

**ARTICLE I. IN GENERAL**

**Secs. 23-1—23-15. Reserved.**

**ARTICLE II. CITY PLANNING COMMISSION\*****Sec. 23-16. Definition.**

For the purposes of this article, the word "commission" shall mean the city planning commission created by this article.

**Sec. 23-17. Created.**

There is hereby created a city planning commission in and for the city.  
(Ord. of 12-9-69)

**Sec. 23-18. Composition.**

The commission shall be composed of nine members.  
(Ord. of 12-9-69)

**Sec. 23-19. Ex officio members.**

The mayor and the city engineer shall be ex officio members of the commission.  
(Ord. of 12-9-69)

**Sec. 23-20. Qualifications.**

The appointed members of the commission shall be nominated and appointed solely with reference to their fitness and without reference to party affiliation.  
(Ord. of 12-9-69)

**Sec. 23-21. Appointment.**

The seven appointive members of the commission shall be appointed by the city council.  
(Ord. of 12-9-69)

**Sec. 23-22. Terms.**

The terms of the members initially appointed to the commission shall be three members for three years, two for two years and two for one year. All members appointed thereafter shall serve for terms of three years.  
(Ord. of 12-9-69)

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\*State law reference—Planning commissions, Miss. Code Ann. § 2890.5.

**Sec. 23-23. Compensation.**

Neither the appointed nor the ex officio members of the commission shall receive compensation for their service on the commission.

(Ord. of 12-9-69)

**Sec. 23-24. Removal of members.**

The city council may remove any member of the commission only for inefficiency, neglect of duty or malefaction in office.

(Ord. of 12-9-69)

**Sec. 23-25. Filling of vacancies.**

Vacancies occurring on the commission, other than through the expiration of terms, shall be filled only for the unexpired term by the city council.

(Ord. of 12-9-69)

**Sec. 23-26. Quorum.**

Five members of the commission shall constitute a quorum for the transaction of business; providing, however, that no action shall be taken which is binding upon the commission unless concurred in by not less than a majority of all members composing the commission.

(Ord. of 12-9-69)

**Sec. 23-27. Organization.**

The commission shall elect a chairman, a vice-chairman and a secretary and may create and fill such other offices as it may deem necessary. The term of the chairman, vice-chairman and secretary shall be one year with eligibility for reelection.

(Ord. of 9-5-67, § 3)

**Sec. 23-28. Meetings.**

The commission shall hold at least one regular meeting each month.

(Ord. of 12-9-69)

**Sec. 23-29. Rules.**

The commission shall adopt rules for the transaction of business.

(Ord. of 12-9-69)

**Sec. 23-30. Records.**

The commission shall keep a record of its regulations, transactions, findings and determinations, which record shall be a public record.

(Ord. of 12-9-69)

**Sec. 23-31. Power to employ staff.**

The commission shall have the power and authority to employ planners, engineers, attorneys, clerks and other help deemed necessary within the limits of the appropriation fixed by the city council. The salary and compensation of such employees shall be fixed by the city council, and paid out of the city treasury as are other officers and employees.

(Ord. of 9-5-67, § 4)

**Sec. 23-32. Expenses generally.**

The commission may incur necessary expenses within the limits of its appropriation to carry out its purposes and responsibilities.

(Ord. of 12-9-69)

**Sec. 23-33. Comprehensive plan—Authorized.**

The commission shall have the power and the duty to prepare and recommend to the city council for adoption a comprehensive plan for the physical development of the city. In conducting its work, the commission may consider and investigate any subject matter tending to the development and betterment of this city, including, but not limited to, a building code and a housing code, and may make recommendations as it may deem advisable concerning the adoption thereof to the city council.

(Ord. of 9-5-67, § 5)

**Sec. 23-34. Same—Preparation.**

In the preparation of the comprehensive plan, the commission may from time to time prepare and recommend to the city council for adoption a part or parts thereof, which parts shall cover one or more major geographical divisions of the city or one or more major elements of the comprehensive plan. The commission may from time to time recommend extending, amending or changing any portion of the comprehensive plan.

(Ord. of 9-5-67, § 5)

**Sec. 23-35. Same—Purposes.**

In the preparation of the comprehensive plan, the commission shall make careful and comprehensive surveys and studies of present conditions and future growth of the city and with due regard to its relation to neighboring territory. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provisions for traffic, the promotion of safety from fire and other dangers,

adequate provisions for light and air, the promotion of healthful and convenient distribution of population, the promotion of good civic design and arrangement, and wise and efficient expenditure of public funds.

(Ord. of 9-5-67, § 6)

**Sec. 23-36. Surveys, studies, etc.**

The commission may make or cause to be made surveys, studies, maps and plans in the conduct of its activities; provided, that the employment of professional engineering service to make such surveys, studies, maps and plans shall be recommended and referred by the commission to the mayor and city council for consideration and action.

(Ord. of 9-5-67, § 5)

**Sec. 23-37. Investigation on location, design of certain items.**

Before final action is taken by the city council on the location or design of any public building, statue, memorial, park, boulevard, street and alley, playground, public grounds, bridge, or change in any location of any street or alley, such question shall be submitted to the commission for investigation and report.

(Ord. of 9-5-67, § 5)

**Sec. 23-38. Subdivision of land.**

The commission may prepare and recommend to the city council for adoption rules and regulations governing the subdivision of land within the corporate limits of the city. All plans, plats or replats of land laid out in two or more lots, plats, or parcels, or streets, alleys, or other ways intended to be dedicated to public use within the city shall first be submitted to the commission for its recommendations. The commission shall, with the help of appropriate municipal officials, check the proposed dedications or subdivision of land to insure compliance with the rules and regulations governing subdivisions of land and with other elements of the comprehensive plan for the city. The disapproval of any such plan, plat or replat by the city council shall be deemed a refusal of the dedications shown thereon. No plat or replat of subdivision of land, or dedication of street or alley or other easement shall be entitled to record unless it bears the signature of the mayor, attested by the secretary-treasurer, certifying the approval and acceptance thereof by the city council.

(Ord. of 9-5-67, § 7)

**Cross reference**—Subdivision ordinance, app. B.

**Sec. 23-39. Zoning commission.**

The planning commission shall also act as the zoning commission which shall have the power to prepare and recommend to the city council for adoption a zoning plan to regulate and restrict the height, number of stories, and size of buildings and other structures, the

percentage of lot that may be occupied, the size of yards, courts and other open spaces, density of population, the location and use of buildings, structures, and land for trade, industry, residences and other purposes.

(Ord. of 9-5-67, § 8)

**Cross reference**—Zoning ordinance, app. B.

**Sec. 23-40. Uniformity of regulations.**

The commission may recommend the division of the municipality into districts of such number, size and area as may be deemed best suited to carry out the zoning plan. All such regulations shall be uniform for each class or kind of buildings throughout each district, but the regulations in one district may differ from those in other districts.

(Ord. of 9-5-67, § 9)

**Sec. 23-41. Purpose of regulations and matters considered.**

Zoning regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks, and other public requirements. Such regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the city.

(Ord. of 9-5-67, § 10)

**Secs. 23-42—23-60. Reserved.**

**ARTICLE III. HISTORIC PRESERVATION\***

**DIVISION 1. GENERALLY**

**Sec. 23-61. Statement of purpose.**

It is hereby declared as a matter of public policy that the protection, enhancement, and perpetuation of cultural, architectural, archaeological or historical merit is a public necessity

**\*Editor's note**—A nonamendatory ordinance of March 7, 1995, sections I—XXII, has been included herein as a new art. III, §§ 23-61—23-82 at the discretion of the editor. In order to accommodate the provisions of an ordinance of Sept. 3, 1996, which established the downtown historic district, art. III has been divided into div. 1 and div. 2 by the editor.