

ORDINANCE NO.366

AN ORDINANCE REGARDING THE LIGHTING OF BONFIRES ON THE BEACHFRONT IN WAVELAND

WHEREAS, the Board of Mayor and Aldermen of the City of Waveland, Mississippi find that a need exists to create and maintain a safe and secure environment for the citizens of the City of Waveland;

WHEREAS, the lighting of bonfires or fires of any kind on the beachfront in the City of Waveland, constitutes a fire hazard to property in the City of Waveland, and

WHEREAS, the construction and burning of said fires creates a nuisance on said beachfront; and

WHEREAS, the Board of Mayor and Aldermen of the City of Waveland are authorized to establish said rules, regulations, and restrictions pursuant to Mississippi Code Ann. 21-13-1 et seq. and 21-19-21;

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Waveland;

- A. BEACHFRONT DEFINED. The beachfront in the City of Waveland is described as that portion of land between the Beach Road and the Mississippi Sound.
- B. ZONES CREATED. For the purpose of efficiently locating permitted bonfires and the process of applications, there are hereby created four zones described as follows:
 - 1) Zone 1 - The beginning of the City line from Bay St. Louis to Lafitte Drive; and
 - 2) Zone 2 - Saint Joseph Street to the edge of Buccaneer Park.
- C. PERMIT REQUIRED.
 - 1. No person shall kindle or maintain any bonfire on the beachfront in the City of Waveland without an issued permit from the City of Waveland Utility Department.
 - 2. No person shall be issued a permit without first executing a Hold Harmless and Indemnification Agreement. Execution of this Agreement is a condition precedent to the issuance of a bonfire permit.
 - 3. No person shall be issued a permit under the age of 21. The permit holder shall be responsible for the conduct and cleanup of the fire.
 - 4. The person requesting the permit shall give a detailed description of the requested location of the proposed bonfire site.
- D. BURNING RESTRICTIONS.
 - 1. No person shall kindle or maintain any open fire or bonfire on the beachfront without first obtaining a permit.
 - 2. The burning of garbage or refuse is prohibited. The only materials allowed to fuel a bonfire shall be seasoned firewood, absent any nails or other noxious material and/or substances, to be kindled with a small amount of paper. Wood containing nails, to include pallets, are not to be used.
 - 3. The fire shall be located not more than 25 feet north of the shoreline to allow adequate space between the sand dunes, the roadway and the fire.
 - 4. The fire will be located at least 100 feet from any structure, pier, fencing, or building.
 - 5. Once the bonfire structure is compiled, the permit holder shall notify a representative from the Waveland Fire Department who will inspect the bonfire structure for compliance with the issuance location and the restrictions listed herein before the bonfire is ignited. The Waveland Fire Department representative shall have the authority to immediately revoke any permit based on noncompliance with the restrictions of this Ordinance.
 - 6. The fire will be kept small and under control at all times. The maximum height and width allowed is 5 feet by 5 feet.
 - 7. The fire shall be constantly attended by a person over the age of twenty-one until the fire is completely extinguished.
 - 8. Once the bonfire is extinguished, the refuse, ashes and any other debris shall be placed in a container or removed from the beach before leaving. Do not cover with sand.
 - 9. Once the bonfire is extinguished and the site cleared, the permit holder shall notify the Waveland Fire Department to inspect the location before noon the next day for compliance with this Ordinance.
 - 10. The construction and lighting of said fires shall be in conformity with all other local ordinances of the City of Waveland, Hancock County, state and federal laws.

- E. CITY MAY PROHIBIT. The City of Waveland may prohibit, deny, or revoke any and all bonfires and/or previously issued bonfire permits when said bonfire structure is not in compliance with this Ordinance, and/or atmospheric conditions or local circumstances make such fires hazardous.
- F. PERMIT DEPOSIT FEE. A permit deposit fee of \$125 will be required to be submitted to the City at the time of application. The permit fee is nonrefundable \$25. The deposit fee of \$100 is refundable upon cleaning and the following the above regulations. It is within the discretion of the Waveland Fire Department representative if the area has been cleaned to Ordinance standards.
- G. VIOLATIONS. Any person violating this ordinance shall be fined not exceeding more than \$1,000 or imprisonment not exceeding 90 days, or both.

This Ordinance shall become effective thirty-(30) days after its passage. **UPON MOTION** of Alderman Jeremy Burke moved, duly seconded by Alderman Bobby Richardson, the aforesaid Ordinance was put to a roll call vote with the Aldermen voting as follows:

Jeremy Burke	Voted: Yes
Bobby Richardson	Voted: Yes
Shane Lafontaine	Absent
Charles Piazza	Absent
Mayor Mike Smith	Voted: Yes

PASSED AND APPROVED BY BOARD OF MAYOR AND ALDERMEN OF THE CITY OF WAVELAND HANCOCK COUNTY, MISSISSIPPI on the 3rd day of November 2015.

Mike Smith, Mayor

Attest:

Lisa Planchard, City Clerk

Lisa B. Planchard
City Clerk

I, Lisa B. Planchard, the duly appointed, qualified City Clerk and Lawful custodian of the minutes of the Board of Aldermen and seal of said City of Waveland, Mississippi, certify that the foregoing is a true and exact copy of the Ordinance passed by the Board of Aldermen at a meeting on November 3rd, 2015, and recorded in Minute Book _____, page (s) _____.

WITNESS my signature and official seal of the office, this 3rd day of November, 2015.