THIS FORM TO THE <b>LPA</b> Project Director <b>FOR <u>THEIR SIGNATURE</u></b> NO LATER THAN THE THIRD (3) BUSINESS DAY AFTER THE OPENING OF THE BIDS.</li> <li>60% CREDIT IS ALLOWED TOWARD THE DBE GOAL FOR SUPPLIERS.</li> <li>THE ACTUAL SUBCONTRACT AGREEMENT MUST EQUAL OF COLUMN " C".</li> <li>IF THE DBE FIRM PERFORMS "ALL OF THE WORK PERTAINING 100% IN COLUMN " B ".</li> <li>IF THE DBE FIRM PERFORMS "A PORTION OF THE WORK" THE PERCENTAGE IS CALCULATED BASED ON THE TOTAL VALUE OF THE ITEM AND ENTERED IN COLUMN " B ". A BREAKDOWN OF THE COST MUST ACCOMPANY</li> </ol> | <p>EXCEED THE DOLLAR AMOUNT SHOWN IN TO A SUBCONTRACTED ITEM ENTER PERTAINING TO A SUBCONTRACTED ITEM OF THE ITEM AND ENTERED IN THIS SITUATION.</p> |
|--|--|

LOCAL PUBLIC AGENCY (LPA)

SECTION 902

**a 16N**

CONTRACT FOR \_\_\_\_\_

LOCATED IN THE COUNTY OF \_\_\_\_\_  
STATE OF MISSISSIPPI,

Y: ~~\_\_\_\_\_~~  
mtg 7-24-18

This contract entered into by and between the Local Public Agency \_\_\_\_\_  
\_\_\_\_\_ (hereinafter "LPA") on one hand, and the undersigned contractor, on the other witnesseth;

That, in consideration of the payment by the LPA of the prices set out in the proposal hereto attached, to the undersigned contractor, such payment to be made in the manner and at the time of times specified in the specifications and the special provisions, if any, the undersigned contractor hereby agrees to accept the prices stated in the proposal in full compensation for the furnishing of all materials and equipment and the executing of all the work contemplated in this contract.

It is understood and agreed that the advertising according to law, the Advertisement, the instructions to bidders, the proposal for the contract, the specifications, the revisions of the specifications, the special provisions, and also the plans for the work herein contemplated, said plans showing more particularly the details of the work to be done, shall be held to be, and are hereby made a part of this contract by specific reference thereto and with like effect as if each and all of said instruments had been set out fully herein in words and figures.

It is further agreed that for the same consideration the undersigned contractor shall be responsible for all loss or damage arising out of the nature of the work aforesaid; or from the action of the elements and unforeseen obstructions or difficulties which may be encountered in the prosecution of the same and for all risks of every description connected with the work, exceptions being those specifically set out in the contract; and for faithfully completing the whole work in good and workmanlike manner according to the approved Plans, Specifications, Special Provisions, Notice(s) to Bidders and requirements of the LPA.

It is further agreed that the work shall be done under the direct supervision and to the complete satisfaction of the LPA or their authorized representatives, and when Federal Funds are involved subject to inspection at all times and approval by the Mississippi Department of Transportation or Federal Highway Administration, or its agents as the case may be, or the agents of any other Agency whose funds are involved in accordance with those Acts of the Legislature of the State of Mississippi approved by the Governor and such rules and regulations issued pursuant thereto by the Mississippi Transportation Commission and the authorized Federal Agencies.

The Contractor agrees that all labor as outlined in the Special Provisions may be secured from list furnished by Manager, WIN Job Center nearest the project

It is agreed and understood that each and every provision of law and clause required by law to be inserted in this contract shall be deemed to be inserted herein and this contract shall be read and enforced as though it were included herein, and, if through mere mistake or otherwise any such provision is not inserted, then upon the application of either party hereto, the contract shall forthwith be physically amended to make such insertion.

The Contractor agrees that he has read each and every clause of this Contract, and fully understands the meaning of same and that he will comply with all the terms, covenants and agreements therein set forth.

Witness our signatures this the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Contractor(s)

\_\_\_\_\_  
Title  
Signed and sealed in the presence of:  
(Names and address of witnesses)

\_\_\_\_\_  
By \_\_\_\_\_  
LPA Official

\_\_\_\_\_  
LPA Clerk

Award authorized by the LPA in session on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ , as recorded \_\_\_\_\_

LPA 001 v 1.2  
 Revised Apr. 02, 2009

MISSISSIPPI DEPARTMENT OF TRANSPORTATION  
 Contractor's Estimate Recap Sheet

STP-9128-00(001)/106429701  
 Printed: 07/23/2018 09:34 am

Vendor Number	3100023029 0	Completion Date	00/00/0000
Contract ID	LSTP912800001	Time Units / Days to be Allowed	185.00
In Account With	City of Bay St. Louis P.O. Box 2550, Bay St. Louis, MS, 39521		
FMS Contract Number	0000001013		
Estimate Number	0009 FINAL	Period	Thru
Project County: HANCOCK (23)		Current Period	Previous Estimate
Project Number: 106429701000 [STP-9128-00(001)/106429701 1			Total Allowed to Date
Total Cost (Participating)		\$71,340.91	\$708,654.89
Total Cost		\$71,340.91	\$708,654.89
Project Total		\$71,340.91	\$708,654.89
% Matching Funds Deduction for LPA 20.00000%		(\$14,268.18)	(\$141,730.98)
Total Net Amount Owed to LPA		\$57,072.73	\$566,923.91
Total Contract Net Work Due		\$57,072.73	\$566,923.91
Time Units / Days Used		0.000000	179.881000
Contract % Complete (Dollars) P.		9.16%	90.97 %
Contract % Elapsed Time		0.000000%	99.930000 %
Quantities Checked		Completion Date: 00/00/0000	
Original Signed A/■ - (, /		Calendar Days to be Allowed: 185.00	
Chiniche, Jason (16-10) Project Engineer		Total Contract Bid Amount: \$698,509.37	
		Total Contract Current Amount: \$778,995.79	
LPA Official:		Productive Days to be Allowed: 180.000000	
		Total Productive Days Assessed: 179.880000	
Approved:		Contract % Elapsed Time (Productive Days): 99.930000 %	
Chief Engineer by		Progress of Project: 0.200000 %	
Original Signed LPA Engineer			
Jeffrey C. Altman, P.E			

RECEIVED  
 JUL 24 2018  
 BY: JCT  
 mtg 7-24

Vendor Number		3100023029 0			Date Let						
Contract ID		LSTP912800001			Award Date		09/15/2015				
In Account With		City of Bay St. Louis P.O. Box 2550, Bay St. Louis, MS, 39521									
Surety		Default Surety For LPA Contract									
FMS CC Number		0G00001013									
Estimate Number		0009 FINAL			Period		Thru 11/25/2016				
<b>Project Number</b>		<b>106429701000 I STP-9128-00(001)/106429701 11ANCOCK (23)</b>					<b>Category</b>		<b>Roadway</b>		
	Line No	Item Number	AC	Item	Total Quantities			Unit	Unit Price	Amount	
					Final Adjusted Contract Qty	Current	Allowed-to-Date			Current	Allowed-to-Date
1	0010	202-A001		Removal of Obstructions	1.000	-1.000	2.000	LS	1,000.00	-1,000.00	2,000.00
1	0020	202-B002		Removal of Asphalt Driveways, All Depths	1,103.500	0.000	1,103.500	SY	20.00	0.00	22,070.00
1	0030	202-B018		Removal of Concrete Driveways, All Depths	371.000	0.000	371.000	SY	25.07	0.00	9,300.98
1	0040	202-B035		Removal of Concrete Sidewalk	16.500	0.000	16.500	SY	60.00	0.00	990.00
1	0050	202-B064		Removal of Pipe, 8" And Above	317.000	0.000	317.000	LF	25.00	0.00	7,925.00
1	0060	202-B094		Removal of Curb &/or Curb and Gutter, All Types	34.000	0.000	34.000	LF	35.00	0.00	1,190.00
1	0070	203-A004	E	Unclassified Excavation, LVM, AH	927.000	0.000	927.000	CY	35.00	0.00	32,445.00
1	0080	203-EX010	E	Borrow Excavation, AH, LVM, Class B5	1,612.500	0.000	1,612.500	CY	18.00	0.00	29,025.00
	0090	203-G004	E	Excess Excavation LVM AH	0.000	0.000	0.000	CY	10.00	0.00	0.00
1	0100	907-213-A001		Agricultural Limestone (Absorb Cost of Watering into Hydroseeding)	1.000	0.000	1.000	TON	120.00	0.00	120.00
1	0110	907-227-A001		Hydroseeding	1.460	0.000	1.460	ACRE	3,500.00	0.00	5,110.00
1	0120	907-234-D001		Inlet Siltation Guard	5.000	0.000	5.000	EA	725.00	0.00	3,625.00
1	0130	907-237-A002		Wattles 12"	886.000	96.000	886.000	LF	2.50	240.00	2,215.00
1	0140	907-237-A003		Wattles, 20"	90.000	0.000	90.000	LF	4.00	0.00	360.00
1	0150	907-262-0001		Sewer Service Assembly	3.000	0.000	3.000	EA	1,100.00	0.00	3,300.00
1	0160	907-265-E001		Potable Water Service Assembly Potable Water Service Assembly	4.000	0.000	4.000	EA	1,100.00	0.00	4,400.00
1	0170	907-304-H003	GY	Size 610 Crushed Stone Base, LVM	51.000	0.000	51.000	CY	82.25	0.00	4,194.75
1	0180	907-403-A006	BA1	Hot Mix Asphalt, MT, 12.5-mm mixture	0.000	0.000	0.000	TON	135.00	0.00	0.00
1	0190	907-407-A001	A2	Asphalt for Tack Coat	0.000	0.000	0.000	GAL	25.00	0.00	0.00
1	0200	907-601-A001	S	Class "B" Structural Concrete	4.000	0.000	4.000	CY	341.00	0.00	1,364.00
1	0210	907-601-B003	S	Class "B" Structural Concrete, Minor Structures	48.500	0.000	48.500	CY	341.00	0.00	16,538.50
1	0220	602-A001	S	Reinforcing Steel	3,903.445	0.000	3,903.445	LBS	3.70	0.00	14,442.75

Line No	Item Number	AC	Item	Total Quantities			Unit	Unit Price	Amount			
				Final Adjusted Contract Qty	Current	Allowed-to-Date			Current	Allowed-to-Date		
1	0230	907-603-PE205	S	18" Corrugated Polyethylene Pipe	1,829.000	155.000	1,829.000	LF	42.38	6,568.90	77,513.02	
1	0240	604-A001		Castings	28,409.000	0.000	28,409.000	LBS	2.15	0.00	61,079.35	
1	0250	608-A001	S	Concrete Sidewalk, Without Reinforcement	4,351.000	289.700	4,351.000	SY	35.80	10,371.26	155,765.80	
1	0260	609-B001	S	Concrete Curb, Header	0.000	0.000	0.000	LF	80.00	0.00	0.00	
1	0270	609-D006	S	Combination Concrete Curb and Gutter Type 1 Modified	0.000	-22.000	0.000	LF	50.00	-1,100.00	0.00	
1	0280	613-D007		Adjustment of Utility Appurtenance	10.000	0.000	10.000	EA	550.00	0.00	5,500.00	
1	0290	614-A002	S	Concrete Driveway, Without Reinforcement, 6-inch Thickness	2,102.000	253.000	2,102.000	SY	36.15	9,145.95	75,987.30	
1	0310	907-618-B001		Additional Construction Signs	1.000	1.000	1.000	SF	10.00	10.00	10.00	
1	0330	907-626-H005		Thermoplastic Legend, White	3,150.000	0.000	3,150.000	SF	7.24	0.00	22,806.00	
1	0340	628-H002		Cold Plastic Legend, White	0.000	0.1300	0.000	SF	74.00	0.00	0.00	
1	0350	630-A001		Standard Roadside Signs, Sheet Aluminum, 0.080" Thickness	0.000	0.000	0.000	SF	75.00	0.00	0.00	
1	0360	630-0004		Steel U-Section Posts, 3.0 to 3.5 lb/ft	0.000	0.000	0.000	LF	6.70	0.00	0.00	
1	0380	668-A007		Traffic Signal Conduit, Underground, Type 1, 2"	9,040.000	0.000	9,040.000	LF	2.16	0.00	19,526.40	
1	0390	668-B006		Traffic Signal Conduit, Underground Drilled or Jacked, Type 1, 2"	1,653.000	0.000	1,653.000	LF	7.21	0.00	11,918.13	
1	0400	503-0007		Saw Cut, Full Depth	5,578.000	0.000	5,578.000	LF	1.59	0.00	8,869.02	
1	0410	907-603-PP002	S	18" Preformed Polyethylene Drainage Catch Basin	40.000	0.000	40.000	EA	1,350.00	0.00	54,000.00	
1	0420	907-630-0004		Remove and Reset Sign, 1 U-post	8.000	0.000	8.000	EA	100.00	0.00	800.00	
1	8010	907-603-PE211	S	12" Corrugated Polyethylene Pipe S/A	1,140.000	1,140.000	1,140.000	LF	41.32	47,104.80	47,104.80	
Total Roadway Items										71,340.91	701,495.80	
Total Participating Direct Items										71,340.91	701,495.80	
Total Non-Participating Direct Items										0.00	0.00	
Total Direct Items on Contract = 700,495.79										Total Direct Items	71,340.91	701,495.80
Dependent Items												
Line No	Item Number	AC	Item	Total Quantities			Unit	Unit Price	Amount			
				Contract Qty	Current	Allowed-to-Date			Current	Allowed-to-Date		
1	0300	907-618-A001		Maintenance of Traffic	1.000000	0.0000	1.0000	LS	48,000.00	0.00	48,000.00	
1	0320	620-A001		Mobilization	1.000000	0.0000	1.0000	LS	30,000.00	0.00	30,000.00	
1	0370	907-699-A002		Roadway Construction Stakes	1.000000	0.0000	1.0000	LS	500.00	0.00	500.00	
Total Participating Dependent Items										0.00	78,500.00	

<b>Total Non-Participating Dependent Items</b>							<b>0.00</b>	<b>0.00</b>		
<b>Total Dependent Items</b>							<b>0.00</b>	<b>78,500.00</b>		
<b>Total Project Participating Construction items</b>							<b>71,340.91</b>	<b>779,995.80</b>		
<b>Total Project Non-Participating Construction Items</b>							<b>0.00</b>	<b>0.00</b>		
<b>Total Project Construction Items</b>							<b>71,340.91</b>	<b>779,995.80</b>		
<b>Stockpiled Material Adjustments</b>										
	I	Line No	I	Item Number	I	Item Description	I	Adjustment Description	Current	Allowed-to-Date
<b>Total Participating Stockpiled Material Adjustments</b>							<b>0.00</b>	<b>0.00</b>		
<b>Total Participating Costs (on CAD001)</b>							<b>71,340.01</b>	<b>779,995.80</b>		
<b>Total Non-Participating Costs (on CAD001)</b>							<b>0.00</b>	<b>0.00</b>		
<b>Project: 1064297010001 STP-9128-00(001)/106429701</b>							<b>I</b>	<b>Total Costs (on CAD001)</b>	<b>71,340.91</b>	<b>779,995.80</b>
<b>Fuel And Material Adjustments</b>										
	Line No	Item Number	Item Description			Adjustment Description		Price Difference	Current	Allowed-to-Date
<b>Total Participating Fuel And Material Adjustments</b>							<b>0.00</b>	<b>0.00</b>		
<b>Total Non-Participating Fuel And Material Adjustments</b>							<b>0.00</b>	<b>0.00</b>		
<b>Total Fuel And Material Adjustments</b>							<b>0.00</b>	<b>0.00</b>		
<b>Total Construction Cost on Contract = 778,995.79</b>							<b>I</b>	<b>Total Contract Net Work Due (on CAD001)</b>	<b>71,340.91</b>	<b>779,995.80</b>

Resolution

RESOLUTION REQUESTING AND MEMORIALIZING THE MISSISSIPPI LEGISLATURE  
TO AMEND THE APPLICABLE SALES TAX LAWS AND USE TAX LAWS TO  
CONTINUE TO PROVIDE THAT 18.5 PERCENT OF THE SALES TAX COLLECTED  
FROM INTERNET INTERSTATE SALES SHALL BE PAID TO THE MUNICIPALITIES AS  
CURRENTLY PROVIDED FOR IN-STATE SALES;  
AND FOR RELATED PURPOSES

WHEREAS, the rapidly growing use of online purchases by Mississippians has already dramatically altered the source sites of retail sales in Mississippi and has already had a major impact on the operating budgets of municipalities throughout the state of Mississippi; and

WHEREAS, the U.S. Supreme Court in the case of South Dakota v. Wayfair, Inc., et al, has held that states have the legal authority to tax interstate sales in the same manner as intrastate sales; and

WHEREAS, the State of Mississippi should enact amendments to applicable sales and use tax laws that would tax interstate sales on the Internet in the same manner as intrastate sales; and

WHEREAS, amendments to tax interstate Internet sale should distribute the collected taxes in the same proportions as currently exist for municipal allocations of sales tax collected by the Department of Revenue—i.e. out of the 7 % total sales tax, 18.5% should be distributed to municipalities and 81.5 % to the State treasury; and

WHEREAS, if the Legislature adopts amendments contrary to the longstanding allocation of sales tax between the municipalities and the State, the consequences of the declining source of sales tax revenues for cities would compel cities either to make dramatic cuts in basic services for law enforcement, public safety, health and welfare of the citizens of Mississippi, most of whom live within incorporated municipalities, or raise property taxes.

Exhibit "M"  
July 24, 2018

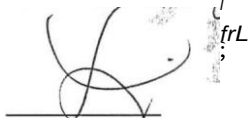
Councilman Josh DeSalvo            YEA    /    NAY  
Councilman Gary Knoblock        'EA    /    NAY

Passed by the City Council of the City of Bay St. Louis on the Or    day of            , 2018.

**CERTIFICATION**

I, Lisa Tilley, Clerk of Council for the City of Bay St. Louis, Mississippi, do hereby certify that the foregoing Resolution was approved and adopted in the public meeting of the City Council held on . 2018 a quorum being present, in the city Council Conference Chambers and to be recorded in the Minute Books of said Council\*Cc·ptwii being the duly elected, qualified, and acting governing body of Bay St. Louis. ,

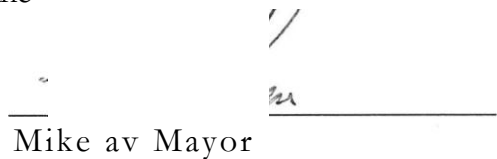
Presented by me to the Mayor on this, the \_\_\_\_\_d a y    o f            2 0 1 8 : L ,

  
\_\_\_\_\_

6-2-18

N/kA  
Lisa Tilley, Clerk of    ötmA4Bso,

Approved/Disapproved, and signed by me on this, the

  
\_\_\_\_\_ Mike av Mayor

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAY SAINT LOUIS THAT:

Section One: The findings, conclusions, and statements of fact and policy contained in the foregoing preamble are hereby adopted, ratified, and incorporated herein.

Section Two: The Mayor and City Council of the City of Bay Saint Louis respectfully request and memorialize the Mississippi Legislature, Governor, Lieutenant Governor, Speaker of the House, to amend the applicable state laws pertaining to sales tax and use tax to collect sales tax from interstate Internet sales to Mississippians and to continue the current 18.5% allocation of the 7% sales tax to municipalities.

Section Three: The Clerk of the Council is directed to send certified copies of this resolution to the Governor, Lieutenant Governor, Speaker of the House, Secretary of the Senate, and Clerk of the House, with our respectful request that it be distributed to all members of the Legislature; further, Clerk of the Council is directed to email copies of this resolution to each member of the Coast Legislative Delegation, and to local and statewide press.

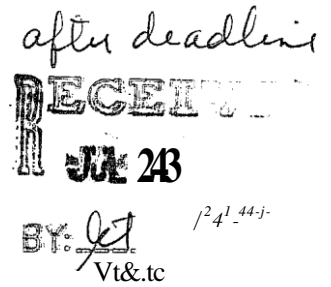
Section Four: This resolution shall take effect and be enforced from and after passage.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the governing authority of the City of Bay St. Louis that the Mayor is authorized approved and directed to execute any and all documents and any and all advertising to seek professional services for a City Audit.

**After being reduced to writing, the foregoing Resolution was read and considered, section by section, and then as a whole, whereupon Councilman C-v-b-Uoc. moved**

**for its adoption, and after a second by Councilman \_\_\_\_\_ the following roll call vote was had:**

Councilman Doug Seal	"YEA	/	NAY
Councilman Gene Hoffman	"YEA	/	NAY
Councilman Jeffrey Reed	4-EA	/	NAY
Councilman Larry Smith	vVEA	/	NAY
Councilman Buddy Zimmerman	14EA	/	NAY



# Mississippi

## Internet Sales Tax: Answers To Common Questions

March 2, 2017

CD Featured, Government Transparency, Policy Research, Spending and Taxes

Mississippi's Internet Sales Tax: Answers to Common Questions

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The explosion of online retail sales has fostered a debate about whether and how to collect taxes on those purchases from companies that are not currently required to collect them. During the 2017 legislative session, the Mississippi House of Representatives passed a bill regarding this issue. That bill, HB 480, died in the Senate Finance Committee, but the issue itself is not going away.

The Mississippi Department of Revenue (DOR) has proposed a regulation very similar to legislation. A major difference between the regulation and the legislation is that HB 480 would have directed that the taxes collected by certain out-of-state sellers be spent on road and bridge repair.

Although there are many aspects to this debate, this paper is intended to explain only a few of the policy matters involved. It does not seek to take a side, but to impartially explain the pertinent facts.

For the most part, we will deal with things as they are, not as they should or should not be.

Before we get started, an understanding of the terminology is important.

First of all, the internet sales tax is not really a "sales tax." It is a "use tax," which is a tax due on the purchase of property acquired "for use, storage or consumption within this State on which Sales or Use Tax has not been paid to another state..." according to the Mississippi Department of Revenue (DOR).

Use tax rates are generally the same as sales tax rates, but use taxes are treated differently in terms of where the money goes after it is collected by DOR. All of the *use tax* is retained at the state level while a portion (18.5%) of the *sales tax* is sent back to the Mississippi municipalities where the sales were made.

A company that has a physical presence in Mississippi is required to collect sales or use tax at the time of a sale. Whether companies that do *not* have a physical presence here may be required to collect and remit a use tax is a major point of the current debate and is discussed in this paper.

Is this a new tax? Is it a tax increase?

The answer to both questions is no, at least as applied to the tax itself. The process to collect the tax will be *taxing* logistically, financially, and emotionally - especially for small businesses. But the use tax on the purchase itself is neither a new tax nor a tax increase.

Here's why. For every item you buy *right now* that is subject to sales or use tax, you are the one who owes the tax. It would have perhaps been more accurate to call it a "purchase tax" than a "sales tax." The tax is not on the business from which you purchased the item. The tax is assessed on the item itself, and you as the purchaser owe the tax,

in order to make it easier to identify and collect the tax, the state requires seller (retail stores, for instance) to collect it for you. That's why it's not included in the price of the product but is identified as a separate item on your receipt. (In contrast, businesses include the cost of *their own* taxes, such as income or property taxes, in the underlying price of the product, not as a separate item on the receipt.)

Consider this analogy. You owe tax on your income. In order to increase compliance, the state requires your employer to withhold money from your paycheck and send it to DOR. That's not a tax on your employer. You are the one who owes the tax. If your employer doesn't withhold enough, you still owe the full tax on your income, and you are required to remit it when you file your tax return.

In the same way, if a retailer - in-state or out-of-state - collects an adequate amount of sales or use tax for you, you owe nothing more. But if the retailer does not collect it, *you still owe it.*

A

Whether you have noticed or not, or whether you have answered it truthfully or not, your Mississippi tax return asks you to identify the amount of purchases you made from out-of-state companies for which you did not pay sales or use tax. You are supposed to pay 7% of that amount to the state. Apparently, not many people do that.

If you buy an item in another state and the seller charges you sales tax in that state, you can deduct that amount from the use tax you would otherwise owe to the state of Mississippi. The very important exception to this: you cannot deduct sales or use taxes paid in another state on most motorized vehicles (cars, trucks, motorcycles, boats, etc.) whose first use will be in Mississippi. In other words, if you buy one of those items in another state, and it has not been used before, you will owe the full use tax in Mississippi even if you paid sales tax in the state where you bought it.

Since this will result in my paying more taxes than I do now, how is this *not* a tax increase? The only reason you would pay more taxes under the new policy is if (a) you buy more online this year than last year, or (b) you haven't been paying the use tax you already owed. To say it is a tax increase to require you to pay what you owe would be analogous to saying it is a tax increase if you have avoided paying income tax in the past but now your employer will be required to withhold income taxes from your paycheck.

To summarize: the tax on purchases from out-of-state sellers is a tax that is owed now; it is not a new tax, and it is not a tax increase.

If the tax is already owed, what's the problem with requiring sellers to collect it? Regardless of the merit of taxing internet sales, the issue hinges on whether one state can require companies in another state to *collect* a tax on its behalf if that company has no physical presence in the state: The U.S. Supreme Court has spoken directly to this question and determined that states cannot do that. The U.S. Constitution's "commerce clause" gives the U.S. Congress authority over interstate commerce. Thus far, Congress has not given states the power to require businesses beyond their borders to collect use taxes if those businesses do not have a physical presence in the taxing state.

WRONG NOW!

If that's the case, has Congress shown any interest in allowing it? Numerous bills have been introduced in Congress to allow states to do this, but none have become law. The U.S. Senate passed the "Marketplace Fairness Act" in 2013 to address this issue, but the House has never acted on it.

Since Congress has not acted, what governs internet tax collection? Until Congress decides otherwise, a U.S. Supreme Court ruling sets limits on what states can do to collect taxes on interstate transactions. In the case of *Quill v. North Dakota*, in an 8-1 decision, the high court that a state can only require businesses with a physical presence, known as physical "nexus," to collect taxes on the state's behalf. To allow otherwise, the court said, would be expensive and burdensome for companies to try to comply.

WRONG said

How complex can it be?

The Wisconsin Department of Revenue has an entire webpage, with a description of 10 different scenarios, to explain how that state taxes ice cream cakes. In some cases, the determination of whether a cake should be taxed is based on whether or not a napkin is offered to the customer! <https://www.revenue.wi.gov/Pages/TaxPro/news-2010-101108c.aspx>.

Such detail, multiplied by the nearly 10,000 sales tax jurisdictions in the country, *each* with its own variety of rules about which items are taxed at which rates, and each of which has its own forms and filing requirements, makes compliance daunting, especially for small business owners who could potentially face expensive audits from dozens, if not hundreds of tax jurisdictions.

If Congress does eventually pass a bill, what safeguards are likely to be approved for small businesses to deal with the complexity?

Any answer to this question is speculative, but there are some generally accepted protections that were in the Senate-passed bill in 2013 and are in proposals being considered currently by key House leaders. Here are three:

1. Online sellers with less than \$1,000,000 in remote sales annually would be exempt from collection requirements.
2. States (or the federal government) would be required to buy and provide software for managing sales tax compliance, at no cost to the business that would be required to collect the tax.
3. Retailers would not be penalized (would be "held harmless") for any errors that result from relying on state-provided software.

Are those safeguards in the proposed DOR regulation?

No. The regulation proposed by DOR would apply to any business selling a total of \$250,000 or more to Mississippians in any given year. There is no provision to provide software, and unlike at least 24 other states, the DOR regulation offers no liability protection if sellers rely on sales tax collection software.

If the U.S. Supreme Court has said states cannot require out-of-state businesses with no physical presence in-state to collect these taxes, why would DOR attempt to do so anyway? DOR Commissioner Herb Frierson was quoted by the Associated Press as saying, "The whole purpose of it is to get the issue back in court and see if the Supreme Court will look at it again. What we're doing is probably unconstitutional, but we've got to do it to get another hearing." Other states including Alabama and South Dakota, are already in court attempting to force a reconsideration of *Quill*. Mississippi's proposed regulation is very similar to Alabama's regulation, so the benefit of inviting a lawsuit against Mississippi is unclear.

For the legislature, the apparent motivation behind H.R. 480 was to increase the amount of money being directed toward road and bridge repair, by allocating to that purpose the amount of use

7/11/2018

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taxes collected and remitted by out-of-state sellers. Of that amount, 70% would have gone to the state Department of Transportation for state-maintained roads and bridges, and 30% to cities and counties for local road and bridge repair. Normally, the use tax goes into the General Fund, which is the primary source from which the legislature appropriates funds to schools, Medicaid, prisons, etc. Road and bridge funding comes primarily from the tax on gasoline and other fuels, generally referred to as the "gas tax."

#### Other Common Questions

Do out-of-state sellers enjoy an unfair benefit by not being required to charge taxes?

Those who would answer "yes" say local, brick-and-mortar retailers are placed at a competitive disadvantage because the cost of an online product is automatically 7% less to consumers since they aren't charged sales tax on the purchase. They say this hurts local business owners who provide jobs to people in the community, support local organizations such as sports teams and local charities, and are a significant source of local taxes that pay for schools, roads, and police and fire protection. And because they collect sales tax, not use tax, their communities receive 18.5% of the tax they collect on their sales, further benefiting their hometowns.

Those who would answer "no" say it is wrong to place the tax-collection burden on out-of-state sellers because the sellers don't use water and sewer infrastructure, or fire and police protection, or other benefits provided by local and state government to brick-and-mortar establishments. They also say buyers generally choose to purchase online more for convenience than price, so the 7% difference would not change the purchasers' buying decisions. In addition, they say sales tax collections have not declined despite the rise in online sales.

I noticed Amazon is now charging me 7% on the items I buy from them. If they aren't required to collect tax on their sales to Mississippians, why are they doing so?

There appears to be no statutory prohibition on an out-of-state company voluntarily collecting a use tax, even if the company is not required to do so, as long as it sends DOR the full amount it collects. Amazon has chosen to charge a use tax on items purchased directly from Amazon. For independent sellers who list their items on Amazon, a use tax is apparently not being collected. As to why Amazon has chosen to do this, the answer is not clear (see next question).

Do we know whether Amazon is receiving any special benefits as a result of agreeing to collect a use tax?

No. Because DOR refuses to release the terms of its agreement with Amazon, we don't know exactly what was agreed to on either side. We don't know whether Amazon agreed to collect the tax only if DOR agreed to issue its currently-proposed regulation that would penalize other companies that don't do what Amazon has done. We don't know how long DOR is giving Amazon to remit those taxes, or how much Amazon is allowed to keep to cover their costs (other Mississippi businesses may keep up to 2% of the total tax they are remitting, not to exceed \$50 per month), or any other actions or costs to which DOR may have obligated Mississippi taxpayers,

March 1, 2017

*Mississippi Center for Public Policy is an independent think tank promoting the ideals of limited government, free markets, and strong traditional*

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What will collecting internet sales taxes mean for Mississippi?

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## What will collecting internet sales taxes mean for Mississippi?

Geoff Render and Anna Wolfe, Mississippi Clarion Ledger Paris

Cr him 21, 2018 1 Updated 10:53 a.m. CT June 22, 2018



(Photo: Amazon)

The U.S. Supreme Court's ruling (Ustory\_news/pdlitics/2018106/21/Suoreme-court-allows-sales-taxes-online-purchases13995560021) allowing states to collect online sales tax should mean an injection of \$50 million to \$75 million to state coffers. Mississippi's tax chief said Thursday.

It also is likely to stem sales losses and closures of mom-and-pop retailers across the state to the growth of online shopping, proponents say.

And it will most likely prompt Gov. Phil Bryant to call the state Legislature back to Jackson for a special session in coming weeks. This is expected to provide lawmakers another crack at providing more money for the state's crumbling road and bridge infrastructure — something over which they've unsuccessfully haggled for more than three years.

The boon comes as business and transportation leaders continue to lobby lawmakers to find \$300 million to \$600 million more a year for state and local road and bridge repair and maintenance. House leaders have already tried to earmark current and future online sales tax collections for road work, but the Senate has shot down proposals.

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ore in taxes in the first year then increase to about \$75 million a year

Frierson said the state's 7 percent use tax laws already allow collection of the taxes, and his office should be able to handle the collections without changes in process or laws or increased personnel. Frierson said his office could begin collecting the online sales taxes starting July 1.

He said earmarking where the increased collections would go would likely require legislative action. Also local governments and some legislative leaders have pushed for a change in the law to direct some online taxes to be given to local governments, similar to the 18.5 percent of sales taxes returned to the cities where retail sales are made,

(http://www.clarionledger.com/story/news/politics/2018/06/21/supreme-court-allows-sales-taxes-online-purchases/13995560021) allowing states to collect online sales tax should mean an injection of \$50 million to \$75 million to state coffers. Mississippi's tax chief said Thursday.

State Revenue Commissioner Herb Frierson said he estimates the change from the court ruling will allow the state to collect about 50 million  
Bryant was in Washington on Thursday and unavailable for immediate comment on the ruling. His office issued a statement that  
discussions with legislative leaders about a special session and if those discussions produce a framework, he'll call one

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But Bryant recently said such a court ruling would require legislative action, if only to statutorily direct any increased collections from online sales since the state budget for the fiscal year starting July 1 has already been set. He has also floated the idea of adding the creation of a state lottery to a special session.

A spokeswoman for Lt. Gov. Tate Reeves, who presides over the Senate, said the online sales tax issue has always been one for the Supreme Court or Congress to decide, not the Legislature. She said it will level the playing field for brick and mortar retailers,

"Lt. Gov. Reeves looks forward to continuing conversations with Gov. Bryant and Speaker Gunn on how this policy should look for Mississippi and its communities and how to prioritize the revenue generated on state heads."

House Speaker Philip Gunn did not immediately respond to requests to his office for comments,

Mississippi has already been collecting some online sales taxes through its "use tax" that has been on the books for decades. Some online retailers, including Amazon, have been voluntarily paying the state.

Mississippi levies a 7 percent sales tax on goods purchased in-state. It also has a 7 percent use tax on the books, and individuals and companies that buy from out-of-state sellers are supposed to pay the use tax. While some businesses pay the use tax, most individuals do not.

For fiscal 2017, the state collected \$310 million in use taxes, about 4 percent of the state's tax revenue. For fiscal 2018, nearing its end, the state collected \$318 million in use taxes, including \$63 million from "voluntary" taxpayers.

Sales taxes were more than \$2 billion last year, or 38 percent of the state's \$5.4 billion in tax collections.

More: [Gov. Bryant: 'Sports-book-lottery-internet-could-fund-roads/66182200211' does the math work? Vstorylgpinion/columnists/201811/gov-phil-bry](#)

Frierson said there are already roughly 40 sites paying Internet sales tax because they have a physical presence in the state, An additional 22, such as Amazon, voluntarily pay the tax.

"Now we're going to pick up all the ones that didn't voluntarily pay," Frierson said,

Estimates have varied widely — from tens of millions of dollars to 5100 million — on how much the state not collecting from internet sales.

Frierson said he expects a 'spinoff' effect from collecting internet sales taxes.

"I think we will see less local small-town main street retailers going out of business because this will level the playing field," Frierson said. "I believe there have been many businesses closed down in rural America strictly because of internet sales."

More: [Lawmakers at impasse over road money - internet sales tax \(storyinev.?s/pglitics/2017/03/27/budoe.t-crunch-lawmakersi99685542/\)](#)

More: [Supreme Court allows states to collect sales taxes on more online transactions \(istoryine,vsipolitics/2018/06\)21/supreme-court-allows-sales-taxes-online-purchases/699556002J\]](#)

Attorney General Jim Hood called Thursday's ruling "a victory for our Main Street merchants in Mississippi." He said he and other attorneys general have been successful in convincing the high court the Constitution protects states from "federal legislative and judicial overreach."

Hood said: I have supported an internet sales tax from the beginning, not only because it will bring an estimated \$50 million in the first year for our state, but because this means our local brick and mortar stores are now on a level playing field with businesses that have no storefront in Mississippi ... Now, there's no difference in someone walking into a store to buy shoes and sitting on their couch and doing the same thing from their phone."

But opponents of collecting internet sales taxes say a tax increase is a tax increase, and removing money from consumers' pockets and giving it to government will have ill effect in the long run. They say it will hurt small online businesses.

Puss Latino, state director of Americans for Prosperity, said Amazon and other large online sellers are already collecting Mississippi taxes on sales and the court decision "won't have the profound impact on Mississippi's revenue collections that many have predicted." He said it will increase the size of government.

Latino said that if the use tax issue has truly been about fairness to local retailers, lawmakers should enact a commensurate cut in income taxes,

"(Online tax collections) won't change the retail trajectory away from online sales," Latino said, "What it will do is make starting and operating a small

online business much more complicated, as companies without lawyers and accountants navigate laws in nearly 10,000 tax jurisdictions across America."

Staff writer Jimmie E. Gates contributed to this report

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What will *nnlAntinn intAmAt* **RAIRR** tawas maan frr Mississinni?

Contact Geoff Pander at 601-961-7266 or [goalgagfingeffssai \(mailto:goalgagfingeffssai@mailloxfaadcaqannettcom\)](mailto:goalgagfingeffssai@mailloxfaadcaqannettcom). Follow him on [Twitter \(https://twitter.com/GeoffPender\)](https://twitter.com/GeoffPender).

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