

AN ORDINANCE TO ESTABLISH A HISTORIC PRESERVATION DISTRICT TO BE KNOWN AS THE WATER VALLEY MISSISSIPPI HISTORIC DISTRICT; TO DESIGNATE THE BOUNDARIES OF THE DISTRICT; AND TO PROVIDE FOR THE PRESERVATION, PROMOTION AND DEVELOPMENT OF SAID DISTRICT BY REQUIRING THAT NO APPLICATION PROPOSING THE ERECTION, ALTERATION, RESTORATION, DEMOLITION OR MOVING OF ANY STRUCTURE WITHIN SAID HISTORIC DISTRICT SHALL BE APPROVED UNTIL REVIEWED AND APPROVED BY THE WATER VALLEY MISSISSIPPI HISTORIC PRESERVATION COMMISSION.

WHEREAS, the Mayor and Board of Alderpersons of the City of Water Valley, Mississippi, did on February 22nd, 2019, adopt an Ordinance, now of record in Book A5 at Page___ of the minutes of the meetings of Mayor and Board of Alderpersons, creating a Historic Preservation Commission known as the Water Valley Preservation Commission; and,

WHEREAS, said Ordinance authorizes the Water Valley Preservation Commission to conduct or cause to be conducted a study and survey of architectural, archaeological, cultural and historic resources within the City of Water Valley and to recommend to the Mayor and Board of Alderpersons the adoption of ordinances designating landmarks, landmark sites, and historic areas or districts; and,

WHEREAS, said Preservation Commission has completed such study and survey and has recommended unto the Mayor and Board of Alderpersons that they adopt an ordinance designating a historic district to be known as the Water Valley Historic District, locating principally in the commercial core of Water Valley, MS along Main Street roughly from Young Street on the south to Market Street on the north. The district covers the east and west sides of Main Street along with the streets surrounding the county courthouse east of Main Street of said City; and,

WHEREAS, said proposed District has been approved by the Mississippi State Department of Archives and History; now, therefore, pursuant to the Mississippi Local Government Historic Preservation Act of 1978 (Chapter 472, Laws of Mississippi, 1978, and Section 39-13-3 of the Mississippi Code of 1972, as amended);

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERPERSONS OF THE CITY OF WATER VALLEY, MISSISSIPPI, as follows:

SECTION 1. DESIGNATION OF DISTRICT BOUNDARY: That area within the City of Water Valley, Mississippi, as hereinafter described is hereby designated as the Water Valley Historic District, as more particularly described in Exhibit "A" attached hereto and made a part hereof by reference as though fully copied verbatim herein, along with the map designating said District marked as Exhibit "B" attached hereto and made a part hereof by reference as though fully copied verbatim herein.

SECTION 2. PROTECTION OF THE HISTORIC DISTRICT: In order to promote the general welfare through the preservation and protection of historic resources within the

Water Valley commercial core area, and pursuant to said Ordinance of February 22, 2019, no exterior feature of any landmark, landmark site, or building structure within the Water Valley District (including but not limited to walls, fences, light fixtures, steps, pavement, trees or other appurtenance features) or any of the above ground utility structure or any type of outdoor advertising sign, shall be erected, altered, reconstructed, restored or rehabilitated, moved, cut or demolished within said Historic District until after an application for a Certificate of Appropriateness of such work has been submitted to and reviewed by the Commission and approved by the City, as all set forth in said Ordinance.

SECTION 3. DEFINITIONS: All definitions contained in said Ordinance of February 22, 2019, are hereby reference incorporated into this Ordinance, and all procedures shall be as therein provided.

SECTION 4. AMENDMENTS: The Mayor and Board of Alderpersons may from time-to-time and upon the recommendation of said Commission amend the boundaries of the Water Valley Historic District, and pursuant to said Ordinance.

SECTION 5. SEPARABILITY: The provisions of this Ordinance are separable. If any Section, paragraph or sentence, or portion thereof, be declared by any court or competent jurisdiction to be void, invalid, or inoperative in any manner, the decision of the court shall not affect the validity or applicability of the Ordinance as a whole or any part thereof other than the part held void, invalid or otherwise inoperative.

SECTION 6 INTERPRETATION: In interpreting and applying this Ordinance, its provisions shall be held to be the minimum requirements for the protection of the historic resources and the general welfare. It is not the intent of this Ordinance to interfere with, abrogate or annul any ordinance, rules, regulations or permits previously adopted or issued and not in conflict with any of the provisions of this Ordinance or which shall be adopted or issued pursuant to law relating to the use of buildings or premises and likewise not in conflict with this Ordinance, to interfere with, abrogate or annul any easement, covenant or other agreement between parties, except wherein this Ordinance imposes a greater restriction, this Ordinance shall control.

SECTION 7. EFFECTIVE DATE OF ORDINANCE: All Alderpersons being present and voting for the adoption hereof, the Board finds the need for immediate preservation of historic structures and buildings within the Historic Preservation District property herein constitutes an emergency within the provisions of Section 21-13-11 of the Mississippi Code of 1972, and therefore, this Ordinance shall take effect and be in force from and after its adoption and as provided by law.

ORDAINED, ADOPTED AND APPROVED on this, the 3rd day of December , 2019.

DESIGNATION OF HISTORIC DISTRICT BOUNDARY

The commercial core of Water Valley, MS along Main Street roughly from Young Street on the south to Market Street on the north. The district covers the east and west sides of Main Street along with the streets surrounding the county courthouse east of Main Street.

EXHIBIT "A"