

ORDINANCE NO. 542

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AMENDING ORDINANCE NO. 510 OF THE CITY OF LONG BEACH, ENTITLED, "AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI ESTABLISHING SCHEDULE OF FIRE INSPECTION FEES AND PENALTY FOR FAILURE TO PAY SAME, AND FOR RELATED PURPOSES" TO LIMIT THE FIRE INSPECTION FEES CHARGED FOR PLAN REVIEW AND OCCUPANCY INSPECTION TO ANY BONA FIDE NOT-FOR-PROFIT CIVIC, RELIGIOUS OR ELEEMOSYNARY CORPORATION OR CHURCH ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF MISSISSIPPI AND GRANTED TAX EXEMPT STATUS BY THE INTERNAL REVENUE SERVICE TO A MAXIMUM FEE OF \$1,000.00, AND FOR RELATED PURPOSES

WHEREAS, the Mayor and Board of Aldermen (the "Governing Body") of the City of Long Beach, Mississippi, (the "Municipality") having made due investigation therefore, do now find, determined, adjudicate and declare as follows:

1. That the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, has the authority to establish a fee schedule for the review by the fire department personnel of plans of buildings and subdivisions to be constructed, investigation and inspection of subdivisions, buildings and structures under construction and the issuance of various permits related to fire prevention and safety required in the planning and construction of such subdivisions, buildings and structures and has heretofore, by the adoption of Ordinance 510, established such a fee schedule; and

2. The said fee schedule heretofore adopted does not take into account the substantial benefit provided to the city and its residents by the activities of bona fide not-for-profit civic, religious or eleemosynary corporations and churches located in the City; and

3. That many of the bona fide not-for-profit civic, religious or eleemosynary corporations and churches located in the City were severely damaged or destroyed by Hurricane Katrina and are faced with the necessity of re-building and/or making substantial repairs and/or renovations the structures necessary for the conduct of activities of such corporations and churches; and

3. That the best interest of the City and its residents requires that bona fide not-for-profit civic, religious or eleemosynary corporations and churches organized and existing under the laws of the State of Mississippi and granted tax exempt status by the Internal Revenue Service be encouraged to locate and/or remain located within the City of Long Beach by reducing the maximum fire inspection fee charged for Plan Review and Occupancy Inspection by the fire department; and

4. That Ordinance No. 510 should be amended by amending Exhibit "A" thereto entitled, "Fire Inspection Fees", to reduce the fee charged to a bona fide not-for-profit civic, religious or eleemosynary corporations and churches organized and existing under the laws of the State of Mississippi and granted tax exempt status by the Internal Revenue Service which applies and qualifies for such reduced fee, to a maximum Fire Inspection Fee of \$1,000.00 for Plan Review and Occupancy Inspection by the City's Fire Department. Now therefore,

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

SECTION 1. That Section 1 of Ordinance No. 510 of the City of Long Beach, Mississippi, entitled, "AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI ESTABLISHING SCHEDULE OF FIRE INSPECTION FEES AND PENALTY FOR FAILURE TO PAY SAME, AND FOR RELATED PURPOSES" should be and is hereby amended by the replacement of the Exhibit "A" adopted by reference therein, with

Exhibit "A" entitled, Fire Inspection Fees, attached hereto and incorporated fully herein.

SECTION 2. Ordinance No. 510 of the City of Long Beach, Mississippi, is hereby amended as set forth in Section 1, above, only, to otherwise remain in full force and effect.

SECTION 3. Severability

If any section, subsection, sentence, clause or phrase of this Ordinance, or the application thereof, be held by any court of competent jurisdiction to be invalid or unconstitutional, such holding shall not affect the remaining portions of this Ordinance.

SECTION 4. Effective Date

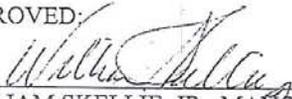
It being necessary and in the best interests of the public health, safety and welfare, and to provide the necessary resources to provide the fire inspections and reviews described in Section 1, hereinabove, of subdivisions, buildings and structures within the City of Long Beach, Mississippi, and the immediate preservation of public health, safety and welfare requiring it, this Ordinance shall take effect and be in force from and after its adoption; but notice shall nevertheless be given as provided by law, and this Ordinance shall be enrolled in the Ordinance Book of the City as by law provided.

The above and foregoing Ordinance No. 542 was introduced in writing by Alderman Richard Notter who moved its adoption. Alderman Charles Boggs 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 Aye
Alderman Richard Burton	voted Aye
Alderman Charles Boggs	voted Aye
Alderman Richard Bennett	voted Aye
Alderman Allen D. Holder, Jr.	voted Aye
Alderman Joseph McNary	voted Aye
Alderman Mark Lishen	voted Aye

The question having received the affirmative vote of a majority the Aldermen present and voting, the Mayor declared the motion carried and the said Ordinance adopted and approved this the 17th day of July, 2007.

APPROVED:


 WILLIAM SKELLIE, JR., MAYOR

ATTEST:


 REBECCA E. SCHRUFF, CITY CLERK

EXHIBIT A

Page 1 of 3 Pages

FIRE INSPECTION FEESA. Subdivision Site and Acceptance Test:

For all new subdivisions located within the City of Long Beach, a minimum fee of \$80.00 plus \$20.00 per fire hydrant shall be levied. This fee includes initial site plan review, with the inspection and test on each hydrant for the final acceptance test. The fee is payable upon submission of the initial plans for review to the Long Beach Building Office.

B. Plan Review and Occupancy Inspection:

(1) For all multi-family (three family or larger), commercial, industrial, and institutional construction, other than bona fide not-for-profit civic, religious or eleemosynary corporations or churches organized and existing under the laws of the State of Mississippi and granted tax exempt status by the Internal Revenue Service, whether new or renovation, a fee of 25% of the building permit fee charged by the issuing building department, but no less than \$50.00, shall be levied. The fee includes site review, plan review, and related inspections of the structure according to the Fire Codes adopted by the City of Long Beach. Not included in this fee is the plan review and related inspections of specialized fire protection equipment. The fee is payable upon submission of the initial plans for review to the Long Beach Building Office.

(2) For any bona fide not-for-profit civic, religious or eleemosynary corporation or church organized and existing under the laws of the State of Mississippi and granted tax exempt status by the Internal Revenue Service, whether new or renovation, on application by such corporation or organization and verification of such corporate purpose and not-for-profit, tax exempt status, a maximum fee of \$1,000.00, but no less than \$50.00, shall be levied. The fee includes site review, plan review, and related inspections of the structure according to the Fire Codes adopted by the City of Long Beach. Not included in this fee is the plan review and related inspections of specialized fire protection equipment. The fee is payable upon submission of the initial plans for review to the Long Beach Building Office.

C. Specialized Fire Protection System Plan Review and Inspection:

(1) **Fire Alarm & Detection Systems:** Fee of \$80.00 per fire alarm control panel plus \$1.00 per fire alarm initiating device (i.e. a device which activates any alarm signal connected to the fire alarm control panel such as a smoke or heat detector, fire alarm pull station, water flow alarm, valve closure alarm, pump running alarm, trouble alarm, etc.) (Does not include alarm bells, horns, flashing lights, and other warning or alarm devices which are activated by the above initiating devices). Fee includes plan review and inspection of wiring, controls, alarm and detection equipment and related equipment

needed to provide a complete system and the witnessing of one final acceptance test per system of the completed installation. All systems shall be installed, tested and maintained per NFPA 70 and NFPA 72 as stated in NFPA Life Safety Code Handbook 2003 Edition, Chapter 9 Section 9.6.1.3. Fee applies only to systems equipped with a fire alarm control panel.

(2) **Sprinkler Systems:** Fee of \$80.00 per floor plus \$1.00 per sprinkler head per floor. All systems shall be inspected, tested, and maintained in accordance with NFPA 25 as stated in NFPA Life Safety Code Handbook 2003 Edition, Chapter 9 Section 9.7.5. Fee includes plan review, system inspection and witnessing of one hydrostatic test, and one final acceptance test per floor or system.

(3) **Standpipe / Hose Systems:** Minimum fee of \$80.00 per system, plus \$10.00 per stand pipe and/or hose cabinet. All systems shall be inspected, tested, and maintained in accordance with NFPA 25 as stated in NFPA Life Safety Code Handbook 2003 Edition, Chapter 9 Section 9.7.5. Fee includes plan review and inspection of all piping, control valves, connections and other related equipment needed to provide a complete system and the witnessing of one flush test, one hydrostatic test, and one final acceptance test of the completed system.

(4) **Fire Pumps:** Minimum fee of \$80.00 plus \$10.00 per pump. All pumps shall be inspected, tested and maintained in accordance with NFPA 25 as stated in NFPA Life Safety Code Handbook 2003 Edition, Chapter 9 Section 9.7.5. Fee includes plan review and inspection of pump and all associated valves, piping, controllers, driver and other related equipment needed to provide a complete system and the witnessing of one pump acceptance test of the completed installation.

(5) **Gaseous and Chemical Extinguishing Systems:** Minimum fee of \$50.00 per system. Fee applies to halon, carbon dioxide, dry chemical, wet chemical and other types of fixed automatic fire suppression systems which use a gas or chemical compound as the primary extinguishing agent. This system shall be in accordance with the referenced NFPA code as stated in NFPA Life Safety Code Handbook 2003 Edition, Chapter 9 Section 9.7.3.1. Fee includes plan review and inspection of all piping, controls, and equipment needed to provide a complete system, and the witnessing of one performance or acceptance test per system of the completed installation.

(6) **Foam Systems:** Minimum fee of \$80.00 per system plus \$1.00 per sprinkler head for combined sprinkler/foam system. Fee applies to fixed extinguishing systems which use a foaming agent to control or extinguish a fire in a flammable liquid installation, aircraft hangar and other recognized applications. Fee includes plan review and inspection of all piping, controls, nozzles, equipment and other related appurtenances needed to provide a complete system and the witnessing of one flush test, one hydrostatic test and one final acceptance test of the completed installation.

(7) **Smoke Control Systems:** Minimum fee of \$80.00 per system of protected or controlled space. Fee applies to smoke exhaust systems, stair pressurization systems, smoke control systems and other recognized air handling systems which are specifically designed to exhaust or control smoke or create pressure zones to minimize the hazard of smoke spread due to fire. Fee includes plan review and inspection of system components and the witnessing of one performance acceptance test of the complete installation.

(8) **Re-inspection and Retest Fees:** If the maximum number of inspections or tests allowed by this fee schedule is exceeded, a fee of \$80.00 will be charged for the first re-inspection, \$100.00 for the second re-inspection and \$200.00 for the third and subsequent re-inspections. The re-inspection fee must be paid before the re-inspection will be scheduled.

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. Schruoff, 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 #542 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 17th day of July, 2007, as the same appears of record in Ordinance Book #7, pages 270-274 inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 18th July, 2007.

(SEAL)


Rebecca E. Schruoff, City Clerk

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