

**ORDINANCES FOR THE CITY OF FARMINGTON**

AN ORDINANCE TO REGULATE THE USE OF PRIVATE PROPERTY, THE CONDITIONS THEREOF, THE RESPONSIBILITIES FOR MAINTAINING THE STRUCTURE(S), EQUIPMENT(S) AND EXTERIOR OF PROPERTY LOCATED WITHIN THE CITY OF FARMINGTON, MISSISSIPPI

WHEREAS, the Mayor and Board of Aldermen of the City of Farmington, Mississippi, having been given the authority under Section 21-18-25 of the Mississippi Code of 1972, annotated, as amended, to allow for the adoption, amendment and revision of building and other codes by reference; and

WHEREAS, there are a number of standard codes dealing with property maintenance which would promote health, safety or welfare and the Mayor and Board of Aldermen of the City of Farmington, Mississippi, do find that its citizens would best be served by the adoption of said codes,

BE IT ORDAINED AND ENACTED by the Mayor and Board of Alderman of the City of Farmington, State of Mississippi, as follows:

1. There is a need for an ordinance which will establish the minimum regulations governing the conditions and maintenance of all property buildings and structures located within the jurisdiction limits of the City of Farmington.
2. That the Mayor and the Board of Alderman shall take lawful action to enact an ordinance which would regulate the conditions and maintenance of all properties, buildings and structures located within the city limits of the City of Farmington.
3. That the following Property Maintenance Ordinance shall be adopted for the City of Farmington, Mississippi, and made effective within thirty (30) days.

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**PROPERTY MAINTENANCE CODE**

**Division 1. Generally**

**Sec. 1-01 Scope.**

The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

**Sec. 1-02 Responsibility.**

The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit or premises which they occupy and control.

**Sec. 1-03 Vacant structures and land.**

All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

**Division 2. Exterior Property Areas**

**Sec. 2-01 Sanitation.**

All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

**Sec. 2-02 Grading and drainage.**

All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

**Exception:** Approved retention areas and reservoirs.

**Sec. 2-03 Sidewalks and driveways.**

All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in proper state of repair, and maintained, free from hazardous conditions.

**Sec. 2-04 Weeds.**

All premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches (254 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

**Sec. 2-05 Rodent harborage.**

All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

**Sec. 2-06 Exhaust vents.**

Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

**Sec. 2-07 Accessory structures.**

All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

**2-07.1 Gates.** Gates which are required to be self-closing and self-latching in accordance with the International Building code shall be maintained such that the gate will positively close and latch when released from a still position of 6 inches (152 mm) from the gatepost.

**2-07.2 Swimming pools.** Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

**Sec. 2-08 Motor vehicles.**

Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

**Exception:** A vehicle of any type is permitted to undergo a major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

**Sec. 2-09 Defacement of property.**

No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

**Division 3. Exterior Structure**

**Sec. 3-01 Premises identification.**

Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

**Division 4. Rubbish and Garbage**

**Sec. 4-01 Accumulation of rubbish or garbage.**

All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

**Sec. 4-02 Disposal of rubbish.**

Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

**4-02.1 Rubbish storage facilities.** The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

**Sec. 4-03 Disposal of garbage.**

Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

**4-03.1 Garbage facilities.** The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit;

an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leakproof, covered, outside garbage container.

**4-03.2 Containers.** The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leakproof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

#### **Division 5. Extermination**

##### **Sec. 5-01 Infestation.**

All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

##### **Sec. 5-02 Owner.**

The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

##### **Sec. 5-03 Single occupant.**

The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

##### **Sec. 5-04 Multiple occupancy.**

The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for extermination.

##### **Sec. 5-05 Occupant.**

The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

**Exception:** Where the infestations are caused by defects in the structure, the owner shall be responsible for the extermination.

## **Division 6. Occupancy Limitations**

### **Sec. 6-01 Privacy.**

Dwelling units, hotel units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaced.

### **Sec. 6-02 Minimum room widths.**

A habitable room, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counterfronts and appliances or counterfronts and walls.

### **Sec. 6-03 Minimum ceiling heights.**

Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than 7 feet (2134 mm).

- Exceptions:**
1. In one- and two-family dwellings beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.
  2. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts and similar obstructions.
  3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of a least 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet (1524 mm) or more shall be included.

### **Sec. 6-04 Bedroom requirements.**

Every bedroom shall comply with the requirements of Sections 6-04.1 through 6-04.5.

**6-04.1 Area for sleeping purposes.** Every bedroom occupied by one person shall contain at least 70 square feet (6.5 m<sup>2</sup>) of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6 m<sup>2</sup>) of floor area for each occupant thereof.

**6-04.2 Access from bedrooms.** Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

**Exception:** Units that contain fewer than two bedrooms.

**6-04.3 Water closet accessibility.** Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story at the bedroom or an adjacent story.

**6-04.4 Prohibited occupancy.** Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

**6-04.5 Other requirements.** Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this chapter.

**Sec. 6-05 Overcrowding.**

Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 6-05.

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room - a, b	No requirements	120	150
Dining room - a,b	No requirements	80	100
Kitchen -b	50	50	60
Bedrooms	Shall comply with Section 6-04		

For SI: 1 square foot = 0.093 m<sup>2</sup>.

- a. See Section 6-05.2 for combined living room/dining room spaces.
- b. See Section 6-05.1 for limitations on determining the minimum occupancy areas for sleeping purposes.

**6-05.1 Sleeping area.** The minimum occupancy area required by Table 6-05 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 6-04

**6-05.2 Combined spaces.** Combined living room and dining room spaces shall comply with the requirements of Table 6-05 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

**Sec. 6-06 Efficiency unit.**

Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet (20.4 m<sup>2</sup>). A unit occupied by three occupants shall have a clear floor area of not less than 320 square feet (29.7 m<sup>2</sup>). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
3. The unit shall be provided with a separate bathroom containing a water closet, lavatory, and bathtub or shower.
4. The maximum number of occupants shall be three.

**Sec. 6-07 Food preparation.**

All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

**Division 8. Penalties**

Individuals who are found to be in violation of this Ordinance are subject to the penalties as set forth in Mississippi Code Annotated 21-13-1 which as of the date of this Ordinance is a fine not exceeding \$1,000.00 or imprisonment not exceeding ninety (90) days or both. It is the intention of the City of Farmington that the penalty remain the same as that found in the above cited code section.

**Division 8. Ordinance in Force**

**Sec. 8-01 Ordinance in effect**

This Ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

The above Ordinance was first reduced to writing and read and considered by Sections at the regular March 18, 2014, public meeting of the Mayor and Board of Aldermen and on motion duly made by Jeff Patterson, for the adoption of said Ordinance and seconded by William Hebert, a vote was taken as follows:

<u>ALDERMAN</u>	<u>VOTE</u>
Lowell E. Gann	<u>Yea</u>
Mac Grisham	<u>Yea</u>
William Hebert	<u>Yea</u>
Jeff Patterson	<u>Yea</u>
Johnny Potts	<u>Yea</u>

Thereupon the Mayor declared the Ordinance duly adopted, this the 18<sup>th</sup> day of March, 2014, and declared same to be in full force and effect according to law.

Dale Fortenberry  
DALE FORTENBERRY, MAYOR

ATTEST:

Debra Jackson  
DEBORA JACKSON, CITY CLERK



I, Debora Jackson, City Clerk, and official custodian of the records of the Board of Mayor and Aldermen of the City of Farmington, Mississippi, do hereby certify that the foregoing Property Maintenance Ordinance was passed and adopted at a regular meeting of said Board held March 18, 2014, and is further a matter of record in Minute Book No. 6.

CITY OF FARMINGTON, MISSISSIPPI

BY: Debora Jackson  
DEBORA JACKSON, CITY CLERK

ATTEST:

Dale Fortenberry  
DALE FORTENBERRY, MAYOR