

ORDINANCE OF THE CITY OF CARTHAGE REQUIRING INSPECTION  
PURSUAT TO THE SOUTHERN BUILDING CODE CONGRESS  
INTERNATIONAL IN ALL BUILDINGS USED FOR COMMERCIAL,  
RESIDENTIAL OR INDUSTRIAL RENTAL PURPOSES, SETTING CERTAIN  
FINES FOR NONCOMPLIANCE

BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Carthage, Mississippi, that:

Section One. The Mayor and Board of Aldermen of the City of Carthage desire to protect its citizenry from substandard rental housing, commercial buildings, and provide for the maintenance of all properties within residential areas of the City for the general public welfare and wellbeing of the residents, tenants and citizens of the City of Carthage, Mississippi.

Section Two. That prior to any occupancy by a tenant for residential or commercial purposes, the owner of said property or his designee shall first obtain, from the City of Carthage, a Certificate of Occupancy.

Section Three. When there has been a change in the principal occupant, lessee or tenant in any buildings or structures used for residential or commercial rental purposes, the designated Building Codes Inspector or other official of the City of Carthage, as appointed by the Mayor, shall inspect or cause to be inspected such structure to ensure that the structure is in compliance with all regulatory codes of the City of Carthage and the Southern Building Code Congress International. Further, all residential or commercial rental buildings or structures shall undergo said inspection a minimum of once each year to ensure compliance as set forth herein, whether a change in occupancy has occurred or not. However, rental property with five (5) or more units shall be considered apartments and twenty (20%) of all apartment units shall be inspected each year, in lieu of change of occupancy.

Section Four. And provide for drive-by inspection of the yards and curtilages of residential properties or vacant lots within residential areas being used for storage or accumulation of junk cars, tires, batteries, or any parts removed from vehicles and discarded articles of furniture, and all other trash, junk and dilapidated structures that cause sanitation or health problems, unsightly conditions, and degrades the value of other residential properties.

Section Five. And provide for drive-by inspection of yards in residential or commercial areas where weeds and tall grass have become a fire hazard or cause sanitation or health problems and a haven for vermin.

Section Six. And the City Inspector shall determine the owners and occupants of yards, vacant lots and other areas having conditions as described above, and report same to the Mayor and Board of Aldermen. The Mayor and Board shall then take such action as provided by statute and ordinance to remedy and eliminate such conditions.

Section Seven. The Building Codes Inspector or other official designated by the Mayor shall inspect the subject property utilizing the check list for inspections, which is attached as Exhibit "A" to this ordinance, and a copy shall be provided to the land owner at the time of inspection. The Building Code Inspector shall keep a list of all rental properties in the City of Carthage by street addresses, the names of the owners and tenants, and the date of the last inspection of each property. As provided in Section Three, all rental properties are subject to annual inspection, but in the event of a complaint concerning certain property, the Building Codes Inspector will have the right to enter the grounds or building of the property being complained about, to make an inspection and determine if violations exist or have occurred.

Section Eight. Any person or persons, firm, partnership or corporation that owns property subject to the terms of this ordinance that fails to pass inspection, shall not be issued a Certificate of Occupancy, and shall be ordered to make any and all necessary repairs within thirty (30) days of the date of inspection. Failure by the property owner to make the necessary repairs within thirty (30) days shall result in a fine of Two Hundred Fifty and 00/100ths Dollars (\$250.00), and a second (2<sup>nd</sup>) or subsequent violation with one (1) year shall result in a fine of Five Hundred and 00/100ths Dollars (\$500.00) per month until corrected.

Section Nine. Any person or persons, firm, partnership or corporation that owns property subject to the terms of this ordinance that fails to allow access to rental property and has been given a notice letter, after thirty (30) days from the refusal, a fine of \$500.00 is hereby imposed and if the refusal shall continue, the second month, a fine of \$1,000.00 is hereby imposed.

Section Ten. A property subject to this ordinance is deemed to have failed an inspection upon a finding, NOT APPROVED, in any one (1) inspection category set forth on Exhibit "A".

Section Eleven. Nothing in this ordinance shall be construed to be a warranty of fitness for intended use of the subject property, nor is this inspection intended to be a technically exhaustive examination of the structure, premises or systems or their fitness for intended use. Neither the inspection nor the Certificate of Occupancy shall be relied on by an owner, renter, purchaser, bank, mortgage company or any other lending institution that said property is fit for a particular purpose.

Section Twelve. Any person or persons, firm, partnership or corporation shall be required to obtain a signed original of the checklist, which is attached hereto as Exhibit "A", and a Certificate of Occupancy prior to entering into any lease agreement with any prospective lessee, occupant or tenant.

Section Thirteen. Owners or occupants of any property which is, or has been used for rental purposes, shall be given ten (10) days' notice by the City Inspector of his intention to inspect occupied or unoccupied buildings as provided by Section Three of this ordinance. Properties inspected and approved by HUD with a certificate of acceptance issued to the owner shall be exempted from City inspection when such certificate or true copy thereof, is submitted to the City Inspector.

Section Fourteen. The enforcement of this ordinance shall coincide with and supplement Article III, Section 314 and Article XVII of Zoning Ordinance of the City of Carthage.

Section Fifteen. Nothing in this ordinance shall be construed to cancel, modify or set aside any provisions of an existing ordinance. This ordinance is to ensure that no structure or building subject to the terms of this ordinance is allowed to deteriorate or to fall into disrepair in violation of the standards required at the time the structure was last approved for occupancy by the City.

Section Sixteen. This Ordinance shall be in full force and effect one (1) month from and after its passage.

The foregoing Ordinance having been reduced to writing and having been read and considered by Section and then as a whole, Alderwoman Miracle Matlock moved to adopt same by Sections and as a whole. Alderman David Herrington seconded the motion to adopt the Ordinance, and the Mayor having called the question to vote, the following vote was recorded:

David Cocroft	voting "Aye"
Laurie Henderson	voting "Aye"
David Herrington	voting "Aye"
Miracle Matlock	voting "Aye"

The Mayor declared the motion to have been carried and the Ordinance to have been adopted, and directed the publication thereof.

SO ORDERED this the 4th day of October, 2021.



*May Ann V...*  
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Mayor

ATTEST:  
*Lenny Spears*  
\_\_\_\_\_  
City Clerk