

ORDINANCE NO 535

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AMENDING SUB-SECTION 502.4.1 OF SUB-SECTION 502.4, "STORM WATER RUNOFF CONTROL" OF SECTION 502, "DISTRICT DEVELOPMENT REGULATIONS" OF ORDINANCE NO. 344, THE ZONING ORDINANCE OF THE CITY OF LONG BEACH, MISSISSIPPI, AS AMENDED, SO AS TO REQUIRE MINIMUM DESIGN FREQUENCY FOR 100 YEARS FOR CROSS DRAINAGE, MAIN DRAINAGE INTERCEPTORS AND DRAINAGE DETENTION FACILITIES, AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, after due notice thereof published for the time and in the manner thereof provided by law and the public hearing thereon, do now find, determine adjudicate as follows:

(a) that pursuant to legal notice published and given for the time and in the manner provided by law, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, did meet at 5:30 p.m. on Tuesday, March 20, 2007, at the Long Beach School District Central Office, 19148 Commission Road in said City, the time, place and date fixed in said notice therefore, and did conduct a public hearing, at which hearing all parties interested in or opposed to the proposed changes and amendments to Ordinance No. 344, The Zoning Ordinance of the City of Long Beach, Mississippi, as heretofore amended, were given the opportunity to be heard and allowed to make oral and/or written comment to such proposed changes, which proposed changes and amendments were then and there on file and had been on file during the period of said notice in the office of the City Clerk at the City Hall in said City, available for public inspection and examination by any and all parties interested in or opposed to the proposed changes and amendments, all as more particularly set forth hereinafter in this ordinance.

(b) That as a result of the aforesaid public hearing, the Mayor and Board of Aldermen did then find, and do now find, determine, adjudicate and declare that the general health, safety and welfare and best interest of the community, as well as the existing needs and development, anticipated future needs for development, and a reasonable enforcement of rules and regulations concerning all of same, require the amendment of the text of Ordinance No. 344, The Zoning Ordinance of the City of Long Beach, Mississippi, by amending sub-section 502.4.1 of sub-section 502.4, "Storm Water Runoff Control" of Section 502, "District Development Regulations" of said Ordinance No. 344, so as to increase the required minimum design frequency from 25 years to 100 years for cross drainage and drainage detention facilities.

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

SECTION 1. That sub-section 502.4.1 of sub-section 502.4, “Storm Water Runoff Control” of Section 502, “District Development Regulations” of Ordinance No. 344, The Zoning Ordinance of the City of Long Beach, Mississippi, as heretofore amended, should be and the same is hereby amended to read as follows:

“502.4.1 The minimum design frequency for storm runoff shall be ten (10) years for storm sewer collection and one hundred (100) years for cross drainage (i.e., drainage facilities crossing a street), main drainage interceptors, and drainage detention facilities. Drainage detention facilities shall be designed so that the post-development runoff does not exceed the pre-development runoff for all storm frequencies, up to and including the one hundred (100) year storm event.”

SECTION 2. ORDINANCE No. 344, as heretofore amended, is amended as set forth hereinabove, only, to otherwise remain in full force and effect.

SECTION 3. Effective Date

For the protection of life and property in the Municipality, the public interest so requiring it, and for the immediate preservation of order and of the public health, safety and welfare from flood and flood damages, this Ordinance shall take effect and be in force from and after its adoption; but notice shall nevertheless be given as provided by law, and this Ordinance shall be enrolled in the Ordinance Book of the City as by law provided.

The above and foregoing Ordinance No. 535 was introduced in writing by Alderman Bennett who moved its adoption. Alderman Holder seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

Alderman Richard Notter	voted Absent, Not Voting
Alderman Richard Burton	voted Aye
Alderman Charles A. Boggs	voted Aye
Alderman Richard Bennett	voted Aye
Alderman Allen D. Holder	voted Aye
Alderman Mark E. Lishen	voted Aye
Alderman Joseph McNary	voted Abstained, Not Voting

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried in the said Ordinance adopted and approved this the 20th day of March, 2007.

APPROVED:

WILLIAM SKELLIE, JR., MAYOR

ATTEST:

REBECCA E. SCHRUFF, CITY CLERK

C E R T I F I C A T E

**STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH**

I, the undersigned, Rebecca E. Schruff, City Clerk within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of that certain Ordinance #535 of the City of Long Beach, Mississippi, adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on the 20th day of March, 2007, as the same appears of record in Ordinance Book #7, pages 222-224 inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 20th March, 2007.

(SEAL)

Rebecca E. Schruff, City Clerk