

ORDINANCE NO. 600

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI ESTABLISHING SITE DEBRIS AND HURRICANE PROTECTIONS; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

Having made due investigation and consideration, and in order to promote the general health, welfare, safety and convenience of the citizens of the city of Long Beach, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

SECTION 1. An emergency may be declared because of weather conditions when the national weather service or a State, County or local emergency management agency informs the City of Long Beach or the public that emergency conditions resulting from meteorological conditions are present or imminent. Meteorological conditions covered by this section shall include, but are not limited to hurricane, floods, tornados, or other severe weather conditions and the results therefrom.

- a. Once an official hurricane watch is issued by the National Weather Service for an area which includes the City of Long Beach, it shall be unlawful for any person to place any yard waste including, but not limited to, vegetative clippings, trees, leaves, branches or any other vegetative debris (*Landscape Debris*) on any portion of the public right-of-way or upon any land within ten feet of the public right-of-way, unless instructed to do so in writing by the City of Long Beach. This shall not prohibit the temporary placement of Landscape Debris adjacent to the parcel which produced such Landscape Debris for pick up by a licensed private hauler, so long as such pick up and removal is fully accomplished prior to the issuance by the National Weather Service of an official hurricane warning and in any event is completed by the private hauler prior to the occurrence of the anticipated storm event and at the private property owner's sole cost and expense.

b. In the event of any meteorological conditions, including but not limited to tropical depressions, tropical storms, hurricanes, etc., regularly scheduled garbage, recycling and yard waste collections cannot be guaranteed by the waste service removal company, nor the City of Long Beach when sustained storm winds reach 35 mph. Once sustained winds reach 35 mph, it shall be the sole responsibility of each home or business owner, manager or president of a condominium or co-operative association regardless of location to secure, tie down or take inside their refuse containers (including dumpsters) and remove yard waste from curbside to prevent any property damage, injury, or loss of life. Move empty garbage containers and recycling bins immediately after the collection to a secure area so they don't roll into traffic or become projectiles.

SECTION 2. Construction job sites shall be kept clean, such that accumulation of construction debris must not remain on the property for a period of time exceeding 14 days. All debris shall be contained in such a manner as to prevent it from being spread on the property or adjacent property by any means. The permit holder of any active or inactive construction project shall clean up and remove all construction debris or any other miscellaneous discarded articles prior to receiving final inspection approval.

SECTION 3. It shall be unlawful for any person to allow the construction-related materials (including, but not limited to roof tiles, lumber, scaffolding and debris) to remain loose or otherwise unsecured at a construction site from 24 hours after a hurricane watch has been issued until the hurricane watch or warning has been lifted. All such materials shall be either removed from the construction site or secured in such a manner as to minimize the danger of such materials causing damage to persons or property from high winds.

SECTION 4. Any person who violates this Ordinance shall be guilty of a second-degree misdemeanor and subject to a fine of up to \$500.00 or imprisonment for a term not to exceed 60 days. In addition to the above, a licensed contractor who violates this ordinance shall be subject to license suspension within the City of Long Beach;

SECTION 5. EFFECTIVE DATE

This ordinance shall take effect and be in force thirty (30) days after its adoption, publication and enrollment thereof as provided by law.

The above and foregoing Ordinance No. 600 was introduced in writing by Alderman Lishen who moved its adoption. Alderman Anderson 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 Bernie Parker	voted Aye
Alderman Gary J. Ponthieux	voted Aye
Alderman Kaye H. Couvillon	voted Aye
Alderman Carolyn 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 Aldermen present and voting, the Mayor declared the motion carried and the said Ordinance Number 600 adopted and approved this, the 16th day of April, 2012.

APPROVED:

/s/signed
WILLIAM SKELLIE, JR., MAYOR

ATTEST:

/s/signed
REBECCA E. SCHRUFF, CITY CLERK

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 #600 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 16th day of April, 2013, as the same appears of record in Ordinance Book #8, pages 262-265 inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 16th day of April, 2013.

(SEAL)

Rebecca E. Schruff, City Clerk