

# Zoning Ordinance

## Sardis, Mississippi

Adopted by the Mayor and Board of Aldermen

February 4, 2020

Prepared by:



# Contents

<b>ARTICLE I. ZONING DISTRICTS AND MAP .....</b>	<b>2</b>
101. Zoning Districts.....	2
102. Map .....	2
103. District Boundaries .....	2
104. Annexation.....	2
<b>ARTICLE II. GENERAL PROVISIONS.....</b>	<b>3</b>
201. Required Conformance .....	3
202. Nonconforming Uses.....	3
203. Accessory Buildings.....	4
204. Pending Applications for Building Permits .....	4
205. Prohibited Uses .....	5
206. Street Frontage Required .....	5
207. Corner Lots .....	5
208. Visibility at Intersections.....	5
209. Off-Street Parking.....	5
210. Manufactured Home Parks .....	7
211. Travel Trailer Parking Area.....	10
212. Planned Unit Development.....	11
213. Uses Permitted by Temporary Permit in All Districts.....	12
<b>ARTICLE III. DISTRICT REGULATIONS.....</b>	<b>13</b>
301. A Agricultural District .....	13
302. R-1 Single-Family Residential District.....	13
303. R-2 Two-Family Residential District.....	13
304. R-3 Multi-Family Residential District.....	14
305. C-1 Shopping Center District.....	14
306. C-2 Highway Commercial District.....	15
307. C-3 Central Business District.....	15
308. I Industrial District.....	16
309. Area, Setback, and Height Requirements.....	16
310. Chart of Uses .....	18
<b>ARTICLE IV. ENFORCEMENT AND ADMINISTRATION .....</b>	<b>23</b>
401. Interpretation and Conflict.....	23
402. Administration and Enforcement by Zoning Administrator .....	23
403. Filing Plans for Building Permits .....	23
404. Conditional Use Procedure.....	24
405. Variance Procedure .....	27
406. Appeals Procedure.....	29
407. Amendment (Rezoning) Procedure.....	30
408. Public Notice Procedure.....	32
409. Schedule of Fees, Charges, and Expenses.....	35
<b>ARTICLE V. DEFINITIONS .....</b>	<b>36</b>
501. Definitions.....	36
<b>ARTICLE VI. MISCELLANEOUS.....</b>	<b>45</b>
601. Penalty for Violation .....	45
602. Separability Clause .....	45
603. Repeal of Conflicting Ordinances .....	45
604. Effective Date.....	45

## ARTICLE I. ZONING DISTRICTS AND MAP

### 101. Zoning Districts

101.01 In order to classify, regulate, and restrict the use and location of buildings designed for specified uses, to regulate and limit the heights and bulk of buildings, to regulate and determine the area of yards, courts, and other open spaces surrounding buildings, and to regulate and limit the density of population, the City of Sardis, Mississippi, is divided into eight (8) zoning districts. The use and area regulations are uniform in each district and said districts shall be known as:

- A Agricultural District
- R-1 Single-Family Residential District
- R-2 Two-Family Residential District
- R-3 Multi-Family Residential District
- C-1 Shopping Center District
- C-2 Highway Commercial District
- C-3 Central Business District
- I Industrial District

### 102. Map

102.01 The boundaries of these districts are hereby established as shown on the Official Zoning Map of the City of Sardis, Mississippi. Said Zoning Map and all notations and references and other matters shown thereon shall be and are hereby made a part of this Ordinance. Said Zoning Map shall be and remain on file in the City Clerk's Office.

### 103. District Boundaries

103.01 Except where referenced and noted on the Zoning Map by a designated line and/or dimensions, the district boundary lines are intended to follow property lines, lot lines, or centerlines of streets, alleys, streams, or railroads or the extension of such lines as they existed at the time of the passage of this Ordinance.

103.02 The Zoning Administrator shall interpret the boundary lines which are on the Zoning Map. When the Zoning Administrator's interpretation is disputed, the boundary lines shall be determined by the Mayor and Board of Aldermen.

### 104. Annexation

104.01 Any territory which may hereafter be annexed shall maintain the zoning classification assigned by the county prior to the annexation. The land shall be rezoned according to the City of Sardis zoning regulations at a public hearing at a time designated by the Mayor and Board of Aldermen. In the event territory is without a zoning classification at the time of annexation, then such annexed territory shall remain unzoned until otherwise classified by the City.

## ARTICLE II. GENERAL PROVISIONS

### 201. Required Conformance

201.01 Except as hereinafter specifically provided:

201.01-1 No land shall be used except for a purpose permitted in the district in which it is located.

201.01-2 No building shall be erected, converted, enlarged, reconstructed, moved or structurally altered, nor shall any building be used, except for a use permitted in the district in which such building is located.

201.01-3 No building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit herein established for the district in which such building is located.

201.01-4 No building shall be erected, converted, enlarged, reconstructed, moved or structurally altered, nor shall any building be used, except in conformity with the area regulations of the district in which such building is located.

201.01-5 No building shall be erected, enlarged, moved or structurally altered except in conformity with the off-street parking and loading regulations of this Ordinance.

201.01-6 The minimum yards, frontage, parking spaces, and open spaces, including minimum lot area, required by this Ordinance for each and every building existing at the time of the passage of this Ordinance or for any building hereafter erected or structurally altered shall not be encroached upon or be considered as part of the yards, frontage, parking spaces, or open spaces required for any other buildings.

201.01-7 No building shall be constructed, enlarged, reconstructed, or materially altered without first obtaining a building permit, and no building permit shall be issued unless within strict conformance with the provisions of this Ordinance.

### 202. Nonconforming Uses

202.01 Any lawful use existing at the time of the effective date of this Ordinance except as hereinafter specified may be continued even though such use does not conform to the provisions of this Ordinance.

202.01-1 A nonconforming use of a building may be changed to another nonconforming use only if granted a conditional use permit by the Mayor and Board of Aldermen.

202.01-2 The Board may permit substitutions of a new nonconforming use in place of an existing nonconforming use, provided that the Board determines that any change of use will be less detrimental to the neighborhood than the existing use.

202.02 A nonconforming use of a building or premises which has been abandoned shall not thereafter be returned to a nonconforming use. A nonconforming use shall be considered abandoned whenever anyone of the following conditions exists:

202.02-1 When the use has been discontinued for a period of six (6) months, except for reasons beyond the owner's control, or when the nonconforming use has been replaced by a conforming use, or when it has been changed to another permitted or conditionally permitted use by permit from the Mayor and Board of Aldermen.

202.03 Except as hereinafter specifically provided, no nonconforming use, except when required to do so by law or ordinance, shall be enlarged, extended, reconstructed, or structurally altered.

202.03-1 Repairs and maintenance work as required to keep it in sound condition may be made to a nonconforming building or structure.

202.03-2 No nonconforming building or structure shall be moved in whole or in part to any other location unless such building or structure and the yard and other open spaces provided are made to conform to all of the regulations of the district in which such building or structure is to be located.

202.03-3 The reconstruction of a nonconforming use which has been damaged by fire, explosion, or act of God to the extent that the repairs exceed sixty percent (60%) of its value, is not allowed.

202.03-4 Any owner-occupied residential structure which is nonconforming due to the fact of its being in a commercial district or industrial district may be enlarged, extended, reconstructed or structurally altered providing it meets with the yard, setback and area requirements of the R-3 Multi-Family Residential District.

202.03-5 All existing lots of record which at the time of adoption or amendment of this Ordinance become nonconforming lots in regard to lot area or width, and which are not of continuous frontage with other lots under the same ownership, may be used for any permitted use in the district which they are located . The owner of such a lot shall apply to the Mayor and Board of Aldermen for a variance to the district regulations, and every effort shall be made by him to comply with the district regulations. Such variance to the district regulations shall not allow any use of the property other than permitted uses within that district. If two (2) or more lots or combinations of lots or portions of lots with continuous frontage and under single ownership are of record at the time of adoption or amendment of this Ordinance, and if all or part of the lots do not meet the requirements established for lot area or lot width, the lands involved shall be considered to be an undivided parcel for the purposes of this Ordinance. No portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width or lot area requirements established by this Ordinance, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this Ordinance.

### 203. Accessory Buildings

203.01 Accessory buildings shall be subject to the following requirements:

203.01-1 No accessory building shall be erected in any required yard, except a rear yard, and no separate accessory building shall be erected within five (5) feet of any other building, or within five (5) feet of a property line.

203.01-2 In case of an accessory building where the vehicular entrance is on an alley, said accessory building shall be located no closer than five (5) feet from the alley.

### 204. Pending Applications for Building Permits

204.01 Nothing in this Ordinance shall require any change in the overall layout, plans, construction, size or designated use of any development, building, structure or part thereof for which official approvals and required building permits have been legally granted before the enactment of this Ordinance, the construction of which, conforming with such plans, shall have been started within six (6) months of the effective date of this Ordinance and completed in a normal manner within a subsequent two (2) year period and not discontinued until completion except for reasons beyond the builder's control. All permits for which construction has not begun within six (6) months of the effective date or amendment of this Ordinance are hereby revoked and void.

## 205. Prohibited Uses

205.01 Within the City of Sardis, Mississippi, no lot, land, premises, place or building shall be used for the keeping of livestock, except as may be expressly permitted within each such district.

## 206. Street Frontage Required

206.01 Except as permitted by other provisions of this Ordinance, all lots created after the adoption of this Ordinance shall have frontage on a public street.

## 207. Corner Lots

207.01 Lots formed at the intersection of two (2) streets shall not be required to provide two (2) front yard setbacks. Only on one (1) side abutting either street shall the front setback be required; on the remaining side, a setback of one-half (½) the otherwise required front setback shall be provided.

## 208. Visibility at Intersections

208.01 On a corner lot in any residential district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to impede vision materially between a height of two and one-half (2½) feet and ten (10) feet above the centerline of intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines fifty (50) feet from the point of the intersection.

## 209. Off-Street Parking

209.01 In connection with every commercial, business, trade, institutional, recreational, residential, or other use, off-street parking space for parking and storage of vehicles shall be provided in accordance with the following schedule:

209.01-1 Dwelling units - One (1) space per family or dwelling unit

209.01-2 Retail stores - Square footage equal to two hundred percent (200%) of gross floor area plus one (1) space per each two (2) employees

209.01-3 Wholesale establishments - One (1) space per two (2) employees

209.01-4 Manufacturing, processing or industrial establishments - One (1) space per two (2) employees

209.01-5 Hotels, motels, lodging houses - One (1) space per guest room plus one (1) space per two (2) employees

209.01-6 Hospitals - One (1) space per three (3) beds plus one (1) space per two (2) employees

209.01-7 Restaurants and other eating establishments - One (1) space per three (3) seats

209.01-8 Churches - One (1) space per six (6) seats in principal assembly hall

209.01-9 Business and professional offices - Square footage equal to one hundred percent (100%) of gross floor area

209.01-10 Theaters - One (1) space per four (4) seats

209.01-11 In case of any building, structure, or premises, the use of which is not specifically listed herein, the provisions for a similar use listed herein shall apply as determined by the Zoning Administrator.

209.02 Except as hereinafter specifically provided, on the same premises with every building, structure, or part thereof erected and occupied for manufacturing, storage, warehouse goods display, wholesale or retail sales, hotel, hospital, laundry, dry cleaning, or other uses similarly involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained adequate space for standing, loading and unloading services in order to avoid undue interference with public use of streets and alleys.

209.03 Handicapped Parking Spaces Required. In each parking lot hereinafter created or restriped, a portion of the total parking spaces shall be specifically designed, located, and reserved for vehicles licensed by the State for use by the handicapped, according to Table 209. Handicapped spaces shall be dimensioned in accordance with the requirements of the Americans with Disabilities Act:

Table 209. Number of Handicap Parking Spaces Required

Total Spaces	Handicapped Spaces Required	Van Accessible Spaces
1 - 25	1	1
26 - 50	2	1
51 - 75	3	1
76 - 100	4	1
101 - 150	5	1
151 - 200	6	1
201 - 300	7	1
301 - 400	8	1
401 - 500	9	2
501 - 1000	2% of all spaces	.25% of all spaces

209.04 Design Standards for Off Street Parking Facilities

209.04-1 General Requirements

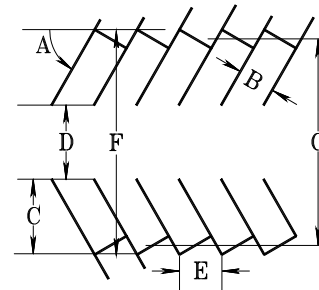
- (1) Every parking facility shall be designed so that it does not constitute a nuisance, hazard, or an unreasonable impediment to traffic.
- (2) Every parking area shall be arranged for orderly, safe, pedestrian and vehicular movement.
- (3) No parking area shall be designed to require or encourage parked vehicles to back into a public street in order to leave a parking space, except those of a single family or two-family dwelling.
- (4) Every parking area shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle, except those of a single family or two-family dwelling.

209.04-2 Parking Space Geometry.

Parking spaces and parking lots shall be laid out and constructed in accordance with the following specifications:

A	B	C	D	E	F	G	A	B	C	D	E	F	G
0°	8.5	8.5	11.0	23.0	30.0	---	60°	8.5	20.7	18.5	9.8	59.9	55.8
	9.0	9.0	11.0	23.0	30.0	---		9.0	21.0	18.0	10.4	50.0	55.5
20°	8.5	15.0	11.0	26.3	41.0	32.5	70°	8.5	20.8	19.5	9.0	61.0	58.2
	9.0	15.0	11.0	26.3	41.0	32.5		9.0	21.0	19.0	9.6	61.0	57.9
30°	8.5	16.9	11.0	17.0	44.8	37.5	80°	8.5	20.2	22.0	8.6	62.4	60.9
	9.0	17.3	11.0	18.0	45.6	37.8		9.0	20.3	22.0	9.1	62.6	61.0
45°	8.5	19.4	13.5	12.0	52.3	46.3	90°	8.5	19.0	22.0	8.5	60.0	60.0
	9.0	19.8	13.0	12.7	52.5	46.5		9.0	19.0	22.0	9.0	60.0	60.0
								10.0	18.0	24.0	10.0	60.0	60.0

- A. Parking angle (degrees)
- B. Stall width (feet)
- C. Stall to curb (feet)
- D. Aisle width (feet)
- E. Curb length (feet) per car
- F. Center to center width (feet) of double row with aisle between
- G. Curb to curb stall center (feet)



209.04-3 Access Drives and Driveways

- (1) Parking lot access drives may be designed for either one-way or two-way traffic and in either case shall be appropriately marked. In the case of one-way traffic, a parking lot access drive shall not be less than twelve (12) feet in width. In the case of two-way traffic, a parking lot access drive shall not be less than twenty (20) feet in width. In no case shall a drive or parking lot access from a public street exceed thirty (30) feet in width.
- (2) Adequate provisions shall be made to maintain uninterrupted parallel drainage along a public street at the point of driveway or access drive entry.
- (3) At least fifty (50') feet shall be provided between any two (2) access drives along one (1) street for one (1) lot.
- (4) No access drive or driveway shall be less than thirty (30') feet from any street intersection.

210. Manufactured Home Parks

210.01 No manufactured home shall be located within the City of Sardis unless it be located in an approved manufactured home park.

210.02 A manufactured home park, when granted as a conditionally permitted use, must meet the following requirements:

210.02-1 Size. The minimum size of a manufactured home park shall be four (4) acres.



210.02-2 Access. Each manufactured home park shall have access to a street of sufficient size so as to allow movement of manufactured homes into and out of the park without crossing or disturbing adjacent property.

210.02-3 Required Improvements. All manufactured home parks shall have the following:

- (1) Every manufactured home lot shall contain at least twenty-five hundred (2,500) square feet of area. A clearance of at least fifteen (15) feet shall be provided between adjacent manufactured homes and between manufactured homes and other structures. No manufactured home shall be closer to the property line than the required building setback for the zone in which the manufactured home park is located.
- (2) Off-street parking, in the form of parking bays or individual parking spaces on each lot, shall be provided in the ratio of at least five (5) parking spaces for each four (4) manufactured home lots. Each space shall be at least nine (9) feet by twenty (20) feet and shall be within two hundred (200) feet of the manufactured home it is to serve.
- (3) Each manufactured home park shall be provided with an easily accessible recreation area of twenty-five hundred (2,500) square feet or of one hundred (100) square feet per manufactured home stand, whichever is larger.
- (4) Each manufactured home park shall be provided with a service building containing emergency sanitary facilities consisting of at least one (1) lavatory and one (1) flush toilet for each sex per one hundred (100) manufactured home lots or fraction thereof. If outdoor drying of clothes is necessary, a drying yard of at least twenty-five hundred (2,500) square feet per one hundred (100) manufactured home lots or fraction thereof shall be provided.
- (5) Water distribution and sewage collection facilities shall be designed, built, and maintained in accordance with the requirements for such facilities in the Sardis Subdivision Regulations in conventional type subdivisions.
- (6) Fire hydrants shall be installed within five hundred (500) feet of all manufactured homes.
- (7) All refuse shall be stored in durable, rust resistant, nonabsorbent, watertight, and rodent proof containers screened from public view.
- (8) Insect and rodent control is the responsibility of the manufactured home park owner and/or manager.
- (9) If pets are allowed, kennels shall be provided in such a location and maintained in such a manner as not to create a nuisance or health hazard.

210.03 Architectural Requirements. All manufactured homes located within any manufactured home park shall conform to the following:

210.03-1 Roof pitch, roof overhang; roofing materials.

The general shape and appearance of the roof of the manufactured home shall conform to housing in adjacent or nearby locations so as to insure compatibility of site built housing and manufactured housing. The pitch of the roof shall conform to the roof pitches of homes on adjacent or nearby lots. To insure compatibility, asphalt shingle or similar roofing material shall be used. Built up composition and metal roofs, except where compatible with other site built structures in the neighborhood shall be prohibited.

210.03-2 Exterior finish; light reflection.

Any material may be used for exterior finish which is generally acceptable for site built housing which has been constructed in adjacent or nearby locations.

210.03-3 Removal of transport equipment; skirting.

The hitch, axles, and wheels shall be removed. Skirting shall be installed around the full perimeter of the manufactured home and shall harmonize with the architectural style of the unit and other structures in the surrounding neighborhood.

#### 210.04 Foundations and Anchors

210.04-1 A manufactured home and/or a home stand (pad) is required for each manufactured home and/or lot. Each pad shall be well drained, uniformly graded and compacted to support the manufactured home regardless of weather conditions.

210.04-2 Foundations and anchor systems shall be installed according to state law. Every manufactured home shall be installed in accordance with the manufacturer's "owner's manual" or at a minimum, the Uniform Standard Code for Factory Manufactured Homes Act and the rules and regulations of the Manufactured Home Division of the Mississippi State Fire Marshall's Office.

210.04-3 Strap installation to anchors must be in accordance with "owner's manual".

210.04-4 Tie down straps must be tightened alternately on opposite sides of the home or the home may be pulled off its supports. Stabilizer plates shall be installed to provide added resistance to overturning or sliding forces.

210.04-5 Where a vertical tie and a diagonal tie are located at the same place, both ties may be connected to a single anchor, provided that the anchor used is capable of carrying both loads simultaneously.

210.04-6 This aforementioned system is based on the assumption that the home itself is constructed to resist the design load reference above, if not, owner must present to the Building Official a certified professional engineers plans for the anchoring of said manufactured home in accordance with HUD Wind Zone I regulations.

#### 210.05. Traffic Circulation

210.05-1 Direct vehicular access to the manufactured home park shall be provided by means of an abutting improved public street. Each development shall be provided with one or more major interior thoroughfares for complete and uninterrupted traffic circulation within its boundaries. These major thoroughfares shall be directly related or connected to the major point or points of ingress and egress. Minor streets may extend from the major thoroughfares as necessary to serve the traffic circulation needs of the development. On-street parking is prohibited. The following minimum requirements shall apply to major thoroughfares:

(1) For developments designed to accommodate one hundred (100) sites or more - thirty (30) feet wide paved driving surface with curbing.

(2) For developments designed to accommodate less than one hundred (100) sites - twenty-two (22) feet wide paved driving surface with curbing.

210.05-2 Minor streets shall be those streets serving a minimum number of sites, clusters of sites, cul-de-sacs, parking bays, or similarly arranged manufactured homes within the overall plan. Minor streets shall be provided with a twenty (20) feet wide paved driving surface with curbing. On-street parking shall be prohibited.

210.05-3 Cul-de-sacs shall have a minimum diameter of ninety (90) feet with a minimum paved driving surface of twenty (20) feet width and curbing.

210.05-4 Street intersection center lines shall be a minimum of one hundred (100) feet apart if not directly opposite one another and shall be at right angles, except where other arrangements of intersections provide for equal or better movement of traffic.

210.05-5 All streets shall be constructed to meet the minimum requirements of the Subdivision Regulations of the City, except minimum widths as specified herein shall apply.

210.06 In addition to the information specified for the Conditional Use procedures contained in Section 404, an application for a manufactured home park shall include a detailed development plan. The detailed development plan shall be at a scale of not less than one (1) inch equals two hundred (200) feet and shall have a north arrow, graphic scale, an accurate description of the property, name(s) of the owner(s), name(s) of the engineer(s) designing the facilities; and places for signatures of the City Engineer and Mayor of the City of Sardis. The plan shall show the location of all streets, manufactured home lots, manufactured home stands, walkways, recreation areas, utilities, service buildings and other structures, and off-street parking areas. It shall be accompanied by plans and specifications for all improvements.

210.07 The granting of a manufactured home park as a conditional use shall be dependent upon the applicant constructing and maintaining the manufactured home park as shown in the detailed site plan. An increase in the number of manufactured home lots above that shown in the plan or the failure to provide any improvements required shall constitute a violation of this Ordinance.

## 211. Travel Trailer Parking Area

211.01 When granted as a conditional use, travel trailer parking areas shall meet the following requirements:

211.01-1 Location. Travel trailer parking areas shall be located adjacent to a major thoroughfare as designated in the Major Thoroughfare Plan of the Sardis Comprehensive Plan.

211.01-2 Setback Requirements. No trailer, service building, and/or service area shall be located in the required yard of the district in which the parking area is located.

211.01-3 Size. The site shall be of sufficient size to provide the desired number of parking spaces, and required service areas, service buildings, recreational areas, and vehicular parking spaces. No public street shall be used for loading, unloading, or maneuvering of trailers or the parking of two (2) vehicles.

211.01-4 Service Building. Each travel trailer parking area shall have a central service building containing at least two (2) toilets, two (2) lavatories, and one (1) shower for each sex for each thirty (30) parking spaces or fraction thereof.

211.01-5 Recreation Area. There shall be at least one (1) recreation area of not less than eight percent (8%) of the gross site area or two thousand five hundred (2,500) square feet, whichever is greater.

211.01-6 Density. The density shall not exceed twenty-five (25) trailers per gross acre. Trailers shall be separated from each other and from other structures by at least ten (10) feet.

211.01-7 Streets. All streets shall be hard surfaced and shall meet the following minimum widths:

One-way, no parking	11 feet
Two-way, no parking	24 feet
Two-way, parking on both sides	34 feet

211.01-8 Sidewalks. In areas subject to heavy pedestrian traffic, sidewalks shall be provided. They shall be a minimum of three and one-half (3½) feet wide.

211.01-9 Water. Each travel trailer parking area shall be provided with one (1) or more easily accessible water supply outlets for filling trailer water storage tanks. The outlets shall be provided with the necessary appurtenances to protect against back flow and back siphonage. The source of water supply shall be the city water system.

211.01-10 Sanitary Stations. There shall be at least one (1) sanitary station for each one hundred (100) parking spaces or fraction thereof. Each sanitary station shall consist of at

least a trapped four (4) inch sewer user pipe, connected to the parking area sewage system, surrounded at the inlet end by a concrete apron sloped to the drain, and provided with a hinged cover; and a water outlet with necessary appurtenances to permit periodic wash-down of the immediate adjacent areas. Each sanitary station shall be screened from other activities by visual barriers, and shall be at least fifty (50) feet from any trailer parking spaces.

211.01-11 Electrical Distribution System. The electrical distribution system shall meet all applicable codes and be approved by the city engineer.

211.01-12 Fire Protection and Sanitation. Fire protection, refuse handling, insect and rodent control, and kennels shall be provided as required for manufactured homes.

211.01-13 Other Requirements. Any other requirements deemed necessary for the safe operation of the travel trailer parking area may be required by the Mayor and Board of Aldermen.

211.02 A detail development plan shall be submitted to the Zoning Administrator at the time application is made for the conditional use. The plan shall be at a scale of not less than one (1) inch equals fifty (50) feet.

211.03 Performance Requirements. The granting of a travel trailer parking area as a conditional use shall be dependent upon the applicant constructing the parking area as shown in the detail site plan approved by the Mayor and Board of Aldermen. An increase in the number of parking spaces and/or failure to construct any required improvements shall constitute a violation of this Ordinance.

## 212. Planned Unit Development

212.01 The Mayor and Board of Aldermen is hereby authorized to grant as a conditional use in any agricultural or residential zone a planned unit development of not less than ten (10) acres. Such planned unit development shall be developed according to a development plan filed with and approved by the Mayor and Board of Aldermen. The development plan shall contain, but not be limited to, the following information:

212.01-1 All information required by the Sardis Subdivision Regulations.

212.01-2 A detailed proposed land use plan showing all streets, structures, and open space.

212.01-3 Copies of all deed restrictions, constitution and bylaws of home owners association, and any other documents showing how the character of the development will be maintained.

212.01-4 Any other information required by the City of Sardis.

212.02 Such planned unit developments shall contain as the principal land use single-family, two-family, and/or multi-family dwellings; and may contain such accessory uses as religious, cultural, recreational, and commercial uses, provided, however, that they are of such character and extent as to serve only the other uses within the development and provided that the overall density of development is no greater than if the entire area were developed as R-2 Two-Family Residential District.

212.03 The Mayor and Board of Aldermen may vary, modify or relax any provisions of the district or districts within which the development is to be located, provided, however, that the intent of this Ordinance is not violated.

## 213. Uses Permitted by Temporary Permit in All Districts

213.01 A temporary permit may be issued by the Zoning Administrator for structures or uses necessary during construction or other special circumstances of a nonrecurring nature. The purpose of this provision is to allow for temporary uses which are commonly related to construction projects, including but not limited to, portable construction offices, storage containers, the storage of construction supplies, materials, and equipment, and the parking of construction equipment. Any temporary permit issued shall be subject to the following additional provisions:

213.01-1 The life of such permit shall not exceed six (6) months and may be renewed for an aggregate period of not more than one (1) year.

213.01-2 Such structure or use shall be removed completely upon expiration of the permit.

213.01-3 If, in the opinion of the Zoning Administrator, the proposed temporary use or structure is of such character that it may be harmful or dangerous to the neighborhood, even on a temporary basis, then the Zoning Administrator may require that such temporary permit application be reviewed as a condition use in accordance with Section 404.

## ARTICLE III. DISTRICT REGULATIONS

### 301. A Agricultural District

301.01 The A Agricultural District is hereby created in order that there be an area in the City of Sardis for agricultural and horticultural uses and such other similar uses which require few, if any, of the regular services required by uses in other districts. It is the purpose of this district to encourage and protect such uses from urbanization until such is warranted and the appropriate change in district classification is made.

301.02 Those uses which are allowed by right (permitted uses) or by review (conditional uses) within this zoning district shall be as set forth in Section 310.

301.03 Reserved.

301.04 Lot area, lot width, building setback, lot coverage, and building height requirements shall be as set forth in Section 309.

301.05 Parking and off-street loading areas shall be provided as specified in Section 209.

### 302. R-1 Single-Family Residential District

302.01 The R-1 Single-Family Residential District is hereby created in order that there be areas within the City of Sardis, Mississippi, exclusively reserved for single-family residential purposes. The district regulations and the district's location on the Official Zoning Map have been written and drawn for the purpose of guiding new residential development in areas which are vacant at the time of adoption of this Ordinance. When developed according to the regulations so stated, these areas will constitute areas of sound residential development and add to the quality of the housing within Sardis. It is the intent of this section that new residential development in these areas be regulated according to sound, reasonable, and desirable regulations as stated within this Ordinance.

302.02 Those uses which are allowed by right (permitted uses) or by review (conditional uses) within this zoning district shall be as set forth in Section 310.

302.03 Reserved.

302.04 Lot area, lot width, building setback, lot coverage and building height requirements shall be as set forth in Section 309.

302.05 Parking and off-street loading area shall be provided as specified in Section 209.

### 303. R-2 Two-Family Residential District

303.01 The R-2 Two-Family Residential District is hereby created in order that there be areas within the City of Sardis which can be developed with a low to medium population density. The district regulations and the district's location on the Official Zoning Map have been written and drawn for the purpose of allowing new residential development on medium size lots and the

conversion of large older homes to two-family units in areas where streets, utilities and other community services will support such a population density.

303.02 Those uses which are allowed by right (permitted uses) or by review (conditional uses) within this zoning district shall be as set forth in Section 310.

303.03 Reserved.

303.04 Lot area, lot width, building setback, lot coverage, and building height requirements shall be as set forth in Section 309.

303.05 Parking and off-street loading area shall be provided as specified in Section 209.

#### 304. R-3 Multi-Family Residential District

304.01 The R-3 Multi-Family Residential District is hereby created in order that certain areas within the City of Sardis may be developed with new multi-family dwellings, or that older, existing structures may be converted to multi-family uses, rooming houses, tourist homes, or group dwellings. The district regulations and the district's location on the Official Zoning Map have been written and drawn guiding this type of development in areas where streets, utilities and other community services will support such a population density.

304.02 Those uses which are allowed by right (permitted uses) or by review (conditional uses) within this zoning district shall be as set forth in Section 310.

304.03 Reserved.

304.04 Lot area, lot width, building setback, lot coverage, and building height requirements shall be as set forth in Section 309.

304.05 Parking and off-street loading area shall be provided as specified in Section 209.

#### 305. C-1 Shopping Center District

305.01 The C-1 Shopping Center District is established to provide locations for shopping centers supplying convenient shopping goods and services required by the neighboring residents. No use permitted in this zone shall be dangerous or offensive or detrimental to the neighboring businesses and residences by reason of the emission of dust, gas, smoke, noise, fumes, glare, odors, vibrations or fire hazard.

305.02 Those uses which are allowed by right (permitted uses) or by review (conditional uses) within this zoning district shall be as set forth in Section 310.

305.03 Lot area, lot width, building setback, lot coverage and building height requirements shall be as set forth in Section 309.

305.04 Parking and off-street loading area shall be provided as specified in Section 209.

305.05 The shopping center shall be developed as a unit in accordance with a plan properly filed with and approved by the Mayor and Board of Aldermen in accordance with the provisions of this Zoning Ordinance. The plan shall include among other requirements:

305.05-1 Site plan showing location and dimensions of all proposed buildings, parking areas, means of ingress and egress with access streets where required, loading spaces, and location and size of signs.

305.05-2 A report on the market to be served, economic justification of the project, and types and amount of services planned.

305.05-3 A report showing the financial ability to complete construction, including landscaping, in accordance with the site plan and requirements of this Ordinance.

305.06 If the physical construction of the shopping center is not started within eighteen (18) months after the approval by the Board of Aldermen, the original permits shall be revoked and application for new permits must be made before construction may begin.

### 306. C-2 Highway Commercial District

306.01 The C-2 Highway Commercial District is established to provide services for the motoring public, a large part of which is through traffic and to provide a district for those businesses which normally require large sites and easy access to a major street. No uses permitted in this zone shall be dangerous or offensive, or detrimental to the present or intended character of this district or vicinity by reason of the emission of dust, gas, smoke, noise, fumes, glare, odors, vibrations, or a fire hazard.

306.02 Those uses which are allowed by right (permitted uses) or by review (conditional uses) within this zoning district shall be as set forth in Section 310.

306.03 Reserved.

306.04 Lot area, lot width, building setback, lot coverage, and building height requirements shall be as set forth in Section 309.

306.05 Parking and off-street loading areas shall be provided as specified in Section 209.

### 307. C-3 Central Business District

307.01 The C-3 Central Business District is established to provide areas for the major commercial activities of the city. The C-3 District is established in order to:

307.01-1 Protect present business and commercial uses from the blighting effects of incompatible uses.

307.01-2 Encourage the development of the downtown area as the shopping and commercial core of the city and surrounding region.

307.01-3 Encourage the eventual elimination of uses detrimental or inappropriate to the proper functioning of the Central Business District.

307.02 No use permitted in this zone shall be dangerous or offensive, or detrimental to the present or intended character of this zone or vicinity by reason of the emission of dust, gas, smoke, noise, fumes, glare, odors, vibrations, or fire hazard.



307.03 Those uses which are allowed by right (permitted uses) or by review (conditional uses) within this zoning district shall be as set forth in Section 310.

307.04 Lot area, lot width, building setback, lot coverage, and building height requirements shall be as set forth in Section 309.

307.05 No parking and off-street loading areas are required, except for motels and hotels, which shall provide off-street parking and loading areas as specified in Section 209.

### 308. I Industrial District

308.01 The I Industrial District is hereby created to provide areas within the City of Sardis exclusively reserved for industrial development. The district's regulations and the district's location on the Official Zoning Map have been written and drawn for the purpose of guiding new industrial development in areas where streets, utilities, and other community facilities will support such activity. No use permitted in this district shall be dangerous or offensive or detrimental to the neighboring industries or adjoining districts by reason of the emission of dust, gas, smoke, noise, fumes, glare, odors, vibrations or fire hazards.

308.02 Those uses which are allowed by right (permitted uses) or by review (conditional uses) within this zoning district shall be as set forth in Section 310.

308.03 Reserved.

308.04 Lot area, lot width, building setback, lot coverage and building height requirements shall be as set forth in Section 309.

308.05 Parking and off-street loading areas shall be provided as specified in Section 209.

### 309. Area, Setback, and Height Requirements

The minimum lot area, minimum lot width, minimum building setback, maximum lot coverage and maximum building height requirements shall be as set forth in the following table:

Table 309. Area, Setback, and Height Requirements

<u>District</u>	<u>Minimum Lot Area</u>	<u>Minimum Lot Area/DU</u>	<u>Maximum Height Limit</u>	<u>Minimum Lot Width at Bldg. Setback Line</u>	<u>Maximum Percent Lot Coverage</u>	<u>Minimum Front yard Setback</u>	<u>Minimum Side Yard</u>	<u>Minimum Rear Yard</u>
A	3 acres	3 acres	None	200 feet	25	50 feet	25 feet	40 feet
R-1	13,500 sq. ft.	13,500 sq. ft.	35 feet	90 feet	25	45 feet	15 feet	25 feet
R-2	9,600 sq. ft.	9,600 sq. ft. for first dwelling unit plus 3,900 sq. ft. for second dwelling unit	35 feet	80 feet	30	35 feet	10 feet	25 feet
R-3	7,200 sq. ft.	7,200 sq. ft. for first dwelling unit plus 3,900 sq. ft. for second dwelling unit and 2,400 sq. ft. for each additional dwelling unit	40 feet	60 feet	35	35 feet	10 feet	25 feet
C-1	None	-	3½ stories	None	25	65 feet	20 feet <sup>1</sup>	25 feet <sup>1</sup>
C-2	None	-	3½ stories	None	33	50 feet	10 feet <sup>1</sup>	25 feet <sup>1</sup>
C-3	None	-	3½ stories	None	90	None	None <sup>2</sup>	15 feet <sup>2</sup>
I	1 acre	-	None <sup>3</sup>	-	35	50 feet	30 feet <sup>1</sup>	40 feet <sup>1</sup>

<sup>1</sup> Fifty (50) feet when abutting a residential district.

<sup>2</sup> Twenty-five (25) feet when abutting a residential district.

<sup>3</sup> No portion of the building shall be higher than one (1) foot for each foot from the lot line.

NOTE: The height limitations of this Ordinance do not apply to barns, silos, or other farm structures or buildings: church spires, belfries, domes, monuments, transmission towers, chimneys, smokestacks, flag poles, radio towers, aerials, water towers, monitors, grain elevators, and other structures which require excessive height in order to function properly.

**310. Chart of Uses**

310.01 Conditions governing permitted uses.

Permitted uses shall be governed by conditions set out in the two categories as follows:

310.01-01 Uses by Right. The land uses contained within the Chart of Uses set forth herein and denoted with a “P” are considered permitted uses without further approval of the City of Sardis, unless otherwise required by this or any other ordinance or requirement of the City.

310.01-02 Conditional Uses. The land uses contained within the Chart of Uses set forth herein and denoted with a “C” are considered Conditional Uses and require the review and approval in accordance with the conditional use procedures set forth in Section 404 of this ordinance. Additionally, these uses are declared to possess such characteristics of unique or special form that each specific use shall be considered on an individual case and shall be subject to conditions imposed thereon for the protection of the health, safety and general welfare of the City of Sardis.

310.02 Schedule of Uses.

Property lying within each of the districts as reflected on the official zoning map shall be used only for the purpose as hereinafter set forth, and in accordance with the provisions of this ordinance. The uses permitted in each of the types of districts are listed below. For any use not specifically listed, the Zoning Administrator shall make a determination of the appropriate zoning district in which such use shall be permitted either by right or by conditional use. If the Zoning Administrator cannot reach a determination, then the matter shall come before the Mayor and Board of Aldermen for such determination.

The schedule of uses shall be as follows:

**TABLE 310. CHART OF USES**

P = Permitted Use

C = Conditional Use

- = Indicates use is not allowed within the district.

<u>Uses</u>	<u>Zoning Classification</u>							
	<b>A</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>I</b>
<b>AGRICULTURAL USES</b>								
Agriculture and forestry (not otherwise identified in this table)	P	-	-	-	-	-	-	-
Agriculture, limited in uses <sup>1</sup>	P	P	P	P	P	P	P	P
Keeping of recreational horses <sup>10</sup>	C	C	C	C	-	-	-	-
<b>RESIDENTIAL USES</b>								
Single-family site-built dwellings	P	P	P	P	-	-	-	-
Two-family site-built dwellings	P	-	P	P	-	-	-	-
Multi-family site-built dwellings	-	-	-	P	-	-	-	-
Rooming houses, tourist homes, and group dwellings	-	-	-	C	-	-	-	-

	<b>A</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>I</b>
Manufactured Home Parks	C	-	-	-	-	-	-	-
Modular Homes	C	-	-	-	-	-	-	-
Portable buildings as dwelling units	-	-	-	-	-	-	-	-
Residential dwelling above commercial or retail space <sup>9</sup>	-	-	-	-	-	C	C	-
Unconventional residential structure	C	C	C	C	-	-	-	-
<b>ALL OTHER USES</b>								
Accessory uses or structures	P	P	P	P	P	P	P	P
Adult Novelty Stores <sup>5</sup>	-	-	-	-	-	-	-	C
Animal hospitals with outside runs	P	-	-	-	-	C	-	-
Animal hospitals without outside runs	P	-	-	-	-	P	-	-
Apparel shops	-	-	-	-	P	P	P	-
Appliance sales and services	-	-	-	-	C	P	C	-
Asphalt Plant	-	-	-	-	-	-	-	C
Athletic fields, stadiums, and gymnasiums <sup>3</sup>	C	C	C	C	C	C	C	C
Auction yard or Auction business	P	-	-	-	-	C	C	-
Automobile (new and used), truck, house trailer (or mobile homes), and boat sales and indoor service <sup>8</sup>	-	-	-	-	-	P	-	-
Bait or tackle shop	-	-	-	-	-	P	-	-
Bakery shops employing not more than five (5) persons on premises	-	-	-	-	P	P	P	-
Bakery shops employing five (5) or more persons on premises	-	-	-	-	C	P	C	-
Banks	-	-	-	-	P	P	P	-
Bar, Lounge or Night Club <sup>5</sup>	-	-	-	-	-	C	-	-
Barbershops	-	-	-	-	P	P	P	-
Beauty shops	-	-	-	-	P	P	P	-
Bed and Breakfast	P	C	C	C	-	-	-	-
Building supply stores	-	-	-	-	-	P	-	-
Candy, nut, and confectionery stores	-	-	-	-	P	P	P	-
Car wash	-	-	-	-	-	C	-	-
Cemetery	C	-	-	-	-	-	-	-
Churches and/or church facilities, but not to include dormitory or commercial facilities <sup>2, 2a</sup>	C	C	C	C	C	C	C	C
Churches and/or church facilities, including dormitory or commercial facilities <sup>2a</sup>	-	-	-	C	C	C	C	P
Communication tower (radio, cellular, etc.)	P	-	-	-	-	-	C	C
Computer repair	-	-	-	-	P	P	P	-
Construction equipment sales including indoor servicing of equipment	-	-	-	-	-	C	-	C
Contractor storage yard	P	-	-	-	-	C	-	P
Convenience store with fuel sales	-	-	-	-	-	P	C	-

Creameries for the production of butter and cheese and sale of milk	-	-	-	-	-	P	-	-
	<b>A</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>I</b>
Daycare	-	-	-	-	-	P	-	-
Dental clinics	-	-	-	-	P	P	P	-
Drive-in theaters	-	-	-	-	-	P	-	-
Drugstores	-	-	-	-	P	P	P	-
Dry Cleaner	-	-	-	-	C	P	C	-
Escort Services <sup>5</sup>	-	-	-	-	-	C	-	-
Farm equipment sales and service	C	-	-	-	-	C	-	-
Farm supply store	P	-	-	-	-	P	P	-
Florist	-	-	-	-	P	P	P	-
Garages for repair of motor vehicles within enclosed buildings	-	-	-	-	-	C	-	-
Gasoline service stations, not including major automobile repairing	-	-	-	-	P	P	C	-
Golf courses and country clubs	P	-	-	-	-	-	-	-
Grocery stores	-	-	-	-	P	P	P	-
Hardware stores	-	-	-	-	P	P	P	-
Health clinics	-	-	-	-	P	P	P	-
Hobby shops	-	-	-	-	P	P	P	-
Home occupations	P	C	C	C	-	-	-	-
Hospitals	-	-	-	-	-	P	-	-
Hotels and motels	-	-	-	-	-	P	P	-
Ice plants	-	-	-	-	-	P	-	-
Institutions for children or the aged	C	-	-	-	-	-	-	-
Jewelry stores	-	-	-	-	P	P	P	-
Junk Yard	-	-	-	-	-	-	-	C
Laundromat	-	-	-	-	P	P	C	-
Lawnmower, small engine, ATV repair conducted indoors	-	-	-	-	-	C	-	C
Libraries	-	-	-	-	P	P	P	-
Liquor stores <sup>6</sup>	-	-	-	-	P	P	C	-
Manufactured home sales	-	-	-	-	-	C	-	-
Manufacturing, fabrication, and/or processing of any commodity not otherwise prohibited by this Ordinance so long as such manufacturing, fabrication, and/or processing takes place entirely within an enclosed building	-	-	-	-	-	-	-	P
Manufacturing, fabrication, and/or processing of any commodity which requires that at least part of the process be carried on outside an enclosed building and not otherwise prohibited by this Ordinance	-	-	-	-	-	-	-	C
Medical clinics	-	-	-	-	P	P	P	-

Medical offices	-	-	-	-	P	P	P	-
Mineral extraction, open mining	C	-	-	-	-	-	-	C
	<b>A</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>I</b>
Monastery, convent, or similar institutions of religious training	C	-	-	C	-	C	-	-
Mortuaries or funeral homes	C	-	-	-	-	P	-	-
Nurseries and greenhouses	P	-	-	-	-	P	-	-
Office buildings	-	-	-	-	-	P	P	-
Offices	-	-	-	-	P	P	P	-
Penal or correctional facility; jail	C	-	-	-	-	-	-	C
Planned Unit Development	C	C	C	C	-	-	-	-
Plumbing equipment sales and service	-	-	-	-	-	P	-	-
Portable or modular buildings <sup>11</sup>	-	-	-	-	-	-	-	-
Preschool, including nursery schools and kindergartens <sup>4</sup>	C	C	C	C	-	-	-	-
Printing establishments	-	-	-	-	-	P	P	-
Public and semipublic facilities	C	C	C	C	C	C	C	C
Public parks and/or playgrounds	P	P	P	P	P	P	P	P
Radio and TV sales, service and repair shops	-	-	-	-	C	P	C	-
Recreational uses and places of amusement	-	-	-	-	-	P	C	-
Regulated Financial Use <sup>5</sup>						C		
Restaurants, ice cream sales and similar related uses with drive in service	-	-	-	-	P	P	-	-
Restaurants, grills, cafes, and similar without drive in service	-	-	-	-	P	P	P	-
Retail sale of any commodity manufactured, fabricated, and/or processed on the premises	-	-	-	-	-	-	-	P
Retail uses (similar to other C-3 uses), provided such uses are devoted entirely to retail sales and contained entirely within closed buildings	-	-	-	-	-	-	P	-
Sale of products raised, produced and processed on the premises	P	-	-	-	-	-	-	-
Service stations including minor auto repair	-	-	-	-	-	C	-	-
Sexually oriented business <sup>5</sup>	-	-	-	-	-	-	-	C
Shoe repair shops	-	-	-	-	P	P	P	-
Shoe stores	-	-	-	-	P	P	P	-
Shopping centers	-	-	-	-	-	C	-	-
Stables and riding academies	P	-	-	-	-	-	-	-
Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance	-	-	-	-	P	P	P	-
Tattoo Parlor <sup>5</sup>	-	-	-	-	-	C	-	-
Theaters (indoor)	-	-	-	-	P	P	P	-
Tire sales and service <sup>7</sup>	-	-	-	-	-	C	-	-
Tobacco/Vape shop	-	-	-	-	-	C	-	-

Tourist cabins and tourist courts	-	-	-	-	-	P	-	-
Travel trailer parking areas	C	-	-	-	-	C	-	-
Trucking terminals	-	-	-	-	-	C	-	C
	<b>A</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>I</b>
Variety stores	-	-	-	-	P	P	P	-
Warehouses, including mini-storage	-	-	-	-	-	P	-	P
Welding / Machine Shop	P	-	-	-	-	C	-	C
Wholesale sale or storage of any article	-	-	-	-	-	-	-	P

Notes:

1. Agriculture uses in these districts shall be limited to those agricultural uses which are for the use and/or enjoyment of the occupants of the premises. The keeping of livestock is not permitted in these districts.
2. When located in any residential zone, the following minimum setbacks shall be provided: front yard, fifty (50) feet; side yard, thirty (30) feet; and rear yard, thirty-five (35) feet.
- 2a. When locating in any commercially zoned area, the church use shall waive the distance restrictions imposed in Mississippi Code Annotated Section 67-1-51 with regard to activities relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion.
3. When located in any residential zone, the following minimum setbacks shall be provided: front yard, fifty (50) feet; side yard, fifty (50) feet; and rear yard, fifty (50) feet.
4. Such uses shall provide a minimum of thirty (30) square feet of usable indoor play space per child and sixty-five (65) square feet of usable outdoor play space per child and meet any other requirements which Mayor and Board of Aldermen may deem necessary.
5. The building containing such use shall be located in compliance with the following distance requirements:
  - a. No closer than four hundred (400) feet of an exclusive residential zoning district.
  - b. No closer than within a one thousand (1,000) foot radius of any other use as regulated by these separation requirements use.
  - c. No closer than four hundred (400) feet of any church, temple, synagogue, or other regularly established place of worship, or any school.
6. Liquor stores and similar establishments shall conform to the requirements of Mississippi Code Annotated Section 67-1-51. Permits; distance regulations; prohibition on ownership of more than one package retailer's permit; prohibition on ownership of additional permits by persons living in same household.
7. Outdoor storage of merchandise, beyond regular business hours, is prohibited.
8. This use is limited to only functioning automobiles, trucks, house trailers (or mobile homes) boats. It shall be unlawful to store in open public view any automobiles, trucks, house trailers (or mobile homes) or boats which are non functioning.
9. Residential dwelling above commercial or retail space shall not exceed 60% of the floor area of the entire building.
10. The following provisions shall apply to the keeping of recreational horses:
  - a. Sufficiency of lot area for grazing purposes shall be determined by the Board of Aldermen.
  - b. Horses shall be kept at least 45 feet from any dwelling on adjoining property.
11. Portable or modular buildings are prohibited unless allowed by a Temporary Permit issued pursuant to Section 213 of this ordinance.

## ARTICLE IV. ENFORCEMENT AND ADMINISTRATION

### 401. Interpretation and Conflict

401.01 In interpreting and applying this Ordinance, its provisions shall be held to be the minimum requirements necessary for the promotion of public safety, health, convenience, comfort, prosperity, and general welfare . It is not intended by this Ordinance to interfere with, or abrogate, or annul any easements, covenants, or other agreements between parties unless they violate this Ordinance. When two (2) specific provisions of this Ordinance conflict, or a provision of this Ordinance conflicts with any other code, statute, law, ordinance or regulation, the most restrictive section shall apply.

### 402. Administration and Enforcement by Zoning Administrator

402.01 There is hereby established the office of Zoning Administrator. It shall be the duty of the Zoning Administrator to enforce this Ordinance in accordance with the provisions hereof. The Zoning Administrator shall issue all building permits. All departments, officials, and public employees of the City of Sardis vested with the duty or authority to issue other permits or licenses, shall conform to the provisions of this Ordinance and shall not issue a permit for any use, building or purpose in conflict with the provisions of this Ordinance. Any permit or license issued in conflict with the provisions of this Ordinance shall be null and void.

402.02 The Zoning Administrator shall be responsible for the administration of this Ordinance in accordance with its literal terms. The Zoning Administrator shall receive and examine all applications required under the terms of this Ordinance; receive complaints of violation of this Ordinance; issue a written notice of violation to any person violating any provision of this Ordinance; keep records of applications, permits, and certificates issued, of variances granted by the Board, of complaints received, of inspections made, of reports rendered, and of notice of orders issued; and make all required inspections and perform all other duties as called for in this Ordinance.

402.03 The Zoning Administrator shall act upon all applications on which he is authorized to act by the provisions of this Ordinance within seven (7) days after said applications are filed in full compliance with all the applicable requirements as specified in Section 403. He shall either issue a building permit within said seven (7) days or shall notify the applicant in writing of his refusal of such permit and the reasons therefor. Failure to so notify the applicant in case of such refusal within said seven (7) days shall entitle the applicant to submit his request to the Mayor and Board of Aldermen. Applications which require review by the Mayor and Board of Aldermen shall be processed by the Zoning Administrator in a timely fashion and in such time as to comply with all notice provisions required.

### 403. Filing Plans for Building Permits

403.01 Every application for a building permit shall be accompanied by a scale drawing in duplicate showing the actual shape and dimensions of the lot to be built upon or to be changed in its use, in whole or in part; the location, size, and height of any building or structure to be erected or altered; the existing or intended use of each building or structure or part thereof; the number of families or housekeeping units the building is designed to accommodate; and, when no buildings



are involved, the location of the present use and proposed use to be made of the lot; and such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Ordinance.

#### 404. Conditional Use Procedure

404.01 The purpose of this procedure is to provide for review and discretionary approval of uses typically having unusual site development features or unique operating characteristics requiring special consideration so that they may be located, designed, and operated compatibly with uses on surrounding properties. The Conditional Use procedure is intended to encourage broad public review and to ensure adequate mitigation of potentially unfavorable impacts.

#### 404.02 Uses requiring Conditional Use Procedure

In addition to those uses indicated in Table 310 as requiring conditional use approval, any commercial use proposed upon property which adjoins residentially zoned property shall be subject to these conditional use procedures.

404.03 Applications for a Conditional Use shall be filed with the Zoning Administrator, and the application shall include all of the information set forth herein unless some items are determined by the Zoning Administrator to be unnecessary to conduct a meaningful review of the application. Likewise, the Zoning Administrator may require additional information not listed below when said information is deemed necessary to conduct a meaningful review of the application. All applications for a Conditional Use shall include the following:

404.03-1 Name and address of the owner and applicant.

404.03-2 Address and legal description of the property.

404.03-3 If the applicant is not the legal owner of the property, a statement that the applicant is the authorized agent of the owner of the property.

404.03-4 A statement describing the nature and operating characteristics of the proposed use, including any data pertinent to the findings required for approval of the application. For uses involving public assembly or industrial processing, or uses potentially generating high volumes of vehicular traffic, the Zoning Administrator may require specific information relative to the anticipated peak loads and peak use periods, relative to industrial processes and the ability of the use to meet performance standards, or substantiating the adequacy of proposed parking, loading, and circulation facilities.

404.03-5 Site plans, preliminary building elevation, preliminary improvement plans, additional maps and drawings, all sufficiently dimensioned as required illustrating the following:

- (1) The date, scale, north point, title, name of owner, and name of persons preparing the site plan.
- (2) The location and dimension of boundary lines, with distances and bearings, easements, and required yards and setbacks, water course drainage features and location and size of existing and proposed street and alleys, 100-year flood plains.
- (3) The location, height, bulk general appearance and intended use existing and proposed buildings on the site, and the approximate location of existing buildings on abutting sites within 100 feet.
- (4) The location of existing and proposed site improvements including parking and loading areas, pedestrian and vehicular access, landscaping areas, utility or service areas, fencing and screening, signs, and lighting.
- (5) The location of watercourses and drainage features.

- (6) The number of existing and proposed off-street parking and loading spaces, and a calculation of applicable minimum requirements.
- (7) A plan showing existing and proposed topography at 2-foot contour intervals, grading and proposed erosion control measures.
- (8) The relationship of the site and the proposed use to surrounding uses, including pedestrian and vehicular circulation, current use of nearby parcels, and any proposed off-site improvements to be made.
- (9) Any other information necessary to demonstrate conformance with standards contained in this Ordinance which may be unique to the particular use, location or zoning classification.

404.04 Public Hearing and Notice

The Mayor and Board of Aldermen shall hold a public hearing on each application for a Conditional Use Permit. Notice shall be given as prescribed in Section 408.01. At the public hearing, the Mayor and Board shall review the application and shall receive pertinent evidence concerning the proposed use and the proposed condition under which it would be operated or maintained, particularly with respect to the review and evaluation criteria prescribed in Section 404.06.

404.05 Action by the Mayor and Board

The Mayor and Board of Aldermen shall act on the application not more than 20 days following the closing of the public hearing on a Conditional Use Permit.

404.06 Review and Evaluation Criteria

The Zoning Administrator, in consultation with other city officials or advisors to the city, shall review the application for a Conditional Use and shall report his findings to the Mayor and Board of Aldermen either prior to or during the public hearing. The Mayor and Board of Aldermen shall review and evaluate the application, together with the report of the Zoning Administrator, and make findings based upon the criteria set forth below before granting a Conditional Use:

404.06-1 Conformance with applicable regulations and standards established by the Zoning Regulations.

404.06-2 Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use.

404.06-3 Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulation and standards and to protect the public health, safety, morals, and general welfare.

404.06-4 Safety and convenience of vehicular and pedestrian circulation in vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area; existing zoning and land uses in the area.

404.06-5 Protection of persons and property from flood or water damage, odors, fire, noise, glare, and similar hazards or impacts.

404.06-6 Location, lighting, and type of signs; and relation of signs to traffic control and adverse effect on adjacent properties.

404.06-7 Adequacy and convenience of off-street parking and loading facilities.

404.06-8 That the proposed use is in accordance with the objectives of these Zoning Regulations and the purposes of the district in which the site is located.

404.06-9 That the proposed use will comply with each of the applicable provisions of these Zoning Regulations.

404.06-10 That the proposed use and site development, together with any modifications applicable thereto, will be compatible with existing or permitted uses and structures in the vicinity, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features and in accordance with the following standards:

- (1) The proposed use will be located within the district so as to be harmonious with and complimentary to adjacent and existing land uses.
- (2) The structure resulting from the granting of a conditional use will be architecturally compatible with other existing or proposed structures in the neighborhood in which it is to be located. For the purpose of this criterion, the term neighborhood shall mean an area extending 500 feet in all directions from the lot line of the proposed structure.
- (3) For the purposes of determining architectural compatibility, consideration shall be given to: building mass and style; roof types, pitch and material; façade treatment and materials; window and door styles; eaves and porches; trim; gables and dormers; gutters; chimneys; walls, fences, hedges and other landscape elements; colors; driveway material; signage; dimensional setbacks and building orientation on the lot; and other such features as may be appropriately considered by the Mayor and Board of Aldermen.
- (4) For the purpose of assessing the architectural compatibility, existing structures which may not be an architectural asset to the neighborhood shall not be considered in determining the appropriateness of a conditional use application.

404.06-11 That any conditions imposed upon approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.

404.06-12 That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements on the vicinity.

#### 404.07 Conditions of Approval

The Mayor and Board of Aldermen may establish conditions of approval. Conditions may include but shall not be limited to: requirements for special setbacks, open spaces, buffer, fences, walls, and screening; requirements for installation and maintenance of landscaping and erosion control measures; requirements for street improvements and dedications, regulation of vehicular ingress and egress, and traffic circulation: regulation of signs; regulation of hours of operation or other characteristics of operation; requirements for maintenance of landscaping and other improvements; establishment of development schedules or time limits for performance or completion; and such other conditions may be necessary to insure compatibility with surrounding uses.

#### 404.08 Renewal or Lapse of a Conditional Use

404.08-1 A Conditional Use shall lapse and shall become void six (6) months following the date on which the same became effective, unless prior to expiration a building permit is issued and construction is commenced and diligently pursued toward completion, or a certificate of occupancy is issued for the use, or the site is occupied if no building permit or certificate of occupancy is required.

404.08-2 A Conditional Use subject to lapse may be renewed by the Mayor and Board of Aldermen for an additional period of six (6) months, provided that prior to the expiration date, a written request for renewal is filed with the Zoning Administrator.

404.09 Modification of Conditional Use Permit

Minor revisions or modifications may be approved by the Zoning Administrator if he determines that the circumstances or conditions applicable at the time of original approval remain valid, and that changes would not affect the review and evaluation criteria prescribed in Section 404.06.

405. Variance Procedure

405.01 Purpose

This procedure is intended to provide relief from the provisions or requirements of this Ordinance as will not be contrary to the public interest; but only in the case of peculiar conditions, involving irregular, abnormally narrow, shallow or steep lots, or other unusual physical conditions, whereby strict application or such provisions or requirements would result in practical difficulty and unnecessary hardship that would deprive the owner of the reasonable use of the land or buildings involved.

405.02 Application

Applications for a Variance shall be filed with the Zoning Administrator, and the application shall include all the information set forth herein unless some items are determined by the Zoning Administrator to be unnecessary to conduct a meaningful review of the application. Likewise, the Zoning Administrator may require additional information not listed below when said information is deemed necessary to conduct a meaningful review of the application. All applications for a Variance shall include the following:

405.02-1 Name and address of the owner or applicant.

405.02-2 Address and legal description of the property.

405.02-3 If the applicant is not the legal owner of the property, a statement that the applicant is the authorized agent of the owner of the property.

405.02-4 A statement describing the variance request and the reasons why it complies with the criteria for variances provided in Section 405.04.

405.02-5 Site plans, preliminary building elevation, preliminary improvement plans, or other maps or drawings, sufficiently dimensioned as required to illustrate the following, to the extent related to the variance application:

- (1) Existing and proposed location and arrangement of uses on the site, and on abutting sites within 100 feet.
- (2) Existing and proposed site improvements, buildings, and other structures on the site, and any off-site improvements related to or necessitated by the proposed use. Building elevations shall be sufficient to indicate the general height, bulk, scale, and architectural character.
- (3) Existing and proposed topography, grading, landscaping, and screening, irrigation facilities, and erosion control measures.
- (4) Existing and proposed parking, loading, and traffic and pedestrian circulation features, both on the site and any off-site facilities or improvement related to or necessitated by the proposed use.

405.03 Public Hearing and Notice

The Mayor and Board of Aldermen shall hold a public hearing on each application for a Variance. Notice shall be given as prescribed in Section 408.04. At the public hearing, the Mayor and Board shall review the application and shall receive pertinent evidence concerning the variance request and information related to the necessary findings prescribed in Section 405.04.

405.03 Action by the Mayor and Board of Aldermen

The Mayor and Board of Aldermen shall act on the application not more than 20 days following the closing of the public hearing on a variance and may affirm, deny, or modify the request of a Variance. The Mayor and Board of Aldermen shall base their decision upon the criteria outlined in Section 405.04. A variance may be revocable, may be granted for a limited time period, or may be granted subject to conditions as the Board may prescribe.

405.04 Findings

The Mayor and Board of Aldermen may grant a variance provided affirmative findings of fact are made on each of the following criteria:

405.04-1 That special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, buildings, or structures within the same district.

405.04-2 That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.

405.04-3 That the special conditions and circumstances do not result from the actions of the applicant.

405.04-4 That granting of the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands, structures, or buildings in the same district.

405.04-5 That granting of the variance will be in harmony with the general purpose and intent of this Ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

405.05 Limitations

In no case shall the Board approve a variance for a use which is not a permitted use in the district in which the property, building, or structure is located.

405.06 Variance to Run with Land or Structure

Unless pertaining to off-street parking and loading regulations, or otherwise specified at the time a variance is granted, a variance shall run with the land and shall continue to be valid upon a change of ownership of the site or structure to which it applies.

405.07 Renewal or Lapse of Variance

405.07-1 A variance shall lapse and shall become void six (6) months following the date on which the same became effective, unless prior to expiration a building permit is issued and construction is commenced and diligently pursued toward completion, or a certificate of occupancy is issued for the use, or the site is put to the purpose for which the variance was issued.

405.07-2 A variance subject to lapse may be renewed by the Mayor and Board of Aldermen for an additional period of six (6) months, provided that prior to the expiration date, a written request for renewal is filed with the Zoning Administrator.

## 406. Appeals Procedure

### 406.01 Purpose

This procedure is intended to afford review of actions taken pursuant to the Zoning Regulations where such action may be in error.

### 406.02 Appeals

406.02-1 Any person aggrieved, or any taxpayer affected, by any decision of the Zoning Administrator made in the administration of this Ordinance may appeal to the Mayor and Board of Aldermen. Such appeal shall be taken within 10 days following notice of the decision being appealed, and by filing with the City Clerk a notice of appeal, which shall specify the grounds thereof. The City Clerk shall forthwith transmit to the Mayor and Board of Aldermen all the papers constituting the record upon which the action appealed from was taken.

406.02-2 Any person or persons, or any board, taxpayer, department, board or bureau of the city aggrieved by any decision of the Board of Aldermen may seek review by a court of record of such decision, in the manner provided by the laws of the State of Mississippi.

### 406.03 Fee

No fee shall be required upon an appeal of the zoning administrator's decision.

### 406.04 Stay of Procedures

Any appeal shall stay all proceedings in furtherance of such action unless the Zoning Administrator certifies to the Mayor and Board of Aldermen, after the notice appeal shall have been filed, that by reason of the fact stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In event the Zoning Administrator shall make and file such certificate, his action shall not be stayed otherwise than by a restraining order that may be granted by a court of record, upon application of the party aggrieved by the action of the Zoning Administrator and after notice to him and upon due cause shown.

### 406.05 Hearing

The Mayor and Board of Aldermen shall hold a hearing within 30 days on the appeal. Notice of the time, date and place of the appeal hearing shall be given to all interested parties. Any person interested in or affected by the appeal may offer testimony at the hearing in person or by an agent or attorney.

### 406.06 Action

406.06-1 The Mayor and Board of Aldermen shall act on the appeal 10 days following the closing of the hearing. In exercising the powers set out in this section the Board of Aldermen may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from, and may take such order, requirement, decision, or determination as ought to be made. The City Clerk shall notify the appellant by mail of the outcome of the appeal decision.

406.06-2 In case there is a question as to the intended meaning of any provision of the Zoning Text, the Board may interpret its meaning as it applies to a particular property. Before reaching a decision in response to any request, the Board may obtain the opinion of the City Attorney thereon.

406.06-3 Where the actual street or lot layout on the ground or as recorded differs from the street and lot lines as shown on the Zoning Map, the Board shall interpret the map in such a way as to carry out the intent and purpose of this Ordinance for the particular section or district in question.

## 407. Amendment (Rezoning) Procedure

### 407.01 Purpose

For the purpose of establishing and maintaining sound, stable and desirable development within the territorial limits of the municipality, this Ordinance, and as here used the term “Ordinance”, shall be deemed to include the official zoning map, shall not be amended except in accordance with the procedures and prescribed findings as set forth herein.

### 407.02 Jurisdiction

The Mayor and Board of Aldermen shall have jurisdiction with respect to all Text Amendments and Rezoning. The Zoning Administrator shall review and submit a recommendation to the Mayor and Board of Aldermen on Text Amendments and Rezoning.

### 407.03 Initiation

An amendment to this Ordinance may be initiated by the Mayor and Board of Aldermen on its own motion, or, in the manner and pursuant to the procedure hereinafter set forth, may be initiated by any person, firm, or corporation filing an application therefor with the Zoning Administrator.

### 407.04 Application

407.04-1 Application for a Rezoning may be initiated by any person, firm, corporation or political subdivision and shall be filed with the Zoning Administrator on a prescribed form and shall include the following data and maps:

- (1) Name and address of the owner and applicant, and the applicant’s interest in the application, and the name, address and interest of every person, firm, corporation or political subdivision represented by the applicant interested in the application.
- (2) Address and legal description of the property.
- (3) A description of the proposed amendment, including the present zoning classification and the desired zoning classification, together with any additional information the Zoning Administrator may deem relevant.
- (4) If the applicant is not the legal owner of the property, a statement that the applicant is the authorized agent of the owner of the property.
- (5) A tax parcel map of the area proposed for Rezoning and the surrounding area, showing existing streets or roads and property lines, and existing and proposed zoning district boundaries. The map shall include an area determined by the Zoning Administrator to be necessary to illustrate the relationship to and potential impact on the surrounding area, but not less than 200 feet or more than 1000 feet from the property proposed for rezoning.
- (6) Information demonstrating the appropriateness of the requested change, including at least one of the following:
  - i. Whether or not there has been a change in the character of the neighborhood surrounding the subject property and a public need

exists for additional lands bearing the requested zoning classification.

- ii. Whether or not an error exists with regard to the original zoning designation of the subject property.

407.04-2 The Zoning Administrator may require additional information if deemed necessary to determine whether the proposed zoning change is consistent with the objectives of this ordinance and the comprehensive plan for the City.

407.04-3 A rezoning or text amendment initiated by the Board of Aldermen shall be pursuant to a motion of the Board of Aldermen. No fee shall be applicable. The Zoning Administrator shall execute the necessary steps pursuant to the intent of the motion.

407.04-4 Any application for a rezoning or zoning text amendment shall be received by the Zoning Administrator at least 30 days prior to the meeting of the Mayor and Board of Aldermen at which such application is to be considered.

407.05 Administrative Examination

The Zoning Administrator shall review each properly and complete application for rezoning or zoning text amendment and shall prepare a recommendation thereon which shall be presented to the Mayor and Board of Aldermen and available to the applicant at least 5 days prior to the public hearing.

407.06 Public Hearing and Notice

Notice of the public hearing before the Mayor and Board of Aldermen shall be given as prescribed in Section 408.02 for rezoning or Section 408.03 for text amendments, whichever is applicable.

407.07 Findings and Action by Reviewing Bodies

Upon conducting the requisite public hearing and considering all evidence, and not longer than 30 days following the close of the requisite public hearing, the Board of Aldermen shall make specific findings related to the following criteria:

407.07-01 Whether or not there has been a change in the character of the neighborhood surrounding the subject property and a public need exists for additional lands bearing the requested zoning classification; or,

407.07-02 Whether or not an error exists with regard to the original zoning designation of the subject property.

Upon finding in favor of at least one of the foregoing criteria the Board of Aldermen shall find in favor of the requested rezoning, otherwise, the rezoning request shall be denied.

407.08 Effect of Protest to Amendment

In case of a protest against such change signed by the owners of twenty percent (20%) or more, either of the area of the lots included in such proposed change, or of those immediately adjacent to the rear thereof, extending one hundred sixty (160) feet therefrom or of those directly opposite thereto, extending one hundred sixty (160) feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fifths (3/5) of the members of the Board of Aldermen.



407.09 Change of Zoning Map

A change in district boundaries shall be indicated on the Zoning Map.

408. Public Notice Procedure

The purpose of this Procedure shall be to establish the minimum requirements for notice to be given with respect to procedural actions and public hearings required by the Zoning Regulations.

408.01 Board of Aldermen: Conditional Use Permits

408.01-01 Notice of public hearing for consideration of a Conditional Use Permit shall be given by publication of a legal notice in a newspaper of general circulation at least 15 days prior to the date of the hearing. The Notice shall read as follows:

Notice is hereby given to all persons interested or in any way affected thereby that (Name of Applicant) has filed an application with the undersigned for a conditional use permit to operate (type of use) upon property located at (address).

Said application will be heard by the Mayor and Board of Aldermen of the City of Sardis, Mississippi, at the City Hall in Sardis, Mississippi, at \_\_\_\_\_:\_\_\_\_\_, \_\_\_\_\_.M., \_\_\_\_\_, 20\_\_\_\_\_, at which time all parties interested in or affected thereby will be heard, after which a decision will be rendered by the Mayor and Board. Any party interested may appear in person or by counsel on said date.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Zoning Administrator  
City of Sardis, Mississippi  
City Hall  
Sardis, Mississippi

(Publish one time)

408.01-02 In addition to the publication required above, notice shall also be posted for at least fifteen (15) days prior to the public hearing, and the costs of such posting shall be borne by the applicant. Such posting shall be by means of a sign or signs erected in a conspicuous location on the property, using at least one (1) sign for every three hundred (300) feet or less on each street upon which the property abuts. The sign shall be at least two (2) feet by two (2) feet in size, with the bottom of the sign at least three (3) feet above ground level, reading in letters legible from the nearest street, as follows , to wit:

PUBLIC NOTICE: This property being considered for a Conditional Use Permit to operate (type of use) . A public hearing will be held by the Mayor and Board of Aldermen of the City of Sardis, at City Hall at \_\_\_\_\_:\_\_\_\_\_, \_\_\_\_\_.M., \_\_\_\_\_, 20\_\_\_\_\_. Any party interested may appear and be heard.

408.02 Board of Aldermen: Rezoning

No amendment to this Ordinance shall become effective until after a public hearing in relation thereto at which hearing parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be provided as follows:

408.02-1 Notice shall published at least once in an official newspaper or a paper of general circulation in the City of Sardis at least fifteen (15) days prior to the hearing. Said notice shall read as follows:

Notice is hereby given to all persons interested or in any way affected thereby that (Name of Applicant) has filed an application with the undersigned to rezone the following described property from (Current Zoning Classification) to (Requested Zoning Classification). (Description of Property).\*

Said application will be heard by the Mayor and Board of Aldermen of the City of Sardis, Mississippi, at the City Hall in Sardis, Mississippi, at \_\_\_\_:\_\_\_\_, \_\_\_\_M., \_\_\_\_\_, 20\_\_\_\_, at which time all parties interested in or affected thereby will be heard, after which a decision will be rendered by the Mayor and Board. Any party interested may appear in person or by counsel on said date.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Zoning Administrator  
City of Sardis, Mississippi  
City Hall  
Sardis, Mississippi

(Publish one time)

Zoning classification to be indicated by the word residential, commercial, industrial, or other, followed by the alphabetical and numerical definition.

\* Description of the property may be in the form of a map containing sufficient data to accurately locate the property.

408.02-2 In addition to the publication required above, notice shall also be posted for at least fifteen (15) days prior to the public hearing, and the costs of such posting shall be borne by the applicant. Such posting shall be by means of a sign or signs erected in a conspicuous location on the property, using at least one (1) sign for every three hundred (300) feet or less on each street upon which the property abuts. The sign shall be at least two (2) feet by two (2) feet in size, with the bottom of the sign at least three (3) feet above ground level, reading in letters legible from the nearest street, as follows , to wit:

PUBLIC NOTICE: This property being considered for REZONING from (Current Zoning Classification) to (Requested

Zoning Classification\_\_\_\_. A public hearing will be held by the Mayor and Board of Aldermen of the City of Sardis, at City Hall at \_\_\_\_:\_\_\_\_, \_\_\_\_M., \_\_\_\_\_, 20\_\_\_\_. Any party interested may appear and be heard.

408.03 Board of Aldermen: Text Amendment

No text amendment to this Ordinance shall become effective until after a public hearing in relation thereto at which hearing parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published at least once in an official newspaper or a paper of general circulation in the City of Sardis at least fifteen (15) days prior to the hearing. Said notice shall include the proposed text amendments or at a minimum a summary of the nature of the proposed text amendments.

408.04 Board of Aldermen: Variance

408.04-1 Notice of public hearing for consideration of a variance shall be given by publication of a legal notice in a newspaper of general circulation at least 15 days prior to the date of the hearing. The Notice shall read as follows:

Notice is hereby given to all persons interested or in any way affected thereby that (Name of Applicant) has filed an application with the undersigned for a variance from the provisions of the Zoning Ordinance for property located at (address).

Said application will be heard by the Mayor and Board of Aldermen of the City of Sardis, Mississippi, at the City Hall in Sardis, Mississippi, at \_\_\_\_:\_\_\_\_, \_\_\_\_M., \_\_\_\_\_, 20\_\_\_\_, at which time all parties interested in or affected thereby will be heard, after which a decision will be rendered by the Mayor and Board. Any party interested may appear in person or by counsel on said date.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Zoning Administrator  
City of Sardis, Mississippi  
City Hall  
Sardis, Mississippi

(Publish one time)

408.04-2 In addition to the publication required above, notice shall also be posted for at least fifteen (15) days prior to the public hearing, and the costs of such posting shall be borne by the applicant. Such posting shall be by means of a sign or signs erected in a conspicuous location on the property, using at least one (1) sign for every three hundred (300) feet or less on each street upon which the property abuts. The sign shall be at least two (2) feet by two (2) feet in size, with the bottom of the sign at least three (3) feet above ground level, reading in letters legible from the nearest street, as follows , to wit:

PUBLIC NOTICE: This property being considered for a Variance from the provisions of the Zoning Ordinance. A public hearing will be held by the Mayor and Board of Aldermen of the City of Sardis, at City Hall at \_\_\_\_:\_\_\_\_, \_\_.M., \_\_\_\_\_, 20\_\_\_\_. Any party interested may appear and be heard.

409. Schedule of Fees, Charges, and Expenses

409.01 The Board of Aldermen shall establish a schedule of fees, charges, and expenses, and a collection procedure, for building permits, certificates of zoning compliance, appeals, and other matters pertaining to this Ordinance. The schedule of fees shall be posted in the office of the Administrative Official. No permit, certificate, conditional use, zoning amendment or variance shall be issued unless or until such fees, charges or expenses have been paid in full, nor shall any action be taken on proceedings before the Board of Aldermen unless or until preliminary charges and fees have been paid in full.

## ARTICLE V. DEFINITIONS

### 501. Definitions

501.01 Certain words and phrases used in this Ordinance are defined for the purpose thereof as follows: Words used in the present tense include the future; the singular number includes the plural, and the plural includes the singular; the word “person” includes a corporation as well as an individual; the word “lot” includes the word “plot”; the word “building” includes the word “structure”; the word “occupied” includes the words “designed” or “intended to be occupied”; the word “used” includes the words “arranged”, “designed”, or “intended to be used”; the word “shall” is mandatory and not directory.

501.02 Wherever the term “Ordinance” appears or shall appear, it shall be interpreted to mean and to refer to the Zoning Ordinance of the City of Sardis, Mississippi, inclusive of all amendments and supplemental sections which have been or may be added thereto.

501.03 Accessory Use or Structure: A use of land or use of a structure wherein such use is subordinate to the principal use of a building or use on the same lot and serving a purpose customarily incidental to the use of the principal building or use.

501.04 Adult Arcade: A place to which the public is permitted or invited wherein coin-operated, slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons, per machine, projectors or other image-producing devices are maintained to show images to five or fewer persons, per machine, at any one time, and where the displayed images are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

501.05 Adult Bookstore: A commercial establishment which, as one of its principal business purpose, offers for sale or rent for any form of consideration anyone or more of the following:

501.05-1 Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, DVD’s, slides or other visual representations which depict or describe specified sexual activities or specified anatomical areas; or

501.05-2 Instruments, devices or paraphernalia which are designed for use in connection with specified sexual activities.

501.06 Adult Cabaret: A nightclub, bar, restaurant, theater, or similar commercial establishment which regularly features:

501.06-1 Persons who appear in a state of nudity;

501.06-2 Live performances which a characterized by the exposure of specified anatomical areas or specified sexual activities; or

501.06-3 Films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

501.07 Adult Motel: A hotel, motel or similar commercial establishment which:

501.07-1 Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, and motion pictures, videocassettes, slides or other photographic reproductions which are characterized by the

depiction of description of specified sexual activities or specified anatomical area; and may have a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions. This definition shall not include R-rated films, as defined by the Motion Picture Association;

501.07-2 Offers a sleeping room for rent more than two times in a period of ten hours;

501.07-3 Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than ten hours; or

501.07-4 Offers or allows a discount or refund which is less than one-half the normal daily rate.

501.08 Adult Motion Picture Theater: A commercial establishment where, for any form of consideration, films, motion pictures, videocassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of specified sexual activities or specified anatomical areas. This definition shall not include R-rated films as defined by the Motion picture Association.

501.09 Adult Telecommunications Business: A commercial establishment where, by means of telephone, any communication characterized by the description of specified anatomical areas or specified sexual activities is made for commercial purposes to any person, regardless of whether the maker of such communication placed the telephone call. Adult telecommunication businesses are exempt from the permit requirements of this article, but shall comply with locational requirements.

501.10 Adult theater: A theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear in a state of nudity or seminude, or live performances which are characterized by the exposure of specified anatomical areas or specified sexual activities.

501.11 Alterations, Structural: Any change in the supporting members of a building, such as walls, floors, columns, beams, or girders.

501.12 Apartment: Two (2) or more rooms, designed for, arranged for, intended for, or occupied as a residence by one (1) family.

501.13 Apartment House: Any building housing three (3) or more apartment units, providing said units are the principal use of the building.

501.14 Board: As used herein, Board shall refer to the Mayor and Board of Aldermen for the City of Sardis.

501.15 Boarding House, Rooming House, Lodging House or Dormitory: A building or part hereof, other than a hotel or restaurant, where meals and/or lodging are provided for compensation, for three (3) or more persons and where no cooking or dining facilities are provided in individual rooms.

501.16 Building: Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals or property.

501.17 Building Permit: A permit issued by the Zoning Administrator for the construction or alteration of any building or structure.

501.18 Building, Height of: The vertical distance from the average contact ground level at the front wall of the building to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the ridge for gable, hip or gambrel roofs.

501.19 Conditional Use. A use for which the Mayor and Board of Aldermen may grant permission following a public hearing and findings of fact consistent with this Ordinance, provided the use complies with the conditions and standards required by this Ordinance.

501.20 Coverage: The percentage of the lot area which is covered by any building or part thereof.

501.21 Dwelling: Any building or portion thereof designed or used as the residence of one (1) or more persons, but not including a tent, cabin, trailer or trailer coach, manufactured home, tree house, or a room in a hotel or motel.

501.22 Dwelling, Single-Family: A building designed for or used for residence purposes by one (1) family or housekeeping unit.

501.23 Dwelling, Two-Family: A building designed for or used by two (2) families or housekeeping units.

501.24 Dwelling, Multi-Family: A building or portion thereof designed for or used by three (3) or more families or housekeeping units.

501.25 Dwelling, Rear: A building designed for or used as the residence or sleeping place of one (1) or more persons, located in the rear portion of a lot occupied by an existing structure.

501.26 Dwelling Unit: One (1) room or a suite of two (2) or more rooms designed for or used by one (1) family for living and sleeping purposes and having only one (1) kitchen or kitchenette.

501.27 Escort: A person who, for a consideration, agrees or offers to act as a companion, guide or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

501.28 Escort agency: A person or business association that furnishes, offers to furnish or advertises to furnish escorts as one of its primary business purposes, for a fee, tip or other consideration.

501.29 Establishment: Means and includes any of the following:

501.29-1 The opening or commencement of any sexually oriented business as a new business;

501.29-2 The conversion of any existing business, whether or not such business is a sexually oriented business; to a sexually oriented business;

501.29-3 The addition of a sexually oriented business to any other existing sexually oriented business; or

501.29-4 The relocation of a sexually oriented business.

501.30 Family: A person living alone, or two (2) or more persons living together as a single housekeeping unit, in a dwelling unit, as distinguished from a group occupying a boarding house, lodging house, dormitory, motel or hotel.

501.31 Filling Station: Any building used for the supply of gasoline, oil or other fuel for motor vehicle propulsion, which can include space and facilities for washing, polishing, greasing and servicing motor vehicles.

501.32 Garage, Private: A detached accessory building or a portion of the principal building used only for the storage of vehicles and incidental personal property.

501.33 Garage, Public: A building or portion thereof, other than a private garage or filling station, used for equipping, servicing, repairing, hiring, selling or storing vehicles, or similar equipment.

501.34 Home Occupation: An occupation conducted in a dwelling unit, provided that: no person other than members of the family residing on the premises shall be engaged in such occupation; the use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five percent (25%) of the floor area of the dwelling unit shall be used in the conduct of the home occupation; there shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one (1) sign, not exceeding one (1) square foot in area, non-illuminated, and mounted flat against the wall of the principal building; no home occupation shall be conducted in any front yard or on the street; no traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard; no equipment or process shall be used in such home occupation which creates noise, vibrations, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

501.35 Hotel: A building occupied primarily as the temporary abiding place of individuals who are lodgers with or without meals, and in which there are more than twelve (12) sleeping rooms or apartments.

501.36 Junk Yard: A place where waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building, and not including pawn shops and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable condition, or salvaged materials incidental to manufacturing operations.

501.37 Lot: A piece, parcel or tract of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings or utilized for a principal use and uses accessory thereto, together with such open spaces as required by this Ordinance, and having frontage on a public street.

501.38 Lot, Corner: A lot at the juncture of and fronting on two (2) or more intersecting streets.

501.39 Lot Area: The computed area contained within the lot lines.

501.40 Lot Depth: The mean horizontal distance between the front and the rear lot lines.

501.41 Lot Lines: The property lines bounding the lot.

501.42 Lot Line, Front: The property line separating the lot from a street right-of-way.

501.43 Lot Line, Rear: The lot line opposite and most distant from the front lot line.



501.44 Lot Line, Side: Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a side street lot line. A side lot line separating a lot from another lot or lots is called an interior side lot line.

501.45 Lot Width: The width of the lot measured at the building setback line.

501.46 Major Auto Repairs: Includes major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition or awaiting service, or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in service stations. Examples of major auto repairs include, but are not limited to, engine overhaul or replacement; any engine service requiring the removal of the oil pan, valve cover(s), cylinder head(s), intake manifold, water pump, alternator, air conditioner compressor, power steering pump; radiator repair; air conditioner service requiring the replacement of components; any transmission service other than the changing of fluid; suspension repair or alignment; any custom modifications to a vehicle; muffler and exhaust system repair; repair or replacement of axles and gears, electrical system repair, or the replacement of glass windshields.

501.47 Manufactured Home: A structure defined by, and constructed in accordance with, the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 USCS 5401, et seq.), and manufactured after June 14, 1976.

501.48 Manufactured Home Park: A parcel of land under single ownership which has been planned and improved for placement of manufactured homes for non-transient use in accordance with Section 210 of this Ordinance.

501.49 Manufactured Home Stand: That part of an individual lot which has been reserved for the placement of the manufactured home.

501.50 Minor Auto Repairs and Services: Includes uses providing the following:

501.50 -1 Sale and servicing of spark plugs, batteries, distributors and distributor parts, and ignition components;

501.50 -2 Tire servicing and repair, but not recapping or re-grooving;

501.50 -3 Replacement of mufflers and tail pipes, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors and the like;

501.50 -4 Radiator cleaning and flushing;

501.50 -5 Washing and polishing, and sale of automotive washing and polishing materials;

501.50 -6 Greasing and lubrication;

501.50 -7 Providing and repairing fuel pumps, oil filters and lines;

501.50 -8 Minor servicing and repair of carburetors and fuel injection systems;

501.50 -9 Emergency electrical repairs;

501.50 -10 Adjusting and repairing brakes;

501.50 -11 Minor motor adjustment not involving removal of the valve cover(s), head(s) or crankcase or racing the motor;

501.50 -12 Mini grocery store with sales of packaged foods, beverages, tobacco and similar convenience goods for filling station customers, as accessory to principal operation; and

501.50 -13 Provision of road maps and other informational material to customers.

501.51 Mobile Home: A structure manufactured before June 15, 1976, that is not constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended (42 USCS 5401 et seq.). It is a structure that is transportable in one or more sections, that, in the

traveling mode, is eight (8) body feet or more in width and thirty-two (32) body feet or more in length, or, when erected on site, is two hundred fifty-six (256) or more square feet, and that is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes any plumbing, heating, air conditioning and electrical systems contained therein. The term "Mobile Home" shall not be deemed to include "Recreation Vehicle", "Modular Home" nor "Manufactured Home."

501.52 Modular Home: A structure which is: (i) transportable in one or more sections; (ii) designed to be used as a dwelling when connected to the required utilities, and includes plumbing, heating, air conditioning and electrical systems with the home; (iii) certified by its manufacturers as being constructed in accordance with a nationally recognized building code; and (iv) designed to be permanently installed at its final destination on an approved foundation constructed in compliance with a nationally recognized building code. The term "modular home" does not include manufactured housing as defined by the National Manufactured Housing Construction and Safety Standards Act of 1974.

501.53 Motel or Tourist Court: A building, or group of buildings, comprising individual sleeping or living units for the accommodation of transient guests, not containing individual cooking or kitchen facilities.

501.54 Nonconforming Use: A building, structure or premises legally existing or used at the time of adoption of this Ordinance, and which does not conform with the use or area regulations prescribed by this Ordinance for the district in which located.

501.55 Nude model studio: A place where a person who appears in a state of nudity or displays specified anatomical areas is provided to be observed, sketched, drawn, painted, sculptured, photographed or similarly depicted by other persons who pay money or any other form of consideration.

501.56 Nudity and a state of nudity mean:

501.56-1 The appearance of a human bare buttock, anus, male genitals, female genitals or female breast; or

501.56-2 A state of dress which fails to opaquely cover a human buttock, anus, male genitals, female genitals or areola of the female breast.

501.57 Operates and causes to be operated: To cause to function, or to put or keep in operation. A person may be found to be operating, or causing to be operated, a sexually oriented business whether or not that person is an owner, part-time owner or permittee of the business.

501.58 Parking Space: The area required for parking one (1) automobile, which in this Ordinance is held to be an area not less than eight (8) feet wide and eighteen (18) feet long, either within a structure or in the open, exclusive of driveways or access drives.

501.59 Portable Building: A structure which is typically small or compact in nature, premanufactured off site, and delivered to a site as a complete unit with the exception of a foundation if not constructed with skids. Portable buildings are further defined as those utilized for storage purposes and not for human habitation and are typically constructed without plumbing systems, heating or air conditioning systems. Portable buildings shall not be utilized as habitable dwelling units.

501.60 Regulated Financial Use: Shall include pawn shops, title loan establishments, check advance establishments, payday lenders, cash for gold establishments, and other similar establishments providing primarily short-term consumer credit.

501.61 Planned Unit Development: The development of a tract of land primarily for residential use which may contain a variety of housing types with provisions for common open space for all residents and which may contain neighborhood commercial uses and other uses designed to serve the residential uses and is developed as a unit.

501.62 Public and semipublic facilities: Any building, structure, system, use, or combination of uses, which is customarily and ordinarily provided by either public or private agencies, groups, corporations, or organizations, whose purpose is the provision of necessary and desirable goods and/or services for the general public health, safety, and welfare. Such uses shall include, but not be limited to:

501.62-1 All governmental buildings and utility infrastructure (including municipal buildings and buildings erected by County, State or Federal governments), the land upon which buildings or infrastructure are located.

501.62-2 Major utility facilities, such as water pumping stations, sewage treatment plants, sanitary landfills and the like.

501.62-3 Major facilities associated with privately-owned utilities (electrical, natural gas, telephone) including but not limited to electrical substations, telephone communications centers, natural gas pumping facilities, and similar significant uses.

501.63 Recreational Horses: Horses that are kept, for no remuneration, exclusively for the use and enjoyment of the occupants of the premises.

501.64 Service Station: Buildings and land areas where fuel, oil, grease, batteries, tires or automobile accessories are supplied and dispensed at retail and where minor auto repairs and services are conducted. Uses permissible at a service station do not include major auto repairs and services.

501.65 Setback Line: The closest point at which a building may be constructed in relation to the lot line.

501.66 Sexual encounter center: A business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration;

501.66-1 Physical contact, in the form of wrestling or tumbling, between person of the same or opposite sex; or

501.66-2 Activities between male or female persons and/or persons of the same sex when one or more of such persons is in a state of nudity or seminudity.

501.67 Sexually oriented business: An adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult telecommunications business, adult theater, escort agency, nude model studio or sexual encounter center.

501.68 Site-built: Shall mean the process whereby all construction materials necessary for construction are transported to the site of a structure's permanent location and utilized for complete assembly, from foundation to roof, of said structure.

501.69 Specified anatomical areas mean:

501.69-1 Less than completely and opaquely covered:

1. Human genitals or public regions;
2. Buttock; and
3. Female breast below a point immediately above the top of the areola.

501.69-2 Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

501.69-3 Use of artificial devices or inanimate objects to depict any of the items described in this definition.

501.70 Specified sexual activities mean:

501.70-1 Human genitals in a state of sexual stimulation or arousal;

501.70-2 Acts of human masturbation, sexual intercourse or sodomy;

501.70-3 Fondling or other erotic touching of human genitals, pubic region, buttock or female breast;

501.70-4 Acts of bestiality; and

501.70-5 Use of artificial devices or inanimate objects to depict any of the activities described in this definition.

501.71 Story: The portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it.

501.72 Structure: Anything constructed, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground.

501.73 Tourist Cabin: One of multiple separate units designed to provide overnight accommodations for the travelling public. Such units ordinarily contain a bedroom and bathroom and are grouped into clusters called a tourist court.

501.74 Tourist Court: A cluster or grouping of multiple tourist cabins. See also Motel.

501.75 Tourist Home: A building or part thereof, other than a hotel, boarding house, lodging house, or motel, where lodging is provided by a resident family in its home for compensation, mainly for transients.

501.76 Travel Trailer: A vehicular, portable structure designed to be used as a temporary dwelling for travel, recreational and vacation uses not having a body width exceeding eight (8) feet or a body length exceeding thirty-two (32) feet. For the purposes of this Ordinance, travel trailer includes pickup coach, motor home and camping trailers.

501.77 Travel Trailer Parking Area: A parcel of land on which two (2) or more spaces are occupied or intended for occupancy by trailers, motor homes, or campers intended for transient dwelling purposes.

501.78 Unconventional Residential Structure: Any structure proposed to be utilized as a residential dwelling unit, or accessory thereto, and proposed to have exterior materials of any type other than: brick, horizontal siding of wood or masonry products, vinyl siding, vertical wood or vinyl siding, stucco, log and grout (log cabin), or any combination thereof.

501.78 Variance: A modification or relaxation of the terms of this Ordinance in cases where a literal enforcement of its provisions would result in unnecessary hardship due to circumstances unique to the individual property or use for which the variance is granted.

501.79 Yard: An open space at grade between the edges of a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein.

501.80 Yard, Front: An open space extending the full width of the lot between the edge of a building and the front lot line, unoccupied and unobstructed from the ground upward except as otherwise provided herein.

501.81 Yard, Rear: An open space extending the full width of the lot between the edge of a building and the rear lot line, unoccupied and unobstructed from the ground upward except as otherwise provided herein.

501.82 Yard, Side: An open space extending from the front yard to the rear yard between the edge of a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as otherwise provided herein.

501.83 Zoning Administrator: The person authorized to issue building permits and to enforce the Zoning Ordinance of the City of Sardis, Mississippi, as designated by the Mayor and Board of Aldermen.

## ARTICLE VI. MISCELLANEOUS

### 601. Penalty for Violation

601.01 Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this Ordinance, shall be fined not less than Ten Dollars (\$10.00) or more than One Hundred Dollars (\$100.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

### 602. Separability Clause

602.01 If for any reason any one or more sections, headings, clauses or parts of this Ordinance are held invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance but shall be confined in its operation to the specific sections, headings, clauses or parts of this Ordinance held invalid and the invalidity of any section, heading, clause or part of this Ordinance in any one or more instances shall not affect or prejudice in any way the validity of this Ordinance in any other instance.

### 603. Repeal of Conflicting Ordinances

603.01 All ordinances or parts of ordinances of the City of Sardis in conflict with this Ordinance, or inconsistent with the provisions of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

### 604. Effective Date

604.01 This Ordinance shall become effective in accordance with Mississippi Code Annotated §21-13-11.