

**Wireless Communication Ordinance for the City of Diamondhead**

WHEREAS, the City of Diamondhead has a need for wireless communications to insure the public safety is preserved;

AND WHEREAS, the City of Diamondhead has a current and ongoing need to communicate with our sister cities, Hancock County law enforcement and disaster response organizations, regional and state law enforcement and disaster assistance agencies and possibly federal law enforcement and disaster assistance agencies;

BE IT THEREFORE ORDAINED BY THE MAYOR AND CITY COUNCIL as follows:

**Wireless radio communications.**

- (a) The City of Diamondhead is hereby authorized to participate in a wireless radio communications program for purposes of public safety with all rights, privileges and obligations granted and required under § 63-9-31, Miss. Code Ann. 1972, as amended.
- (b) The Diamondhead Municipal Court pursuant to § 63-9-31 Miss. Code Ann. 1972, be, and it is hereby ordered, to assess ten dollars (\$10.00) as a surcharge on each person upon whom said court imposes a fine or other penalty for each violation of Title 63, Miss. Code Ann. 1972, except offenses related to vehicular parking or registration; and the court is ordered to deposit the proceeds from said surcharges according to § 63-9-31 Miss. Code Ann. 1972, into the special fund in the department of public safety's office of public safety planning.
- (c) The funds returned to the City of Diamondhead by the department of public safety shall be utilized for funding of the wireless communications program to acquire related computers, software and other technology needed for the program and approved by the Mississippi Department of Information Technology Services in accordance with said § 63-9-31, Miss. Code Ann. 1972.

Because the City of Diamondhead is a newly-incorporated municipality in urgent need of a wireless communication ordinance, immediate passage and effect of this Ordinance is needed for the immediate and temporary preservation of the public peace and safety in accordance with Miss. Code Ann. § 21-13-11 (Rev. 2007). Thus, this Ordinance moved for adoption by Councilmember Halcomb and seconded by Councilmember Roberson is adopted by unanimous vote of all members of the City Council of the City of Diamondhead and is effective from and after its passage by a unanimous vote of all members of the City Council. In accordance with Miss. Code Ann. § 21-13-11 (Rev. 2007), this Ordinance shall become effective

immediately upon the adoption thereof, and prior to being recorded and published in the ordinance book in the same manner as required by state law of other ordinances.

SO ORDAINED, THIS THE 10<sup>th</sup> DAY OF September, 2012.

	Aye	Nay	Absent
Councilmember Ackerman	<u>✓</u>	<u>      </u>	<u>      </u>
Councilmember Holcomb	<u>✓</u>	<u>      </u>	<u>      </u>
Councilmember Knobloch	<u>✓</u>	<u>      </u>	<u>      </u>
Councilmember Rech	<u>✓</u>	<u>      </u>	<u>      </u>
Councilmember Roberson	<u>✓</u>	<u>      </u>	<u>      </u>
Mayor Ingraham	<u>✓</u>	<u>      </u>	<u>      </u>

APPROVED *Charles H. Ingraham*  
MAYOR

ATTEST: *Sara W. Foster*  
CITY CLERK

SEAL

*Sara W. Foster*  
CITY CLERK