

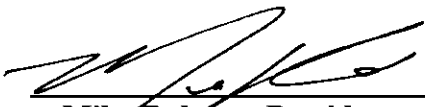
**ORDER: APPROVE AN ORDINANCE REQUIRING PERMITTING AS A
CONDITION TO CONSTRUCTION WITHIN THE
UNINCORPORATED AREAS OF LAFAYETTE COUNTY AS
REQUIRED BY MISSISSIPPI HOUSE BILL 1163**

Motion was made by Brent Larson, duly seconded by Larry Gillespie, to approve an ordinance requiring permitting as a condition to construction within the unincorporated areas of Lafayette County as required by MS Bill 1163.

The vote on the motion was as follows:

Supervisor Brent Larson, voted yes
Supervisor Larry Gillespie, voted yes
Supervisor David Rikard, voted yes
Supervisor Chad McLarty, absent
Supervisor Mike Roberts, voted yes

After the vote, President Roberts, declared the motion carried, this the 5rd day of July, 2022.



Mike Roberts, President
Board of Supervisors



Sherry Wall, Chancery Clerk

RESOLUTION OF THE BOARD OF SUPERVISORS OF LAFAYETTE COUNTY, MISSISSIPPI, ADOPTING AN ORDINANCE REQUIRING PERMITTING AS A CONDITION TO CONSTRUCTION WITHIN THE UNINCORPORATED AREAS OF LAFAYETTE COUNTY, MISSISSIPPI AND THE REQUIREMENT THAT SUCH PERMITS CONTAIN CERTAIN INFORMATION AND ATTACHMENTS, AS SET FORTH IN MISS. CODE ANN. § 19-5-9 (1972), AND FOR RELATED PURPOSES.

WHEREAS, House Bill 1163 was enacted by the Mississippi Legislature during the 2022 legislative session and signed by the Governor to take effect and be in force from and after July 1, 2022; and

WHEREAS, House Bill 1163 amends Miss. Code Ann. § 19-5-9 (1972), to require permitting as a condition for all construction within the unincorporated areas of the county, effective July 1, 2022; and

WHEREAS, Section 19-5-9, as amended, specifies that the requisite permits shall contain, on their face, in conspicuous print, the following:

1. the contractor's material purchase certificate number to the extent furnished by the Department of Revenue pursuant to Miss. Code Ann, § 27-65-21(4) (1972) **OR** the contractor's Taxpayer Identification Number as furnished by the Internal Revenue Service **AND** either a copy of such material purchase certificate furnished by the Department **OR** a copy of the contractor's W-9.
2. **AND** the contractor's license **OR** certification of responsibility number as required by either Miss. Code Ann. §§ 31-3-14, et seq. 51-5-1 et seq. or 73-59-1 et seq. (1972); and

WHEREAS, Section 19-5-9, as amended, mandates that the foregoing information and documents shall be required to be provided to county governments as part of the prime contractor's application for such permits and prior to the issuance of such permits; and

WHEREAS, pursuant to Miss. Code Ann. § 19-3-40 boards of supervisors have the power to adopt orders, resolutions or ordinances with respect to county affairs, property and finances, for which no specific provision has been made by general law and which are not inconsistent with the Mississippi Constitution, the Mississippi Code of 1972, as amended, or any other statute or law of the State of Mississippi; and

WHEREAS, pursuant to Section 19-5-9, as amended, the Board of Supervisors of Lafayette County, Mississippi hereby adopts and approves the following ordinance amending and supplementing its existing land use and related regulations, as follows:

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE BOARD OF SUPERVISORS OF LAFAYETTE COUNTY, MISSISSIPPI, THE FOLLOWING ORDER AND ORDINANCE:

SECTION 1. The findings, conclusions and statements of fact and law contained hereinabove are hereby adopted, adjudicated, ratified and herein incorporated.

SECTION 2. It shall be unlawful for any construction to commence within the unincorporated areas of Lafayette County, Mississippi (the "County") unless a permit has been duly issued for such construction as herein specified.

SECTION 3. In order for a prime contractor, construction manager, builder, remodeler or any other person as defined in House Bill 1163 (the "contractor") to obtain a permit under this ordinance, such person or entity shall first make application to the County by completing the following application (Exhibit 1) and tendering the requisite fees.

SECTION 4. The application shall contain the contractor's material purchase certificate number with the certificate attached or the contractor's Taxpayer Identification Number provided by the Internal Revenue Service or the contractor's W-9. The permit shall also contain the contractor's license or certificate of responsibility.

SECTION 5. The applications shall be filed at the Office of the Building and Planning Department of Lafayette County, Mississippi located at 300 North Lamar, Oxford, Mississippi. The applications shall be accepted and reviewed by the Director of Development Services of Lafayette County, Mississippi, or other appropriate County employee, designated as the substitute for the Director. The Director of Development Services shall ensure that the application is completed properly and fees are paid and immediately thereafter, issue the permit.

SECTION 6. The Department of Building and Planning shall provide a copy of the permits issued to the Tax Assessor / Collector.

SECTION 7. The Department of Building and Planning shall establish an administrative system providing for the filing and retrieval of the applications and permits and for the accounting for the fees collected.

SECTION 8. The permit shall cost a fee of \$_____. The County Administrator shall create for review and approval by the Board of Supervisors for Lafayette County, Mississippi an appropriate financial provision in the County's accounting system to account for the receipt and expenditure of funds received related to the permits required under this ordinance.

SECTION 9. A certified copy of this Resolution shall be spread upon the official minutes of the Board of Supervisors for Lafayette County, Mississippi. Upon the signature of the Board President and spreading of same upon the Minutes, this Ordinance shall take full force and effect on July 1, 2022.

The above and foregoing Resolution after being first reduced to writing, read, and discussed, was introduced and moved for adoption by Supervisor _____ and seconded by Supervisor _____ for adoption, and the question being put to a roll call vote the result was as follows:

SUPERVISOR Mike Roberts voted: _____

SUPERVISOR Chad McLarty voted: _____

SUPERVISOR David Rikard voted: _____

SUPERVISOR Brent Larson voted: _____

SUPERVISOR Larry Gillespie voted: _____

The majority of the Members present having voted in the affirmative, the President declared the Motion carried, and the Resolution adopted, on this the _____ day of June, 2022.

SO RESOLVED, ORDERED, AND ENACTED this the _____ day of June, 2022.

LAFAYETTE COUNTY, MISSISSIPPI BOARD OF SUPERVISORS

BY: _____
Mike Roberts, President

ATTEST: _____
Sherry Wall, Chancery Clerk