

By: Representative Kinkade

To: Judiciary A

HOUSE BILL NO. 133

1 AN ACT TO AMEND SECTION 17-1-19, MISSISSIPPI CODE OF 1972, TO
 2 AUTHORIZE COUNTIES AND MUNICIPALITIES TO RECOVER ANY ACTUAL COSTS
 3 TO THE GOVERNING AUTHORITY INCURRED IN ENFORCING A ZONING LAW,
 4 ORDINANCE OR REGULATION AND TO RECOVER ANY ACTUAL COSTS INCURRED
 5 IN BRINGING A VIOLATOR IN COMPLIANCE WITH A COURT ORDER, IF SUCH
 6 VIOLATOR FAILS OR REFUSES ATTORNEY'S FEES AND COSTS OF LITIGATION;
 7 AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 17-1-19, Mississippi Code of 1972, is
 10 amended as follows:

11 17-1-19. In case any building or structure is erected,
 12 constructed, reconstructed, altered, repaired, converted or
 13 maintained, or any building, structure, or land, is used in
 14 violation of the zoning law or of any ordinance or other
 15 regulation made under authority conferred hereby, the proper local
 16 authorities of any county or municipality, in addition to other
 17 remedies, may institute any appropriate action or proceedings, to
 18 prevent such unlawful erection, construction, reconstruction,
 19 alteration, repair, conversion, maintenance or use, to restrain,
 20 correct, or abate such violation, to prevent the occupancy



21 of * * * the building, structure or land, or to prevent any
22 illegal act, conduct, business, or use in or about such premises,
23 to recover any actual costs to the governing authority incurred in
24 enforcing a zoning law, ordinance or regulation and to recover any
25 actual costs incurred in bringing a violator in compliance with a
26 court order, if the violator fails or refuses attorney's fees and
27 costs of litigation.

28 **SECTION 2.** This act shall take effect and be in force from
29 and after July 1, 2018.

