

There came on for consideration at a duly called meeting of the Mayor and Board of Aldermen on the 21st day of August, 2007, the following amendatory ordinance, to wit:

ORDINANCE NUMBER 544

AN ORDINANCE OF THE CITY OF LONG BEACH, MISSISSIPPI, WHICH DECLARES A TEMPORARY NINETY (90) DAY MORATORIUM UNDER THE CURRENT SIGN ORDINANCE NO. 533, AS MAY HAVE BEEN AMENDED FROM TIME TO TIME, FOR ACCEPTING AND PROCESSING OF NEW APPLICATIONS FOR OFF-PREMISES OUTDOOR ADVERTISING SIGNS WITHIN THE CITY OF LONG BEACH, MISSISSIPPI, AND FOR RELATED PURPOSES.

WHEREAS, the greatest natural disaster in the United States' history ("Hurricane Katrina") occurred on August 29, 2005, devastating the City of Long Beach, Mississippi; its Citizens, properties, and neighboring communities; and

WHEREAS, Hurricane Katrina destroyed or severely damaged numerous businesses, homes, roadways, signage and landmark structures on the Mississippi Gulf Coast; and

WHEREAS, the Mayor and Board of Aldermen for the City of Long Beach, Mississippi, are charged with the duty and responsibility to insure orderly and compatible growth and redevelopment of the City for the future public benefit and welfare, and in exercise of that duty and responsibility, the Mayor and Board of Aldermen finds that it is necessary to re-evaluate and analyze the City of Long Beach's existing Sign Ordinance No. 533, as may have been from time to time by subsequent ordinances (hereinafter "Sign Ordinance"), and

WHEREAS, the Mayor and Council find that the attraction and servicing of the tourism industry is one of Long Beach's leading economic activities, and the Mayor and Board of Aldermen find that it is necessary to improve the aesthetics and appearance of the City in conjunction with its efforts to establish new first-class business and commercial districts and to re-vitalize remaining buildings and land uses; and

WHEREAS, the purpose of the Sign Ordinance is to control and regulate the growth and development of sign usage that is detrimental to the health, safety and welfare of the City of Long Beach, as well as to allow effective and aesthetically compatible advertising opportunities; and

WHEREAS, in keeping with the purpose and intent of said Sign Ordinance the Mayor and Board of Aldermen have determined that the health, safety, and welfare of the Citizens of the City of Long Beach would best be served if a moratorium is enacted to temporarily abate the proliferation of new off-premises outdoor advertising signs prior to completion of the re-

evaluation and analysis of the Sign Ordinance in relation to its stated purpose and in relation to the Comprehensive Zoning Ordinance and Building Codes of the City of Long Beach as such may be applied to facilitate post-Katrina revitalization and redevelopment efforts; and

WHEREAS, the Mayor and Board of Aldermen find that failure to enact a temporary moratorium will adversely impact the purpose of said Sign Ordinance, thus potentially allowing construction of an abundance of new off-premises signs that are or could be incompatible with future or existing land use and development objectives; and

WHEREAS, a temporary moratorium of ninety (90) days will not affect applications for permits filed prior to the enactment of this Ordinance, as such applications will be processed in the ordinary course of business; and

WHEREAS, all applications for permits filed prior to the adoption of this moratorium are subject to the terms, provisions, and conditions of the Sign Ordinance as it exists prior to this moratorium.

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF LONG BEACH MAYOR AND BOARD OF ALDERMEN, AS FOLLOWS:

SECTION 1: There shall be in effect a temporary ninety (90) day moratorium of the current Sign Ordinance for the acceptance and processing of new applications from any person, corporation or entity, for all off-premises outdoor advertising signs¹ within the City of Long Beach, Mississippi.

SECTION 2: This moratorium provided by this Ordinance shall not affect or impact applications for any permits which are duly and properly filed as of the date of the adoption of this Ordinance, and such applications shall be subject to the terms, provisions, and conditions of the Sign Ordinance as it exists to this Ordinance.

SECTION 3: This Ordinance shall not affect the right of any person, corporation or entity to submit an application for permit of on-premises signs in accordance with the Sign Ordinance.

SECTION 4: Except as affected by the moratorium set forth herein, this Ordinance shall not be constructed to modify, amend, or supercede the Sign Ordinance with respect to off-

¹ For purposes of this Ordinance, the term “off-premises outdoor advertising signs” shall mean signs that advertise a service or product not located on the premises where the service or product is vended.

premises outdoor advertising signs, and no provision of this Ordinance shall constitute a wavier or repeal of any provisions of the Sign Ordinance.

SECTION 5: For orderly and compatible reconstruction and recovery of the City of Long Beach and for temporary preservation of the public peace and safety, this Ordinance shall be in full force and effect from and after its final adoption by the City Council and, shall be published in the usual manner, and shall remain in effect thereafter for a period of ninety (90) days and after the date of passage hereof, unless otherwise amended by the City Council.

The above and foregoing Ordinance having been introduced in writing and having been read and considered by the members of the Board of Aldermen section by section and then as a whole; Alderman Richard Burton made motion seconded by Alderman Richard Notter to adopt said Ordinance; and the question being put to a role call vote by the Mayor, the result as to each Section separately and as to the whole of said Ordinance was as follows:

Ward 1 Alderman Charles Boggs	voted Aye
Ward 2 Alderman Richard Notter	voted Aye
Ward 3 Alderman Richard Burton	voted Aye
Ward 4 Alderman Joseph McNary	voted Aye
Ward 5 Alderman Mark Lishen	voted Absent, Not Voting
Ward 6 Joseph McNary	voted Aye
At-Large Alderman Allen D. Holder, Jr.	voted Aye

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and said Ordinance Number 544 adopted and approved this the 21st day of August, 2007.

APPROVED:

WILLIAM SKELLIE, JR., MAYOR

ATTEST:

REBECCA E. SCHRUFF, CITY CLERK

C E R T I F I C A T E

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

CITY OF LONG BEACH

I, the undersigned, Rebecca E. Schruff, City Clerk within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of that certain Ordinance #544 of the City of Long Beach, Mississippi, adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on the 21st day of August, 2007, as the same appears of record in Ordinance Book #7, pages 278-281 inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 27th day of August, 2007.

(SEAL)

Rebecca E. Schruff, City Clerk