

**AN ORDINANCE OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF
VICKSBURG TO ENACT A VACANT AND ABANDONED STRUCTURE
REGISTRATION IN THE CITY OF VICKSBURG**

WHEREAS, Mississippi Code Annotated Section 17-1-3 empowers the Board of Mayor and Aldermen of the City of Vicksburg (hereinafter “the Board”) to enact regulations to promote the health, safety, morals and general welfare of the community by regulating the height, number of stories, and size of buildings and other structures, the percentage of lots that may be occupied, the size of the yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes; and

WHEREAS, the Board finds that the presence of vacant and abandoned properties (and structures thereon) within City limits has detrimental and adverse effects on the health, safety and welfare of the City’s residents, businesses, visitors and general public, including but not limited to, creating an attractive public nuisance, decreasing property values, contributing to increased criminal activities which jeopardizes public health, safety and welfare; and

WHEREAS, the Board further finds that vacant and abandoned properties (and structures thereon) within City limits contribute to the decrease in the value of surrounding properties, precipitate disinvestment by neighboring owners, provide a location for criminal activity, undermine the aesthetic character of the street and city and have other undesirable effects which are detrimental to the public health, safety and welfare and that they further unreasonably interfere with the reasonable and lawful use and enjoyment of other property within the neighborhood, pose a danger to first responders in an emergency, and detract from the appearance and good order of the neighborhood; and

WHEREAS, the Board seeks to facilitate the identification, inspection and regulation of these abandoned and vacant properties and/or building for the purpose of preserving and promoting public health, safety, prosperity and welfare and to abate and prevent public and private nuisances, reduce crimes occurring at or near these properties and alleviate potential fire hazards; and

WHEREAS, the Board finds that it is in the best interests of the City to adopt and establish regulations that establish a program for identification, registration, and regulation of abandoned and vacant buildings, determine the responsibilities of owners of vacant buildings, and provide for administration, enforcement, and imposition of penalties.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF VICKSBURG, that Chapter 6-Buildings and Building Regulations shall be amended as follows:

ARTICLE XIII and its subsections Sec. 6-297-306 are hereby created:

Section 6-297 - Title.

This chapter of the Code of Ordinances of the City of Vicksburg is hereby designated and shall be known and referred to as the Vacant and Abandoned Structure Registration Ordinance.

Section 6-298 - Purpose.

The purpose of this chapter is to protect the public health, safety and welfare of the citizens of City of Vicksburg, by requiring the registration of all vacant and abandoned structures, the submission of a vacant structure plan of action and the payment of an annual registration fee in order for the City to monitor, inspect and record the condition of vacant structures. The provisions in this chapter are cumulative of all city ordinances, and its goal is to ensure that a vacant property owner puts the property to its best and highest use.

Section 6-299 - Applicability and administration.

- (a) This article shall apply to all vacant structures, as defined herein, which are now in existence, or which may hereafter be constructed or converted from other uses, and which are located within the City of Vicksburg limits.
- (b) The Community Development Director/ Director of Building and Inspections is authorized to administer and enforce the provisions of this article.
- (c) The Director shall have the authority to render interpretations of this ordinance and to adopt policies and procedures to clarify the application of its provisions. The Director shall provide registered property owner with an agreement to obtain compliance with this ordinance by a specific date. The agreement must be approved by the Board of Mayor and Aldermen at its regularly scheduled Board meeting with the Board granting the Mayor authorization to execute the agreement.

Section 6-300 - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Director means the Director of Community Development or Director of Building and Inspections.

Lawful activity means the purpose for which the structure was built or intended to be used for.

Local Manager means the person specifically named on the application and permit who is responsible for the daily operations of the structure and who may be contacted and available

twenty-four (24) hours a day if there is a problem with the structure. The Local Manager may be the owner or agent of the owner and shall reside within Warren County. The Local Manager and owner shall be responsible for the management and upkeep of the structure in compliance with the provisions set forth herein. The name, address and telephone number of the owner and the Local Manager shall be submitted at the time that the application is filed and said information shall be made available to the public. The owner shall be responsible for providing written notice of any change with respect to the name, address and telephone number of the Local Manager to the City.

Notice of determination means the written notice by the Director to an owner that the structure is a vacant structure, a statement of the factual basis for the determination, and the obligations of the owner of the structure to register it.

Occupied means where one (1) or more persons conduct a lawful business or resides in all or any part of the structure as the licensed business-occupant, or as the legal or equitable owner or occupant/tenant on a permanent, non-transient basis, or any combination of the same.

Owner means any person, agent, firm or corporation, bank, mortgagee, etc. having a legal or equitable interest in the property; owner or owners recorded in the official public records of real property, owner or owners recorded in the records of Warren County, Mississippi; or any person, agent, firm or corporation otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person.

Registration fee means the non-refundable annual fee as established by the Board of Mayor and Aldermen that an owner of a vacant structure is required to remit to the Community Development Department each year the structure is vacant. The registration fee is applied to the costs incurred by the City of Vicksburg in the enforcement of this ordinance and for services that are required such as the inspection of the vacant structure.

Registration form means the form provided by the Director for an owner to register a vacant structure with the City of Vicksburg.

Structure means that which is constructed or built to house a residence, business, provide support, shelter, enclosure or partial enclosure of people.

Vacant means 1) all lawful activity has ceased, or reasonably appears to have ceased in the structure in that the property has not had a current Privilege Tax License (as applicable), water, and electricity associated with it for a period of ninety (90) days; or 2) a structure that is currently not contracted for utility services including water and electricity.

Section 6-301- Registration.

- (a) The vacant structure property owner shall have forty-five (45) days in which to register with the Community Development Department from the date written notice is issued to the property owner. Written notice shall be issued to the owner of the vacant structure by means of personal service or by first class mail to the property owner's last known address according to the records of the Warren County Chancery Clerk's land records and by posting on the vacant structure. Thereafter, the owner of the vacant structure shall annually register that vacant structure by completing and filing with the Community Development Department the registration form, completing and filing with the city the vacant structure plan of action form and remitting to the Community Development Department the registration fee in the amount as established by the Board of Mayor and Aldermen resolution each year until such structure becomes occupied or the ownership is transferred.
- (b) Upon the issuance of notice by the city to register a vacant property, and prior to the issuance of a certificate of registration for any vacant building, the owner shall register with the Director and provide the following information:
 - (1) The address, PPIN, Parcel Number and/or legal description of the property.
 - (2) The current name, physical address, mailing address, telephone number and email information for any owner(s) with an ownership interest in the property. Corporations or corporate entities shall submit the same information pertaining to their registered agent.
 - (3) The contact information for the Local Manager of the properties and/or improvements located on said property, as applicable.
 - (4) Proof of liability insurance, no less than one hundred thousand dollars (\$100,000.00) for the property. If insurance cannot be obtained, a surety bond for the value of the property must be approved by the Director for the value of the structure. Said value shall be the appraised value as determined by the Warren County Tax Assessor.
 - (5) A written comprehensive plan of action detailing a timeline for correcting violations, rehabilitation, and maintenance while vacant, and future use(s) of the structure. Said plan of action must be updated every six (6) months.
 - (6) A complete floor plan of the property for use by the Community Development Department and first responders in the event of a fire or other catastrophic event.
 - (7) Written notice to the city, including a copy of the deed, of a change in:
 - a. Ownership of the property.

- b. Contact information for the owner or the designated manager. Written notice must be provided to the city no later than seven (7) days after said changes have occurred.
- c. Continued annual registration of the property by the vacant structure property owner until said structure is deemed occupied and in compliance with all relevant code requirements by the city.

Section 6-302 - Registration fees.

- A. Vacant structure property owners shall tender an annual registration fee and an annual inspection fee. The initial registration fee shall be two hundred and fifty dollars (\$250.00) for single-family residential structures or seven hundred fifty dollars (\$750.00) for all other structures. The annual inspection fee shall be \$0.01 per square foot as determined by the floor plan or other data verified by the Director, or fifty dollars (\$50.00) minimum, whichever is greater. Following the initial registration period and each year thereafter, the registration fee shall double.
- B. Subsequent annual registration fees shall be due and postmarked no later than one (1) year from the date the previous vacant structure was identified and noticed.
- C. If the registration paperwork is submitted in its entirety within forty-five (45) days of the date the written notice was mailed, then the property owner may be entitled to a one hundred (\$100.00) dollar discount. However, failure to submit the registration paperwork in its entirety within the ninety (90) days' time-period may result in an additional one hundred fifty-dollar (\$150.00) fee.

Section 6-303 - Property manager or agent.

- (a) Vacant structure property owners must designate a Local Manager for said properties and include the relevant contact information for the designated manager upon registering the property with the Community Development Department. The property manager shall serve as agent for the property owner for purposes of accepting legal service; however, the vacant property owner remains responsible for code violations.
- (b) The property manager or agent must be available at the number listed at all times in the event of an emergency or catastrophe. For all vacant properties except for single-family residential structures: the name and telephone number of the property manager or agent must be posted at the front of the building, in large, legible print.

- (c) The property manager or agent shall post “No Trespass” placards on the premises. Additional employment of security services for the property for a specified number of hours every day may be required by the Director or his/her designee on the basis of the property’s history of code and/or criminal violations.

Section 6-304 - Standard of care for vacant property.

The standard of care, subject to approval by the Director, shall include, but is not limited to:

- (a) *Window, skylight and door.* Every window, storefront, skylight and exterior door part, including but not limited to the frame, the trim, window screens and hardware shall be kept in sound condition and good repair. All broken or missing windows shall be replaced with glass and secured in a manner so as to prevent unauthorized entry. All broken or missing doors shall be replaced with appropriately sized doors which shall be secured to prevent unauthorized entry. All glass shall be maintained in sound condition and good repair. All exterior doors, door assemblies and hardware shall be maintained in good condition and secured. Locks at all exterior doors, exterior attic access, windows, or exterior hatchways shall tightly secure the opening. Windows and doors shall not be secured by plywood or other similar means mounted on the exterior except as a temporary securing measure, and the same shall be removed within a period of time designated by the Director or his/her designee.
- (b) *Structure.* All structural members and foundation shall be maintained free from deterioration and shall be capable of safely supporting the imposed loads.
- (d) *Exterior walls.* All exterior walls shall be kept in good condition and shall be free from holes, breaks, and loose or rotting materials. Exterior walls shall be maintained weatherproof and properly surface-coated where necessary to prevent deterioration.
- (e) *Roof and drainage.* The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent accumulation, dampness or deterioration. Roof drains, gutters and downspouts shall be maintained in good repair, and operational.
- (f) *Interior and exterior areas.* The property must be kept free of junk, trash, debris and combustible materials.
- (g) *Vegetation and landscaping.* Shall be maintained in good and healthy condition.
- (h) *Premises identification.* The property shall have 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. All buildings shall display a vacant building identification placard as required by the Director.

- (i) *Overhang extensions and awnings.* Overhand extensions including, but not limited to canopies, marquees, signs, awnings, and fire escapes shall be maintained in good repair and be properly anchored and supported as to be kept in a sound and safe condition.
- (j) *Stairways, decks, porches and balconies.* Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage, and capable of supporting the imposed loads.
- (k) *Handrails and guards.* Every exterior handrail and guards shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
- (l) *Protective treatment.* Exterior surfaces, including but not limited to roofs, doors, door and window frames, trim, porches, balconies, decks and fences, shall be maintained as outlined in the International Property Maintenance Code (current adopted edition), weather tight and in such condition so as to prevent the entry of rodents and other pests. All exposed surfaces subject to rust or corrosion, other than decay-resistant woods or surfaces designed for stabilization by oxidation, shall be protected from the elements and against decay or rust by periodic application of weather coating materials such as paint or similar surface treatment. All siding, cladding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and watertight.
- (m) *Repairs.* All repairs shall be subject to approval by the city. All required permits and final inspections prior to and/or following repairs shall be in accordance with applicable laws and rules.
- (n) *Decorative features.* All cornices, belt courses, corbels, applications, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- (o) *Chimneys and towers.* All chimneys, cooling towers, smokestacks and similar appurtenances shall be maintained structurally safe and sound, and in good repair.
- (p) *Basement hatchways and windows.* Every basement hatchway shall be maintained to prevent the entrance of rodents, birds, rain and surface drainage water. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against entry of rodents.

Failure to maintain the vacant property to the standard of care specified by the city is a violation of this article.

Section 6-305 - Fee waivers.

All fee waivers must be applied for on an annual basis and are subject to approval by the Board of Mayor and Aldermen. A fee waiver is valid for only twelve (12) months and may be issued for a shorter period of time.

- (a) Property which has been devastated by a catastrophe such as fire or flood: the owner has thirty (30) days to register from the date of the disaster but may be exempt from the fees. This exemption is for the duration of one (1) year from the date of the catastrophe; thereafter all applicable fees are due.
- (b) A property owner who is indigent must register and is otherwise subject to this article but may be exempt from the fees.
- (c) Representatives of a property owner who is deceased or is no longer legally competent must register the property and are otherwise subject to this article but may be exempt from the registration fees. This exemption is for the duration of one (1) year from the date of the property owner becoming deceased or being judged no longer legally competent; thereafter all applicable fees are due.
- (d) Where the owner of the property has obtained a building permit and is progressing in an expedient manner to prepare the premises for occupancy, the owner must register the property and is otherwise subject to this article but may be exempt from the registration fees subject to the approval by the Board of Mayor and Aldermen.
- (e) Where the structure is being actively marketed for sale or lease for less than twelve (12) months by a licensed real estate broker or an owner who is regularly advertising the property, the owner must register the property and is otherwise subject to this article but may be exempt from the registration fees.
- (f) Where the structure is under a contract for sale or lease for less than twelve (12) months, the owner must register the property and is otherwise subject to this article but may be exempt from the registration fees.
- (g) Where the vacant structure is owned by an economic development corporation, the owner must register the property and is otherwise subject to this article but may be exempt from the registration fees.

Section 6-306 - Jurisdiction, enforcement and penalties.

- (a) Written notice of violation will precede the issuance of a citation, in which the vacant property owner will be given a reasonable length of time, not to exceed 90 days, to remedy the violation as determined by the Director. Written notice shall be issued to the property owner by means of personal service or by first class mail to the property owner's last known address according to the records of the Warren County Chancery Clerk's Land Records, or by posting on the vacant structure
- (b) Failure to register with the city after written notice to the vacant structure property owner, as is hereinafter specified, is a violation of this article.
- (c) Violation of this section will subject the violator to the penalties as listed in Sec. 6-295 (a).

SO ORDAINED this the 15th day of December, 2025.

The Mayor and Aldermen of the
City of Vicksburg, Mississippi

Willis Thompson, Mayor

Thomas J. Mayfield, Alderman

Vickie Y. Bailey, Alderwoman