

There came on for consideration at a meeting of the City Council of the City of Diamondhead, Mississippi, held on the 1st day of **October, 2024**, the following Resolution:

A RESOLUTION THE CITY COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, FINDING AND ADJUDICATING THAT THE HEREIN DESCRIBED PROPERTY HAS OVERGROWN GRASS, A DETERIOTED LEANING WOODEN FENCE, AND SCATTERED DERELICT ITEMS AND DEBRIS THAT POSES A SERIOUS PROBLEM TO THE COMMUNITY AND WELARE OF THE CITIZENRY OF THE CITY AND AUTHORIZING ADVERTISEMENT FOR BIDS OR TO OBTAIN QUOTE(S) TO REMOVE OVERGROWN GRASS, DETERIOTED LEANING WOODEN FENCE, AND SCATTERED DERELICT ITEMS LOCATED ON PARCEL NUMBER (132G-1-03-003.000) AND TO ASSESS THE COSTS TO THE SAID PROPERTY OWNER

WHEREAS, the Mayor and City Council of the City of Diamondhead, Mississippi, (the "City"), pursuant to Mississippi Code Annotated §21-19-11, 1972, as amended, finds, determines, and adjudicates, based upon the investigation of the City's Building/Code Enforcement Department, that the residence described below is such a menace to the public safety, and welfare of the citizenry of the City; and

WHEREAS, said residence, as described herein, is within the corporate boundaries of the City of Diamondhead, Hancock County, Mississippi; and

WHEREAS, the overgrown grass, deteriorated leaning wooden fence and scattered derelict items and debris located on the property have been investigated by the Building Department and recommended by the Code Enforcement Official for adjudication as the existence thereof is presenting serious concern and potential adverse effect to the public health, safety and welfare of the citizenry of the City is identified as:

Property is located at 8 Live Oak Court, Diamondhead, Mississippi (Parcel Number 132G-1-03-003.000). The property is owned by Pamela C. Picnot.

WHEREAS, the property owner was provided notice by the City pursuant to Mississippi Code Annotated §21-19-11, 1972, as amended, by mail to Pamela C. Picnot, 8 Live Oak Court, Diamondhead, MS 39525, notice posted on site at 8 Live Oak Court, Diamondhead, Mississippi by City of Diamondhead Code Enforcement Officer, A. J. Gambino and notice posted on the bulletin boards at City Hall, all within Diamondhead, Mississippi; and

WHEREAS, the City Council of the City of Diamondhead further finds, determines and adjudicates advertisement for bids or obtaining quotes the removal and disposal of overgrown grass, deteriorated leaning wooden fence, and scattered derelict items and debris from the property located at 8 Live Oak Court, Diamondhead, MS should be made in the form and manner as provided by law; and

WHEREAS, the City Council further finds, determines, and adjudicates that the cost of clean up and grass cutting shall not exceed the aggregate amount of \$20,000.00 per parcel per calendar year or the fair market value of the property subsequent to removal, whichever is more. Said amount including a penalty shall be assessed as a lien against said property as provided by law and shall be enrolled in the office of the Circuit Clerk of Hancock County, Mississippi, as other judgments are enrolled, and /or in the office of the Chancery Clerk of Hancock County, Mississippi; and

WHEREAS, the City Council of the City of Diamondhead further finds, determines, and grants authority to the Building Department or designee to re-enter the properties for a period of two (2) years without any further hearings if notice is posted on these properties and at City Hall, 5000 Diamondhead Circle, Diamondhead, Mississippi 39525, at least seven (7) days prior to re-entering the properties for resolution of the same type of violation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, AS FOLLOWS:

SECTION 1. That the matters, facts, and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

SECTION 2. That the property located at 8 Live Oak Court, Diamondhead, MS, be and hereby is declared to be a menace to the public health, safety, and welfare of the citizenry of the City of Diamondhead.

SECTION 3. That the City Clerk be and hereby is authorized to advertise for bids or obtain quote(s) and/or utilize city resources to clean up and cut grass located on the above described property and lying within the corporate boundaries of the City of Diamondhead, Hancock County, Mississippi.

SECTION 4. That the cost of clean up and grass cutting, including any penalty assessed, shall be a lien against said properties as provided by law and shall be enrolled in the office of the Circuit Clerk of Hancock County, Mississippi, and/ or in the office of the Chancery Clerk of Hancock County, Mississippi.

SECTION 5. That City Council of the City of Diamondhead further finds, determines, and hereby grants authority to the Building Department or any designee thereof to re-enter the property for a period of two (2) years without any further hearings if notice is posted on this property and at City Hall, 5000 Diamondhead Circle, Diamondhead, Mississippi 39525, at least seven (7) days prior to re-entering the properties for resolution of the same type of violation.

Councilmember _____ moved for the adoption of the Resolution,
which was seconded by Councilmember _____.

Upon being put to a roll call vote, the following ballots were cast:

	Aye	Nay	Absent
Councilmember Finley	___	___	___
Councilmember Liese	___	___	___
Councilmember Cumberland	___	___	___
Councilmember Clark	___	___	___
Councilmember Maher	___	___	___
Mayor Depreo	___	___	___

WHEREUPON the Mayor declared the Motion carried and the Resolution adopted, this
the 1st day of October, 2024.

ATTEST:

ADOPTED:

CITY CLERK

MAYOR

Res 2024-043
Agend 2024# 252



5000 Diamondhead Circle

Phone: 228.222.4626 Fax: 228222-4390

September 6th, 2024

Pamela C. Picnot
8 Live Oak Ct.
Diamondhead, MS 39525

COPY

RE: Notice of Violation
8 Live Oak Ct
Parcel Number: 132G-1-03-003.000

Dear Pamela C. Picnot :

This letter will serve as your official notification that the premises and exterior property of the above referenced location has overgrown grass, a deteriorated leaning wooden fence, and scattered derelict items and debris which could lead to risk to public safety. In accordance with the International Property Maintenance Code, Section 301.3, "Vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting or adversely affect the public health or safety."

Violations of one or more of the following laws, statutes, codes or ordinances were identified: Section 21-19-11 (Miss Code Annotated, 1972 as amended) and the International Property Maintenance Code (IPMC).

The violations are as follows: Public safety hazzard, IPMC Section 301.3;
MS Statute Section 21-19-11

Based on the violations identified, the City requests that you take the following corrective actions:

Cut the grass, remove deteriorated leaning fence and scattered derelict items and debris from property

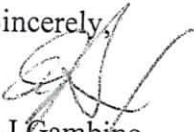
The City is asking that you please take the above actions within the next twenty-five (25) days to prevent further action as set out in the paragraph below.

NOTICE OF HEARING

If you have not taken the above corrective actions within the 25 days provided, you are hereby given notice of and invited to attend a hearing before the Diamondhead City Council on October 1, 2024, at 6:00 PM in the City Council chambers at 5000 Diamondhead Circle, Diamondhead, MS 39525, on the violations set forth above. At this hearing, the City Council will be asked to adjudicate that the subject property is in a state of uncleanliness or a menace to the public health, safety and general welfare of the community. This adjudication will also authorize the City of Diamondhead to re-enter the property for a period of one (1) year without any further hearings if notice is posted on this property and at City Hall, 5000 Diamondhead Circle, Diamondhead, MS at least seven (7) days prior to re-entering the property for resolution of the same type of violation. In addition, the City Council will be asked to authorize advertisement for bids to perform the necessary corrective actions. All costs incurred will be assessed to your property taxes and/or posted to the Hancock County Judgment Rolls. Please contact our office at 228-222-4626, if you have any questions about this letter or if the requested corrective actions are taken within the TWENTY-FIVE (25) days period in order to avoid our proceeding with a hearing on your property.

If you have any questions, please contact the Building Department at 228-222-4626. Thank you in advance for your attention to this matter.

Sincerely,



AJ Gambino
Code Enforcement

Cc: City Council
City Manager, City Attorney

COPY