

**RESOLUTION AMENDING ORDINANCE 349 SECTION 409 TO ALLOW THE TEMPORARY  
CONDITIONAL USE OF RECREATIONAL VEHICLES DURING AN ACTIVE RESIDENTIAL  
BUILDING PERMIT**

**WHEREAS**, the Mayor and Board of Aldermen (the "Governing Body") of the City of Waveland, Mississippi (the "City") took up for consideration the matter of Amending Ordinance Number 349, Section 409 to allow the Temporary Conditional Use of Recreational Vehicles during an Active Residential Building Permit. After a discussion of the subject, Alderman Lafontaine offered and moved the adoption of the following Resolution:

**RESOLUTION FINDING AND DETERMINING THAT AN AMENDMENT TO ORDINANCE 349, ADDING SECTION SECTION 409.5 ALLOWING THE TEMPORARY CONDITIONAL USE OF RECREATIONAL VEHICLES DURING AN ACTIVE RESIDENTIAL BUILDING PERMIT IS IN THE BEST INTEREST OF THE CITY.**

**WHEREAS**, the Mayor and Board of Aldermen does hereby find, determine, adjudicate and declare as follows:

1. Ordinance 349 of the City of Waveland contains the provisions regarding the allowed use and restrictions for Temporary and Portable Buildings and Structures within the City.
2. Currently Ordinance 349 does not allow the use of a recreational vehicle during the construction of a residential home.
3. Pursuant to Miss. Code Ann. 21-13-1 *et seq*, a municipality is authorized to pass all ordinances and enforce the same.
4. It is the desire of the majority of the Board of Mayor and Aldermen of the City of Waveland that Ordinance 349, Section 409 be amended to allow the Temporary Conditional Use of Recreational Vehicles During an Active Residential Building Permit to encourage residential growth throughout the City.
5. A proposed Amendment to Ordinance 349, adding Section 409.5 was forwarded to the Planning and Zoning Commission by the Mayor and Board of Aldermen for review, comments, and recommendations.
6. As required by Ordinance 349, a notice of public hearing was published setting the time, place, and content regarding the Textual Amendment to Ordinance Number 349, Section 409 in a newspaper of general circulation in Hancock County, Mississippi 15 (fifteen) days prior to the public hearing at the April 27, 2015 Planning and Zoning Commission Meeting.
7. At said Planning and Zoning Meeting interested agencies and citizens were given an opportunity to be heard. No public objections were made by the public.
8. The Planning and Zoning Commission forwarded to the Mayor and Board of Aldermen its comments and recommendations.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF WAVELAND THAT ORDINANCE 349 SECTION 409 SHALL BE AMENDED TO READ AS FOLLOWS:**

309.5 A Temporary Conditional Use for a Recreational Vehicle may be applied for only in connection with the erection of a permanent residential dwelling when the following listed conditions have been met. Said conditional use may be permitted by the Board and Mayor of Aldermen, upon review and recommendation by the Planning and Zoning Commission with the procedures and under the conditions set forth in Article IX.

- A. Without a permit, it shall be unlawful for any person, firm, or corporation to dwell in a Recreational Vehicle as contemplated by Section 409.5 within the City of Waveland. The violation of any of the provisions of Section 409.5 shall be deemed a misdemeanor, with each day of the violation being considered a separate offense. A fine of up to one hundred dollars for each day may apply for each violation.
- B. Approval of the Temporary Conditional Use permit shall be for a period of time not to exceed 180 days. Before the expiration of the initial 180 day period, the applicant may make application to the Planning and Zoning Commission, for approval by the Mayor and Board of

- Aldermen, requesting an additional 180 days.
- C. Upon completion of the structure, use of the Recreational Vehicle must be in compliance with the regulations of the Zoning Ordinance and other applicable local, State, and Federal regulations.
  - D. Only one Recreational Vehicle, serial number to be provided, is allowed on the location for which a building permit is issued. Said Recreational Vehicle may not be rented and may only be occupied by the owner(s) of the property.
  - E. The applicant must provide sufficient evidence of the following conditions, in addition to the provisions listed in Section 906.3, with the submission of the Temporary Conditional Use application:
    1. Issuance of a valid and current building permit for a residential structure;
    2. Verification of a completed and inspected foundation on the property;
    3. Submittal of an Evacuation Plan for the Recreational Vehicle in the instance that a named storm enters the Gulf of Mexico and/or a voluntary or mandatory evacuation is ordered for the area;
    4. A copy of the title and proof of insurance on the Recreational Vehicle;
    5. Proof that the Recreational Vehicle is able to be transported over the streets and highways and has the appropriate state and local licenses;
    6. Proof of quick disconnect to City utilities;
    7. There must not be any structural additions to the Recreational Vehicle;
    8. Recreational Vehicles and the subject properties must be in compliance with and are restricted by the requirements and standards of the Flood Damage Prevention Ordinance.
  - F. The above stipulations and conditions are not intended to be all inclusive, and each application may have additional stipulations and conditions as the health, safety, and welfare of the City require.
  - G. At any time the Planning or Zoning Officer or Building Official deems that the conditions and stipulations attached to the Temporary Conditional Use permit are not met, the Temporary Conditional Use permit will be deemed withdrawn without further action and appropriate enforcement measures will be taken.
  - H. A final permit fee for the placement of a temporary construction recreational vehicle of One Hundred dollars is required.

**THE ABOVE AND FOREGOING RESOLUTION AND ORDINANCE AMENDMENT**, having first been reduced to writing, was submitted to the Mayor and Board of Aldermen, and having been adopted by the following vote:

Alderman Burke seconded the motion to adopt the foregoing Resolution and Ordinance Amendment, and the question being put to a roll call vote, the result was as follows:

Alderman Jeremy Burke	voted: <u>Yea</u>
Alderman Bobby Richardson	voted: <u>Yea</u>
Alderman Shane Lafontaine	voted: <u>Yea</u>
Alderman Charles Piazza	voted: <u>Yea</u>

The motion having received the affirmative vote of the majority of the members present, the Mayor declared the motion carried and the Resolution and the Ordinance Amendment adopted on this the 5th day of May 2015. Ordinance shall become effective 30 days from May 5, 2015.