

There came on for consideration at a meeting of the Mayor and City Council of the City of Diamondhead, Mississippi, held on the **6th** day of **October, 2020**, the following Resolution:

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, FINDING AND ADJUDICATING THAT THE HEREIN DESCRIBED PARCEL OF LAND ARE IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITIZENRY OF THE CITY AND AUTHORIZING ADVERTISEMENT FOR BIDS OR TO OBTAIN QUOTE(S) TO HAVE SAID LAND CLEARED AND CLEANED AND TO ASSESS THE COSTS TO THE SAID PROPERTY

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 Department, that the parcel of land described below are in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the citizenry of the City; and

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

WHEREAS, the parcel investigated by the Building Department and recommended by the Building Official for adjudication as being in such a state of uncleanness including accessory structures on vacant lot not structurally sound and in good repair, as to be a menace to the public health, safety and welfare of the citizenry of the City are identified as:

James E. North, 62714 Diamondhead Drive North, Parcel number 068Q-1-41-116.000, Diamondhead Subdivision Phase1, Unit 2/6, Block 1 Lots 1 & 2

- Remove wooden shed, metal staircase, miscellaneous metal, PVC and other miscellaneous material.
- Remove all materials to a proper disposal site.

WHEREAS, notice to the property owners was provided by the City pursuant to Mississippi Code Annotated §21-19-11, 1972, as amended, i.e. First-Class United States Mail to James E. North at 10737 Lilinoe Way, notice posted on the bulletin board at City Hall, and notice posted on the property at 62714 Diamondhead Drive North, all within Diamondhead, Mississippi; and

WHEREAS, the Mayor and City Council of the City of Diamondhead further find, determine and adjudicate that advertisement for bids or obtaining quotes to clean the above referenced property should be made in the form and manner as provided by law; and

WHEREAS, the Mayor and City Council further find, determine, and adjudicate that the cost of the lot cleanup shall not exceed the aggregate amount of \$10,000.00 per parcel per calendar year or the fair market value of the property subsequent to cleaning, whichever is less. 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 in the office of the Chancery Clerk of Hancock County, Mississippi; and

WHEREAS, the Mayor and City Council of the City of Diamondhead further find, determine, and grant authority to the Building Department to re-enter the properties not more than five (5) times for a period of one (1) year without any further hearings if notice is posted on these

properties and at City Hall, 5000 Diamondhead Circle, Diamondhead, Mississippi 39525, at least ten (10) days prior to re-entering the properties for resolution of the same type of violation.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL
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 at 62714 Diamondhead Drive North be and hereby are 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 for bid or obtain quote(s) to cut and clean the property (remove shed, metal staircase, PVC, and other miscellaneous material) and remove all to a proper disposal site as described hereinabove and lying within the corporate boundaries of the City of Diamondhead, Hancock County, Mississippi.

SECTION 4. That the cost of cleanup of the herein described properties, 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 in the office of the Chancery Clerk of Hancock County, Mississippi.

SECTION 5. That the Mayor and City Council of the City of Diamondhead further find, determine, and hereby grant authority to the Building Department to re-enter the properties not more than five (5) times for a period of one (1) year without any further hearings if notice is posted on

these properties and at City Hall, 5000 Diamondhead Circle, Diamondhead, Mississippi 39525, at least ten (10) 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:

<u>YEAS</u>	<u>NAYS</u>	<u>ABSENT</u>
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Depreo

Moran

Morgan

Clark

L'Ecuyer

WHEREUPON, the Mayor Pro Temp declared the Motion carried and the Resolution adopted, this the _____ day of October, 2020.

ATTEST:

ADOPTED:

CITY CLERK

MAYOR PRO TEM