

BLIGHT PREVENTION ORDINANCE

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF ACKERMAN, MISSISSIPPI:

AN ORDINANCE TO PREVENT, REDUCE, OR ELIMINATE BLIGHT OR CAUSES OF BLIGHT WITHIN THE TOWN OF ACKERMAN BY THE REGULATION OF UNCOMPLETED, ABANDONED, DILAPIDATED OR DETERIORATED BUILDINGS; BY PROVIDING FOR THE REMOVAL OF BUILDING MATERIAL OF ANY KIND WHATSOEVER FROM LAND IN THE CITY; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

SECTION 1. BLIGHT

The following uses, structures and activities are determined to be blight or if allowed to exist will result in blighted and undesirable neighborhoods. No person, firm or corporation shall maintain or permit to be maintained any of these causes of blight upon any property owned, leased, rented or occupied by such person, firm or corporation in the Town of Ackerman.

- A. In any area, the existence of any structure or part of any structure which, because of disrepair, fire, wind or other natural disaster or physical deterioration is no longer habitable, if dwelling, nor useful for any other purpose of which it is intended.
- B. In any area, the existence of any partially enclosed structure unless such structure is in the course of construction in accordance with a valid and existing building permit.
- C. In any area zoned for residential purposes, the open storage upon any property of new or used building materials unless there is in force a valid building permit issued for construction upon said property and said materials are intended for use in connection with such construction.

SECTION 2. REGULATIONS

- A. All buildings and parts thereof erected either before or after effective date of this Ordinance shall be completed in accordance with the building permits issued therefore pursuant to the Town of Ackerman Zoning Ordinances. If not so completed, the property owner shall put the property back in safe condition ("Safe condition" shall be at the discretion of the Town Building Inspector), or it may be torn down and removed from the property and any excavation thereunder filled to grade level.
- B. No building, structure or uninhabited residence, whether now existing or hereafter erected, shall be left in a dangerous or hazardous condition by virtue of disrepair, depreciation, damage by fire, collapse, or act of God, or by virtue of any other cause, but shall be forthwith repaired or rehabilitated, and the dangerous or hazardous condition removed by the owner or occupant thereof, or in the alternate, torn down and removed, and any excavation thereunder filled to grade level. Such repairs to rehabilitation shall comply in all respects with the provisions of the City building, plumbing and electrical codes governing such buildings.
- C. Every tract of land within the Town shall be kept clean and free from the accumulation of: refuse from repair, alterations or demolition of buildings; any used building materials including, but not limited to lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws, abandoned couches, chairs, debris, appliances, and other materials.
- D. No property shall have remaining or lying upon it logs or branches larger than 12 inches in diameter. Those smaller may be placed parallel to the street in order that the City maintenance crew may shred and remove.

SECTION 3. RESPONSIBILITY OF OWNER AND TENANT.

The owner or owners of each and every tract of land within the Town, and any person occupying or controlling the property, shall be responsible for keeping the entire premises free and clear from all such matter as described in this Ordinance. The responsibility of an occupant shall not relieve the owner thereof from complying with this ordinance.

SECTION 4. VIOLATIONS: MUNICIPAL INFRACTION.

A. Any person, firm, corporation, or entity of any kind found violating the provisions of the Ordinance is responsible for a municipal infraction, subject to payment of a fine of not more than \$100.00, plus cost and other sanctions, for each violation. Each day constitutes a different violation and is subject to new and additional penalties.

B. Repeat offenders under this ordinance shall be subject to increased fines as provided by this section below. As used in this section, "repeat offense" means a second (or any subsequent) violation of the same requirement or provision of this ordinance for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under this ordinance shall be as follows:

1. The fine for any first repeat offense shall be at least \$100 but not more than \$250.00, plus costs.
2. The fine for any offense that is a second repeat offense, or any subsequent repeat offense, shall be at least \$250 but not be more than \$500.00 each, plus costs.

C. The Ordinance Enforcement Officer is hereby designated as the authorized town official to issue municipal infraction citations for violations of this ordinance. As used in this ordinance, "Ordinance Enforcement Officer" means the city official, employee, agent or other entity appointed by resolutions of the Town Board to perform the functions and tasks assigned by this ordinance to the "Ordinance Enforcement Officer".

D. In addition to any remedies available by law, the city may bring an action for an injunction or other process against any person to restrain, prevent or abate any violations of this ordinance.

SECTION 5. VALIDITY.

The provisions of this Ordinance are declared to be separate; if any Court of Law shall hold that any section or provision is invalid, such holding shall not effect or impair the validity of any other section or provision of this ordinance.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect thirty (30) days after ratification.

ADOPTED THIS THE 3rd DAY OF November, 2020.


CITY CLERK