

By: Representative Wells-Smith (By Request)

To: Local and Private  
Legislation

## HOUSE BILL NO. 1552

1 AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF  
2 PASCAGOULA, MISSISSIPPI, TO CLEAN UP PROPERTY AND ASSESS THE COSTS  
3 THEREFOR TO THE PROPERTY OWNER; TO PROVIDE FOR NOTICE AND A  
4 HEARING BEFORE THE CITY MAY TAKE SUCH ACTION; TO CREATE A LIEN  
5 UPON PROPERTY SUBJECT TO THE PROVISIONS OF THIS ACT; TO AUTHORIZE  
6 THE SALE OF SUCH PROPERTY TO SATISFY A LIEN; AND FOR RELATED  
7 PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 SECTION 1. (1) The governing authorities of the City of  
10 Pascagoula, Mississippi, are authorized to notify the record owner  
11 of any property within the corporate limits of the City of  
12 Pascagoula, which such governing authorities have reasonable  
13 grounds to believe is dilapidated, unclean or unkempt and must be  
14 returned to a clean, safe, decent or sanitary condition within  
15 fifteen (15) days of the date of mailing notice to the property  
16 owner. Notice shall be sent by certified United States mail,  
17 return receipt requested to the same address to which ad valorem  
18 tax statements are sent. A notice returned which is marked  
19 "Refused" or "Undeliverable as Addressed" shall be deemed  
20 sufficient notice.

21 (2) If the property owner fails to remedy the condition of  
22 the property within the time specified, the governing authorities  
23 shall give notice to the property owner by certified United States  
24 mail, return receipt requested, two (2) weeks before the date of a  
25 hearing, or if the property owner is unknown or his address  
26 unknown or if the notice provided in subsection (1) of this  
27 section was returned and marked "Refused" or "Undeliverable as  
28 Addressed," then by two (2) weeks' notice in a newspaper having a

29 general circulation in the City of Pascagoula, of a hearing to  
30 determine whether or not such property is in such a state of  
31 uncleanliness as to be a menace to the public health and safety of  
32 the community. If, at such hearing, the governing authorities, in  
33 their resolution, determine such property in its then condition to  
34 be a menace to the public health and safety of the community, the  
35 governing authorities may, if the owner does not do so himself  
36 within fifteen (15) days after such hearing, remedy the condition  
37 and assess the fair and reasonable charges therefor to the  
38 property owner. The charges shall be a lien upon the property and  
39 may be enrolled as other judgments. The tax collector of the City  
40 of Pascagoula is authorized to sell the property to satisfy the  
41 lien as now provided by law for the sale of lands for delinquent  
42 municipal taxes, provided, that all the provisions of this act  
43 have been followed.

44 SECTION 2. This act shall take effect and be in force from  
45 and after its passage.