



688 Highway 90, Bay St. Louis, MS 39520
228-469-8951

**NOTICE PURSUANT TO MCA 21-19-11 (1972 AS AMENDED)
(Effective July 1, 2022)**

PROPERTY ADDRESS: 0 HWY 90, Bay St. Louis, MS 39520

OWNER: Pantry Inc.
1100 Situs CT STE 100
Raleigh, NC 27606

HANCOCK COUNTY
TAX PARCEL #: **137A-0-45-138.000 and 137A-0-45-137.000**

NOTICE MAILED TO: 0 HWY 90, Bay St. Louis, MS 39520

1100 Situs CT STE 100
Raleigh, NC 27606

PLEASE TAKE NOTICE THAT on its own motion, the City of Bay St. Louis, Mississippi will hold a hearing on the 7th day of October at 5:30 p.m., at the City of Bay St. Louis, Council Chambers, 598 Main Street, Bay St. Louis, Mississippi, to determine whether or not the above-described property or parcel of land is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community.

As of the date of this notice, the conditions of the property that are in violation of the 2018 International Property Maintenance Code (IPMC) include the following:

- 108.1.1 Unsafe structures**
- 108.1.3 Structures unfit for human occupancy**
- 108.1.5 Dangerous structure or premises**
- 304.1.1 Unsafe conditions - exterior conditions**

It is also in violation of :

- Section 22-202 – Nuisance declared (Ord. No. 539, § 2)**
- Section 22-204 – Developed property and vacant property; duties of owner, occupant, or person in charge (Ord. No. 539, § 4)**

If, at such hearing, the governing authority shall adjudicate the property or parcel of land in its then condition to be a menace to the public health, safety and welfare of the community, the governing authority, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Miss. Code Ann. Section 21-39-21, and other debris; and draining cesspools and standing water therefrom.

The City of Bay St. Louis will remove the building, canopy, parking lot, and cut the grass if the property is not cleaned up.

YOU ARE ADVISED THAT AN ADJUDICATION AT THE HEARING THAT THE PROPERTY OR PARCEL OF LAND IS IN NEED OF CLEANING WILL AUTHORIZE THE MUNICIPALITY TO REENTER THE PROPERTY OR PARCEL OF LAND FOR A PERIOD OF TWO (2) YEARS AFTER THE FINAL ADJUDICATION WITHOUT ANY FURTHER HEARING IF NOTICE IS POSTED ON THE PROPERTY OR PARCEL OF LAND AND AT CITY HALL OR ANOTHER PLACE IN THE MUNICIPALITY WHERE SUCH NOTICES ARE GENERALLY POSTED AT LEAST SEVEN (7) DAYS BEFORE THE PROPERTY OR PARCEL OF LAND IS REENTERED FOR CLEANING. A COPY OF THE REQUIRED NOTICE MAILED AND POSTED AS REQUIRED BY MISS. CODE ANN. SECTION 21-19-11(1)(B) SHALL BE RECORDED IN THE MINUTES OF THE GOVERNING AUTHORITY IN CONJUNCTION WITH THE HEARING REQUIRED BY SAID SECTION.

The governing authority may by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty not to exceed One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property. The "cost assessed against the property" means either the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done, and administrative costs and legal costs of the municipality. For subsequent cleaning within the one-year period after the date of the hearing at which the property or parcel of land was adjudicated in need of cleaning, upon seven (7) days' notice posted both on the property or parcel of land adjudicated in need of cleaning and at city hall or another place in the municipality where such notices are generally posted, and consistent with the municipality's adjudication, a municipality may reenter the property or parcel of land to maintain cleanliness without further notice or hearing no more than six (6) times in any twelve-month period with respect to removing abandoned or dilapidated buildings, slabs, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land, and the expense of cleaning of the property, except as otherwise provided for removal of hazardous substances, shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is more. The aggregate cost of removing hazardous substances will be the actual cost of such removal to the municipality and shall not be subject to the Twenty Thousand Dollar (\$20,000.00) limitation. The governing authority may assess the same penalty for each time the property or land is cleaned.

If the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in a court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned.

If the governing authority declares that the cost and any penalty shall be collected as an assessment against the property, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes. The lien against the property shall be an encumbrance upon the property and shall follow title of the property.

- (i) All assessments levied under the provisions hereof shall be included with municipal ad valorem taxes and payment shall be enforced in the same manner in which payment is enforced for municipal ad valorem taxes, and all statutes regulating the collection of other taxes in a municipality shall apply to the enforcement and collection of the assessments levied under the provisions of this section, including utilization of the procedures authorized under Miss. Code Ann. Sections 17-13-9(2) and 27-41-2.
- (ii) All assessments levied under the provisions hereof shall become delinquent at the same time municipal ad valorem taxes become delinquent. Delinquencies shall be collected in the same manner and at the same time delinquent ad valorem taxes are collected and shall bear the same penalties as those provided for delinquent taxes. If the property is sold for the nonpayment of an assessment under this section, it shall be sold in the manner that property is sold for the nonpayment of delinquent ad valorem taxes. If the property is sold for delinquent ad valorem taxes, the assessment under this section shall be added to the delinquent tax and collected at the same time and in the same manner.

All decisions rendered under the provisions of this section may be appealed in the same manner as appeals from other action of municipal governing authorities are taken.

For any questions, please call Vince Owen, the Code Enforcement Official for the City of Bay St. Louis at 228-466-5511.

This the 3rd day of September, 2025.

Michael Reso
City Clerk/Chief Administrative Officer
City of Bay St. Louis, Mississippi

Exhibit A

[Insert pictures with date, time, address]