

**Amendments to the Zoning Ordinance of the City of Clinton, Mississippi to ensure neighborhood preservation, and encourage neighborhood aesthetics and to define nuisances**

Amend Section 406.02 – Fences, Walls, & Hedges by adding:

All fences and walls shall be maintained in a structurally sound condition and in good repair. Fences and walls shall be free from loose or rotting materials and shall have braces and supports attached or fastened in accordance with common building practices.

Amend Section 406.05 – Materials and Growth Constituting Public Health and/or Safety Hazards Prohibited by adding:

Items such as, but not limited to, washers, dryers, refrigerators, ovens, freezers, lawn mowers, string trimmers, edgers, tillers, rakes, shovels, mattresses, box springs, couches, sofas, recliners, ice chests, boxes, crates, storage bins, storage tubs, file cabinets, grills, kennels, barrels, drums, shall not be stored on a porch, breezeway, or balcony if the porch, breezeway, or balcony is visible from the street.

Placement of basketball goals on public streets or right-of-way is prohibited.

Amend Section 406 – Miscellaneous General Regulations by adding Section 406.10 – Prohibited Parking or Storage of Vehicles in Front and Side Yards and Section 406.11 – Repair of Vehicles

**406.10 - Prohibited Parking or Storage of Vehicles in Front/Side Yards or Public Streets or Right-of-Way**

No vehicle shall be parked or stored in any front yard or side yard within any residential zoned district, except within a garage, carport, apron or driveway. Driveway cannot cover more than 50 % of the front yard and a driveway must be paved with stone, brick, asphalt, concrete, or gravel.

Parking and/or storage of any vehicle on a public street or public right-of-way is prohibited within R1, R2, R3, R4, R5, and A1 zoning districts or other districts where “NO PARKING” signs have been installed. EXCEPTION: Parking for isolated, non-recurring gatherings, parties, or visitors will be permitted.

Recreational vehicles, transient trailers, travel trailers, motor homes and the like must be parked or stored within a garage or open carport or behind the back line of the building (rear yard). Such vehicles may be parked in the driveway, front or side yard for loading/unloading, cleaning or repair for a period not to exceed twenty-four hours.

Trailers, boats, all-terrain vehicles (ATV), shall be parked or stored within a garage or open carport or behind the back line of the building (rear yard). EXCEPTION: Such items may be placed in side yard and if enclosed by solid fencing in a manner that prevents direct visibility from the street.

#### 406.11 – Repair of Vehicles

Minor repairs such as changing oil, or the replacement of the air filter, spark plugs, brakes, tires, shocks, etc. are permitted in the residential zoned district. Minor repairs of any vehicle performed other than within a fully enclosed building shall not exceed a seventy-two (72) hour period of time.

Major repairs such as, but not limited to, replacing or overhauling of engine, transmission, or auto bodywork or other repairs that exceed a 72 hour period is only permitted if such work is being conducted within a fully enclosed building.

Minor or major repairs as stated are only permitted on vehicles registered to the property owner or tenant of the said property on which the repairs are conducted. Vehicle repair shops are prohibited within any residential district.

#### Add Section 407 – PROPERTY MAINTENANCE & PUBLIC NUISANCE

##### 407.01 – Owner’s Responsibilities:

Property owners shall be responsible for the maintenance of the owner’s property and premises in a manner consistent with the provisions of this Ordinance; provided, however, that an owner may require by written agreement that a tenant, lessee, or occupant of the owner’s property maintain same in accordance with this Ordinance but failure of such tenant, lessee, or occupant to so maintain the owner’s property shall not relieve the owner of the owner’s responsibilities hereunder

##### 407.02 – Condition of Buildings, Accessory Structures on Property:

The existence of any of the following conditions on buildings, accessory structures, or property, where same has an adverse impact on safety, health, environment, aesthetics or property values of properties in the near vicinity as a result of being visible from outside the property, is declared to be a nuisance.

1. Broken windows
2. Window shutters that are damaged or not secured properly
3. Rain gutters and down spouts that are rusted, sagging, or improperly fastened
4. A roof with missing or deteriorated roofing materials such that repair or replacement is required
5. Any garage door that is inoperable, broken, sagging, lacking paint or missing visible parts or materials
6. Any driveway that is deteriorated, crumbling, weed-infested, or lacks adequate covering of asphalt, brick, or concrete, stone, gravel or is missing portions thereof
7. Exterior light fixtures in need of repair or replacement
8. Exterior light fixtures that shine directly toward adjacent property (with the exception of front entrance general illumination lights)

9. Exterior walls that have exposed, rotten, or deteriorated materials
10. Screens on doors or windows that are torn or in need of repair or replacement
11. Stairs or railings affixed to the exterior of buildings that are in need of repair or replacement
12. Excessive scaling, peeling or flaking paint
13. Excessive mildew or mold.
14. Property damaged or destroyed by fire or acts of nature that has not been demolished or repairs begin within three months. Debris or refuse from fires or acts of nature remaining on property for three months
15. Torn or ripped window awnings
16. Inadequately secured antennas
17. Damaged, rotted, or decayed mailboxes or mailbox posts
18. Graffiti
19. Construction projects that are on-going for more than twelve months  
(Exception: Construction projects with a valid building permit may request a time extension due to extenuating circumstances, such as natural disasters.)
20. Scattered building or repair material in a yard
21. Storage of construction, repair or maintenance material or equipment on a premises that is not to be used on the premises
22. Construction debris and refuse remaining on property for thirty days
23. Lumber or construction materials (excluding materials for a construction project on the property with a current valid permit), salvage items (junk), including but not limited to auto parts, scrap metals, tires, and the like stored on property in excess of seventy-two hours
24. Missing bricks on exterior walls and chimneys
25. Windows, doors, or building exteriors covered with but not limited to, aluminum foil, cardboard, plywood, or plastic, except during construction or pending permanent repairs
26. Lawn areas that are not properly planted and maintained to prevent erosion, excessive dust, or the accumulation of water and mud.
27. Building or repair material and building, maintenance, or repair equipment stored for thirty days
28. Piles of dirt, sand, gravel, rock, mulch in excess of fourteen (14) days
29. Scattered or rotted firewood
30. Wheel barrows, lawnmowers, or garden and lawn materials and equipment if visible from the street in excess of a twenty-four hour period
31. Erosion caused by lack of ground cover, resulting in dirt accumulation on sidewalks, streets, or adjacent properties
32. Discarded garbage, rubbish, refuse, or recyclable items that have not been collected within seven days of being deposited on the property and that remain thereon
33. Oil, grease, paint, other petroleum products, hazardous materials, volatile chemicals, pesticides, herbicides, fungicides, or waste (solid, liquid, or gaseous) that is determined to constitute a fire or environmental hazard, or to be detrimental to human life, health, or safety
34. The above listed items are not intended to be all inclusive

35. Any other condition existing on or in a building, accessory structure, or property that is a safety or health hazard whether or not same is visible from outside the property.

#### 407.03 – Garage or Carports

Garages used for the accumulation or storage of personal property that are unsightly and when viewed from outside the property, shall be kept closed except during ingress and egress.

Materials, equipment, or other items of personal property shall not be stored inside a carport to the extent that such storage prevents the use of an open carport for the parking of the number of motor vehicles for which the open carport is designed

#### 407.04 - Garbage or Refuse Containers

Garbage or refuse containers shall be stored behind the front line of the building and shall not be visible from the street, except when placed for collection. Garbage or refuse containers shall be returned to the storage location not later than 8:00am the day following collection.

It shall be unlawful for any person to dispose of or cause to be disposed of any garbage, rubbish or other waste materials upon property other than a lawfully operated garbage dump or sanitary landfill. Excessive amounts of cutting, clippings, leaves, and other yard debris shall not be allowed to accumulate in the lawn area for up to fourteen (14) days as to adversely affect the value of properties in the near vicinity.