

ORDINANCE NO. 382

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CRYSTAL SPRINGS, MISSISSIPPI AMENDING ORDINANCE NO. 324 (AS AMENDED) TO AMEND THE FOLLOWING RULES AND REGULATIONS: METAL BUILDINGS OR BUILDINGS WITH METAL SIDING VISIBLE FROM THE FRONT STREET LOCATION WILL BE PROHIBITED IN COMMERCIAL DISTRICTS; RESTRICT AND REGULATE FENCES, WALKS AND HEDGES IN RESIDENTIAL DISTRICTS; ENACT DESIGN GUIDELINES, REGULATIONS AND PERMITTING FOR ALL STRUCTURES IN THE DOWNTOWN HISTORIC DISTRICT OVERLAY DISTRICT; ENACT AND AMEND SIGN REGULATIONS IN THE DOWNTOWN HISTORIC DISTRICT OVERLAY DISTRICT; AND ENACT GUIDELINES AND REGULATIONS GOVERNING THE CONDITION OF BUILDINGS, ACCESSORY BUILDINGS, LOTS, CARPORTS, GARAGES IN ALL DISTRICTS

On petition of the City of Crystal Springs and after notice, and public hearing all in a time and according to law, the Mayor and Board of Aldermen of the City of Crystal Springs, find and adjudicate affirmatively that it is in the best interest of the citizens of the City of Crystal Springs, Mississippi, and that the public need, convenience, and necessity will be best served, that the City of Crystal Springs, Mississippi, zoning ordinance No. 324 be amended as set forth in this Ordinance.

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CRYSTAL SPRINGS, MISSISSIPPI, AS FOLLOWS:

All references to section numbers shall mean sections in City Ordinance Number 324 as amended.

SECTION I: Section 408.02 is amended in its entirety. Section 408.02 shall read as follows:

Section 408.02: Fences, Walls & Hedges

Section 408.02: Fences, walls and hedges or other densely planted vegetation shall be permitted in any required or side yard. Upon the effective date of the Ordinance, the erection of fences or walls or hedges in the front yard is permitted in Residentially Zoned areas only and must be no more, nor grow to a height of more than four (4) feet. Exception...the side street on a corner lot may have a fence no more than six (6) feet in height. No chain link fences are allowed in any front yard, or side yard of a corner lot, of any residential district. Materials for fences in the front yard of residential districts shall be approved by the Zoning Administrator prior to any permits being issued.

The erection of fences or walls and the planting of dense vegetation (hedges, etc) in front yards in such a manner to impede the vision of motor vehicle operators entering a public street shall be prohibited. No fences, walls or vegetation shall encroach on the street right-of-way.

All fences that are parallel to and/or face the street and are constructed completely or partially of wood, shall have the smooth side of the fence facing toward the street with the supports on the side not observable from the street.

SECTION II: Section 408 is amended to add Section 408.10 requirements. All other provisions of Section 408 not in conflict shall remain in full force and effect.

Section 408.10: Metal Buildings in Commercial Zones

In restricted commercial district (C1); general commercial district (C-2); major thoroughfare commercial district (C-3); and adult entertainment commercial district (C-4), no metal building or buildings with metal siding shall be visible from a street on which the commercial area fronts unless such structure is approved by the Mayor & Board of Aldermen.

SECTION III: Section 408 is amended to add Section 408.11 requirements. Other provisions of Section 408 not in conflict shall remain in full force and effect.

Section 408.11: Condition of Buildings, Accessory Structures on Property

The existence of any of the following conditions on buildings, accessory structures or property where same has an adverse impact on safety, health, environment, aesthetics, or property values of properties in the near vicinity as a result of being visible from outside the property, is declared to be a nuisance.

1. Broken Windows
2. Window shutters that are damaged or not secured properly
3. Rain gutters and down spouts that are rusted, sagging or improperly fastened
4. A roof with missing or deteriorated roofing materials such that repair or replacement is required
5. Any garage door that is inoperable, broken, sagging, lacking paint or missing visible parts or materials
6. Any driveway that is deteriorated, crumbling, weed-infested or lacks adequate covering of asphalt, brick, or concrete, stone, gravel or is missing portions thereof
7. Exterior light fixtures in need of repair, or replacement
8. Exterior light fixtures that shine directly toward adjacent property (with exception of front entrance general illumination lights)
9. Exterior walls that have exposed, rotten, or deteriorated materials
10. Screens on doors or windows that are torn or in need of repair or replacement
11. Stairs or railings affixed to the exterior of buildings that are in need of repair or replacement
12. Excessive scaling, peeling or flaking paint
13. Excessive mildew or mold
14. Property damaged or destroyed by fire or acts of nature that has not been demolished or repairs that do not begin within three months and continued uninterrupted until renovation is completed. Also, debris or refuse resulting from fires or acts of nature

- remaining on property for three months
15. Torn or ripped window awnings
 16. Inadequately secured antennas
 17. Damages, rotted or decayed mailboxes or mailbox posts
 18. Graffiti
 19. Construction projects that are on-going for more than twelve months (Exception: Construction projects with a valid building permit may request a time extension due to extenuating circumstances, such as natural disasters).
 20. Scattered building or repair material or maintenance material or equipment on a premises that is not to be used on the premises
 21. Storage of construction, repair or maintenance material or equipment on a premises that is not to be used on the premises
 22. Construction debris and refuse remaining on property for thirty days
 23. Lumber or construction materials (excluding materials for a construction project on the property with a current valid permit), salvage items (junk), including but not limited to auto parts, scrap metals, tires and the like stored on property in excess of seventy-two hours
 24. Missing finishes on exterior walls and chimneys
 25. Windows, doors or building exteriors covered with but not limited to aluminum foil, cardboard, plywood, or plastic, except during construction or pending permanent repairs
 26. Lawn areas that are not properly planted and maintained to prevent erosion, excessive dust, or the accumulation of water and mud.
 27. Building or repair material and building, maintenance, or repair equipment stored for thirty days
 28. Piles of dirt, sand, gravel, rock, mulch in excess of fourteen (14) days
 29. Scattered or rotten firewood
 30. Wheel barrows, lawnmowers, or garden and lawn materials and equipment if visible from the street in excess of a twenty-four hour period
 31. Erosion caused by lack of ground cover, resulting in dirt accumulation on sidewalks, streets, or adjacent properties
 32. Discarded garbage, rubbish, refuse or recyclable items that have not been collected within seven days of being deposited on the property and that remain thereon
 33. Oil, grease, paint, other petroleum products, hazardous materials, volatile chemicals, pesticides, herbicides, fungicides or waste (solid, liquid, or gaseous) that is determined to constitute a fire or environmental hazard or to be detrimental to human life, health, or safety
 34. Swimming pools that are not properly maintained and that constitute an adverse impact on safety, health, environment, aesthetics or property values of properties in the near vicinity in the opinion of the Director of Community Development
 35. The above listed items are not intended to be all inclusive.

Garage or Carports

Garages used for the accumulation or storage of personal property that are unsightly and

when viewed from outside the property, shall be kept closed except during ingress and egress.

Materials, equipment or other items of personal property shall not be stored inside a carport to the extent that such storage prevents the use of an open carport for the parking of the number of motor vehicles for which the carport is designed to hold.

No rubbish, salvage materials, junk or hazardous waste materials, including inoperable vehicles and parts and any combustible matter, shall be openly stored, allowed to accumulate or kept in the open, and no weeds or other growth shall be allowed to go uncut within any district when the same shall be determined by the appropriate official, or health official to constitute a menace to public health and/or safety.

Items such as, but not limited to, washers, dryers, refrigerators, ovens, freezers, lawn mowers, string trimmers, edgers, tillers, rakes, shovels, mattresses, box springs, couches, sofas, recliners, ice chests, boxes, crates, storage bins, storage tubs, file cabinets, grills, kennels, barrels, drums, shall not be stored on a porch, breezeway, or balcony, if the porch, breezeway, or balcony is visible from the street.

Owner's Responsibilities: Property owners shall be responsible for the maintenance of the owner's property and premises in a manner consistent with the provisions of this Ordinance; provided, however that an owner may require by written agreement that a tenant, lessee, or occupant of the owners property maintain same in accordance with this Ordinance but failure of such tenant, lessee, or occupant to so maintain the owner's property shall not relieve the owner of the owner's responsibilities hereunder.

SECTION IV: Section 1300 is amended to add Section 1306 requirements. All other provisions of Section 1300 not in conflict shall remain in full force and effect.

Section 1306: Design Guidelines for the Downtown Historic Sub District

All exterior alterations to any buildings, structure, object, site or landscape feature in the district shall be compatible with the resource itself and other resources with which it is related. Also, any exterior renovation shall not affect the architectural character or historical quality of any landmark and shall not destroy the significance of landmark sites.

Purpose for Design Guidelines

1. To preserve the value of existing buildings & structures
2. To prevent excessive dissimilarity & inappropriateness or poor quality of design in the exterior appearances of the structures.
3. To prohibit unsightly & unsuitable structures that would be out of harmony or incongruent with the existing visual features within the district.

4. To prevent harm & damage to the district which will result from the absence of such review & manifest itself by: (a) lower property values; (b) decreased economic growth; (c) diminished future opportunities for land use & development

Any exterior renovations in the downtown historic sub district must be submitted to the zoning administrator & approved prior to any permit(s) issued. If any party is aggrieved by the decision of the zoning administrator, appeals may be made directly to the Mayor & Board of Aldermen through the Zoning Administrator.

SECTION V: Section 2313 is amended in its entirety. This section is specific to the Downtown Historic District and may be in conflict with general sign regulations. The provisions of Section 2313 shall control in the event of a conflict. Section 2313 shall read as follows:

Section 2313: Sign Regulations for the Downtown Historic District

The following regulations shall apply to signs in the Downtown Historic District:

2313.01 Allowable Signs:

- A. Ground-mounted Signs.
- B. Wall Signs.
- C. Canopy signs or marquee signs.
- D. All temporary signs as regulated by Sections 2316, 2317 and 2318.

2313.02 Maximum Area and Height:

- A. Maximum height for all ground-mounted signs: No ground-mounted signs shall exceed a height of six (6) feet above the surrounding grade in the Downtown Historic District.
- B. Maximum area for ground-mounted, Wall, canopy, or marquee signs: the maximum aggregate square footage for ground-mounted, wall, canopy, or marquee signs shall be one-half (½) square foot for each lineal foot of building frontage length, with "building frontage" including each side of a building which fronts on a public street. However, ground-mounted signs shall not exceed an area of 20 square feet per face per street frontage, and in no case shall the total aggregate square footage for all signs exceed 40 square feet.

2313.03 Design review for new signs:

All new signs shall meet the requirements of this Ordinance, and the proposed design shall be submitted to the Zoning Administrator for review. Prior to the issuance of a permit for a new sign, the design of any sign shall be subject to the review and approval of the Zoning Administrator

or his/her designated representative. If any party is aggrieved by the decision of the Zoning Administrator, appeals may be made directly to the Mayor & Board of Aldermen through the Zoning Administrator.

Materials & colors of proposed new signs must be approved prior to the issuance of permits. Sign materials & color renderings must be submitted to the Zoning Administrator along with dimensions. Materials & colors of signs must conform with facade of the structure and must not be contradictory in any fashion to the facade. If any party is aggrieved by the decision of the Zoning Administrator, appeals may be made directly to the Mayor & Board of Aldermen through the Zoning Administrator.

Illumination of signs in the Historic District: signs in the Historic District shall be externally illuminated as defined by this Ordinance. However, except for automatic changeable copy signs, no sign face shall be illuminated by means of exposed lighting on the sign face, such as neon tubing or light bulbs arranged to form copy.

This Ordinance was first reduced to writing and considered, with reading of the ordinance having been waived.

The final passage of this Ordinance was taken at the regular meeting of the Mayor & Board of Aldermen held this the 3rd day of December, 2013. The vote taken by Yeas and Nays was as follows:

Alderman _____ moved the adoption of the ordinance in its entirety, which motion as seconded by Alderman _____. The motion to adopt was passed by roll call vote as follows:

Alderman Thornton	Voted:
Alderman Brown	Voted:
Alderman Singleton	Voted:
Alderman Powell	Voted:
Alderman Webb	Voted:

The Mayor then declared the ordinance adopted this the 3rd day of December, 2013.

ATTEST:

SALLY GARLAND, MAYOR

Kimberly Vaughn, City Clerk