

**CITY OF BILOXI
AGENDA ITEM
FACT SHEET**

Item No.: 4 A

Council Meeting Date: February 4, 2025

ITEM TITLE: Ordinance (2nd reading)

INTRODUCED BY: Mayor Andrew "FoFo" Gilich

CONTACT PERSON: E. Michael Leonard, CAO

Peter Abide, City Attorney

SUMMARY EXPLANATION:

Ordinance to amend Section 19-2-1(c) Ad Valorem Tax Exemption Program-Qualification for Exemption of the Code of Ordinances, City of Biloxi, Mississippi, of 1992.

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: Glavan Second By: Gines

Vote:	Councilmember	Yes	No	AFR	ABST	Councilmember	Yes	No	AFR	ABST
	Lawrence	___	___	___	___	Tisdale	___	___	___	___
	Gines	___	___	___	___	Glavan	___	___	___	___
	Newman	___	___	___	___	Shoemaker	___	___	___	___
	McGilvary	___	___	___	___					

ACTION TAKEN: First reading on Jan 28, 2025

Ordinance No.

ORDINANCE TO AMEND SECTION 19-2-1(C) OF THE CODE OF ORDINANCES,
BILOXI, MISSISSIPPI, OF 1992

WHEREAS, the City of Biloxi is in the process of updating its ordinances pertaining to parks and recreation; and

WHEREAS, the Biloxi City Council finds that it is in the best interests of the health, safety and welfare of the residents of Biloxi that Section 19-2-1(c) of the Code of Ordinances, Biloxi, Mississippi, of 1992, be amended.

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

SECTION ONE: Section 19-2-1(c) of the Code of Ordinances, Biloxi, Mississippi, of 1992, is hereby amended in its entirety, as follows:

Sec. 19-2-1. The Post-Katrina Commercial and Hospitality Industry Economic Recovery and Redevelopment Plan.

(c) *Qualification for exemption.*

- (1) As required by statute, only new or renovated structures which are found to be aiding and implementing the promotion of business, commerce, or industry in the designated district may qualify for an exemption under this section. Renovations, construction, and reconstruction for which building permits have been issued prior to the passage of this section by the city council shall not qualify for the exemption.
- (2) All structures used for residential purposes do not qualify for an exemption under the terms of this section. ~~Structures which are within the boundaries of the district described by this section and are also within a zoning district which permits mixed uses (meaning a commercial use and a residential use within a single structure), may also qualify for an exemption under this section~~ unless such structure is (i) located in a Downtown zoned district; and (ii) consists of at least four (4) dwelling units. To qualify, all construction and usage must be in conformity with the Post-Katrina Commercial and Hospitality Industry Economic Recovery and Redevelopment Plan.
- (3) No exemption shall be granted except upon written application submitted to the municipal clerk, and upon the adoption of a resolution by the city council finding that the construction, renovation, or improvement of the subject property is for the promotion of business, commerce or industry in the Post-Katrina Commercial and Hospitality

Industry Economic Recovery and Redevelopment District. The city council shall have sole discretion to approve each and every qualifying and conforming application for tax exemption.

SECTION TWO: Upon unanimous vote of the members of the City Council, this ordinance shall be in full force and effect from and after passage, because it serves the public peace, health and safety of the citizens of Biloxi, and good cause exists for same. If not a unanimous vote this Ordinance shall become effective as soon thereafter as is signed, certified, and as is otherwise provided by law.