

There came on for consideration at a duly constituted meeting of the Board of Aldermen and Mayor of the City of Long Beach held on the 18th day of October, 2011, the following Ordinance, which was reduced in writing and presented in advance of the meeting for reading and examination:

ORDINANCE NO. 585

ORDINANCE AMENDING ORDINANCE NUMBER 582 ESTABLISHING DISTRICTS TO ENABLE UTILIZATION OF TAX EXEMPT PROVISIONS OF SECTION 17-21-5(1), MCA; ESTABLISHING CRITERIA FOR UNIFORM PROCESSING OF QUALIFIED APPLICATIONS FOR SUCH TAX EXEMPTIONS EXCLUDING SCHOOL DISTRICT TAXES; AND URGING THE HARRISON COUNTY BOARD OF SUPERVISORS TO PROVIDE SIMILAR EXEMPTIONS TO QUALIFIED APPLICANTS;

WHEREAS, the Legislature of the State of Mississippi has provided a mechanism to encourage the economic revitalization of certain areas of municipalities through the granting of ad valorem tax exemptions for the promotion of business and commerce; and,

WHEREAS, there exists certain areas within the City of Long Beach which historically were the commerce area and which are in need of redevelopment following damage of destruction of most structures therein due to Hurricane Katrina, and which areas are facing economic hurdles to such redevelopment stemming from the economic after effects of that storm; and,

WHEREAS, the current national economic climate has further impeded the economic growth and recovery of the City of Long Beach and resulting in additional areas that are in need of this incentive program; and,

WHEREAS, it has been heretofore determined and established that all of the City could benefit from the implementation of this incentive program through ad valorem tax exemptions for the buildings with commercial uses within the designated geographic areas, which would in turn provide another wave of redevelopment and recovery in the city and assist the City in recovering from the national recession; and,

WHEREAS, the Governing Authorities have heretofore determined that it would be in the best interest of the City of Long Beach as a whole to encourage the economic revitalization of certain geographic areas and have adopted by Ordinance number 582, containing The City of Long Beach Economic Recovery and Redevelopment Plan (“the Plan”); and,

WHEREAS, in order to fairly and equitably implement the Plan and the contemplated tax abatement policies for buildings with commercial uses the City has determined that it should revise the previously established criteria adopted in the Plan to utilize in evaluation applications for exemption to determine whether they should be granted or denied, and to determine the appropriate duration for any exemption granted;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the City of Long Beach, Mississippi, that Ordinance number 582, and The City of Long Beach’s Economic Recovery and Redevelopment Plan as contained therein, is hereby amended as follows:

SECTION ONE: Article III of Ordinance Number 582 is hereby amended to read as follows:

ARTICLE III

Qualifications for Exemption

3.1 As required by statute, only new structures with over a minimum of \$500,000 in qualifying improvements found to be aiding and implementing the promotion of business or commerce in the designated district may qualify for an exemption under this ordinance.

3.2 No structures used for primarily or exclusively residential purposes shall qualify for an exemption under the terms of this ordinance. Structures which are

within the boundaries of the district described by this ordinance and which are also within a zoning district which permits mixed use (meaning a commercial use and a residential use within a single structure), may qualify for an exemption under this ordinance, provided at least 50% of such investment otherwise qualifies hereunder as retail/office space and consists of square footage devoted to strictly retail/office commercial use. The square footage calculation shall be based upon the methods, criteria and definitions for building area as contained in the 2006 International Building Code as adopted by the City of Long Beach. To qualify, all construction and usage be in conformity with the Economic Recovery and Redevelopment Plan.

3.3 No exemption shall be granted except upon written application to the City Clerk, and upon the adoption of a resolution by the Board of Aldermen finding that the construction, renovation, or improvement of the subject property is for the promotion of business and commerce and/or historic preservation in the Economic Recovery and Redevelopment Districts. The Board of Aldermen shall have sole discretion to approve each and every qualifying and conforming application for tax exemption.

SECTION TWO: The Harrison County Board of Supervisors is hereby requested to similarly amend its previously enacted tax exemption policies to reflect the changes those adopted by this ordinance.

SECTION THREE: All ordinances or parts thereof presently existing which are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: The sections of this Ordinance and the provisions hereunder are deemed separate and independent of each other, and if any section, sub-section, clause, phrase or portion of this Ordinance, or the application thereof, be held invalid or

unconstitutional by any Court of competent jurisdiction, such holding shall not affect the remaining portions of this Ordinance.

SECTION FIVE: This Ordinance shall be in full force and effect within one month after its passage and shall be enrolled and published in the manner required by law.

The above and foregoing Ordinance having been introduced in writing, was first read and considered section by section and then as a whole. Alderman Lishen made motion seconded by Alderman Carrubba to adopt the above and foregoing ordinance and the question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Bernie Parker	voted	Aye
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kaye H. Couvillon	voted	Aye
Alderman Carolyn J. Anderson	voted	Absent, Not Voting
Alderman Leonard G. Carrubba, Sr.	voted	Aye
Alderman Mark E. Lishen	voted	Aye
Alderman Ronnie Hammons, Jr.	voted	Aye

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the Motion carried and said Ordinance Number 585 adopted and approved this the 18th day of October, 2011.

CITY OF LONG BEACH, MISSISSIPPI

BY: _____
William Skellie, Jr., Mayor

ATTEST:

REBECCA E. SCHRUFF, CITY CLERK

(SEAL)

CERTIFICATE

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 #585 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 18th day of October, 2011, as the same appears of record in Ordinance Book #8, pages 14-18 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 October, 2011.

(SEAL)

Rebecca E. Schruff, City Clerk