

There came on for consideration the matter of adopting an Ordinance concerning an Amendment to the International Building Code as adopted by the City of Long Beach by Ordinance Number 518, as amended by ordinance Number 568, and after a discussion of same. Alderman Ponthieux moved the adoption of the following Ordinance:

**ORDINANCE NO. 575**

**AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI TO AMEND THE INTERNATIONAL BUILDING CODE AS ADOPTED WITHIN THE CITY OF LONG BEACH BY ORDINANCE NUMBER 518, AS AMENDED BY ORDINANCE NUMBER 568, TO PROVIDE FOR A MINIMUM SIZE OF RESIDENTIAL DWELLING CONSTRUCTION WITHIN THE CITY, AND FOR RELATED PURPOSES.**

WHEREAS, it has come to the attention of the Governing Authorities that developers and home builders have begun to build much smaller homes in residential areas, and

WHEREAS, the City has heretofore adopted the International Building Code, which provides for minimum square footage requirements for certain rooms in residential structures (See Section 304); and

WHEREAS, however, this Code does not provide for the minimum square footage of the overall heated space of the home; and

WHEREAS, the Governing Authorities find that it is necessary to adopt a minimum square foot regulation for the heated spaces of single-family residences to preserve and protect the safety and public welfare of its citizens.

Therefore, it is hereby Ordained as follows:

**Section 1.** The International Building Code as heretofore previously adopted by the City in Ordinance Number 516, Section 304, is hereby amended to provide as follows:

Section 304.5.1 Each residential dwelling unit located within R - 1, excluding

mobile homes in a residential zone shall have a minimum of 850 square feet of heated living space, excluding outside and open patios, porches, garages, carports, and similar structures.

Section 304.5.2 Application may be made to the Planning Commission for a variance from the minimum square footage requirements of Section 304.5. Such variance may be granted reducing the minimum square footage of residential dwelling units for the applicant's primary home only, and not as a secondary or supplemental structure to another residential structure located on the same parcel, upon a showing by the applicant that such variance will not create a fire or safety hazard and will not be contrary to the public interest, and only in cases where, a literal enforcement of the Ordinance would result in unnecessary and undue hardship.

**Section 2. EFFECTIVE DATE**

In order to provide for the health and safety of the public this Ordinance shall take effect and be in force immediately upon adoption; however, proper publication and enrollment of same in the municipal records shall nevertheless occur and be had in the manner provided by law.

The above and foregoing Ordinance Number 575 was introduced in writing by Alderman Ponthieux who moved its adoption. Alderman Carrubba seconded the motion to adopt said Ordinance Number 575; and after discussion, and the question being put to a roll call vote, 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	Aye
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 Alderman present and

voting, the Mayor declared the motion carried and said Ordinance Number 575 adopted and approved this the 15<sup>th</sup> day of June, 2010.

APPROVED:

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WILLIAM SKELLIE, JR., MAYOR

ATTEST:

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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 #575 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 15<sup>th</sup> day of June, 2010, as the same appears of record in Ordinance Book #7, pages 480-482 inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 15<sup>th</sup> day of June, 2010.

(SEAL)

Rebecca E. Schruff, City Clerk