

PASCAGOULA CITY COUNCIL
Special Call Meeting - Tuesday, May 11, 2021 at 5:30 p.m.

1. **WELCOME AND CALL TO ORDER:**

Mayor Steve Demetropoulos

2. **INVOCATION:**

Councilman Willie Jones

3. **PLEDGE OF ALLEGIANCE:**

Councilman Matt Parker

4. **Ordinance Regarding Metal Structures and Accessory Structures**

Submitted By Michael Moore

Documents:

[ORDINANCE REGARDING METAL STRUCTURES AND ACCESSORY
STRUCTURES.PDF](#)

5. **EXECUTIVE SESSION:**

Personnel and Potential Litigation

6. **ADJOURN:**

**ORDINANCE NO.
CITY OF PASCAGOULA, MISSISSIPPI**

**AN ORDINANCE INSTITUTING A MORATORIUM ON THE CONSTRUCTION OF
CERTAIN METAL STRUCTURES; TO PROVIDE FOR ITS IMMEDIATE
EFFECTIVENESS; AND FOR RELATED PURPOSES.**

WHEREAS, the City of Pascagoula has received multiple building permit applications for the construction of metal structures throughout the City and anticipates receiving additional permit applications in the future; and

WHEREAS, the construction of metal structures, for both commercial and residential purposes, is largely unregulated by the City's existing ordinances; and

WHEREAS, the largely unregulated construction of metal structures, in both commercial and residential areas, may negatively impact the character and quality of the areas in which these structures are constructed; and

WHEREAS, Mississippi Code Sections 21-17-5 and 21-13-1 provide that the City Council possesses the authority to adopt ordinances with respect to property located within the City; and

WHEREAS, Mississippi Code Sections 21-13-3 and 21-13-11 provide that the City Council possesses the authority to adopt ordinances for the immediate and temporary preservation of the public peace, health or safety or for other good cause; and

WHEREAS, the Office of the Mississippi Attorney General has opined that a municipality may adopt an immediately and temporarily effective ordinance instituting a moratorium related to zoning issues (see Opinion No. 2008-00006); and

WHEREAS, it is necessary that an ordinance be adopted placing an immediate and temporary moratorium on the construction of certain metal structures because it is anticipated that permit applications for such structures will be received in the near future and the City presently lacks the regulations necessary to address the construction of such structures; and

WHEREAS, imposing a moratorium on the construction of certain metal structures for a period of ninety (90) days will allow sufficient time for the City to investigate, research, and develop an appropriate regulatory framework for the construction of certain metal structures; and

WHEREAS, instituting the moratorium set forth herein will improve compatibility among uses and will ensure efficient development within the City, will result in a logical and orderly development pattern, and is necessitated by a demonstrated community need to achieve the objectives and policies stated herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASCAGOULA AS FOLLOWS:

SECTION 1. The City Council hereby adopts the foregoing recitals as its findings.

SECTION 2. The City Council hereby institutes a moratorium on the construction of metal structures meeting all the following elements:

- (i) Metal structures located in any of the City's zoning districts, except for the Industrial Districts (LI, HI, and P), as currently regulated;
- (ii) Metal structures with a floor area of 500 square feet or larger; and
- (iii) Metal structures for which a building permit application has not been received by the City as of the effective date and time of this Ordinance.

Building permit applications will not be accepted for the construction of any metal structure that meets all the foregoing elements until the expiration of the moratorium established herein, at which time such applications shall be subject to new ordinances and regulations adopted by the City Council, if any.

SECTION 3. Measured from its effective date and time, the moratorium established herein shall extend for one-hundred-twenty (120) days or until the adoption by the City Council of

ordinances addressing the development and construction of metal structures, whichever occurs first.

SECTION 4. This ordinance shall not be codified.

SECTION 5. For the reasons set forth in the recitals hereto, this ordinance shall become effective immediately upon its adoption, or as otherwise allowed by law.

The above Ordinance was introduced in writing by Mayor Demetropoulos, seconded for adoption by Councilman _____, and received the following vote: Mayor Demetropoulos voted “___”, Councilman ___ voted “___”, Councilman ___ voted “___”, Councilman ___ voted “___”, Councilman ___ “___”, Councilman ___ voted “___”, and Councilman ___ voted “___”.

Passed this the ___ day of _____ 2021.

APPROVED:

/s/
Steve Demetropoulos, Mayor

/s/
Karen Kennedy, City Clerk