

CODE OF ORDINANCES OF TERRY, MISSISSIPPI

MAYOR

Roderick T. Nicholson

ALDERMEN

Virginia S. Bailey

Elzena Johnson

Joseph O. Kendrick, Jr.

J. Wes Moore, IV

Doris J. Young

City Clerk (Interim)

Mary R. Smith

City Attorney

Edward J. Peters

August 2006

## INTRODUCTION

This document contains a compilation of all the current ordinances of a general and permanent nature as duly adopted by the Mayor and Board of Aldermen of Terry, Mississippi. Its purpose is to provide the citizens of Terry and their Town officials with an accurate, up-to-date summary of all the current ordinances in a condensed format.

All ordinances cited in this document may be found in full text in the Ordinance Book of the Town of Terry. Citations to individual ordinances will be noted throughout the document in the following format - "Ordinance No. 5". The Code of Mississippi of 1972 provides the following authorization for municipalities to codify ordinances.

### Section 21-13-15. Revision and Publication of Ordinances.

"The municipality may from time to time authorize the revision and modification of the ordinances, and their publication in pamphlet or book form. When so revised, arranged, classified and codified, said book or pamphlet may be adopted by ordinance as the official code of ordinances of the municipality without compliance with the requirements pertaining to the passage of ordinances. The municipality may cause to be published in connection therewith the laws relating to municipalities, with such annotations of supreme court decisions thereon as may be proper, and such forms and instructions as it shall deem advisable. The whole may be preceded by a historical sketch of the municipality."

CHAPTER 1  
ADOPTION OF CODE

An ordinance for the adoption and enactment of a code of ordinances for the Town of Terry, Mississippi, providing for procedures to amend such code or ordinances, providing for penalty for violation of said code of ordinances, and for other purposes germane thereto:

Be it ordained by the Mayor and Board of Aldermen of the Town of Terry, Mississippi.

Section 1-1. Authority.

Under the authority of Section 21-31-15, Code of Mississippi, this Code of Ordinances presented in the following chapters shall be designated and constitute the Code of the Town of Terry, Mississippi, and may be cited as such.

Section 1-2. Definitions in the Code.

Board and Board of Aldermen shall refer to the Mayor and Board of Aldermen of the Town of Terry, Mississippi.

Town shall refer to the Town of Terry, Mississippi.

Corporate limits, corporation limits, and city limits shall mean the legal boundaries of the Town of Terry, Mississippi.

Gender, reference to one, shall include the other.

Law shall include any provision of the Constitution of the State of Mississippi, and any statute or the United States of the State of Mississippi, and any ordinance, resolution or order of the Mayor and Board of Aldermen.

Person shall mean and be applied to any natural individual firm, partnership, association, joint stock company, joint ventures, public or private corporation, or a receiver, executor, trustee, conservator or other representative appointed by order of any court or in any other manner.

Residence shall mean the place adopted by a person as his place of habitation.

Seal shall mean the City or corporate seal.

State shall mean the State of Mississippi.

Tenant shall include any person holding a written or oral lease, or who occupies the whole of a part of a building or land individually or with others.

These (all words used in the past or present tense) shall include the future as well as the past and present.

Section 1-3. Validity.

If any part of this Code or Ordinances is for any reason declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining sections and portions of this Code.

Section 1-4. Section Sub-Titles.

The section sub-titles are to indicate the contents of the sections.

Section 1-5. Existing Ordinances.

Provisions in this Code or Ordinances which are the same as those of ordinances existing at the time of the adoption of this Code shall be considered as continuations and not as new enactments.

Section 1-6. Repeal of Ordinances - Effect.

The repeal of an ordinance shall not revive any ordinance in force before or at the time the ordinance repealed took effect. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect nor any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed or matter covered under the ordinance repealed.

Section 1-7. Amendments to Code and New Ordinances.

All ordinances passed subsequent to this Code which amend, repeal or in any way affect this Code, may be numbered in accordance with the numbering system of this Code and by included herein. In the case of repealed chapters, sections, and sub-sections or any part thereof, by subsequent ordinances, such repealed portions may be excluded from the Code of Omission from reprinted pages affected thereby.

Section 1-8. Violation of Code Document.

It shall be unlawful for any person to change, tamper, or alter, to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Town of Terry, Mississippi, to be misrepresented thereby. Any person violating this section shall be punished as provided in Section 1-9.

Section 1-9. Penalty.

The penalty for violation of this code document shall be a fine not exceeding three hundred dollars (\$300.00), or imprisonment not exceeding ninety days or both.

Section 1-10. Effective Date.

This ordinance being necessary for the immediate preservation of the public peace, health, and safety an emergency is hereby declared to exist and this ordinance shall become effective from and after the date below.

Alderwoman Elzena Johnson moved to adopt the above and foregoing Ordinance, and Alderman Joseph Kendrick having seconded the motion, it was read section by section, and was adopted upon a roll call vote, the result being as follows:

- |                                 |           |
|---------------------------------|-----------|
| 1. Alderman Virginia S. Bailey, | Voted Aye |
| 2. Alderman Elzena Johnson,     | Voted Aye |
| 3. Alderman Joseph Kendrick,    | Voted Aye |
| 4. Alderman Wes Moore,          | Voted Aye |
| 5. Alderman Doris Young,        | Voted Aye |

This Ordinance having received the affirmative vote of all of the members of the Board of Aldermen, the motion is hereby declared carried and the Ordinance unanimously adopted this 1<sup>st</sup> day of August 2006.

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Roderick T. Nicholson, Mayor

ATTEST:

Mary R. Smith, (Interim) Town Clerk

I, Mary R. Smith, Interim Town Clerk of the Town of Terry, Mississippi, do hereby certify that the above and foregoing Ordinance is a true and correct copy of the certain Ordinance adopted by the Mayor and Board of Aldermen of the Town of Terry, Mississippi, as its regular meeting on the 1<sup>st</sup> day of August 2006, and the same is recorded in the minutes of the Town of Terry, Mississippi.

Witness my signature and the official seal of the Town of Terry, Mississippi, this the 1<sup>st</sup> day of August 2006.

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Mary R. Smith, Interim Town Clerk

CHAPTER II  
MAYOR AND BOARD OF ALDERMEN

Section 2-1. Mayor and Board of Aldermen.

The Mayor and Board of Aldermen shall be the governing body of the Town with all authority to approve or adopt ordinances, resolutions, regulations, and policies pertaining to all Town business and functions as permitted by the laws of the State of Mississippi.

Section 2-2. Mayor.

The Mayor shall be the chief executive of the Town. The Mayor shall preside at all board meetings and may vote only in case of a tie. The Mayor has power to veto a measure of the board provided that the reason(s) are in writing. However, such veto may be passed over by a two-thirds vote of the aldermen. The board may elect from its own members a mayor pro tempore to preside in the absence of the Mayor. The Mayor is charged with superintending officers and affairs of the municipality and it is her duty according to general laws to see that the laws and ordinances are executed.

Section 2-3. Qualifications.

The Mayor and Aldermen must be qualified electors.

Section 2-4. Meetings.

The Mayor and Board of Aldermen shall hold a regular meeting on the first Tuesday of each month at 7:00 p.m. at the Community Center, Town Hall, or other building/place so designated.

Section 2-5. Meeting Procedures.

A majority of the board membership shall constitute a quorum, and an affirmative vote of a majority of all the members of the board is necessary to adopt any motion, resolution, or ordinance. Every vote shall require the calling of yeas and

nays and the results shall be recorded. Every resolution or ordinance shall be reduced to writing and read before the vote is taken thereon.

Section 2-6. Compensation.

The salaries of the Mayor and Aldermen shall be established by ordinance and subject to the restrictions of State laws.



CHAPTER III  
ELECTIONS

Section 3-1. Compliance with State law.

All elections for mayor and for places on the Board of Aldermen shall be conducted in compliance with the provisions for holding municipal elections as required by the State of Mississippi.

Section 3-2. Terms of Office.

The terms of office for mayor and places on the Board of Aldermen shall be for four (4) years.

Section 3-3. Voting for Candidates.

The positions of Mayor and Alderman shall be voted on by all electors of the Town.

CHAPTER IV  
ADMINISTRATION

Article 1.

Officers

Section 4-1. Chief Administrative Officer.

The Mayor shall serve as the chief administrative officer to coordinate and direct the operations of the various departments and functions of the municipality. The Mayor shall have the duty to see that all laws and ordinances are enforced.

The Mayor shall recommend to the board of aldermen such measures as he may deem necessary or expedient. He shall on a regular basis provide the board of aldermen with reports on the activities of the municipality.

Section 4-2. Town Clerk.

The Mayor and board of aldermen shall appoint a Town Clerk who shall serve at the pleasure of the Mayor and Board of Aldermen. The town clerk shall be responsible for keeping records of the minutes of the Mayor and Board of aldermen, all ordinances and resolutions of the Mayor and Board of aldermen. The Town Clerk shall be custodian of the municipal seal.

The Town Clerk shall keep a record of all claims and demands submitted against the municipality. The Town Clerk shall be responsible for issuing of permits by the Town. The Town Clerk shall be responsible for the collection of all receipts.

Section 4-3. Town Attorney.

The Mayor and Board of Aldermen may annually appoint an attorney-at-law to serve as the Town Attorney.

Section 4-4. Police Justice.

The Mayor may appoint annually, with the advice and consent of the board of aldermen a police justice to preside over the municipal court.

Section 4-5. Chief of Police.

The Mayor and board of aldermen may appoint a Chief of Police to direct and supervise the city police department. The Chief of Police shall serve at the pleasure of the Mayor and Board of Aldermen and may also serve as the Police Justice.

Section 4-6. Other Administrative Officials.

At such time as the need may arise the Mayor with the approval of the Board of Aldermen may create additional administrative positions.

Article 2.

Departmental

Section 4-7. Police Department.

There is hereby created the police department of the Town which shall be under the direction and supervision of the Chief of Police. The police department shall consist of the Chief of Police and such number of officers and men as shall from time to time be employed by the Mayor and Board of Aldermen. The police department shall be responsible for the enforcement of the Town ordinances and for the preservation of public safety and order.

Section 4-8. Fire Department.

There is hereby created a fire department for the Town which shall be under the direction and supervision of the Chief of the Fire Department. The fire department shall consist of volunteer members who shall be responsible for electing the Fire Chief. The Mayor and Board of Aldermen may appoint one of their representatives to be a representative to the Fire Department.

Section 4-9. Maintenance Department (Public Works).

There is hereby created a maintenance department which shall be under the direction and supervision of the maintenance director. The department shall consist

of the Public Works Director and such other employees as the Mayor and Board of Aldermen may authorize. The maintenance department shall be responsible for the operation and maintenance of all Town facilities.

CHAPTER V  
FINANCE

Section 5-1. Budget.

The Town of Terry shall operate under an annual budget for all Town funds. The Mayor as budget officer shall be responsible for the preparation and administration of the budget. At least thirty (30) days prior to the beginning of each fiscal year, the Mayor shall submit a proposed budget to the Board of Aldermen for consideration and approval.

After the adoption of the budget, the Mayor shall be responsible for administering the annual budget. He shall provide the Board of Aldermen with monthly reports on income and expenditures.

No changes shall be made in the annual budget without the approval of the Mayor and Board of Aldermen.

Section 5-2. Accounting.

The City Clerk shall be responsible for the billing, collection, and accounting of all Town funds. The City Clerk may maintain a separate account for each fund and for each department in each fund. The City Clerk shall maintain a budgetary accounting system.

Section 5-3. Disbursements.

The Mayor may be authorized to disburse Town funds. Members of the Board of Aldermen, if need be, may be authorized to disburse Town funds.

Section 5-4. Purchasing.

All purchases shall comply with state statutes governing purchases by municipalities. The Mayor may implement a purchase order system to provide for the orderly control and expenditure of Town funds.

Section 5-5. Audits.

The Mayor shall be responsible for arranging for an audit of all accounts at the close of each fiscal year. Such audit shall be conducted by an independent accounting firm.

CHAPTER VI  
REVENUE AND TAXATION

Article 1.  
Privilege Licenses

Section 6-1. Privilege Tax Law Adopted.

The Privilege Tax Law as contained in Section 27-17-1 through 27-17-501 of the Mississippi Code of 1972 is hereby adopted as the privilege tax law of Terry.

Section 6-2. Privilege Tax Imposed.

On each privilege exercised within this town for which a municipal privilege license tax is authorized by state law, the town hereby levies a privilege license tax on each such privilege in the maximum amount authorized by the laws of this state.

Section 6-3. Issuance of Licenses.

The Town Clerk shall issue a license upon payment of the municipal privilege license tax levied. Each person shall obtain a license and pay the tax to the Town before commencing business for which such license is required.

Section 6-4. Term and Renewal.

The license issued upon payment of the municipal privilege license tax shall be valid for a period of one year from the date of issuance. A license may be renewed at any time within the month in which, the proceeding tax was paid without being delinquent.

Section 6-5. Licenses not Transferable.

The license issued under the provisions of this article shall not be transferable.

Section 6-6. Delinquent Payment.

If a person or business shall fail to obtain a license and pay the tax, the Town Clerk shall, in addition to the tax, collect a penalty thereon in the maximum amount authorized in such case by the state law.

Section 6-7. Exemptions.

Any person or business exempt under state law from the payment of the tax and license required by this article shall be exempt from such tax to the town. Such exemptions may be claims for the reasons and in the manner in such cases provided by state law. The Town Clerk upon receipt of a state certificate of exemption shall issue a town certificate of exemption. Such exemption shall not entitle any other person or business thereof, directly or indirectly, without paying such license tax. The exemption provided herein shall not extend to building permits on construction or work to be performed on property whose owners hold a tax exemption status.

Article 2.

Other Revenues.

Section 6-8. Fines and Penalties.

Fines and penalties from the operation of the police department and from the violation of Town ordinances shall be paid to the Town Clerk and deposited into the Town treasury.

Section 6-9. Fees for Other Services.

Fees for special services may be established by the Mayor and the Board of Aldermen. Such fees shall be paid to the Town Clerk and paid into the Town treasury.



Article 3.  
Amusement Machine  
License Tax

Section 6-10. Levied.

There is hereby levied and imposed upon each person engaging in the business of owning or placing on location for the purpose of operation any slot amusement machine which is located within the corporate limits of the Town of Terry, Mississippi, an annual license tax according to the following schedules:

- a. For each machine wherein may be seen any picture or heard any music, a license tax for each such machine, the sum of \$10.00.
- b. For each machine not elsewhere specifically taxed in this section, wherein or whereby any game may be played or any form of diversion had, a license tax for each machine the sum of \$15.00.

Section 6-11. Application for License.

Every person engaged in the business of owning or placing on location for the purpose of operation within the corporation of the Town of Terry any slot amusement machine shall file an application for license with the Clerk of the municipality of forms furnished for that purpose. The application shall contain such information as may be required by the Clerk and shall be accompanied by the remittance for the amount of tax and any penalty required.

Section 6-12. Tax Due and Payable.

The tax levied shall be due and payable annually on January 1, and all licenses issued under the provisions of this ordinance shall expire annually on December 31. A license may be renewed without penalty during the month of January. The amount of the license tax to be paid for a period of less than twelve months shall be that proportionate amount of the annual license tax that the number of months, or fractional part hereof, remaining until January 1, next bears to twelve months.

Section 6-13. License to be Displayed.

The Clerk shall issue a license on a form to be prescribed by such Clerk, which license shall be securely affixed or attached to the machine to which it applies in such manner as to be readily visible and shall be affixed before the machine is operated or played. The absence of a proper license or sticker affixed to the machine shall be prima facia evidence of failure to pay the tax levied for operation of the machine.

Section 6-14. Penalty for Violation.

Any person engaged in the business of owning or placing on location in the corporate limits of the Town of Terry for the purpose of operation, any slot amusement machine without the payment of the tax imposed herein, shall be liable for the amount of tax and fifty percent of the amount of the tax as penalty. It shall be unlawful and punishable as a misdemeanor for any person to place on location any machine without paying the tax herein levied.

Section 6-15. Exceptions.

This act shall not apply to any machine operated, for gambling purposes, to any machine kept at a regular place of business of distributors or manufacturers for sale or lease without being operated, or to any pool table operated at a place of business commonly known as a pool hall or billiards parlor when the gross income from the operation of such pool table is taxable under the Mississippi Sales Tax Law.

CHAPTER VII  
ANIMAL CONTROL

Section 7-1. Permit Required.

In the interest of protecting the health, welfare and safety of the citizens and residents of the Town of Terry, Mississippi, any person or persons within the Town desiring to keep at their home, house, residence or at any place in said Town more than two (2) dogs shall be required to obtain a permit so to do from the Town.

Section 7-2. Application for Permit.

Any application for such permit shall be made to the Town Clerk who shall refer said application to the Town official, chief of police, or such person employed by the Town and authorized to make inspection of premises so that said official may and he shall inspect premises on which it is proposed to keep said animals and ascertain that an enclosed pen and adequate shelter is provided for such animals so as to keep them from running at large and to restrain them on said premises and that such quarters for the use of said animals will be sanitary and not in danger to the health of any occupant of said premises or of said neighborhood. No such permit shall be issued in any residential area of the City where the keeping of said animals and the noise thereof and the number thereof would constitute a nuisance either from the noise and activities of said animal or from the condition of the premises where they are to be located.

Section 7-3. Enclosed Shelter Required.

No such quantity of said animals shall be kept on any premises except in an enclosed pen with adequate shelter for such animals and facilities available whereby the same may be washed out and kept sanitary and clean and meet all the requirements of the State Health Department.

Section 7-4. Shelter to be Kept Clean.

The owners or harborers of all dogs within the Town of Terry are hereby required to keep the same within suitable enclosures and are further required to keep such

enclosures sanitary and clean so as to prevent disagreeable odors arising there from or the presence or breeding of flies, mosquitoes and other pests.

Section 7-5. Unlawful to Create Disturbance.

It shall be unlawful for the owner or harbinger of any dog to permit the same to create a disturbance in the neighborhood or annoy any person or family or become a nuisance in any manner, particularly by reason of noises, odors, filthy conditions or other breeding of flies, mosquitoes and other pests.

Section 7-6. Unlawful to Violate Zoning Ordinance.

It shall be unlawful for any person, owner of dogs, or otherwise, to keep and maintain the same for breeding purposes within the area of the Town in violation of the zoning ordinance of the Town.

Section 7-7. Penalty for Violation.

Any person violating this Ordinance and maintaining more than two of such animals on any premises in the Town without a permit shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than Five Hundred Dollars (\$500.00) for each such violation and the maintaining of said animals without a permit on such said premises. Each day shall constitute a separate violation of this Ordinance.

Section 7-8. Permit Fee.

That the cost of the permit required in Section 1 above shall be Ten Dollars (\$10.00) where applicable, regardless of the number of animals involved.

CHAPTER VIII  
GENERAL AND MISCELLANEOUS OFFENSES

Article 1.

Violation of State Laws

Section 8-1. Violation of State Laws.

All offenses against the criminal laws of the State of Mississippi committed within the corporate limits of the Town of Terry, Mississippi, not amounting to a felony, shall be, and are hereby declared to be violations of the ordinances of said Town of Terry.

Section 8-2. Penalty for Violation.

The penalty which may be imposed for any violation arising under this ordinance shall be a fine of not less than one dollar nor more than five hundred dollars (\$500.00) or by imprisonment in the Hinds County jail for not more than ninety days or by both such fine and imprisonment; and any conviction shall carry with it the regular costs.

Article 2.

Dumping Regulations

Section 8-3. Designation of Dump.

No area may be designated as the garbage dump for the Town of Terry.

Section 8-4. Penalty for Violation.

Any person or persons found guilty of dumping, littering, or placing trash, garbage, etc. in areas other than that which is specifically designated therefore shall be fined the sum of two hundred (\$200.00) dollars.

Article 3.

Firearms Regulations

Section 8-5. Discharge Prohibited.

Be it ordained by the Mayor and Board of Aldermen of the Town of Terry that it shall be unlawful for any person to fire or discharge any gun, pistol or firearm of any description within the corporate limits of the Town of Terry, except at such places as may be specially designated by the Mayor and board of aldermen as target ranges or shooting galleries.

Section 8-6. Penalty for Violation.

Any person violating this ordinance shall be guilty of a misdemeanor and, on conviction, shall be fined not more than five hundred dollars (\$500.00).

Section 8-7. Park Curfews.

Both the Terry City Park and County Park on Morgan Drive have an established curfew of 10:00 p.m. Exceptions to this would be special events that have either been sponsored and/or approved by the Mayor and Board of Aldermen. Private/Public functions at the Community Center adjacent to the Terry City Park are permitted after 10:00 p.m., but the activity must be confined to inside the Community Center. Further, the activity must not create a degree of noise that would be considered a disturbance or nuisance to the adjacent residential area.

CHAPTER IX  
MUNICIPAL UTILITIES  
Article 1.  
Water and Sewer Rates

Section 9-1. Water Rates.

Effective January 15, 2001, the following rates are hereby set and established to be charged by the Town of Terry to consumers for water used during any monthly period:

Residential Customers:

- First 2,000 gallons - \$14.00
- Each additional 1,000 gallons - \$1.50

Commercial Customers:

- First 2,000 gallons - \$28.00
- Each additional 1,000 gallons - \$1.50

Section 9-2. Sewer Rates.

The following rate is hereby set and established to be charged by the Town of Terry to users of the sewerage system, and persons to whom the sewerage system is made available for use, during any monthly period:

Residential/Commercial:

- First 2,000 gallons - \$9.00
- Each 1,000 gallons thereafter - \$0.80

Non-Water Customers: - \$15.00 (Flat rate)

## Article 2.

### Utility System Regulations

#### Section 9-3. Supervision.

The Mayor and Board of Aldermen of the Town of Terry shall have general supervision over the operation and maintenance of the utilities of said Town of Terry. The direct supervision and maintenance of the system shall be the responsibility of the superintendent of utilities who shall be employed by the Mayor and Board of Aldermen and who shall perform his duties under the direct supervision of the Mayor.

#### Section 9-4. Duties of Superintendent.

The superintendent of utilities shall be responsible for keeping and maintaining the utility systems in a good working condition, and in connection therewith he shall:

- (a) Make all necessary repairs and service connections to the said system and meters;
- (b) Monthly read all water meters and report the amount of water which passed through each meter as indicated by the readings thereof;
- (c) Attend to connecting services, and disconnecting same as directed by the proper person.
- (d) Make periodic reports to the Mayor and Board of Aldermen concerning the condition of the system and the state of repairs thereof.
- (e) Do and perform such other duties and functions as may be assigned.

#### Section 9-5. Deposit Required.

Prior to the furnishing of water or sewerage services to any person, the said customer shall deposit with the proper person a sum of money or other security as may be required in such an amount as may be required by the Mayor and board of aldermen to assure the prompt payment of charges for taps and services used.

#### Section 9-6. Utility Billing.

On or about the first day of each month each customer shall be billed for services used during the previous period at the rate set by the Mayor and board of



aldermen, which said amount shall be due and payable on or before the tenth day of the month in which the billing is rendered. Any customer who fails to pay the bill as rendered in full within the time provided shall thereafter pay an additional 10% of such amount as a penalty for late payment. Any customer who fails to pay the bill by the first day of the following month shall not be furnished further services, and the water and sewerage systems service, lines entering the Town's system shall be disconnected there from or the service otherwise stopped until such time as the total amount due, including penalty, shall have been paid; and any amounts paid as deposit for service shall be applied against the amount owed for such service.

Section 9-7. Tap Fees.

The Town shall collect such tap or original service fee as may be required by order of the Mayor and board of aldermen.

Section 9-8. Connection to Sewer System.

All dwelling houses, and commercial buildings which provide for sewerage disposal, shall be required to tie onto and utilize the sewerage disposal system of the Town, if such service is made available to such property, within a reasonable time not to exceed ninety days after the Town system is made available to such property.

Section 9-9. Metering.

All dwellings and other services to which water service is requested shall be installed and billed on an individual basis with separate meters and multiple use will not be permitted in serving more than one dwelling or business through a single water meter, except in cases of common ownership or otherwise multiple services operated or occupied as an incident to the primary dwelling or business.

Section 9-10. Connection Standards.

No service connection to the water or sewerage system shall be permitted unless such shall have been installed in accordance with requirements and standards of

the Town of Terry and subject to the inspection and approval of the Town's designated representative.

Section 9-11. Superintendent to Report Disruptions.

The Superintendent of Utilities shall at all times keep the system in good working condition, and shall report any disruptions in service which he cannot correct to the Mayor and Board of Aldermen who shall take immediate steps to correct same.

CHAPTER X

STREETS

Article 1.

Parades

Section 10-1. Permit Required.

Any person, group, firm, corporation, club, organization or association desiring to sponsor, conduct, hold, stage or have a parade upon any of the streets, avenues, or sidewalks of the Town of Terry, Mississippi, shall first obtain a permit.

Section 10-2. Application for Permit.

Any such person, group, firm, corporation, club, organization or association desiring to so sponsor, conduct, hold, stage or have such parade shall file an application for a permit therefore with the Mayor of the Town of Terry, Mississippi, not less than seventy-two (72) hours prior to the time of such parade.

Said applicants must either provide proof of insurance for a minimum amount of \$1 million or make a specific request to and receive approval from the board that the insurance be provided under the liability umbrella liability insurance of the Town.

Said application shall contain the name of the person, group, firm, corporation, club, organization, or association making such application, the time and date of such parade, the duration thereof, the nature and purpose therefore, the approximate number of persons and the approximate number and type of the vehicles to be engaged therein, the exact route of such parade, including the names of all streets, avenues or sidewalks to be used. Upon receipt of such application, the Mayor shall issue a permit to the applicant for such parade, unless the same shall violate any of the laws of the State of Mississippi or ordinances of the Town of Terry, Mississippi, or shall be inimical to the public health, safety, or welfare.

Section 10-3. Unlawful Without Permit.

It shall be unlawful for any person, firm, group, corporation, club, organization, or association to sponsor, conduct, hold, stage or have any parade along, over or upon any street, avenue, or sidewalk of the Town of Terry, Mississippi, without first obtaining a permit therefore in the manner hereinabove provided.

Section 10-4. Penalty for Violation.

Any person, firm, group, corporation, club, organization or association violating this ordinance shall, upon conviction therefore, be punished by a fine of not more than three hundred dollars (\$300.00), or by confinement in the Hinds County jail for not more than thirty (30) days or by both such fine and imprisonment.

CHAPTER XI  
TRAFFIC REGULATION

Article 1.

Passing Restrictions

Section 11-1. Passing Restrictions.

It shall be unlawful for any person driving a car or vehicle to pass on the North side or South side of Cunningham Street within the city limits of the Town of Terry.

Section 11-2. Penalty for Violation.

Any person or persons, violating the above sections shall, upon conviction, be punished by a fine of not less than \$25.00 and not more than \$100.00.

Article 2.

Speed Limits

Section 11-3. Speed Limits.

The maximum speed at which motor vehicles may be operated within the corporate limits of the Town of-Terry, Mississippi shall be thirty (30) miles per hour unless a greater speed limit is posted to the contrary.

Article 3.

Traffic Signs

Section 11-4. Traffic Signs and Signals.

The Mayor and Board of Aldermen, by resolution or ordinance, may designate through streets and erect stop signs, yield right of way signs, no parking, speed limit signs and automatic traffic signals at such intersections and places as they deem necessary for the public safety and welfare of the citizens of the Town of Terry.

Section 11-5. Violation and Penalty.

Any person failing to observe traffic signs and signals shall, upon conviction thereof be fined not more than \$100.00 nor less than \$50.00.

Article 4.

Parking

Section 11-6. Parking.

Vehicles shall be parked in such a manner that they do not obstruct the flow of traffic.

Section 11-7. Prohibited Long-Term Parking.

No vehicle shall be allowed to remain parked on the streets of Terry, in the same space for a period longer than twelve (12) consecutive hours in the section designated as the Central Business District (CBD) as defined by the Town's Zoning Ordinances, adopted October 2004.

Section 11-8. Penalty for Parking Violation.

Persons violating any of the parking violations described in this ordinance shall upon conviction be subject to a fine not to exceed \$25.00.

Article 5.

Reckless Driving

Section 11-12.

It shall be unlawful for any person to operate a motor vehicle within the Town of Terry in a reckless manner and any person violating this ordinance shall upon conviction be subject to a fine not to exceed \$300.00 or imprisonment for not more than 30 days or by both such fine and imprisonment.

CHAPTER XII  
ALCOHOLIC BEVERAGES

Section 12-1. Prohibited Areas.

It shall be unlawful for any person to open or consume beer, wine, whiskey or any other alcoholic beverages on the streets, sidewalks or other public place or on any private property specifically prohibiting drinking of such beverages on the premises in the Town of Terry.

Section 12-2. Penalty for Violation.

Any person violating any of the terms and provisions of this Ordinance shall upon conviction, be guilty of a misdemeanor and fined not more than three hundred dollars or imprisoned in the town jail for a period of not to exceed thirty days or both such fine and imprisonment for the first offense and fined not more than five hundred (\$500.00) dollars or imprisonment in the Hinds County jail for a period not to exceed ninety days or both such fine and imprisonment for any subsequent violations.

CHAPTER XIII  
PUBLIC HEALTH, SAFETY AND WELFARE

Section 13-1. Junked or Abandoned Vehicles.

It shall be unlawful for any person to abandon, junk, or otherwise to store a motor vehicle on the public streets of Terry, Mississippi for a period greater than three days, and the owner of said vehicle(s) shall upon conviction be subject to the costs of removing said vehicle as well as a fine of \$100.00 per vehicle removed.

Section 13-2. Fire Hazards.

It shall be unlawful for any person to allow weeds, shrubs, or bushes to grow in such a manner as to create a fire hazard or to allow any building to deteriorate to such a state as to become an eyesore, fire hazard, or health problem and upon the petition of at least three residents of the same street upon which the subject property is located, the Mayor may give 30 days notice to the owner of the subject property and if the owner shall not cure the noticed violation then the Mayor may contract with any other person to cure said violation and then proceed with a Civil Action to collect the costs incurred from the landowner.

Or, these costs incurred by the Town to cure the noticed violation may then be referred to the Hinds County Tax Collector for inclusion as a lien on the property owner's tax bill.

Section 13-3. Nuisances.

It shall be unlawful for any person to act in such a manner or cause another person to act in a loud, boisterous, malicious, noxious manner so as to disturb the peace and dignity of other citizens and any person acting in such a manner shall upon conviction be fined a minimum of \$25.00 and a maximum of \$100.00 or imprisoned for a period of not more than 30 days or by both such fine and imprisonment.



Section 13-4. Profanity.

It shall be unlawful for any person to use profane language and any person violating this ordinance may upon conviction be subject to a fine not to exceed fifty dollars (\$50.00).

Section 13.5. Public Hazards.

It shall be unlawful for any person to have, maintain, or allow open cesspools, wells, or standing water in any manner whatsoever so that said condition creates a hazard to the health, safety, and well-being of the citizens of the Town of Terry and any person found to be violating this ordinances shall upon conviction be subject to an initial fine of not less than \$100.00 and an additional fine of \$5.00 per day for each day the condition remains uncorrected, but in no even shall the total fine exceed five hundred (\$500.00) dollars.

Section 13-6. Animals-at-Large.

It shall be unlawful for any person to allow any domestic or wild animal to run at large in the corporate limits of the Town of Terry, unless said animal be muzzled or on a leash or a domesticated cat. Any person found to be violating this ordinance shall upon conviction be subject to a fine not less than one hundred \$100.00 dollars and not to exceed five hundred (\$500.00) dollars for each conviction.