

ORDINANCE NUMBER 913

OF THE

CITY OF PICAYUNE, MISSISSIPPI

**AN ORDINANCE AMENDING ORDINANCE NO. 613 GRANTING THE
MAYOR AND CITY COUNCIL TO ALLOW VEHICULAR PARKING ON AND
ALONG A PORTION OF GOODYEAR BOULEVARD**

WHEREAS, the City Council adopted and enacted Ordinance No. 613 which prohibited vehicular parking on and along the full length of Goodyear Boulevard between the hours of 9:00 p.m. and 6:00 a.m..

WHEREAS, current City of Picayune Comprehensive Plan has identified a significant portion of Goodyear Boulevard for future land use as a Mixed Use District - Downtown District.

WHEREAS, the City of Picayune Comprehensive Plan defines as one of the future uses of the Downtown District as, "Public uses, such as city, county, state and federal offices, public parks and community centers."

WHEREAS, the City of Picayune has acquired the site of the former Crosby Memorial/Highland Community Hospital and has demolished the old hospital building(s) located thereon.

WHEREAS, the site of the former Crosby Memorial/Highland Community Hospital is located on Goodyear Boulevard.

WHEREAS, the intent of the City of Picayune is to develop the site of the former Crosby Memorial/Highland Community Hospital as a public park, walking track, green space and other related art and cultural uses consistent with future land uses consistent with the Downtown District set out in the City of Picayune Comprehensive Plan.

WHEREAS, the various uses have been developed on and along a portion of Goodyear Boulevard that are consistent with the future land uses identified Downtown District of the City of Picayune Comprehensive Plan.

WHEREAS, these land uses located on and along a portion of Goodyear Boulevard require access to public vehicular parking between the hours of 9:00 p.m. and 6:00 a.m.

WHEREAS, the conditions since the enactment of Ordinance No. 613 have changed with regard to need of public vehicular parking between the hours of 9:00 a.m. and 6:00 p.m.

NOW THEREFORE, BE IT Ordained by the Mayor and City Council of the City of Picayune, to allow public vehicular parking on and along a portion of Goodyear Boulevard between the hours of 9:00 p.m. and UP TO 12:00 p.m. as set forth more fully hereafter, to-wit:

SECTION - ONE

1. The following definitions shall apply to this Ordinance, to-wit:
 - A. "Vehicle" shall mean any device in, upon or by which a person or property is or may be transported upon a highway, road or street, excepting devices moved by human power; motorized or battery powered wheel chairs; or, used exclusively upon stationary rails or tracks.

- B. "Public Parking" shall mean those public places under the authority, ownership and/or control by the City of Picayune and designated by the City of Picayune for the temporary parking of any vehicle.
- C. "Portion of Goodyear Boulevard" shall mean that part of Goodyear Boulevard, located in the City of Picayune, between the intersection of Teague Street and Goodyear Boulevard and the intersection of Norwood_Street and Goodyear Boulevard and that part of Goodyear Boulevard, located in the City of Picayune, between the intersection of Pine Street and Goodyear Boulevard and the intersection of Quince_Street and Goodyear Boulevard.
- D. "Person" shall mean any individual, partnership, corporation, association or other legal entity whatsoever.

SECTION - TWO

1. The Mayor and City Council of the City of Picayune is hereby vested with the authority to allow the Planning and Zoning Department to take application to allow vehicles to utilize public parking which is situated in the center of and adjacent to that portion of Goodyear Boulevard located between the intersection of Teague Street and Goodyear Boulevard and the intersection of Norwood_Street and Goodyear Boulevard and that part of Goodyear Boulevard, located between the intersection of Pine Street and Goodyear Boulevard and the intersection of Quince_Street and Goodyear Boulevard_Street between the hours of 9:00 p.m. and up to 11:00 p.m. from Sunday through Thursday.
2. The Mayor and City Council of the City of Picayune is hereby vested with the authority to allow vehicles to utilize public parking which is situated in the center of and adjacent to that portion of Goodyear Boulevard located between the intersection of Teague Street and Goodyear Boulevard and the intersection of Norwood_Street and Goodyear Boulevard and that part of Goodyear Boulevard, located between the intersection of Pine Street and Goodyear Boulevard and the intersection of Quince Street and Goodyear Boulevard_Street between the hours of 9:00 p.m. and up to 12:00 p.m. from Friday and Saturday.
3. The Mayor and City Council may direct the City of Picayune Zoning Department through the direction of the City Manager to issue a permit allowing a person or persons to park their vehicles in the public parking spaces located in the center of and adjacent to that certain portion of Goodyear Boulevard described in this Ordinance for the times set forth above depending on the day(s) of the week for which said permit is being sought by said person or person(s). Only one permit per month shall be issued under this Ordinance. Said permit shall be obtained 45 days in advance prior to date of permit. In considering whether to issue an Executive Order, the City Manager or his/her designee shall consider the overall safety of the public; the safety of the residents residing in the areas on and around Goodyear Boulevard; the amount of traffic and noise to be generated if such approval is granted; the risk of injury should such approval be granted; whether an increase in police presence would be required; and, any other factors relevant to the issuance of said Executive Order.
4. Exempt from obtaining a permit under this Ordinance is Events by Government, Schools, Churches and approved Parades.
5. A copy of the written permit issued pursuant to this Ordinance shall be transmitted to Office of the City Manager, with a copy also being transmitted to the Picayune Police Department and the Code Enforcement

Officer.

6. The person or persons to whom said permit is issued shall comply and obey the laws of the State of Mississippi, the United States of America and the Ordinances of the City of Picayune.

SECTION - THREE

1. This remaining provisions of Ordinance No. 613 which have not been amended by the terms of this Ordinance shall remain in full force and effect.

SECTION - FOUR

SEVERABILITY, CONFLICT AND EFFECTIVE DATE

Should any section, clause, paragraph, provision, or part of this Ordinance for any reason be held invalid or unconstitutional by any Court of competent jurisdiction, this act shall not affect the validity or any other section , clause, paragraph, provision, or part of this ordinance. All provision of this Ordinance shall be considered separate provision, and completely severable from all other portions.

Conflict in any case where a provision of this ordinance is found to be in conflict with the provision of any other ordinance or code of the City of Picayune, Mississippi, existing on the effective date of this Ordinance, the provisions of this Ordinance shall take precedence.

This Ordinance shall take effect and be in force after receiving affirmative vote of the majority of the members present.

The foregoing Ordinance, having first been reduced to writing, was moved upon by Council member Stevens, seconded by Council member Gouquet, and voted upon as follows:

VOTING YEA: Mayor Pinero, Council Members, Stevens, Gouquet, Bumpers, Breland, and Valente

VOTING NAY: None.

NOT VOTING: None.

NOT PRESENT: None.

The motion having received the affirmative vote of the majority of the members present, the Mayor declared the motion carried and the Ordinance passed, approved, and adopted on this the 17th day of June 2014.

ED PINERO, Mayor

ATTEST:

City Clerk

Published: June 26, 2014