CHAPTER 7

BUILDINGS AND BUILDING REGULATIONS*

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ARTICLE I. IN GENERAL

Section 7-1. Permit Required.

A permit fee shall be required for any construction related project valued at not less than One Thousand Dollars ($1000) based on the permit issued by the City of Laurel to include but not be limited to new construction, repair, alteration, demolition, relocation, accessory uses, and any and all applicable sub permits. Required fee will be assessed in accordance with the schedule of permit fees as established by the City of Laurel under Ordinance No. 1537-2009.

Source: Ordinance 1523-2008, §I, 10-7-2008; Ordinance No. 1553-2010, § 7-1, 3-16-2010

Section 7-2. Record Management Fee.

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*__Cross References__ --- Fairgrounds, §2-101 et seq.; Trustees of County Public Health Building, §2-116 et seq.; animals and fowl, Ch. 5; aviation, Ch. 6; fire prevention and protection, Ch. 9; historic preservation, Ch. 10.1; housing and property maintenance, Ch. 11; mobile homes, Ch. 13; planning and development, Ch. 20; plumbing and sewers, Ch. 21; solid waste, Ch. 24; water, Ch. 28; zoning, App. I; subdivisions, App. II.

State Law Reference --- Power of City to adopt technical codes, Miss. Code 1972, §21-19-25; collection of inspection charges, Miss. Code 1972, §27-15-33.

A State mandated record management fee shall be added to any and all permit fees listed below unless otherwise noted in accordance with regulations as established by the state. As of this date, such fee is One Dollar ($1.00) per permit.

Source: Ordinance No. 1523-2008, §I, 10-7-2008

Section 7-3. Penalties.

Failure to obtain any permit required under this chapter prior to the commencement of any work will result in stoppage of the job and doubling the permit cost or an Environmental Court Ticket can be issued by the Inspection Department at their discretion. The minimum fee for this Environmental Court Ticket will be One Hundred Dollars ($100.00) plus court cost.

Source: Ordinance No. 1523-2008, §I, 10-7-2008

Section 7-4. Privilege License Required.

No person shall operate a business within the corporate limits of the City of Laurel in any building trades to include but not be limited to carpentry, roofing, painting, antenna installation, dry wall contracting, fire alarm systems, burglar alarm systems, and fire protection, or in any capacity which may be considered under the term "general contractor" without first obtaining a license to do business (i.e., privilege license) from the City of Laurel. [For regulations concerning electricians, plumbers, and mechanical/HVAC contractors, see separate chapters specifically addressing those trades.]

Homeowners are exempted from this section when performing work on his/her homestead but this does not allow property owners to work on rental properties or properties other than his/her homestead unless they have a contractor's license in the specific trade under which the work falls. The obtaining of such trade licensing is subject to such regulations as adopted by the City of Laurel under previous ordinances.

Homeowners must still obtain a permit when performing work on his/her homestead but will not be required to obtain a privilege and/or trade license. All work performed by a homeowner on his/her homestead must meet current code standards.

Source: Ordinance No. 1553-2010, § Sec. 7-4, 3-16-2010

Sections 7-5 ---7-15. Reserved.

ARTICLE II. BUILDING CODE*

DIVISION 1. GENERALLY

Section 7-16. Adopted.

The International Building Code, 2006 edition, with Appendices is hereby adopted by reference. Where appearing in the various codes, this individual shall perform or be responsible for the duties of the Plumbing Official, Electrical Official, Gas Official, Mechanical Official and Housing Official.

Source: Code 1969, § 7-20; Ordinance No. 894-1980, § 1, 4-15-80; Ordinance No. 933-1981, § 1, 8-18-81; Ordinance No. 958-1982, § 1, 6-15-82; Ordinance No. 980-1983, § 1, 4-5-83; Ordinance No. 1015-1984, § 1, 5-29-84; Ordinance No. 1050-1985, § 1, 8-6-85; Ordinance No. 1090-1987; Ordinance No. 1192-1992, §1, 5-20-92; Ordinance No. 1268-1995, §;1, 11-17-95; Ordinance No. 1307-1997, §1, 10-7-97; Ordinance No. 1376-2000, §I, 11-7-00; Ordinance No. 1393-2001, §I, 10-2-01; Ordinance No. 1455-2005, § 7-16, 1-4-05; Ordinance No. 1559-2010, 5-4-10

State Law Reference --- Power of City to adopt Building Code, Miss. Code 1972, §21-19-25

Section 7-16A. Permit Required for Demolition.

(1)The International Building Code, 2006 Edition, with all Appendices adopted, and any future amendments adopted by the governing authority, shall be amended by inclusion of the following under Section (1) 105 PERMITS, Subsection 105.1, which now requires the following:

"Demolition permits expire within one month (30 days) of the date of issuance. If the owner fails to complete the demolition within this 30 day period, the Council will be authorized to schedule a public hearing for the purpose of having the demolition completed and the owner will be assessed any fees incurred including but not limited to fees for removal of debris and/or asbestos abatement."

Source: Ordinance No. 1465-2005, § I, 12-20-05; Ordinance No. 1559-2010, § I., 5-4-10

(2) The International Residential Code, 2006 Edition, with all Appendices adopted, and any future amendments adopted by the governing authority, shall be amended by inclusion of the following under Section R105 PERMITS, Subsection R105.1, which now requires the

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*__Cross Reference__ --- Solid waste disposal and storage facilities at new buildings, §24-23.

State Law Reference --- Compensation of building inspector, Miss. Code 1972, §21-15-31.

Annotation --- A property owner was entitled to a building permit for a shopping center where the property was not zoned and the proposed building did not violate the existing building codes. *Berry v. Embrey*, 238 Miss. 819, 120 So.2d 165 (1960).

following: "Demolition permits expire within one month (30 days) of the date of issuance. If the owner fails to complete the demolition within this 30 day period, the Council will be authorized to schedule a public hearing for the purpose of having the demolition completed and the owner will be assessed any fees incurred including but not limited to fees for removal of debris and/or asbestos abatement."

Source: Ordinance No. 1465-2005, § II, 12-6-05; Ordinance No. 1559-2010, § II., 5-4-10

Section 7-17. Standard Unsafe Building Abatement Code Adopted.

The Standard Unsafe Building Abatement Code (1985 Edition), a section of the Associated Codes and Standards, is hereby adopted by reference subject to the following amendments to the exceptions adopted by Ordinance No. 1187-1991.

Source: Ordinance No. 1187-1991, 12-18-91; Ordinance No. 1268-1995, 11-17-95; Ordinance No. 1376-2000, §III, 11-7-00

Section 7-18. Exceptions.

(1) The Notice and All Attachments Thereto Shall Be Served upon the Owner of Record **by Personal Service or by Certified Mail, Return Receipt Requested**. A copy of the notice and all attachments thereto shall also be served on any person determined from official records to have a legal interest in the property. Failure of the Building Inspector and/or his/her designee to service any person herein required to be served other than the owner of record shall not invalidate any proceedings hereunder nor shall it relieve any other persons served from any obligations imposed on him.

(2) Posting of Notice to Vacate. In the event the Building Inspector and/or his/her designee shall determine that the building or structure should be vacated and no appeal is taken to the Board of Adjustments and Appeals within the time allowed by Chapter 4, or, if such an appeal is taken and the final decision of the Board of Adjustments and Appeals is that the building or structure should be vacated, the Building Inspector and/or his/her designee shall thereupon post a notice at each exit and entrance to the building or structure which shall state:

THIS BUILDING IS UNSAFE AND ITS USE OR

**OCCUPANCY HAS BEEN PROHIBITED
BY THE BUILDING INSPECTION DEPARTMENT**

Such notice shall remain posted until the required repairs are made or demolition is completed. It shall be unlawful for any person, firm or corporation or their agents to remove such notice without written permission of the Building Inspector and/or his/her designee or for any person to enter the building except for the purpose of making the required repairs or of demolishing same. If any person or persons shall remove any notice posted by the Building Inspector and/or his/her designee or be found in or upon the building without the authority of the City of Laurel, they shall, upon conviction, be punishable by a fine not exceeding Five Hundred Dollars ($500.00) or a term of imprisonment of not more than six (6) months or other such fine and imprisonment.

(3) Staying of Notice Under Appeal. Enforcement of any notice issued by the Building Inspector and/or his/her designee under the provisions of this Code shall be held in abeyance until the time for taking an appeal shall expire with no appeal having been taken or, if an appeal is taken, during the course of such appeal.

Source: Ordinance No. 1187-1991, 12-18-91; Ordinance No. 1268-1995,11-17-95; Ordinance No. 1376-2000, §II, 11-7-00; Ordinance No. 1400-2002, §II, 3-19-02; Ordinance No. 1455-2005,§ XVI, 1-4-05; Ordinance No. 1470-2006; 5-16-06; Ordinance No. 1507-2007, 12-18-07

Section 7-19. Securing of Unsafe Buildings.

The following regulations shall be added to Chapter 3 of the Standard Unsafe Building Abatement Code, *Inspection and Notice of Noncompliance:*

(1) A vacant structure that is not secured against entry will be deemed unsafe. All openings into a vacant structure must be so secured so as to prevent entry. Openings shall be defined as windows, doors, crawl spaces or any other means of ingress or egress. Once a structure has been deemed unsafe, the owner(s) will be required to ***temporarily*** secure the structure within 10 days ***after being notified in writing by the Department*** or shall make appropriate arrangements with the Department to secure the structure in a timely manner.

Source: Ordinance No. 1446-2004,§ I, 9-7-04; Ordinance No. 1470-2006, 5-16-06; Ordinance No. 1458-2005, § I, 5-3-05

(2) ***An unsafe*** structure may only remain ***temporarily*** secured for up to

ninety (90) days. ***It is preferable that it be*** secured with transparent materials so as not to appear to be boarded up with plywood and old discoloring boards. ***During that time, the owner(s) must file with the Department a satisfactory plan either to repair and permanently secure said structure or to demolish said structure. After ninety (90) days, the structure must be permanently secured.***

Source: Ordinance No. 1446-2004,§ I, 9-7-04; Ordinance No. 1458-2009,§ I, 5-3-05

(3) A permit will be required to either repair or demolish the building. Said permit must be obtained within 60 days of any notice of an unsafe building. Demolition permits expire within **one month (30 days)** of the date of issuance. **If the owner fails to complete the demolition within this 30 day period, the Council will be authorized to schedule a public hearing for the purpose of having the demolition completed and the owner will be assessed any fees incurred including but not limited to fees for removal of debris and/or asbestos abatement.** Should the owner proceed with the demolition, any debris from repair or demolition must be collected on site by the owner for removal. If the owner elects to have the City remove the debris, he or she will be responsible for arranging such removal and will be subject to any and all applicable charges. If the owner elects to remove the debris on his or her own motion, the City will require the debris to be removed on a weekly basis. The owner will be responsible for removal of the debris and for payment of any and all charges by such removal. Failure to do so can result in penalties and fines as defined by the City, which may include, but are not limited to, issuance of a Municipal Offense Ticket (MOT) and any and all subsequent charges.

Source: Ordinance No. 1446-2004,§ I, 9-7-04; Ordinance No. 1455-2005,§ XVI, 1-4-05; Ordinance No. 1465-2005,§ III, 12-20-05

The Inspection Department (herein "the Department") is authorized to take all necessary action to insure compliance with the above sections. During the ninety (90) day time frame, if sufficient repairs have not been made to said structure or if an adequate plan to repair and/or demolish the structure has not been filed with the Department, the City will be authorized to take appropriate action to insure the safety of the public and the neighborhood in which the structure is located. The Department may assist the owner(s) in finding sources to secure the structure by determining if the structure only needs repairing or if it is beyond the point of repair and meets the Unsafe Building Abatement Code.

Source: Ordinance No. 1458-2005,§ I, 5-3-05; Ordinance No. 1470-2006, 5-16-06

(4) For failure to comply with the above sections, the owner(s) may be fined by the Municipal Court after the Department has issued a ticket for failure to comply. Said fine may be up to five hundred dollars ($500.00). An additional and/or alternative remedy available to the City is to proceed under that section of the Code to have the structure condemned and demolished at the expense of the owner(s).

Source: Ordinance No. 1458-2005, § I, 5-3-05

Section 7-19.1. Building Permits.

A fee structure policy shall be implemented by the City of Laurel Inspection Department as outlined in Section 108 of the International Building Code, 2006 Edition, with Appendices, as adopted, in the following sections:

Source: Ordinance No. 1523-2008,§I, 10-7-2008; Ordinance No. 1559-2010, 5-4-10

Section 7-20. Permit Fees.

A building permit will be required for any type of construction covered by the 2006 edition of the International Building Code. This will include fences, signs, swimming pools and accessory structures.

Base permit fee will be Twenty-five Dollars ($25.00) plus a percentage of the project valuation charges as follows:

TOTAL PROJECT	FEE
$1 to $500.00	$25.
$500.01 to $2,000.00	$25 for the first $500 plus $3.00 for each additional hundred or fraction thereof
$2,000.01 to $40,000.00	$69 for the first $2,000 plus $11.00 for each additional thousand or fraction thereof
$40,000.01 to $100,000.00	$487 for the first $40,000 plus $9.00 for each additional thousand or fraction thereof
$100,000.01 to $500,000.00	$1,027 for the first $100,000 plus $7.00 for each additional thousand or fraction

	thereof
$500,000.01 to $1,000,000.00	$3,827 for the first $500,000 plus $5.00 for each additional thousand or fraction thereof
$1,000,000.01 to $5,000,000.01	$6,327 for the first $1,000,000 plus $3.00 for each additional thousand or fraction thereof
$5,000,000.01 and over	$18,327 for the first $5,000,000 plus $1.00 for each additional thousand or fraction thereof

There is no charge for plan review, new residential or commercial.

The following inspections are included in the permit fee at no additional charge: One (1) Footing inspection; One (1) slab inspection; One (1) Framing inspection; One (1) Final inspection.

Source: Ordinance No. 1523-2008, § I, 10-7-2008; Ordinance No.1537-2009,Art. I, § 7-20, 4-21-09; Ordinance No. 1559-2010, 5-4-10

Section 7-21. Inspection Fees.

A Twenty-Five Dollar ($25.00) inspection fee will be charged for each additional inspection, including re-inspections based on inspections which failed to meet code.

Source: Ordinance No. 1523-2008, §I, 10-7-2008

Section 7-22. Final Inspections and Certificates of Occupancy.

After a final inspection has passed, a Certificate of Occupancy (C.O.) will be issued. All applicable fees must be paid be a C.O. will be issued.

Failure to obtain a final inspection will result in a fine of Two Hundred fifty dollars ($250.00) or the amount of the permit fee for that project, whichever is greater.

Source: Ordinance No. 1523-2008, §I, 10-7-2008

Section 7-23. Land Clearing Permit.

A land clearing permit will be required for any earthwork done on undeveloped land for new construction and on land not used for construction

where ten (10) or more trees will be removed. The fee for such permit is One Hundred Dollars ($100.00).

Source: Ordinance No. 1523-2008, §I, 10-7-2008

Section 7-24. Demolition Permits.

A demolition permit will be required for the demolition of any structure, excluding small accessory structures. The fee for said permits is One Hundred Dollars ($100.00).

Source: Ordinance No. 1523-2008, §I, 10-7-2008

Section 7-25. Reserved.

DIVISION 2. MOVING BUILDINGS

Section 7-26. Definition.

For the purposes of this division, "*building*" shall mean a structure designed, built or occupied as a shelter or roofed enclosure for persons, animals or property and used for residential, business, mercantile, storage, commercial, industrial, institutional, assembly, educational or recreational purposes.

Source: Code 1969, § 7-69

Section 7-27. Enforcement.

The Police Department and the Inspection Department shall enforce and carry out the requirements of this division.

Source: Code 1969, § 7-78

Cross Reference --- Street Commissioner, § 2-23

Section 7-28. Permit---Required.

No person shall move any building over, along or across any highway, street or alley in the City without first obtaining a permit from the Inspection Department.

Source: Code 1969, § 7-70

Section 7-29. Same---Application Generally.

A person seeking the issuance of a permit under this division shall file an application for such permit with the Inspection Department.

(1) *Form*. The application shall be made in writing, upon forms provided by the Inspection Department, and shall be filed in the office of the Inspection Department.

(2) *Contents*. The application shall set forth:

a. A description of the building proposed to be moved, giving street number, construction materials, dimensions, number of rooms and condition of exterior and interior.

b. A legal description of the lot from which the building is to be moved, giving the lot, block and tract number, if located in the City.

c. A legal description of the lot to which it is proposed such building be removed, giving lot, block and tract number, if located in the City.

d. The portion of the lot to be occupied by the building when moved.

e. The highways, streets and alleys over, along or across which the building is proposed to be moved.

f. Proposed moving date and hours.

g. Any additional information which the Inspection Department shall find necessary to a fair determination of whether a permit should issue.

Source: Code 1969, § 7-71

Section 7-30. Same---Papers Accompanying Application.

The following papers shall accompany an application for a permit to move a building:

(1) *Tax Certificate*. The owner of the building shall file with the application sufficient evidence that the building and the lot from which it is to be removed are free of any entanglements or liens

and that all taxes and any City charges against the same are paid in full.

(2) *Certificate of Ownership or Entitlement*. The applicant, if other than the owner, shall file with the application a written statement or bill of sale, signed by the owner, or other sufficient evidence that he is entitled to move the building.

Source: Code 1969, § 7-71

Section 7-31. Same---Fee.

An house moving permit will be required when moving any structure designed for occupancy or over 320 square feet. The fee for a house moving permit will be One Hundred Dollars ($100.00) plus any applicable State mandated permit fees.

Source: Code 1969, § 7-71; Ordinance No. 1523-2008,§I, 10-7-2008

Section 7-32. Streets Affected.

The Inspection Department shall procure a list of designated streets over which a building may be moved. The Inspection Department shall have the list approved by the Chief of Police and shall reproduce the list upon the permit in writing. In making their determinations, the Chief of Police shall act to assure maximum safety to persons and property in the City and to minimize congestion and traffic hazards on public streets.

Source: Code 1969, § 7-76

Section 7-33. General Deposit---Required.

An application under this division shall be accompanied by a cash deposit in the sum of Five Thousand Dollars ($5,000.00) as an indemnity:

(1) For any damage which the City may sustain by reason of damage or injury to any highway, street or alley, sidewalk, fire hydrant or other property of the City, which may be caused by or be incidental to the removal of any building over, along or across any street in the City.

(2) To indemnify the City against any claim of damages to persons or private property.

(3) To satisfy any claims by private individuals arising out of, caused by or incidental to the moving of any building over, along or across any street in the City.

Source: Code 1969, § 7-73

Section 7-34. Same---Bond in Lieu of Deposit.

Any person filing an application under this division may, in lieu of the general cash deposit required, file with the Inspection Department a bond, approved as to form by the City Attorney, executed by a bonding or surety company authorized to do business in the State, in the amount of Five Thousand Dollars ($5,000.00), conditioned upon the assurance that this division and other applicable Ordinances and laws will be complied with. Such bond shall run to the City for the use and benefit of any person or persons intended to be protected thereby and shall be conditioned on the payment of any damage to public or private property and the payment for any damages or losses resulting from any malfeasance, misfeasance or nonfeasance or negligence in connection with any of the activities or conditions upon which the permit applied for is granted.

Source: Code 1969, § 7-74

Section 7-35. Same---Insurance Policy in Lieu of Deposit.

Any person filing an application under this division may, in lieu of the general cash deposit required above, file with the Inspection Department a liability insurance policy, issued by an insurance company authorized to do business in the State and approved as to form by the City Attorney, in the same amount and providing the same protection as would be required for a bond hereunder.

Source: Code 1969, § 7-75

Section 7-36. Deposit for Expense to City.

Upon receipt of an application for a permit to move a building, it shall be the duty of the Inspection Department to procure an estimate of the expense that will be incurred in removing and replacing any electric wires, street lamps or pole lines belonging to the City, or any other property of the City, the removal and replacement of which will be required by reason of the moving of the material through the City, together with the cost of material necessary to be used in making such removals and replacements. Prior to the issuance of the permit, the Inspection Department shall require of the applicant a deposit of a sum of money

equal to twice the amount of the estimated expense to the City.

Source: Code 1969, § 7-72

Section 7-37. Permittee Liable for Expense Above Deposit.

A permittee under this division shall be liable for any expense, damages or costs in excess of deposited amount or securities, and the City Attorney shall prosecute an action against the permittee in a Court of competent jurisdiction for the recovery of such excessive amounts.

Source: Code 1969, § 7-79

Section 7-38. Inspection.

The Inspection Department shall inspect the building and the applicant's equipment to determine whether the standards for issuance of a permit are met.

Source: Code 1969, § 7-76

Section 7-39. Standards for Issuance of Permit.

The Inspection Department shall refuse to issue a permit if he finds:

(1) That any application requirement or any fee or deposit requirement has not been complied with;

(2) That the building is too large to move without endangering persons or property in the City;

(3) That the building is in such a state of deterioration or disrepair or is otherwise so structurally unsafe that it could not be moved without endangering persons and property in the City;

(4) That the building is structurally unsafe or unfit for the purpose for which moved, if the removal location is in the City;

(5) That the applicant's equipment is unsafe and that persons and property would be endangered by its use;

(6) That Zoning or other Ordinances would be violated by the building in its new location; or

(7) That for any other reason persons or property in the City would be endangered by the moving of the building.

Source: Code 1969, § 7-76

Section 7-40. Refunds---Nonissuance.

Upon his refusal to issue a permit under this division, the Inspection Department shall return to the applicant all deposits, bonds and insurance policies. Permit fees filed with the application shall not be returned.

Source: Code 1969, § 7-76

Section 7-41. Same---Allowance for Expense.

After a building has been removed, the Inspection Department shall furnish the City Council with a written statement of all expenses incurred in removing and replacing all property belonging to the City, and of all material used in making the removal and replacement, together with a statement of all damage caused to or inflicted upon property belonging to the City. Provided, however, that if any wires, poles, lamps or other property are not located in conformity with governing Ordinances, the permittee shall not be liable for the cost of removing the same. The City Council shall authorize the Inspection Department to return to the applicant all deposits after the Finance Director deducts the sum sufficient to pay for all of the costs and expenses and for all damage done to property of the City by reason of the removal of the building. Permit fees deposited with the application shall not be returned.

Source: Code 1969, § 7-76

Section 7-42. Duties of Permittee.

Every permittee under this division shall:

(1) *Use designated streets*. Move a building only over streets designated for such use in the written permit.

(2) *Notify of revised moving time*. Notify the Inspection Department in writing of a desired change in moving date and hours as proposed in the application.

(3) *Notify of damage.* Notify the Inspection Department in writing of any and all damage done to property belonging to the City within

twenty-four (24) hours after the damage or injury has occurred.

(4) *Display lights.* Cause red lights to be displayed during the nighttime on every side of the building, while standing on a street, in such manner as to warn the public of the obstruction, and shall at all times erect and maintain barricades across the streets in such manner as to protect the public from damage or injury by reason of the removal of the building.

(5) *Street occupancy*. Remove the building from the City streets after fourteen (14) hours of such occupancy, unless an extension is granted by the Chief of Police.

(6) *Complying with governing law*. Comply with the Building Code, the Zoning Ordinance and all other applicable Ordinances and laws upon relocating the building in the City.

(7) *Pay expense of officers.* Pay the reasonable expenses of a traffic officer ordered by the Inspection Department to accompany the movement of the building to protect the public from injury.

(8) *Clear old premises.* Remove all rubbish and materials and fill all excavations to existing grade at the original building site so that the premises are left in a safe and sanitary condition.

(9) *Remove service connection.* See that the sewer line is plugged with a concrete stopper, the water shut off and the meter returned to the City Water Office. The permittee shall notify the gas and electric service companies to remove their services.

Source: Code 1969, § 7-77

Cross Reference -- Zoning, App. I

Section 7-43. Original Premises Left Unsafe.

The City shall proceed to do the work necessary to leave the original premises in a safe and sanitary condition when the permittee does not comply with the requirements of this division, and the cost thereof shall be charged against the general deposit or securities.

Source: Code 1969, § 7-80

Section 7-44. Disposition of Funds.

The Inspection Department shall deposit all fees and deposits and all bonds or insurance policies under this division with the City Clerk.

Source: Code 1969, § 7-76

Sections 7-45 --- 7-60. Reserved.

ARTICLE III. GAS CODE*

Section 7-61. Adopted.

The International Fuel Gas Code, 2006 edition, with all appendices, a copy of which is on file in the Office of the City Clerk of the City of Laurel, Mississippi, is hereby adopted by reference and all installations, repairs, and alterations from the effective date of this Section pertaining to the use of gas within the City of Laurel shall be performed in accordance with its provisions.

Source: Code 1969, § 18-21; Ordinance No. 895-1980, § 1, 4-15-80; Ordinance No. 934-1981, § 1, 8-18-81; Ordinance No. 959-1982, § 1, 6-15-82; Ordinance No. 982-1983, § 1, 4-5-83; Ordinance No. 1016-1984, § 1, 5-29-84; Ordinance No. 1052-1985, § 1, 8-6-85; Ordinance No. 1192-1992, § 5, 5-20-92; Ordinance No. 1268-1995, 11-17-95; Ordinance No. 1307-1997, §4, 10-7-97; Ordinance No. 1393-2001, §IV, 10-2-01; Ordinance No. 1559-2010, § IV, 5-4-10

State Law Reference --- Power of City to adopt gas code, Miss. Code 1972, §21-19-25

Section 7-62. Regulations.

The City shall, pursuant to all regulations, establish standards and procedures for the qualifications, examination, and licensing of master plumbers which are as follows: "Any applicant who wishes to obtain a permit to do work within the City of Laurel must be twenty-one (21) years of age and must furnish proof that he or she has successfully passed a written, professionally accepted, technical examination prepared by an independent testing agency that prepares competency examinations as a private service to various city, county, and state governments. Applicants must also obtain a privilege license for the City of Laurel. The City shall issue an appropriate license to each person who meets those qualifications." This is in accordance with regulations previously established under Ordinance No. 1979-1986, adopted September 2,1986 and with State regulations for the granting of licenses.

Source: Ordinance No. 1455-2005,§ IV, 1-4-05; Ordinance No. 1466-2006, § 1, 1-17-06.

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*__Cross Reference__ -- Plumbing, Ch. 21.

Section 7-63. Permit Fees.

A fee structure policy shall be implemented by the City of Laurel Inspection Department as outlined in Section 106.5, "Fees", of the International Fuel Gas Code, 2006 Edition, with Appendices adopted, for all gas permits. A permit is required for work covered by the 2006 edition of the International Fuel Gas Code.

TOTAL PROJECT	FEE
$1 to $500.00	$25
$500.01 to $2,000.00	$25 for the first $500 plus $3.00 for each additional hundred or fraction thereof
$2,000.01 to $40,000.00	$69 for the first $2,000 plus $11.00 for each additional thousand or fraction thereof
$40,000.01 to $100,000.01	$487 for the first $40,000 plus $9.00 for each additional thousand or fraction thereof
$100,000.01 to $500,000.01	$1,027 for the first $100,000 plus $7.00 for each additional thousand or fraction thereof
$500,000.01 to $1,000,000.00	$3,827 for the first $500,000 plus $5.00 for each additional thousand or fraction thereof
$1,000,000.01 to $5,000,000.00	$6,327 for the first $1,000,000 plus $3.00 for each additional thousand or fraction thereof
$5,000,000.01 and over	$18,327 for the first $5,000,000 plus $1.00 for each additional thousand or fraction thereof

A Twenty-five Dollar ($25.00) inspection fee will be required for gas pressure test on existing buildings, but no permit will be required.

Source: Ordinance No. 1523-2008, §I, 10-7-2008; Ordinance No. 1537-2009; Art, III, § 7-63, 4-21-09; Ordinance No. 1559-2010, § IV, 5-4-10

Section 7-64. Inspection Fees.

A Twenty-five Dollar ($25.00) inspection fee will be charged for each additional inspection, including re-inspections based on inspections which failed to meet code.

Source: Ordinance No. 1523-2008, §I, 10-7-2008

Section 7-65. Final Inspections and Certificates of Occupancy.

After final inspection has passed, a Certificate of Occupancy (C.O.) will be issued. All applicable fees must be paid before a C.O. will be issued.

Failure to obtain a final inspection will result in a fine of Two Hundred Fifty Dollars ($250.00) or the amount of the permit fee for that project, whichever is greater.

Source: Ordinance No. 1523-2008, §I, 10-7-2008

Sections 7-66 ---7-80. Reserved.

ARTICLE IV. MECHANICAL CODE

Section 7-81. Adopted.

The International Mechanical Code, 2006 edition, with all appendices, is hereby adopted, and all installations, repairs, alterations or adjustments shall, from the effective date of this section, be performed in accordance with this provision.

Source: Ordinance No. 892-1980, § 1, 4-15-80; Ordinance No. 936-1981, § 1, 8-18-81; Ordinance No. 956-1982, § 1, 6-15-82; Ordinance No. 983-1983, § 1, 4-5-83; Ordinance No. 1018-1984, § 1, 5-29-84; Ordinance No. 1054-1985, § 1, 8-6-85; Ordinance No. 1192-1992, § 3, 5-20-92; Ordinance No. 1268-1995, 11-17-95; Ordinance No. 1307-1997, §2, 10-7-97; Ordinance No. 1393-2001, §V, 10-2-01; Ordinance No. 1455-2005,§ V, 1-4-05; Ordinance No. 1559-2010, § V, 5-4-10

State Law Reference --- Power of City to adopt technical codes, Miss. Code 1972, § 21-19-25

Section 7-82. Incorporation.

The Code adopted in this article is by reference incorporated herein and made a part hereof as fully and completely as if copied and set forth herein in full.

Source: Ordinance No. 892-1980, § 1, 4-15-80

Section 7-83. Regulations.

The City shall, pursuant to all regulations, establish standards and procedures for the qualifications, examinations, and licensing of mater mechanical contractors which are as follows: "Any applicant who wishes to obtain a permit to do work within the City of Laurel must be twenty-one (21) years of age and must furnish proof that he or she has successfully passed a written, professionally accepted, technical examination prepared by an independent testing agency that prepares competency examinations as a private service to various city, county and state governments. Applicants must also obtain a privilege license for the City of Laurel". This is in accordance with regulations previously established under

Ordinance No. 1979-1986, adopted September 2, 1986 and with State regulations for the granting of licenses.

Source: Ordinance No. 1466-2006,§ 1, 1-17-2006

Section 7-84. Permit Fees.

A fee structure policy shall be implemented by the City of Laurel Inspection Department as outlined in Section 106.5, "Fees", of the International Mechanical Code, 2006 Edition, with Appendices as adopted. Mechanical permits are required for all work covered by the 2006 edition of the International Mechanical Code.

Source: Ordinance No. 1523-2008, §I, 10-7-2008; Ordinance No. 1559-2010, § V, 5-4-10

TOTAL PROJECT	FEE
$1 to $500.00	$35
$500.01 to $2,000.00	$35 for the first $500 plus $3.00 for each additional hundred or fraction thereof
$2,000.01 to $40,000.00	$69 for the first $2,000 plus $11.00 for each additional thousand or fraction thereof
$40,000.01 to $100,000.00	$487 for the first $40,000 plus $9.00 for each additional thousand or fraction thereof
$100,000.01 to $500,000.00	$1,027 for the first $100,000 plus $7.00 for each additional thousand or fraction thereof
$500,000.01 to $1,000,000.00	$3,827 for the first $500,000 plus $5.00 for each additional thousand or fraction thereof
$1,000,000.01 to $5,000,000.00	$6,327 for the first $1,000,000 plus $3.00 for each additional thousand or fraction thereof
$5,000,000.01 and over	$18,327 for the first $5,000,000 plus $1.00 for each additional thousand or fraction thereof

The following inspections are included in the permit fee at no additional charge: One (1) rough in; and, One (1) final inspection.

Source: Ordinance No. 1523-2008, §I, 10-7-2008; Ordinance No.1537-2009 , Art. IV, §7-84, 4-21-09

Section 7-85. Inspection Fees.

A Twenty-five Dollar ($25.00) inspection fee will be charged for each additional inspection, including re-inspections based on inspections which failed to meet code.

Source: Ordinance No. 1523-2008, §I, 10-7-2008

Section 7-86. Final Inspections and Certificates of Occupancy

After final inspection has passed, a Certificate of Occupancy (C.O.) will be issued. All applicable fees must be paid before a C.O. will be issued.

Failure to obtain a final inspection will result in a fine of Two Hundred Fifty Dollars ($250.00) or the amount of the permit fee for that project, whichever is greater.

Source: Ordinance No. 1523-2008, §I, 10-7-2008

Sections 7-87 --- 7-95. Reserved.

ARTICLE V. ELECTRICITY*

DIVISION 1. GENERALLY

Sections 7-96 --- 7-105. Reserved.

DIVISION 2. ELECTRICAL CODE

Section 7-106. Adopted.

The ICC Electrical Code, 2006 edition, is hereby adopted, and the provisions therein shall be controlling in the use, maintenance and occupancy of all dwellings, dwelling units and/or structures within the area of jurisdiction of the City. One (1) copy of such Code duly certified by the Mayor and Clerk of the City shall be filed as a permanent record in the Office of the Clerk.

Source: Code 1969, § 12-41; Ordinance No. 786-1977, § 1, 9-20-77; Ordinance No. 939-1981, § 1, 9-22-81; Ordinance No. 994-1983, § 1, 11-1-83; Ordinance No. 1088-1987, § 1, 1-6-87; Ordinance No. 1192-1992, § 8, 5-20-92; Ordinance No. 1268-1995, 11-17-95; Ordinance No. 1307-1997, §5, 10-7-97; Ordinance No. 1355-1999, §I, 10-19-99; Ordinance No. 1393-2001, §III, 10-2-01; Ordinance No. 1455-2005,§ III, 1-4-05; Ordinance No. 1468-2006,§ I, 4-18-06; Ordinance No. 1559-2010, § III, 5-4-10

State Law Reference --- Power of City to adopt Electrical Code, Miss. Code 1972, §21-19-25

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*__Cross Reference__ - Electric service in mobile home parks, §13-35.

Section 7-107. Regulations.

The City shall, pursuant to all regulations, establish standards and procedures for the qualifications, examination, and licensing of master electricians which are as follows: "Any applicant who wishes to obtain a permit to do work within the City of Laurel must be twenty-one (21) years of age and must furnish proof that he or she has successfully passed a written, professionally accepted, technical examination prepared by an independent testing agency that prepares competency examinations as a private service to various city, county and state governments. Applicants must also obtain a privilege license for the City of Laurel". This is in accordance with regulations previously established under Ordinance No. 1979-1986, adopted September 2, 1986 and with State regulations for the granting of licenses.

Source: Ordinance No. 1466-2006,§ I, 1-17-06

Section 7-108. Permit Fees.

A fee structure policy shall be implemented by the City of Laurel Inspection Department as outlined in Section 404, "Fees", of the National Electrical Code, 2006 Edition, with Appendices as adopted. Electrical permits are required for all work covered by the 2006 edition of the National Electrical Code.

TOTAL PROJECT	FEE
$1 to $500.00	$35.00
$500.01 to $2,000.00	$35 for the first $500 plus $3.00 for each additional hundred or fraction thereof
$2,000.01 to $40,000.00	$69 for the first $2,000 plus $11.00 for each additional thousand or fraction thereof
$40,000.01 to $100,000.00	$487 for the first $40,000 plus $9.00 for each additional thousand or fraction thereof
$100,000.01 to $500,000.00	$1,027 for the first $100,000 plus $7.00 for each additional thousand or fraction thereof
$500,000.01 to $1,000,000.00	$3,827 for the first $500,000 plus $5.00 for each additional thousand or fraction thereof
$1,000,000.01 to $5,000,000.00	$6,327 for the first $1,000,000 plus $3.00 for each additional thousand or fraction thereof
$5,000,000.01 and over	$18,327 for the first $5,000,000 plus $1.00 for each additional thousand or fraction

thereof

The following inspections are included in the permit fee at no additional charge: One (1) temp service; one (1) rough in; one (1) service inspection; and, one (1) final inspection.

Source: Ordinance No. 1523-2008, §I, 10-7-2008; Ordinance No. 1537-2009; Art. V, §7-108, 4-21-09; Ordinance No. 1559-2010, § III, 5-4-10

Section 7-109. Inspection Fees.

A Twenty-five Dollar ($25.00) fee will be charged for each additional inspection, including re-inspections based on inspections which failed to meet code.

Source: Ordinance No. 1523-2008, §I, 10-7-2008

Section 7-110. Final Inspections and Certificates of Occupancy.

After final inspection has passed, a Certificate of Occupancy (C.O.) will be issued. All applicable fees must be paid before C.O. will be issued.

Failure to obtain final inspection will result in a fine of Two Hundred Fifty Dollars ($250.00) or the amount of the permit fee for that project, whichever is greater.

For inspections on properties vacant over one year there will be a charge of Twenty-five Dollars ($25.00) for the inspection, but no permit will be required.

Source: Ordinance No. 1523-2008, §I, 10-7-2008

Sections 7-111 --- 7-160. Reserved.

ARTICLE VI. UNDERGROUND UTILITIES

Section 7-161. Definitions.

The following terms wherever used or referred in this article shall have the following meanings unless a different meaning is clearly indicated by the context:

Central business district: That area within the City of Laurel bordered on the north by the center line of Fifth Street, on the west, south of Central Avenue, by the center line of Sixth Avenue, and north of Central Avenue by the center line of new Central Avenue Extension, on the south by the center line of Gartin

Boulevard and on the east by the center line of New Front Street.

Facilities: The wires, transformers or other paraphernalia necessary, useful or desirable in furnishing utility service to the public.

Overhead facilities or service: The utility facilities constructed or maintained on or above ground level.

Public utility: Persons, firms or corporations furnishing and/or in the business of furnishing electrical, telephone, telegraph, cable community antenna television or other utility service by wires.

Underground facilities or service: Utility facilities constructed or maintained below surface or ground level, except that pad mount transformers and telephone closures for buried cable installed at ground level shall be considered as underground facilities.

Source: Ordinance No. 763-1976, § 12-91(a---f), 11-16-76

Section 7-162. Required Generally.

All new construction of utility facilities within the central business district shall be underground.

Source: Ordinance No. 763-1976, § 12-92, 11-16-76

Section 7-163. Existing Facilities Generally.

All existing overhead utility facilities or service shall be relocated to and replaced by underground facilities or service within the central business district, except, however, terminal overhead facilities in blind alleys may remain as the means of providing service to persons served therefrom.

Source: Ordinance No. 763-1976, § 12-93, 11-16-76

Section 7-164. Notice to Property Owner or Tenant.

Upon completion of the construction and/or relocation of underground utility service for each individual property owner in the central business district, such property owner and/or his tenant shall be notified by the City of Laurel of the availability of such underground service and that overhead service will be discontinued as provided in this article.

Source: Ordinance No. 763-1976, § 12-94, 11-16-76

Section 7-165. Time of Connection.

Persons in the central business district desiring utility service and who are now served by overhead facilities shall connect to underground facilities within thirty (30) days of the availability of such underground service.

Source: Ordinance No. 763-1976, § 12-95, 11-16-76

Section 7-166. Overhead Facilities---Removal.

Utilities having overhead facilities in the central business district shall discontinue the use thereof and remove such overhead facilities not less than thirty (30) nor more than sixty (60) days after the availability of underground service to the customer served by such overhead facility, except such facilities as are described in Section 7-164.

Source: Ordinance No. 763-1976, § 12-96, 11-16-76

Section 7-167. Same---Installation.

From and after thirty (30) days from the availability of underground utility service and notification thereof to the property owner and/or tenant, it shall be unlawful for any utility company to provide and/or for any property owner or tenant to accept utility service from overhead facilities in the central business district.

Source: Ordinance No. 763-1976, § 12-97, 11-16-76

Section 7-168. Penalty.

Violations of this article shall be a misdemeanor and punishable by a fine of not less than One Hundred Dollars ($100.00), nor more than Five Hundred Dollars ($500.00). Each day that such violation shall continue shall constitute a separate offense.

Source: Ordinance No. 763-1976, § 12-98, 11-16-76

Sections 7-169 --- 7-180. Reserved.

ARTICLE VII. NUMBERS FOR BUILDINGS

Section 7-181. Required; Designation.

The dwelling houses, business places and frontages on the streets and avenues in the City shall be numbered and the respective places of residence and of business shall be known and designated by number within the following limits:

(1) An initial point is hereby established in the City at the point in the center of First Street traveled by a line in the center of First Avenue which point if extended north and south would mark the center of First Avenue and concrete with the quarter (¼) mile line one quarter (¼) of a mile east of the section line between sections four (4) and six (6) in Township Eight North of Range Eleven West, and which point if extended east and west would mark the center of First Street and coincide with the half (½) mile line one half (½) mile south of the northern boundary line of Township Eight North of Range Eleven West, and all base lines shall parallel said First Street or First Avenue.

(2) Each twenty (20) foot space measuring north from north line and south from south line of First Street and east from east line and west from west line of First Avenue shall have two (2) numbers, one odd and one even, the odd numbers to be on the east side of the avenues and the even numbers to be on the west side in their numerical order, and the odd numbers to be on the north side of the streets and the even numbers on the south side of the streets in their numerical order. Diagonal streets and avenues shall have the set of numbers used corresponding to the direction most nearly assumed by the street or avenue, and streets or avenues shall have the set of numbers determined by their average direction.

(3) In numbering, the first number is one hundred and one (101) which shall be assigned to the twenty-fourth (24th) space fronting on First Avenue and First Street and at the intersection of the eastern boundary of First Avenue and the northern boundary of First Street, and the corresponding space on the west side of First Avenue shall be and is hereby numbered one hundred and two (102). The unusual numbers between the number of the last lot on twenty (20) foot space in any block and the next number ending in an even hundred (100) shall be dropped, and the first lot on twenty (20) foot space of the next block shall be the number of the street or avenue traveling it multiplied by one hundred (100) and with one added; thus the first twenty (20) foot space fronting Sixth

Street and on the north at the intersection of Seventh Avenue shall be and is numbered seven hundred and one (701), numbering from initial point north and south from First Street and in like manner east and west from First Avenue.

Source: Code 1969, § 20-1

Section 7-182. Time Limitation.

All buildings which may be built within the City, subject to the requirement of being numbered, shall be so numbered within ten (10) days after such building shall become occupied either as a dwelling house or place of business.

Source: Code 1969, § 20-4

Section 7-183. Posting.

All dwelling houses and commercial establishments shall be numbered with numbers of sufficient size and of such color and so located as to be easily read from the street, and shall bear the number corresponding to the space on the street line where a line through the center of the door at right angles to the street line intersects the street line.

Source: Code 1969, § 20-2

ARTICLE VIII. ADDRESS DISPLAY REQUIRED.

Section 7-184. Address Display Required.

The owner or tenant of any dwelling, former dwelling, commercial building, or other structure or activity, whether in use or not, shall display its municipally - assigned unique address, indicating a number at or near tile point where the location has access for ingress to and egress from any public street, avenue, highway or alley. This address display and/or numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabet letters. Numbers shall be a minimum of four (4) inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm) and to be readily visible from both directions on the said public way. This address display shall now be required on any dwelling, former dwelling, commercial building, or other structure or activity that is now in non-compliance with the passing of this Ordinance and to all new structures being permitted for construction in the city limits of Laurel, Mississippi.

Source: Ordinance No. 1109-1987, § I, 12-8-87; Ordinance No. 1473-2006,§ I, 9-5-06

Section 7-185. Curbside Address Permitted; Substitutes.

In a location where curbs are present the public way abutting a location and vehicular parking for the public or occupants shall not obstruct a view of the curb, the said unique address may be placed on the curb at a position thereon so as to be separately identifiable with the location to which it is assigned. The number shall be white upon a black background and measuring not less than thirty-six (36) inches in length by eight (8) inches in width. Where the building or structure is built up to the public way, and curb views and usually obstructed, then a similar display shall be placed upon the building or structure so as to be readily visible from the public way.

In lieu of such curbside or building address displays, a free-standing address display observable from both directions, if feasible, of comparable size and contrasting color scheme may be used.

Source: Ordinance No. 1109-1987, § II, 12-8-87

Section 7-186. Mailbox Address Display Permitted.

Where a free-standing mailbox is located on any premises separately assigned an address and such is at or near the public way upon which said private property abuts and is positioned so as to separately identify the building, structure or activity to which the address is officially assigned, the address may be placed on or about said mailbox so as to be visible from both directions.

Source: Ordinance No. 1109-1987, § III, 12-8-87

Section 7-187. Multi-Occupied Premises.

Where two (2) or more separate dwellings, commercial buildings or other activities or structures occupy a single uniquely-addressed parcel of land or building, then at or near the common entranceway to such from the public way and upon or near the separate entrance to each such building or activity, a separate number or letter shall be prominently displayed to identify such separate building or activity.

Source: Ordinance No. 1109-1987, § IV, 12-8-87

Section 7-188. Separate Building, Structure, or Activity Along or Upon a

Common Private Way.

In the event that two (2) or more separate dwelling units, commercial buildings, or other structures or activities are located upon a common private road, then each such separate building, structure or activity shall display thereon or nearby the address pertaining to that separate building, structure or activity so as to be easily identifiable with the same and easily observed from the said private way.

Source: Ordinance No. 1109-1987, § V, 12-8-87

Section 7-189. Multi-Family Apartment Complexes or Buildings.

displayed the inclusive numbers or letters privately assigned the separate apartments or dwelling units contained in such building. Moreover, each separate dwelling unit shall display near the doorway thereto a separate number or letter uniquely identifying such.

Source: Ordinance No. 1109-1987, § VI, 12-8-87

Section 7-190. Inspection Department to Assign Address.

Upon an application for a building, structure or other activity or construction permit, the Inspection Department of the City of Laurel shall issue either a permanent or a temporary address to the owner, contractor, developer or other occupant thereof which shall be prominently displayed thereon at or near the place where the activity or proposed construction abuts the public way so as to reasonably comply with the requirements and purposes of this Ordinance. Said Inspection Department shall have the authority to order the correction of any dwelling, former dwelling, commercial building, or other structure or activity whether in use or not, that has been numbered and/or addressed in error or said official way order appropriate corrections in compliance with House Bill No. 104, H07. H87. R573. CS.

Source: Ordinance No. 1109-1987, § VII, 12-8-87

Section 7-191. Obstruction of Address Display.

The owner or occupant of places required to display addresses and numbers or letters of separate dwelling units or business activities within a single structure shall keep said required displays of addresses and numbers or letters unobstructed at all times and shall maintain and clean the same as conditions require so as to allow the same to function as envisioned by this Ordinance.

Source: Ordinance No. 1109-1987, § VIII, 12-8-87

Section 7-192. Penalties and Enforcement.

This Ordinance shall be enforced by the Inspection Department of the City of Laurel and other officials and employees of the City of Laurel shall report non-conforming address displays to the said Official, when such displays have impeded their functions and duties. Any person, owner or occupant of any premises who violates any provision of this Ordinance shall, after conviction in Municipal Court, suffer a fine of Twenty-five Dollars ($25.00) for the first offense and Fifty Dollars ($50.00) for each subsequent offense.

Source: Ordinance No. 1109-1987, § IX, 12-8-87

Section 7-193. Severability.

If any Section or provision of this Ordinance is declared unenforceable or unconditional by a Court of competent jurisdiction, then the remaining Sections or provisions shall continue in full force and effect.
Source: Ordinance No. 1109-1987, § X, 12-8-87

ARTICLE IX. STANDARD SWIMMING POOL CODE.

Section 7-194. Adopted.

The Standard Swimming Pool Code, 1997 Edition a part of the SBCCI Associated Codes and Standards, is hereby adopted by reference.

Source: Ordinance No. 1283-1996, 9-17-96; Ordinance No. 1559-2010, § XV, 5-4-10

ARTICLE X. LANDCLEARING, EXCAVATION, AND GRADING REGULATIONS.

Section 7-195. Purpose and Scope.

The purpose of these regulations are to safeguard life, limb, property, and the public welfare by regulating landclearing and grading on private property. This article also sets forth rules and regulations to control landclearing, excavation, grading and earthwork construction, including fills and embankments; establishes the administrative procedures for issuance of permits; and provides for approval of plans and inspection of grading construction.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-196. Permits Required.

No person shall do any landclearing, grading, or excavation without first having obtained a permit from the Inspection Department except for the following: *(NOTE: However, all the above described activities must comply with local and state laws regarding utility locates prior to work.)

1. Grading in an isolated, self-contained area if there is no danger apparent to private or public property and not over a City utility line.
2. An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation nor exempt any excavation with the fill having an unsupported height greater than five (5) feet after the completion of such structure.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations
5. Excavations for wells or tunnels or utilities.
6. Mining, quarrying, excavating, processing, stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.
7. Exploratory excavations under the direction of soil engineers or engineering geologists.
8. An excavation which is not on a City right-of-way or easement and which (a) is less than two (2) feet in depth, or (b) which does not create a cut slope greater than five (5) feet in height and steeper than one and one-half (1½) horizontal to one (1) vertical, which does not exceed fifty (50) cubic yards on any one (1) lot.
9. A fill less than one (1) foot in depth, and placed on natural terrain with a slope flatter than five (5) horizontal to one (1) vertical, or less than three (3) feet in depth, not intended to support structures, which does not exceed fifty (50) cubic yards on any one (1) lot and does not obstruct a drainage course.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-197. Hazards.

Whenever the Inspection Department determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the Inspection Department shall within the period specified therein repair or eliminate such excavation or embankment so as to eliminate the hazard and be in conformance with the requirements of this Article.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-198. Definitions.

For the purposes of this Article the definitions listed hereunder shall be construed as specified in this Section:

AS-GRADED is the surface conditions existing upon completion of grading.

BEDROCK is in-place solid rock.

BENCH is a relatively level step excavated into earth material on which fill is to be placed.

BORROW is earth material acquired from an off-6ite location for use in grading on a site.

CERTIFICATION shall mean a written civil engineering or geological opinion concerning the progress and completion of the work.

CIVIL ENGINEER shall mean a professional engineer registered in the State of Mississippi to practice in the field of civil engineering.

CIVIL ENGINEERING shall mean the application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design and construction of civil works for the beneficial uses of mankind

COMPACTION is the densification of a fill by mechanical means.

EARTH MATERIAL is any rock, natural soil or fill and/or any combination

thereof.

EROSION is the wearing away of the ground surface as a result of the movement of wind, water and/or ice.

EXCAVATION is the mechanical removal of earth material.

FILL is a deposit of earth material placed by artificial means.

GEOLOGIST shall mean a geologist experienced and knowledgeable in geology.

GEOLOGY shall mean the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

GRADE shall mean the vertical location of the ground surface.

GRADE-EXISTING is the grade prior to grading.

GRADE-ROUGH is the stage at which the grade approximately conforms to the approved plan.

GRADE-FINISH is the final grade of the site which conforms to the approved plan.

GRADING is any excavating or filling or combination thereof.

KEY is a designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope.

LANDCLEARING means the removal of trees, bushes, and other vegetation; the removal of structures, improvements or other man-made items; pulp-wooding, logging, thinning, earthwork, or other forest activity, etc.; and/or similar activities.

PUBLIC PROPERTY, RIGHTS-OF-WAYS OR EASEMENTS, ETC. means any land occupied by or used for city-owned water lines, sanitary sewer lines, storm sewer lines, roads, streets, etc., that shall be protected from damage by any work described in this Article.

SITE is any lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.

SLOPE is an inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

SOIL is naturally occurring surficial deposits overlying bed rock.

SOIL ENGINEER shall mean a professional engineer registered in the State of Mississippi experienced and knowledgeable in the practice of soil engineering.

SOIL ENGINEERING shall mean the application of the principles of soil mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection and testing of the construction thereof.

TERRACE is a relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-199. Permits Required.

Except as exempted in Section 7-196 of this Article, no person shall do any landclearing, excavation, or grading without first obtaining a permit from the Inspection Department. A separate permit shall be required for each site**,** and may cover both excavations and fills.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-200. Application.

To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made;

2. Describe the land on which the proposed work is to be done, by lot, block, tract, and house and street address, or similar description that will readily identify and definitely locate the proposed building or work;

3. Describe any public property, rights-of-way, and/or easements within the work area;

4. Be accompanied by plans and specifications as required in Section 7-201 of this Article;

5. State the estimated quantities of work involved:

6. Be signed by the permittee, or his authorized agent, who may be required to submit evidence to indicate such authority; and,

7. Give such other information as reasonably may be required by the Inspection Department.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-201. Plans and Specifications.

When required by the Inspection Department, each application for a permit shall be accompanied by two (2) sets of plans and specifications, and supporting data consisting of a soil engineering report and civil engineering and geology report. Plans shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this Article and all relevant laws, ordinances, rules and regulations. Also, these plans should be on reproducible paper or cloth if distribution to other administrative departments is required.

The first sheet of each set of plans shall give the location of the work and the name and address of the owner and the person by whom they were prepared.

The plans shall include the following information:

1. General vicinity of the proposed site.

2. Property limits and accurate contours of existing ground and details of terrain and area drainage.

3. Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed drainage channels and related construction.

4. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work together with a map showing the drainage areas and the estimated runoff of the area served by any drains by means of drainage calculations.

5. Details of the erosion prevention plan.

6. Location of any City utilities including sewer lines, water lines, storm drains, culverts. and/or any other public property.

7. Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners which are within fifteen (15) feet of property or which may be affected by the proposed grading operations.

8. Specifications shall contain information covering construction and material requirements.

9. All elevations must be stated in Mean Sea Level Datum and this fact should be indicated in a note on the plan sheet. especially in flood hazard areas.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-202. Soil Engineering Report.

The soil engineering report required by Section 7-201 shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures when necessary, and opinions and recommendations covering the adequacy of sites to be developed by the proposed grading. Recommendations included in the report and reviewed by the Inspection Department shall be incorporated in the grading plans or specifications. Included as part of this report shall be an erosion control plan in accordance to Section 7-211 of this Article.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-203. Geology Report.

The geology report required by Section 7-201 shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinions and recommendations covering the adequacy of sites to be developed by the proposed grading.

Recommendations included in the report and approved by the Inspection Department shall be incorporated in the grading plans or specifications.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-204. Issuance of Permit.

1. The application, plans, and specifications filed by an application for a permit shall be checked by the Inspection Department. Such plans may be reviewed by other departments of the political subdivision to check compliance with laws and ordinances under their jurisdiction. If the Inspection Department is satisfied that the work described in an application for permit and the plans filed therewith conform to the requirements of this Article and other pertinent laws, ordinances, and guidelines (which include the technical manuals for (1) Mississippi Standard Specifications for Road & Bridge Construction, 1990 Edition and thereafter any latest edition, and (2) Department of Natural Resources guidelines) and that the fees specified in Section 7-205 have been paid, a permit shall be issued therefor to the applicant.

   When the Inspection Department issues the permit, it shall endorse in writing or stamp on both sets of plans and specifications REVIEWED. Such approval plans and specifications shall not be changed, modified, or altered without authorization from the Inspection Department, and all work shall be done in accordance with the approved plans.

2. One (1) set of approved plans, specifications, computations and reports shall be retained by the Inspection Department for a period of not less than ninety (90) days from date of completion of the work covered therein, and one (1) set of approved plans and specifications shall be returned to the applicant, which set shall be kept on such site at all times during which the work authorized thereby is in progress.

3. The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Article. No permit presuming to give authority to violate or cancel the provisions of this Article shall be valid, except insofar as the work or use which it authorizes is lawful.

   The issuance of a permit based upon plans, specifications, and reports shall not prevent the Inspection Department from thereafter requiring the correction of errors in said plans and specifications. The Inspection Department may require that grading operations and project design be modified if delays occur which incur weather-generated problems not considered at the time the permit was issued.

4. Every permit issued by the Inspection Department under the provisions of this Article shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within one hundred twenty (120) days from the date of such permit. The work authorized by such permit shall not be suspended or abandoned at any time after the work is commenced but shall be carried through to completion.

5. The Inspection Department may, in writing, suspend or revoke a permit issued under provisions of this Article whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this Article.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-205. Fees.

Before accepting a set of plans and specifications for review, the Inspection Department shall collect a permit fee in the amount of One Hundred Dollars ($100.00) for any landclearing, grading, or excavation activity. Separate permits and fees shall be required for all other building activities as required by the Building Codes.

Source: Ordinance No. 1359-1999, 12-21-99; Ordinance No. 1523-2008, §7-23, 10-7-08

Section 7-206. Bonds.

The Inspection Department may require bonds in such form and amounts as may be deemed necessary to assure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions.

In lieu of a surety bond the applicant may file a cash bond or instrument of credit with the Inspection Department in an amount equal to that which would be required in the surety bond.

Source: Ordinance No. 1359-2000, 12-21-99

Section 7-207. Cuts.

Unless otherwise recommended in the approved soil engineering and/or civil engineering report and/or geology report, cuts shall conform to the provisions of this section.

1. *Slope*: The slope of cut surfaces shall be no steeper than is safe for the intended use. Cut slopes shall be no steeper than two (2) horizontal to one (1) vertical.

2. *Drainage and Terracing*: Drainage and terracing shall be provided as required in Section 7-210.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-208. Fills.

Unless otherwise recommended in the approved soil engineering report fills shall conform to the provisions of this section. In the absence of an approved soil

engineering report these provisions may be waived for minor fills not intended to support structures.

1. *Fill Location*: Fill slopes shall not be constructed on natural slopes steeper than two (2) to one (1) or where the fill slope toes out within twelve (12) feet horizontally of the top of existing or planned cut slopes.

2. *Preparation of Ground*. The ground surface shall be prepared to receive fill by removing vegetation, non-complying fill, topsoil and other unsuitable materials as determined by the soil engineer, and, where the slopes are five (5) to one (1) or steeper, by benching into sound bedrock or other competent material.

3. *Fill Material*: Earth materials which have no more than minor amounts of organic substances and have no rock or similar irreducible material with a maximum dimension greater than eight (8) inches shall be used.

4. *Compaction*: All fills shall be compacted to a minimum of ninety percent (90%) of maximum density as determined by the proctor method of ASTM Standard (American Standard for Testing Materials) for the moisture-density relations of soils, D1557-58T. Field density shall be determined in accordance with ASTM Standard for the in-place density of soils, D1556-58T, or equivalent as approved by the Inspection Department.

5. *Slope*: The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes shall be no steeper than two (2) horizontal to one (1) vertical.

6. *Drainage and Terracing*: Drainage and terracing shall be provided and the area above fill slopes and the surfaces of terraces shall be graded and paved as required in Section 7-210.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-209. Setbacks.

The tops and the toes of cut and fill slopes shall be set back from property boundaries as far as necessary for safety of the adjacent properties and to prevent damage resulting from water run-off or erosion of the slopes.

The tops and the toes of cut and fill shall be set back from structures as far as is necessary for adequacy of foundation support and to prevent damage as a result of water runoff or erosion of the slopes.

Unless otherwise recommended in the approved soil engineering and/or civil engineering report and/or geology report and shown on the approved grading plan, setbacks shall be no less than the recommended guidelines for the Mississippi Standard Specifications for Road & Bridge Construction, 1990 Edition and thereafter any latest edition.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-210. Drainage and Terracing.

Unless otherwise indicated on the approved grading plan, drainage facilities and terracing shall conform to the provision of this Article.

1. *Terrace*: Terraces at least six (6) feet in width shall be established at not more than thirty (30) foot vertical intervals to control surface drainage and debris. Suitable access shall be provided to permit proper cleaning and maintenance. Swales or ditches on terraces shall have a minimum gradient of five percent (5%) and must be paved with reinforced concrete not less than three (3) inches in thickness or an approved equal paving or adequate planting, including grass, may be placed on these terraces for reinforcement. They shall have a minimum depth at the deepest point of one (1) foot and a minimum paved width of five (5) feet. A single run of swale or ditch shall not collect runoff from a tributary area exceeding thirteen thousand five hundred (13,500) square feet (projected) without discharging into a down drain.

2. *Subsurface Drainage*: Cut and fill slopes shall be provided with subsurface drainage as necessary for stability.

3. *Disposal*: All drainage facilities shall be designed to carry waters to the nearest practicable drainage-way approved by the Inspection Department and/or other appropriate jurisdiction as a safe place to deposit such waters. If drainage facilities discharge onto natural ground, riprap may be required.

   At least two percent (2%) gradient toward approved drainage facilities from building pads will be required unless waived by the Inspection Department for non-hilly terrain.

   EXCEPTION: The gradient from the building pad may be one percent (1%) where building construction and erosion control will be completed before hazardous conditions can occur.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-211. Erosion Control.

The faces of cut and fill slopes shall be prepared and maintained to control

against erosion. This control may consist of installing filter-fabric barriers or any other method before completing an effective planting area. The protection for the slope shall be installed as soon as practicable and prior to calling for final approval.

Where necessary, check dams, cribbing, riprap or other devices or methods shall be employed to control erosion and provide safety in reference to the technical manuals for (1) Mississippi Standard Specifications for Road & Bridge Construction, 1990 Edition and thereafter any latest edition, and (2) Department of Natural Resources.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-212. Grading Inspection.

All grading operations for which a permit is required shall be subject to inspection by the Inspection Department. When required, special inspection of grading, operations and special testing shall be performed in accordance with provisions of Section 7-212.2.

1. *Grading Designation*: All grading in excess of five thousand (5000) cubic yards shall be performed in accordance with the approved grading plan prepared by a civil engineer, and shall be designated as "engineered grading". Grading involving less than five thousand (5000) cubic yards shall be designated "regular grading" unless the permittee, with the approval of the Inspection Department chooses to have the grading performed as "engineered grading".

2. *Engineered Grading Requirements*: For engineered grading it shall be the responsibility of the civil engineer who prepares the approved grading plan to incorporate all recommendations from the soil engineering and engineering geology reports into the grading plan. He/she shall also be responsible for the professional inspection and certification of the grading within his/her area of technical specialty. This responsibility shall include, but need not be limited to, inspection and certification as to the establishment of line, grade and drainage of the development area. The civil engineer shall act as the coordinating agent in the event the need arises for liaison between the other professionals, the contractor and the Inspection Department. The civil engineer shall also be responsible for the preparation of revised plans and the submission of as-graded grading plans upon completion of the work.

   Soil engineering and civil engineering and geology reports shall be required as specified in Sections 7-202 and 7-203. During grading all necessary reports, compaction data and soil engineering and civil engineering and geology recommendations shall be submitted to the civil engineer and the Inspection Department by the soil engineer and

the civil engineer and geologist.

The soil engineers area of responsibility shall include, but need not be limited to, the professional inspection and certification concerning the preparation of ground to receive fills, testing for required compaction, stability of all finish slopes and the design of buttress fills, where required, incorporating data supplied by the engineering geologist.

The civil engineer's area of responsibility shall include, but need not be limited to, the site grading, design, and drainage.

The geologists area of responsibility shall include, but need not be limited to, professional inspection and certification of the adequacy of natural ground for receiving fills and the stability of cut slopes with respect to geological matters, and the need for subdrainage or other ground water drainage devices. He shall report his findings to the soil engineer and the civil engineer for engineering analysis.

The Inspection Department shall inspect the project at various stages of the work requiring certification and at any more frequent intervals necessary to determine that adequate control is being exercised by the professional consultants.

3. *Regular Grading Requirements*: The Inspection Department may require inspection and testing by an approved testing agency.

   The testing agency responsibility shall include, but need not be limited to, certification concerning the inspection of cleared areas and benches to receive fill, and the compaction of fills.

   When the Inspection Department has cause to believe that geologic factors may be involved, the grading operation will be required to conform to engineered grading' requirements.

4. *Notification of Noncompliance*: If, in the course of fulfilling their responsibility under this Article, the civil engineer, the soil engineer, the geologist or the testing agency finds that the work is not being done in conformance with this Article or the approved grading plans, the discrepancies shall be reported immediately in writing to the person in charge of the grading work and to the Inspection Department. Recommendations for corrective measures, if necessary, shall be submitted.

5. *Transfer of Responsibility for Certification*: If the civil engineer, the soil engineer, the geologist or the testing agency of record are changed during the course of the work, the work shall be stopped until the replacement has agreed to accept the responsibility within the area of

their technical competence for certification upon completion of the work.

Source: Ordinance No. 1359-1999, 12-21-99

Section 7-213. Completion of Work.

Upon completion of the rough grading work and at the final completion of the work, the Inspection Department may require the following reports and drawings and supplements thereto.

1. *Final reports*:

   a. An As-Graded grading plan prepared by the civil engineer including original ground surface elevations, as graded ground surface elevations, lot drainage patterns and locations and elevations of all surface and subsurface drainage facilities. He/she shall provide certification that the work was done in accordance with the final approved grading plan.

   b. A Soil Grading Report prepared by the soil engineer including locations and elevations of field density tests, summaries of field and laboratory tests and other substantiating data and comments on any changes made during grading and their effect on the recommendations made in the soil engineering investigation report. He/she shall provide certifications as to the adequacy of the site for the intended use.

   c. A Geologic Grading Report prepared by the geologist including a final description of the geology of the site including any new information disclosed during the grading and the effect of same on recommendations incorporated in the approved grading plan. He/she shall provide certification as to the adequacy of the site for the intended use as affected by geologic factors.

2. *Notification of Completion*: The permittee or his agent shall notify the Inspection Department when the grading operation is ready for final inspection. Final approval shall not be given until all work including installation of all drainage facilities and their protective devices and all erosion control measures have been completed in accordance with the final approved grading plan and the required reports have been submitted.

Source: Ordinance No. 1359-1999, 12-21-99

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