

**AN ORDINANCE REGULATING THE MAINTENANCE OF PRIVATE PARKING LOTS
AND STREETS WITHIN THE CITY OF BYRAM, MISSISSIPPI**

Whereas, the City of Byram finds it necessary to protect the public health, safety and welfare to establish requirements for the maintenance of private parking lots and streets by the property owner and methods of administration and enforcement, and

Whereas, the Mayor and Board of Aldermen have reviewed and refined the proposed Ordinance and find its adoption to be in the best interest of City of Byram for the reasons set out in said Ordinance, and

Whereas, this matter was presented to the Mayor and Board of Aldermen of City of Byram and after discussion thereof, Alderman Marble offered the following ordinance and moved that it be adopted, to-wit:

Whereas, the overall maintenance of any parking lot or private street has a direct bearing on the economic value of the property. A lack of proper maintenance tends to bring about blight, decay, decreased property values, and the loss of both private and public revenues.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Aldermen of the City of Byram as follows:

Definitions:

Parking Lot: A defined area where patrons can park for a short period of time while visiting a business.

Private Street: Private Street – A private vehicular access way shared by and serving two or more lots, which is not dedicated to the public and is not publicly maintained. Private streets and alleys may be established only under the terms of the Development Ordinance. The term “private street” shall be inclusive of alleys.

Parking lots or private streets shall be maintained to prevent the deterioration (including potholes), crumbling asphalt, brick, concrete, or any other type of covering, weed-infestation, or lacking of adequate covering of asphalt, brick, or concrete, stone, gravel as required by the City’s Development Ordinance thereof shall be a violation of this ordinance.

ENFORCEMENT:

The director of the public works department or his/her designee shall administer the provisions of this article.

NOTIFICATION:

Any person found to be in violation of this ordinance shall be notified in writing delivered personally or by regular U. S. mail and shall be given thirty days to comply with ordinance.

APPEAL:

Any person aggrieved by a decision made under this Ordinance may appeal to the Mayor and Board of Aldermen.

PENALTY:

Any person that has violated or continues to violate this ordinance shall be liable to criminal prosecution to the fullest extent of the law, and shall be subject to a criminal penalty of \$500.00 per violation per day and/or imprisonment for a period of time not to exceed 90 days. Each day a violation continues shall constitute a separate offense.

This ordinance shall be effective 30 days from and after passage.

ORDAINED, ADOPTED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN
OF CITY OF BYRAM, MISSISSIPPI, at a meeting thereof held on the 11th day of April, 2013.

A Motion for adoption was seconded by Alderman White. The foregoing ordinance having been first reduced to writing, and no request being made by any member of the Mayor and Board of Aldermen that the Ordinance being read before any vote was taken, it was submitted to the Mayor and Board of Aldermen for the passage or rejection on roll call vote upon the vote being as follows, to-wit:

Alderman Alday voted: aye
Alderman Douglas voted: aye
Alderman Ford voted: nay
Alderman Marble voted: aye
Alderman White voted: aye

This Ordinance shall be effective on 11th of April, 2013
Whereupon the Mayor declared the Motion carried and the ordinance approved and adopted. The foregoing ordinance was approved this the 11th of April, 2013.

CITY OF BYRAM

Signed/BY: Nick Tremonte, Mayor

ATTEST: Angela Richburg, City Clerk