

ORDINANCE NO. 645

AN ORDINANCE TO AMEND ORDINANCE NUMBER 587,  
WHICH REQUIRES AND REGULATES THE CONSTRUCTION  
AND MAINTENANCE OF PUBLIC SIDEWALKS IN THE  
CITY OF LONG BEACH, MISSISSIPPI, AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Board of Aldermen have determined that sidewalks provide an important and safe method of transportation; and

WHEREAS, the Mayor and Board of Aldermen have recognized that sidewalks are a necessary component of public transportation and public infrastructure; and

WHEREAS, sidewalks promote a healthier community by encouraging exercise and reducing pollution effects from vehicles; and

WHEREAS, the presence of sidewalks may ease traffic conditions within the city and also create a greater aesthetic appeal; and

WHEREAS, having heretofore adopted Ordinance number 587, the Mayor and Board of Aldermen do hereby find and declare that revisions to such ordinance are required and will better promote the health, safety and general welfare of the City as described below.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Board of Aldermen of the City of Long Beach Mississippi as follows:

**SECTION 1.** Ordinance number 587 is hereby amended by adding the following new Section 7 added:

Section 7. In Lieu Applications and payments.

- (a) In circumstances of extreme hardship, impossibility of construction, imprudence or other circumstances where relief from the requirements of sidewalk construction on a particular project may be found justified an application for a variance may be filed with the Building Official for consideration by the Planning Commission requesting relief from the requirement of construction of a sidewalk on a project. If, in the judgment of the Planning Commission and Board of Aldermen, such variance is found justified, as a condition of every any such variance granted the applicant shall make an "in lieu" payment to the municipal sidewalk construction fund.
- (b) The amount of the in lieu payment to be required if a variance from the requirements of this ordinance is granted shall be based an estimate from the city engineer for the sidewalk otherwise required to be constructed, as determined by the building official according to the building plans and specifications submitted by the applicant.
- (c) All funds received by the City as in lieu payments shall be deposited to the general accounts of the City and used in the City's discretion for support of sidewalks and public amenities within the city.

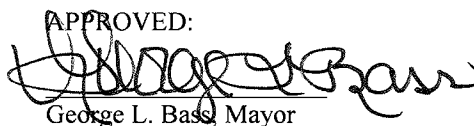
**SECTION 2. EFFECTIVE DATE**

This Ordinance shall become effective and be in force from and after its passage in the manner provided by law on or after the 30th day after its adoption.


The above and foregoing Ordinance No. 645 was introduced in writing by Alderman Robertson who moved its adoption. Alderman Lishen seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

Alderman Ronald Robertson	voted	Aye
Alderman Timothy McCaffrey, Jr.	voted	Aye
Alderman Kelly Griffin	voted	Aye
Alderman Bernie Parker	voted	Aye
Alderman Mark E. Lishen	voted	Aye
Alderman Patricia Bennett	voted	Aye
Alderman Donald Frazer	voted	Aye

The question having received the Affirmative vote of all of the Alderman present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this 20<sup>th</sup> day of August, 2019.

APPROVED:  
  
George L. Bass, Mayor

ATTEST:

  
Stacey Dahl, City Clerk