

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE
CITY OF BAY ST. LOUIS FINDING AND ADJUDICATING THAT THE HEREIN
DESCRIBED 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 AND AUTHORIZING ADVERTISEMENT FOR BIDS (OR IN HOUSE IF
FEASIBLE) TO HAVE LAND CLEANED AND TO ASSESS THE COSTS
3043 TENTH STREET, BAY ST. LOUIS
(HANCOCK COUNTY TAX PARCEL #138B-0-47-186.000)

WHEREAS, the Mayor and the City Council finds, determines, and adjudicates, based upon the investigation of the City's Code Enforcement Officer and Building Department, that the parcel of land described below is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community; and

WHEREAS, said property, as described herein, lies withing the City of Bay St. Louis, Mississippi; and

WHEREAS, the property is identified as 3043 Tenth Street, Bay St. Louis, MS 39520 and Hancock County Tax Parcel Number 138B-0-47-186.000; and

WHEREAS, the property was investigated by the Code Enforcement Officer and the Building Department and said officials recommend the property for adjudication as being in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community.

WHEREAS, specifically, the property is being frequently visited by vagrants who seek shelter in the abandoned and dilapidated home that is located on the property; and

WHEREAS, the City has received numerous complaints from surrounding neighbors and property owners concerned with their safety because of the condition of the property and the nuisances that it brings by inviting vagrants into the community; and

WHEREAS, the police department has been called to the property due to these vagrants approaching surrounding homes and properties and then hiding in the property; and

WHEREAS, the dilapidated home and the random debris that is on the property is not on a sound foundation and is alleged to be a menace to the public health, safety and welfare of the community; and

WHEREAS, from the public roadway, it may be determined that the abandoned home is in such a state of disrepair that it cannot be brought up to meet current building codes and FEMA requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI, AS FOLLOWS:

BE IT RESOLVED by the Mayor and City Council of the City of Bay St. Louis, that on the 22nd day of August, 2023, at 5:30 p.m. at the Bay St. Louis City Council Meeting, held in the City Council Chambers, the regular meeting room of the Bay St. Louis Council, Bay St. Louis, Mississippi, a Public Hearing was held to determine whether or not the parcel of property described below and the dilapidated home on the property, is in such a state of uncleanness as to be a menace to the public health and safety of the community.

BE IT FURTHER RESOLVED that a notice of said Public Hearing was provided in accordance with Mississippi Code Section 21-19-11. A copy of the notice, as posted and provided, is attached hereto as Exhibit A and incorporated herein. Furthermore, the property owner was notified via text message by the City Attorney that a hearing was set for August 22, 2023 at 5:30 p.m.

BE IT FURTHER RESOLVED that at said hearing the governing authority, having received information from the Building Department and Code Enforcement Officer relative to the condition of the improvements located on the subject parcel and the general condition of the property, which is appended to the Minutes and incorporated herein as Exhibit B, did adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community and directed that the same be cleaned up by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned and dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom, in accordance with MCA Section 21-19-11, and as generally described in files maintain by the Building Department and/or Code Enforcement Officer, all of which is incorporated herein by reference, and that assessments and costs be assessed and taxed against the property in accordance with said statute.

BE IT FURTHER RESOLVED that the City will be required to demolish the dilapidated home on the property in order to rid the community of the public nuisance.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby authorized to advertise for bids or to direct city employees to clean the property described above lying and being within the City of Bay St. Louis, Mississippi.

BE IT FURTHER RESOLVED that the cost of cleanup of the herein described property, including any penalty assessed, shall be a lien against said property and shall be enrolled in the office of the Circuit Clerk of Hancock County, Mississippi, and thereafter, the Tax Collector of the City, shall, upon order of the Mayor and members of the Council, proceed to sell the land to satisfy said lien as now provided by law for the sale of delinquent municipal taxes.

After being reduced to writing, the foregoing Resolution was read and considered, section by section, and then as a whole, whereupon Council Member Seal moved for its adoption, and after a second by Council Member Reed, the following roll call vote was had:

Council Member Doug Seal

YEA/NAY

Council Member Gene Hoffman	<u>YEA/NAY</u>
Council Member Jeffrey Reed	<u>YEA/NAY</u>
Council Member Kyle Lewis	<u>YEA/NAY</u>
Council Member Buddy Zimmerman	<u>YEA/NAY</u>
Council Member Josh DeSalvo	<u>YEA/NAY</u>
Council Member Gary Knoblock	<u>YEA/NAY</u>

Passed by the City Council of the City of Bay Saint Louis on the 22 day of August 2023.

CERTIFICATION

I, Michael Reso, City Clerk for the City of Bay Saint Louis, Mississippi, do hereby certify that the foregoing Resolution was approved and adopted in the public meeting of the City Council held on August 22, 2023, a quorum being present, in the City Council Conference Chambers and to be recorded in the Minute Books, said Council being the duly elected, qualified, and acting governing body of Bay Saint Louis, Mississippi.

Presented by me to the Mayor on this, the 23 day of August 2023.


Michael Reso, City Clerk

2023. Approved/Disapproved, and signed by me on this, the 23 day of August


Michael J. Favre, Mayor