

**ORDINANCE OF PEARL RIVER COUNTY, MISSISSIPPI
IN THE MATTER OF THE SCREENING OR REMOVAL OF
AUTOMOBILE(S) OR ABANDONED, DAMAGED, WRECKED OR
OTHERWISE UNINHABITABLE MOBILE HOME(S), OR HOUSE TRAILER(S)
OR MANUFACTURED HOME(S), OR FRAME(S) OR FOUNDATION(S) OR
WHEEL AXLE(S) OF MOBILE HOME(S), APPLIANCE(S), AND JUNKYARDS
WITHIN VIEW OF PUBLIC ROADS AND HIGHWAYS**

The Board of Supervisors of Pearl River County, Mississippi considered the matter of a policy and procedure for screening of automobile(s) and appliance junkyards within view of any highway or public roadway in the unincorporated area of Pearl River County. It was determined that such a policy is necessary in order to prevent unsightly distractions of operators of motor vehicles; attract tourists, and promote the prosperity, economic well-being and general welfare of Pearl River County, Mississippi; promote the safety, recreational value, and enjoyment of travel on public highways and public roads within Pearl River County; and preserve and enhance the natural scenic beauty of the highways, roads, and adjacent areas. It is the stated intention of the Board of Supervisors of Pearl River County to provide a basis for regulation of automobile(s) and abandoned appliance(s), abandoned, or damaged, or wrecked or otherwise uninhabitable mobile home(s) or house trailer(s) or manufactured home(s) or frame(s) or foundation(s) or wheel axle(s) of mobile home(s), house trailer(s) or manufactured home(s), or junkyards in unincorporated areas of Pearl River County consistent with public policy declared by the Congress of the United States and the Legislature of the State of Mississippi, and provide penalties for violations thereof.

DEFINITIONS

JUNKYARD: A parcel of property on which is maintained, located, or used for storing, keeping, or selling:

- (a) three (3) or more junked, dismantled or wrecked automobiles, or pick up trucks, vans, special utility vehicles, motorcycles, motor scooters, or parts thereof or
- (b) three (3) or more junked discarded inoperable, or dismantled appliances, including, but not limited to refrigerators, freezers, washers, dryers, stoves, air conditioners, butane or hot water tanks, lawn mowers, lawn tractors, or dishwashers or
- (c) any combination of three (3) or more junked, dismantled, or wrecked automobiles or parts thereof or junked, discarded, inoperable, or dismantled appliances.
- (d) any abandoned, or damaged, or wrecked or otherwise uninhabitable mobile home(s) or house trailer(s) or manufactured home(s) or frame(s) or foundation(s) or wheel axle(s) of mobile home(s), house trailer(s) or manufactured home(s).

HIGHWAYS OR ROADS: Any portion of the National System of Interstate Highway, as officially designated by the Highway Department, and that portion of public highways and roads in unincorporated areas, as officially designated by the Board of Supervisors of Pearl River County, Mississippi on its official register and official map of roads.

1. Any junkyard found to have been located, established, or otherwise

placed in whole or in part within one hundred (100) feet of the nearest edge of the right-of-way of a public highway or roadway in unincorporated areas within Pearl River County, Mississippi after the effective date of this ordinance, is declared to be illegal, except those which are screened by natural objects, plantings, fences or other appropriate means, so that the automobiles, abandoned, damaged wrecked or otherwise uninhabitable mobile home(s), or house trailer(s) or manufactured home(s), or frame(s) or foundation(s) or wheel axle(s) of mobile home(s), or appliances, are not visible from the main traveled way, or are otherwise removed from sight. The use of used tin, plywood or cardboard as a fencing material is not acceptable or allowed as a screening material under this ordinance.

The effective date of this ordinance is declared to be October 1, 2005. It being the intention of the Board of Supervisors to create a grace period of approximately six (6) months from and after passage, within which grace period owners of junkyards, as herein defined, are given a time within which to comply with the screening requirement of this ordinance, or remove their junkyard to a site located more than five hundred (500) feet to the nearest edge of the right-of-way of a public highway.

II. After the effective date, October 1, 2005, upon finding a junkyard, which has not been screened or relocated as provided, the litter control officer or the solid waste enforcement officer of Pearl River County, Mississippi or the designee is directed to:

(a) ascertain the owners of the junkyard:

- (b) ascertain the owners of the property upon which the junkyard is located;
- (c) contact the owner of the junkyard, in person or by telephone, and advise the owner that the facility is illegal, and request that the violation be remedied; and
- (d) following such contact, provide written notification to the owner, restating the facts as to why the facility is illegal, and giving the owner thirty (30) days to remedy the violation. This letter will be sent by certified mail, returned receipt requested.

If, at the expiration of the thirty (30) day period, the owner has not remedied the violation or made satisfactory arrangements to comply with this ordinance, the litter control officer or the solid waste enforcement officer will forward to (1) the sheriff of Pearl River County, Mississippi, and (2) the county prosecuting attorney, the following:

- (a) the names and addresses of the owners and operators of the junkyard;
- (b) the name and address of the owner of the property upon which the junkyard is located;
- (c) a copy of the notice letter to the owners.

The sheriff will review the data submitted for adequacy and completeness, and will refer his findings to the Pearl River County Prosecuting Attorney for filing charges, requesting that the Pearl River County prosecuting attorney file affidavits against the owners.

PENALTIES

Any person or corporation found to be in violation of this ordinance shall, upon conviction, be guilty of a misdemeanor and be required to pay a fine for the first offense, in the amount of \$500.00, or for a second or any subsequent offense, in the amount of \$1,000.00.

The Clerk of the Board of Supervisors of Pearl River County is hereby authorized and directed to publish this Ordinance three (3) times in a local newspaper.

The above and foregoing Ordinance, after having been first reduced to writing, and discussed and considered by the Board was moved for adoption by Supervisor DANNY WISE, seconded by Supervisor ANTHONY HALES. Thereupon, the matter was put to a roll call vote with a result as follows:

LARRY DAVIS	VOTED:	ABSTAIN
TROY STOCKSTILL	VOTED:	NAY
ROBERT R. THIGPEN	VOTED:	AYE
DANNY WISE	VOTED:	AYE
ANTHONY HALES	VOTED:	AYE

WHEREUPON, the President of the Board declared the Motion carried and the Ordinance so adopted on this the 14th day of MARCH 2005.

Larry A. Davis
LARRY DAVIS, PRESIDENT
BOARD OF SUPERVISORS OF
PEARL RIVER COUNTY, MISSISSIPPI

ATTEST:

DAVID EARL JOHNSON, CHANCERY CLERK
PEARL RIVER COUNTY, MISSISSIPPI
CLERK OF THE BOARD

David Earl Johnson

