

CITY OF WAVELAND, MISSISSIPPI

AN ORDINANCE INSTITUTING A TEMPORARY MORATORIUM (180 DAYS) ON THE SUBMISSION AND ACCEPTANCE OF APPLICATIONS FOR BUILDING PERMITS FOR THE USE OF METAL CONTAINERS AS DWELLINGS AND IN THE CONSTRUCTION OF HABITABLE BUILDINGS, BOTH RESIDENTIAL AND COMMERCIAL; TO PROVIDE FOR ITS IMMEDIATE EFFECTIVENESS; AND FOR RELATED PURPOSES.

WHEREAS, the City of Waveland has seen a rise in the number of inquiries, requests, and applications for the construction of residential and commercial structures utilizing metal containers; and

WHEREAS, due to questions and concerns regarding the structural integrity of such materials, public safety, the potential of physical damage and harm to property and persons, and the use of such materials under the building codes adopted by the City of Waveland, the Mayor and Board of Aldermen for the City of Waveland deem it in the best interest of the safety and welfare of the citizens of the City of Waveland to establish a temporary moratorium on the approval and issuance of all building permits involving the use of metal containers in the construction of residential and commercial structures in the City of Waveland; and

WHEREAS, Mississippi Code Sections 21-17-5 and 21-13-1 provide that the City Council possesses the authority to adopt ordinances with respect to property located within the City; and

WHEREAS, Mississippi Code Sections 21-13-3 and 21-13-11 provide that the City Council possesses the authority to adopt ordinances for the immediate and temporary preservation of the public peace, health, or safety, or for other good cause; and

WHEREAS, it is necessary that an ordinance be adopted placing an immediate and temporary moratorium on the acceptance, approval, and issuance of applications for building permits for residential and commercial structures utilizing metal containers in the construction until an immediate review and study of the use of metal containers can be had, consistent with the building codes adopted by the City of Waveland; and

WHEREAS, imposing a moratorium on the submission and acceptance of applications for building permits described in this ordinance for a period of one-hundred-eighty (180) days will allow sufficient time for the City of Waveland to investigate, research, and develop an appropriate regulatory framework relating to the use of metal containers in the construction of residential and commercial building; and

WHEREAS, instituting the moratorium set forth herein will improve consistency among construction methods and uses under the City's building codes, and will ensure safe development and construction within the City, will result in a logical and orderly development pattern, and is necessitated by a demonstrated community need to achieve the objectives and policies stated herein.

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

SECTION 1. The City of Waveland hereby adopts the above and foregoing recitals as its findings.

SECTION 2. The City of Waveland hereby institutes a moratorium on the acceptance, approval, and issuance of building permits for all proposed residential and commercial construction utilizing metal containers as material in that construction.

SECTION 3. Measured from its effective date and time, the moratorium established herein shall extend for one hundred eighty (180) days or until the legally effective date of ordinances adopted by the Mayor and Board of Aldermen addressing the construction regulations under the

City's zoning ordinance and building codes of commercial and residential structures, whichever occurs first.

SECTION 4. This ordinance shall not be codified.

SECTION 5. For the reasons set forth in the recitals hereto, this ordinance shall become effective immediately upon its adoption, or as otherwise allowed by law.

Motion was made by Alderman _____, seconded by Alderman _____ for adoption by the City of Waveland, and received the following vote:

Alderman Rhonda Aime Gamble “ _____ ”;
Alderman Bobby Richardson “ _____ ”;
Alderman Shane LaFontaine, “ _____ ” and
Alderman Jeremy Clark voted “ _____ ”.

WHEREUPON the matter passed and was approved effective this the __ day of April, 2023.

Certified by:
