

ORDINANCE NO. 508

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AMENDING ORDINANCE NO. 477, AS AMENDED, ENTITLED THE CITY OF LONG BEACH SUBDIVISION REGULATIONS, ADOPTING REGULATIONS FOR EROSION AND SEDIMENT CONTROL, AND CONSTRUCTION AND POST-CONSTRUCTION STORMWATER QUALITY REQUIREMENTS.

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

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

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

WHEREAS, the City of Long Beach has previously adopted Ordinance No. 477, *The City of Long Beach Subdivision Regulations*, to promote the health, safety, morals and general welfare of present and future residents, and to bring about the coordinated and efficient development of the City of Long Beach, Mississippi;

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

SECTION ONE: ARTICLE III, SECTION 2, of Ordinance No. 477, *The City of Long*

Beach Subdivision Regulations, shall be and the same is hereby amended to read as follows:

SECTION 2. PRELIMINARY PLAT APPROVAL.

- (a) The purpose of the preliminary plat, together with the attendant items required herein, is to provide plans for the construction of the subdivision and its improvements as well as a draft of the final plat of the subdivision. To this end, during preparation of the preliminary plat, the subdivider should consult with the planning commission's technical staff, the city engineer, and other officials and agencies concerned with the subdivision and the improvements. The preliminary plat and construction plans shall be based upon the general design show on the sketch plat, together with the recommended changes.
- (b) Three (3) full-size blue-line copies of the preliminary plat and two (2) blue-line copies of the complete construction plans and specifications, two (2) copies of the developer's engineers basis of design and complete design calculations, and two (2) copies of the preliminary plat application forms as adopted by the planning commission shall be submitted to the planning commission office at least twenty (20) working days prior to the regular monthly meeting of the planning commission at which the preliminary plat is to be considered. Failure of the planning commission to recommend approval or disapproval to the Mayor and Board of Aldermen within sixty (60) days after presentation to the planning commission shall be deemed to be recommendation of approval of the preliminary plat.

(c) The proposed plat shall be at a scale that is legible and functional on sheets of twenty-four (24) by thirty-six (36) inches in size. The proposed preliminary plat shall give the following information.

- (1) The name of the subdivision; the name and address of the owner; and the name of the professionally qualified engineer, land surveyor, architect, landscape architect, or planner registered to practice in the State of Mississippi.
- (2) The names and addresses of owners of all properties abutting the property being subdivided as they appear on the tax records.
- (3) The scale, north point and date.
- (4) Proposed street names, location, right-of-way widths, pavement widths, approximate grades and vertical curves of proposed streets, alleys easements, parkways, and other open spaces, reservations, lot lines and dimensions, set-back lines, lot numbers and block numbers.
- (5) The location of proposed property lines and existing property lines, date of survey, natural watercourses, railroads, sewers, bridges, culverts (indicate size), drain pipes, streets, alleys or other easements on the proposed plat and on adjoining land.
- (6) The plat shall show any existing land boundaries (such as section boundaries or existing subdivision boundaries) within or adjacent to the area being subdivided. Where horizontal control monuments are reasonable available, the plat shall show a grid on even 500-foot intervals, referenced to the state plane coordinate system.
- (7) A legal description and a boundary survey, class B surveying accuracy (minimum closure error, 1 in 5,000) with bearings and distances referenced to established landlines in the area.
- (8) Calculation sheets containing the following data: The length and radii of all street and lot lines and the bearings and the length of all straight street lot lines and the area in square feet of each lot; bearings, and distances referenced to established land lines in the area; street centerline bearing and distance with centerline curve data (deflection angle, radii, degree of curvature, chord distance and bearing and length of curve) profiles of all proposed streets showing the natural and finished grades drawn to a scale of not less than one (1) inch equals twenty (20) feet vertical. Also to be included are design calculations for pavements, utilities and any other improvements to be dedicated to the city.
- (9) Sites to be reserved or dedicated for public or private parks, playgrounds or other open spaces and the purpose, condition and/or limitations of such dedications.
- (10) Proposed sites (if any) for shopping centers, churches, industry, group housing units or other nonpublic use exclusive of single-family, duplex or four-plex dwellings.
- (11) Street pavements adjacent to the proposed plat, right-of-way width and location.
- (12) The location of the proposed utility lines (sewer, gas, water, telephone, cable television and electric) indicating the size of pipes, location of manholes, valves, hydrants, transformers, junction boxes, streetlights and proposed connections to the existing utility system.
- (13) The exact location of any part of the proposed subdivision, which is subject to inundation by storm, drains, ponding or local surface water, clearly indicated. Areas subject to ponding or inundation as well as flood zones as currently determined by the appropriate federal authorities must be indicated on the proposed plat. Inasmuch as state and federal laws, regulations and procedures allow, provisions must be made to eliminate the ponding before the planning commission will approve the plat.
- (14) The dimensions in feet and decimal of lot area and lot frontage along any public street.

- (15) Neither the subdivision developer, the homeowner, contractor, nor anyone else shall have the authority to place numerical street address designation upon any house or lot in any subdivision; but same shall be designated by the Mayor of the City of Long Beach, Mississippi, subsequent to preliminary plat approval but prior to final approval.
- (16) The appropriate authorities must give preliminary approval of the proposed water and sewer systems in the subdivision.
- (17) Contours at vertical intervals of one (1) foot on plat containing four (4) or more lots are required. Elevation to (shall) be based upon the National Geodetic Vertical Datum, 1929 Adjustment.
- (18) Zoning ordinance lines and zones must be indicated.
- (19) The location of all landscaping and trees protected by the current city ordinances within the limits of proposed rights-of-way, easements, alleys or any other properties to be dedicated to the city.
- (20) The proposed subdivision and street names must be reviewed by the planning commission and approved by the Mayor and Board of Aldermen in conjunction with preliminary plat approval. The proposed name of the subdivision and the names of the streets therein shall not duplicate or closely resemble phonetically or any other way the name of any other subdivision or street in the City of Long Beach, Mississippi.
- (21) Preliminary plat shall show compliance with the requirements of all applicable ordinances of the City of Long Beach.
- (22) Developer shall provide evidence that all state and federal laws, such as wetlands, have been cleared by the appropriate agency.

(d) Stormwater Pollution Prevention Plan: The sub-divider must submit a site specific description and/or plan of erosion and sediment control measures, hereinafter known as the Stormwater Pollution Prevention Plan, which will be employed to prevent damaging increases in erosion or in flood heights and velocities, and which also meets the following requirements:

- (1) If the construction site is 1 to 5 acres, a Stormwater Pollution Prevention Plan must be submitted to the City.
- (2) If the construction site is greater than 5 acres, a Stormwater Pollution Prevention Plan must be submitted to the City and to the Mississippi Department of Environmental Quality.

A certification of post-construction best management practice perpetual responsibility and maintenance must be provided with the Stormwater Pollution Plan.

(e) Maintenance of stormwater pollution prevention facilities: All improvements, including post construction best management practices and landscaping, shall be maintained in perpetuity and cannot be developed for any other use which would limit or cause to limit the use or function of the improvements. Responsibility for and maintenance of these improvements shall follow the Ownership of the property.

Each property owner shall, within the contents of his deed, be liable for the maintenance of the improvements. A special note to this effect shall appear on the final plat of subdivision.

When problems arise due to inadequate maintenance, the City Inspector may inspect the improvements and compel the correction of the problem by written notice. In case of failure of facility, the property owner may contract with the City for the correction of the problem, provided the City is adequately reimbursed.

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 #508 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 April, 2005, as the same appears of record in Ordinance Book #7, pages 75-79 inclusive, in my office at the City Hall in said City.

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


Rebecca E. Schruoff, City Clerk

(SEAL)

SECTION TWO: Severability

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

SECTION THREE: This Ordinance shall take effect and be in order from and after its adoption and shall be published and posted as required by law and placed in the Ordinance Book of the City of Long Beach, Mississippi. This Ordinance shall not apply to any project which has received final approval for a Building Permit from the appropriate City commission, agencies, and departments, prior t the date of the adoption of this ordinance.

The above and foregoing amending Ordinance No **508** was introduced in writing by Alderman Holder, who moved its adoption. Alderman Bennett seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

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

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and said Ordinance 508 adopted and approved this 20th day of April, 2005.

ATTEST:

REBECCA SCHRUFF, CITY CLERK

APPROVED:

MAYOR