

ORDINANCE NO. __-____
CITY OF PASCAGOULA, MISSISSIPPI

**AN ORDINANCE OF THE CITY OF PASCAGOULA, MISSISSIPPI AMENDING
CHAPTER 14, ARTICLE II AND CHAPTER 86, ARTICLE II OF THE
CODE OF ORDINANCES REGARDING WAIVER OF FEES AND
CHARGES TO INCENTIVIZE COMMERCIAL AND MIXED-USE
DEVELOPMENT AND FOR RELATED PURPOSES**

WHEREAS, Chapter 14, Article II, of the City of Pascagoula's Code of Ordinances establishes fees for building/development permits and related permits; and

WHEREAS, Chapter 86, Article II, of the City of Pascagoula's Code of Ordinances establishes fees for utility service and connection charges; and

WHEREAS, certain revisions to these Ordinances are needed to incentivize commercial and mixed-use developments in the City of Pascagoula; and

WHEREAS, granting waivers of certain fees and charges in certain circumstances will encourage and promote development in the City of Pascagoula; and

WHEREAS, the City Council for the City of Pascagoula hereby amends Chapter 14, Article II, and Chapter 86, Article II, as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF PASCAGOULA AS FOLLOWS:¹**

SECTION 1. Chapter 14, Article II, Section 14-48 is hereby amended as follows:

(a) The following definitions shall apply to this section:

- *Fees.* The term "fees" shall mean the fees for issuing permits as set forth in section 14-42 of the Code.
- *New dwelling construction.* The exemptions hereinafter set forth shall apply ~~only~~ to new dwelling construction on vacant or unimproved lots with the same being

¹ Deletions of text are marked with strikethrough; additions of text are underlined.

single family dwellings to be owner occupied. The value of the structure shall not be less than \$150,000.00. The exemptions herein granted shall not apply to the remodeling of, or additions to, existing residential structures.

- Commercial and mixed-use (combination of commercial/business and residential) construction. The exemptions hereinafter set forth shall apply to new or redeveloped commercial or mixed-use construction. The value of the structure or development shall not be less than \$5,000,000.00.

(b) There is hereby granted an exemption from the fees as defined hereinabove for all (i) new owner occupied single-family dwellings and (ii) new or redeveloped commercial or mixed-use construction, commencing with the issuance of any permits therefor from and after January 1, 2012, and prior to midnight ~~December 31, 2012~~ June 30, 2025.

(c) For new owner-occupied single-family dwellings, the exemptions granted herein shall not exceed the sum of \$5,000.00, which sum shall be calculated based upon all exemptions granted hereunder and any other exemptions granted pursuant to any other law adopted by the city council. For new or redeveloped commercial or mixed-use construction, the exemptions granted herein shall not exceed the sum of \$250,000.00, which sum shall be calculated based upon all exemptions granted hereunder and any other exemptions granted pursuant to any other law adopted by the city council.

(d) The exemptions granted hereunder shall be forfeited upon the happening of any one of the following events:

- (1) The applicant for the exemption fails to begin actual construction ~~of the dwelling~~

within 90 days after the granting of a building permit, after which the permit may be revoked.

- (2) The applicant for the exemption fails to complete construction ~~of the dwelling~~ within 24 months after the building permit is granted, after which the permit may be revoked.

SECTION 2. Chapter 86, Article II, Section 86-52 is hereby amended as follows:

(a) The following definitions shall apply to this section:

- *Fees.* The term "fees" shall mean the service and connection charges set forth in Section 86- 46 of the Code, and the service and connection charges set forth in Section 86- 49 of the Code. The term fee shall not include deposits for the connection of utility services.
- *New dwelling construction.* The exemptions hereinafter set forth shall apply to new dwelling construction on vacant or unimproved lots with the same being single family dwellings to be owner occupied. The value of the structure shall not be less than \$150,000.00. The exemptions herein granted shall not apply to the remodeling of, or additions to, existing structures.
- *Mixed-use (combination of commercial/business and residential) projects.* The exemption shall also apply to mixed-use projects construction. For mixed-use construction located within the Pascagoula Redevelopment Authority's Commercial Development Incentive Program Area, the value of the construction cost shall not be less than \$150,000.00. For mixed-used construction located outside of the Pascagoula Redevelopment Authority's Commercial Development Incentive Program Area, the value of the construction cost shall not be less than \$5,000,000.00. The exemptions

herein granted for mixed-use projects shall apply to the remodeling of, or additions to, existing structures and new construction ~~within the Pascagoula Redevelopment Authority's Commercial Development Incentive Program Area.~~

- Commercial projects. The exemption shall also apply to commercial construction. The value of the structure or development shall not be less than \$5,000,000.00. The exemptions herein granted for commercial projects shall apply to the remodeling of, or additions to, existing structures and new construction.

(b) There is hereby granted an exemption from the fees as defined hereinabove for all (i) new owner occupied single family dwellings, ~~and (ii) mixed-use projects located within the Pascagoula Redevelopment Authority's Commercial Development Incentive Program Area,~~ and (iii) commercial projects, commencing with the issuance of any permits therefor from and after January 1, 2019, and prior to midnight June 30, 2021 June 30, 2025.

(c) The exemptions granted herein shall not exceed the sum of (i) \$5,000.00 for all new owner occupied single family dwellings or (ii) ~~\$2,000 per residential dwelling unit for all mixed-used projects located within the Pascagoula Redevelopment Authority's Commercial Development Incentive Program Area~~ \$250,000.00 for all mixed-use and commercial projects. The sums of such exemptions shall be calculated based upon all exemptions granted hereunder and any other exemptions granted pursuant to any other law adopted by the City Council.

SECTION 3. This ordinance 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