

**CITY OF BILOXI
AGENDA ITEM
FACT SHEET**

Item No.: 5D

Council Meeting Date: January 18, 2022

ITEM TITLE: RESOLUTION

INTRODUCED BY: Mayor Andrew "FoFo" Gilich

CONTACT PERSON: E. Michael Leonard, CAO *qu*
Jerry Jerry Creech, Director of Community Development

SUMMARY EXPLANATION:

Resolution affirming the action and decision of the Building Official and authorizing special assessment of Tax Roll for demolition of a structure.

City Parcel No.: 1310H-02-004.000
 Owned by: Evan Pham Luu

Resolution Ordinance _____ Public Hearing _____ Routine Agenda _____

Exhibits for Review

Contract _____ Minutes _____ Plans/Maps _____ Deed _____ Lease _____

Other (Specify):

Submittal Authorization: Council President _____ Mayor

STAFF RECOMMENDATION: Staff recommends approval

COUNCIL ACTION: Motion By: _____ Second By: _____

Vote:	<u>Councilmember</u>	<u>Yes</u>	<u>No</u>	<u>Other</u>	<u>Councilmember</u>	<u>Yes</u>	<u>No</u>	<u>Other</u>
	Lawrence	___	___	___	Tisdale	___	___	___
	Gines	___	___	___	Glavan	___	___	___
	Newman	___	___	___	Barrett	___	___	___
	Deming	___	___	___				

ACTION TAKEN:

RESOLUTION NO.:

RESOLUTION AFFIRMING THE ACTION AND DECISION OF
THE BUILDING OFFICIAL AND AUTHORIZING SPECIAL ASSESSMENT TO THE
TAX ROLL FOR DEMOLISHING ONE STRUCTURE

WHEREAS, pursuant to Chapter 5, Article III, Section 5-3-5 of the Code of Ordinances of the City of Biloxi, Mississippi, Jerry Creel, Building Official of the City of Biloxi, Mississippi, has given written notice of complaint that a certain dwelling is unfit for human habitation to the owner of said dwelling; and

WHEREAS, said notice was given not less than ten (10) days, nor more than thirty (30) days prior to a hearing before the Building Official for the following property:

CITY PARCEL NO.:	1310H-02-004.000
OWNED BY:	Evan Pham Luu
ADDRESS:	245 Benachi Avenue
HEARING DATE:	July 28, 2021

WHEREAS, said hearing resulted in a written Order to the property owner to repair, alter or improve said dwelling to render it fit for human habitation or, at the option of the owners, to vacate and close the dwelling as a human habitation pursuant to Section 5-3-5 (b) of Chapter 5, Article III of the City Code of the City of Biloxi, Mississippi; and

WHEREAS, said property owner did not, within ten (10) days, file an appeal pursuant to Section 5-3-5 (e) of Chapter 5, Article III of the Code of Ordinances of the City of Biloxi, Mississippi; and

WHEREAS, Jerry Creel, Building Official of the City of Biloxi, Mississippi determined, after notice and hearing, that said property owner failed to comply with such order within the time prescribed and pursuant to the authority conferred in Section 5-3-5 (e) of Chapter 5, Article III of the Code of Ordinances of the City of Biloxi, Mississippi, and

in Article 3 of Chapter 35 of Title 43, Mississippi Code Annotated (1972), obtained at least three bids for demolishing one structure, which was not repaired, altered or improved within the prescribed period, and had said dwelling demolished by the lowest and best bidder as referenced below, and has reported the cost of said demolition to this Council to be assessed as lien on the parcel as provided by law.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT:

SECTION 1: The City Council of the City of Biloxi, Mississippi hereby affirms the action and decision of the Building Official.

SECTION 2: Pursuant to the authority conferred by Article 3 of Chapter 35 of Title 43 of the Mississippi Code Annotated of 1972, a special assessment for action taken by the Building Official of the City of Biloxi, Mississippi, demolishing one structure on the following parcel is hereby authorized by the City Council of the City of Biloxi, Mississippi as follows:

CITY PARCEL NO:	1310H-02-004.000
OWNERS:	Evan Pham Luu
ADDRESS:	245 Benachi Avenue
CONTRACTOR:	AD & R, Inc.
ASSESSMENT AMOUNT:	\$6,415.00