

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI TO ESTABLISH A CLEAN AND SAFE SCHOOL ZONE ORDINANCE. PREVENTING PROPERTIES AND PARCELS WITHIN A ONE MILE RADIOUS OF PUBLIC SCHOOLS FROM HAVING INSANITARY AND UNSIGHTLY CONDITIONS ON PREMISIS. INCREASING THE PENALTY AND FINE ON PROPERTIES AND PARCELS WITHIN A ONE MILE RADIOUS BEING DECLARED A MENANCE ACCORDING TO MS CODE 21-19-11 AND CITY ORDINANCE. PROVIDING EMERGENCY STATUS FOR THE CITY OF JACKSON TO ADDRESS SAID PROPERTIES AND CERTAIN INFRASTRUCTURE ISSUES OF RISK WITHIN ONE MILE RADIOUS OF JACKSON PUBLIC SCHOOLS.

WHEREAS, the City Council of Jackson, Mississppi is dedicated to preserving a safe and clean environment around its public schools; and

WHERAS, the City Council recognizes the need to ensure that there be the establishment of stricter penalties and fines for owners of parcels and properties within a one-mile radius of public schools, preventing insanitary and unsightly conditions; and

WHEREAS, the governing authorities of the City of Jackson ae in agreement that establishing emergency status to address insanitary and unsightly conditions dealing with properties, parcels and or infrastructure issues of risk to provide a conducive environment for children attending its public schools.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI, that there be established a Clean and Safe School Zone Ordinance enforcing and increasing the penalties and or fines to the violations of Sec. 66-41, 66-42, 66-43, and 66-44 within a one-mile radius of all Jackson Public Schools. Violations of this municipal code within a one-mile radius will be subject to the below defined violations:

VIOLATIONS

- **Unlawful acts.** It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.
- **Notice of Violation.** The Code Official shall serve a notice of violation or order in accordance with Section 66-44.
- **Prosecution of violation.** Any person failing to comply with a notice of violation or order served in accordance with Section 66-44, within a one-mile radius of a school shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall

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be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

- Violation penalties. Any person, individual, corporation, company, partnership, association or any other entity failing to comply with this code or any of the requirements thereof or otherwise violating this code or any of its provisions shall, after notice and a reasonable time to correct said violation(s), pay a fine not exceeding Two Thousand Dollars (\$1,000) or imprisonment not exceeding 90 days, or both, and each day thereafter that said violation(s) remain uncorrected shall constitute a separate offense punishable by a separate fine not exceeding Two Thousand Dollars (\$1,000) or imprisonment not exceeding 90 days, or both, pursuant to Sections 21-13-1 and 21-17-5, Mississippi Code of 1972, or other applicable statutes. For the purposes of this ordinance, the term "a reasonable time to correct" shall be the same as included in the correction order required under section 66-44 The City shall impose for said violation(s) all other penalties and have access to any other remedies available under the law to correct the conditions giving rise to the violation(s) of this code within a one-mile radius of public schools.
- Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

THEREFORE, BE IT ALSO ORDAINED BY THE CITY COUNIL OF THE CITY OF JACKSON, MISSISSIPPI, that within the Clean and Safe School Zone ordinance that emergency status be provided for the city of Jackson Public Works department to address infrastructure issues defined by the following: determined pot holes of risk and danger, water leaks from infrastructure causing health risk and standing water, obstructed sidewalks causing risk, uncovered wastewater manholes that may cause risk, un-treated and un-maintenance drainage and creeks that may cause risk.

Item #: _____

Date: July 31, 2018

By: Councilman Banks and Councilman Stamps