

ORDINANCE NO. __-____
CITY OF PASCAGOULA, MISSISSIPPI

**AN ORDINANCE OF THE CITY OF PASCAGOULA, MISSISSIPPI AMENDING
CHAPTER 58, ARTICLE III, OF THE CODE OF ORDINANCES REGARDING THE
USE AND OPERATION OF THE CITY OF PASCAGOULA’S PARKS**

WHEREAS, Chapter 58, Article III, of the Pascagoula Code of Ordinances regulates the use and operation of the City of Pascagoula’s parks; and

WHEREAS, certain revisions to Chapter 58, Article III, are needed to provide for the safe and efficient use of the City of Pascagoula’s parks; and

WHEREAS, Mississippi Code Section 21-37-3 grants municipalities full jurisdiction in the matter of parks and the right to maintain the same; and

WHEREAS, the unregulated mass distribution of food in the City’s parks results in litter and raises health and safety concerns relating to the origin of the distributed food; and

WHEREAS, the charitable provision of food at the City’s parks is largely unregulated and oversight is required to ensure that such events, and the food itself, are safe; and

WHEREAS, the City Council for the City of Pascagoula hereby amends Chapter 58, Article III, as set forth herein.

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

SECTION 1. Chapter 58, Article III is hereby amended to include the following sections:

Sec. 58-64. – Food distribution in parks.

- (a) Definitions. As used in this Section, the following words and phrases shall have the meanings set forth below:

- i. *Charitable food services* means providing food without charge, payment or other compensation to benefit those in need at a public outdoor location not owned, leased or controlled by the individual or organization providing the food.
 - ii. *Food service event* means each instance in which charitable food services are provided to more than five individuals.
- (b) It shall be unlawful for any organization or individual to sponsor or conduct a food service event at any City park without obtaining the prior written consent of the City. Such consent shall be sought by submitting a request to the Parks and Recreation Department on its request form for utilization of the City’s pavilions. Any food service event at a City park must be conducted at a pavilion.
- (c) The City shall not approve a request to conduct a food service event at a City park unless the organization or individual sponsoring or conducting the food service event first demonstrates, to a degree deemed satisfactory in the City Manager’s discretion, that the food to be provided at the food services event was prepared in a facility possessing a valid food permit issued by the Mississippi State Department of Health.
- (d) Any organization or group sponsoring or conducting a food services event at a City park must comply the regulations of the Parks and Recreation Department, as the same are modified from time to time.
- (e) Any organization or group sponsoring or conducting a food services event at a City park shall be responsible for the conduct of the attendees at said event. Any organization or group sponsoring or conducting a food services event at a City park shall be responsible for removing all trash and debris related to said event from the Park following the event.

SECTION 2. The amendments to this Chapter shall become effective as provided by law.

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

Passed this the ___ day of _____ 2021.

APPROVED:

/s/
Jay Willis, Mayor

/s/

Karen Kennedy, City Clerk