

There came on for consideration at a meeting of the City Council of the City of Diamondhead, Mississippi, held on the 16th day of **January, 2024**, the following Resolution:

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, FINDING AND ADJUDICATING THAT THE HEREIN DESCRIBED OVERGRWON PROPERTY IS A SERIOUS PROBLEM TO THE COMMUNITY AND WELARE OF THE CITIZENRY OF THE CITY AND AUTHORIZING ADVERTISEMENT FOR BIDS OR TO OBTAIN QUOTE(S) TO CLEAN PROPERTY AND CUT GRASS PARCEL NUMBER 067G-1-25-143.00 AND TO ASSESS THE COSTS TO THE SAID PROPERTY OWNER**

**WHEREAS**, the Mayor and City Council of the City of Diamondhead, Mississippi, (the "City"), pursuant to Mississippi Code Annotated §21-19-11, 1972, as amended, finds, determines, and adjudicates, based upon the investigation of the City's Building Department, that the uninhabited residence described below is such a menace to the public safety, and welfare of the citizenry of the City; and

**WHEREAS**, said uninhabited residence, as described herein, is within the corporate boundaries of the City of Diamondhead, Hancock County, Mississippi; and

**WHEREAS**, the overgrown grass and shrubbery investigated by the Building Department and recommended by the Code Enforcement Official for adjudication as being unsightly, noxious, and to be a menace to the public health, safety and welfare of the citizenry of the City is identified as:

Property located at 9728 Limu Place, Diamondhead, Mississippi (Parcel Number 067G-1-25-143.00). The property is owned by Paula Page.

**WHEREAS**, notice to the property owner was provided notice by the City pursuant to Mississippi Code Annotated §21-19-11, 1972, as amended, by mail to Paula Page 9728 Limu Place and, Diamondhead, MS 39525 and 775 N. Bierdeman Road-Lot#123, Pearl MS 39208, notice posted at 9728 Limu Place, Diamondhead, Mississippi by City of Diamondhead Code Enforcement Officer, A. J. Gambino and notice posted on the bulletin boards at City Hall, all within Diamondhead, Mississippi; and

**WHEREAS**, the Mayor and City Council of the City of Diamondhead further find, determine and adjudicate that advertisement for bids or obtaining quotes to mow grass, trim shrubbery, removal tree and shrubbery limbs to proper disposal from 9728 Limu Place, Diamondhead, MS should be made in the form and manner as provided by law; and

**WHEREAS**, the Mayor and City Council further find, determine, and adjudicate that the cost of mowing grass, trimming shrubbery, removing fallen tree and shrubbery limbs, shall not exceed the aggregate amount of \$20,000.00 per parcel per calendar year or the fair market value of the property subsequent to removal, whichever is more. Said amount including a penalty shall be assessed as a lien against said property as provided by law and shall be enrolled in the office of the Circuit Clerk of Hancock County, Mississippi, as other judgments are enrolled, and /or in the office of the Chancery Clerk of Hancock County, Mississippi; and

**WHEREAS**, the Mayor and City Council of the City of Diamondhead further find, determine, and grant authority to the Building Department or designee to re-enter the properties for a period of two (2) years without any further hearings if notice is posted on these properties and at City Hall, 5000 Diamondhead Circle, Diamondhead, Mississippi 39525, at least seven (7) days prior to re-entering the properties for resolution of the same type of violation.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL**

**OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, AS FOLLOWS:**

**SECTION 1.** That the matters, facts, and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

**SECTION 2.** That the property at 9728 Limu Place, be and hereby is declared to be a menace to the public health, safety, and welfare of the citizenry of the City of Diamondhead.

**SECTION 3.** That the City Clerk be and hereby is authorized to advertise for bids or obtain quote(s) and/or utilize city resources to mow grass, trim shrubbery and removal all tree/shrub limbs to a proper disposal site on the above described property and lying within the corporate boundaries of the City of Diamondhead, Hancock County, Mississippi.

**SECTION 4.** That the cost of cleanup and grass cutting, including any penalty assessed, shall be a lien against said properties as provided by law and shall be enrolled in the office of the Circuit Clerk of Hancock County, Mississippi, and/ or in the office of the Chancery Clerk of Hancock County, Mississippi.

**SECTION 5.** That the Mayor and City Council of the City of Diamondhead further find, determine, and hereby grant authority to the Building Department or any designee thereof to re-enter the property for a period of two (2) years without any further hearings if notice is posted on this property and at City Hall, 5000 Diamondhead Circle, Diamondhead, Mississippi 39525, at least seven (7) days prior to re-entering the properties for resolution of the same type of violation.

Councilmember Cumberland moved for the adoption of the Resolution,

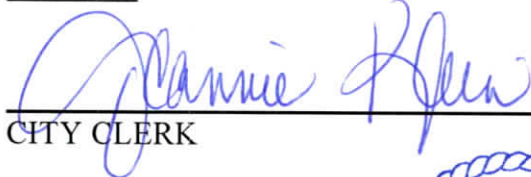
which was seconded by Councilmember MaHer.

Upon being put to a roll call vote, the following ballots were cast:

	Aye	Nay	Absent
Councilmember Finley	✓ —	—	—
Councilmember Liese	✓ —	—	—
Councilmember Cumberland	✓ —	—	—
Ward 4 Vacant	—	—	—
Councilmember Maher	✓ —	—	—
Mayor Depreo	✓ —	—	—

WHEREUPON the Mayor declared the Motion carried and the Resolution adopted,  
this the <sup>17<sup>th</sup></sup>~~16<sup>th</sup>~~ day of January 2024.

ATTEST:

  
CITY CLERK

ADOPTED:

  
MAYOR

