

Recommended Code of Ordinances Text Amendments

***Example** indicates recommended addition to current ordinance.

~~*Example~~ indicates recommended deletion of current ordinance language.

Sec. 7-1. - Designation of code enforcement official.

The Director of Development Services, or their designee, is hereby designated as the City of ~~Tupelo Building Official is hereby designated as the building official~~ with responsibilities as contained in the building, plumbing, gas, mechanical and swimming pool codes, and as the housing official as contained in the housing code.

Sec. 7-147. - License Commission.

- (a) The Mayor, with confirmation of the City Council, shall appoint a License Commission with responsibility and authority as set forth herein.
- (b) The License Commission shall consist of seven (7) members: (1) Licensed Architect, (1) Licensed Commercial Building Contractor, (1) Licensed Residential Building Contractor, (1) Licensed Electrical Engineer or Contractor, (1) Licensed Mechanical Engineer or Contractor, (1) Licensed Plumbing Contractor, and (1) Fire Safety Representative.**
- (c) All members shall serve for a term of four (4) years or until their successors are duly appointed by the Mayor and confirmed by the City Council, respectively.**
- (d) The Mayor may remove any member of the License Commission for inefficiency, neglect of duty, or malfeasance in office.**
- (~~e~~) The License Commission shall elect officers, establish bylaws and other necessary procedures of operation. Minutes and records of all actions shall be kept and presented to the City Council at their next regular meeting following each License Commission meeting. Any action of the License Commission may be reversed or modified by vote of the City Council.
- (f) The Mayor, Director of Development Services, or Chairperson of the Commission may call a License Commission meeting on their own motion and the Director of Development Services shall call a meeting on the application of three Commissioners or within ten (10) days of receipt of an appeal to the License Commission.**
- (~~e~~) The License Commission shall serve the purpose of the Construction Board of Adjustments and Appeals and the Housing Board of Adjustments and Appeals as specified by the construction codes.
- (~~e~~) The License Commission members shall reside within the corporate boundaries of the city, or hold a privilege license to conduct business within the City of Tupelo.

- (i) ~~(e)~~ Appeal from the decision of the License Commission shall be by petition for appeal to the City Council. Any such petition shall be filed with the ~~planning and development department~~ **Department of Development Services** no later than five (5) days after the date the decision is filed with the ~~planning and development department~~ **Department of Development Services** and notice is received by the appellant, applicant or petitioner. Notice of the council meeting date shall be sent to the applicant, appellant, and all opposition known to the License Commission. The City Council shall act on the appeal either by confirmation, modification of conditions or rejection by majority vote. Appeal from the decision of the City Council shall be by petition for appeal to the Lee County Circuit Clerk after approval by the Mayor, an override vote of the Mayor's veto or ten (10) working days after the decision of the City Council without action by the Mayor.

Sec. 10-2. - Same—Definitions.

- (a) Wherever the word "municipality" is used in the fire prevention code adopted by section 10-1, it shall be held to mean the City of Tupelo, Mississippi.
- (b) Wherever the term "corporation counsel" is used in the fire prevention code adopted by section 10-1, it shall be held to mean the attorney for the city.
- (c) **Wherever the term "Chief of the Bureau of Fire Prevention" is used in the fire prevention code adopted by section 10-1, it shall be held to mean the City of Tupelo Fire Marshal or their designee.**
- (d) **Wherever the term "Fire Code Official" is used in the International Fire Code, 2018 Edition adopted by section 10-1, it shall be held to mean the City of Tupelo Fire Marshal or their designee.**

Sec. 10-4. - Same—Appeals from decisions under.

Whenever the Chief of the Bureau of Fire Prevention shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code adopted by section 10-1 do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal ~~from~~ the decision of the Chief of the Bureau of Fire Prevention to the ~~Chief of the Fire Department and the Mayor, acting jointly as an Appeals Committee, within thirty (30) days from the date of the decision appealed~~ **Tupelo License Commission. Any such petition shall be filed with the Fire Department or Department of Development Services within (5) days from the date of the decision and notice is received by the appellant, applicant or petitioner.**

Sec. 10-5. - Same—New materials, processes or occupancies which may require permits.

The ~~mayor of the city, the chief of the fire department and the~~ Chief of the Bureau of Fire Prevention shall ~~act as a committee to~~ determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in the code adopted by section 10-1. The Chief of the Bureau of Fire Prevention shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.