

# Incident Summary



## What happened?

On 02-18-16 a permit was issued for a modular unit at 19141 W Wortham Road Saucier, Ms. 39574. The person that moved the unit on the subject property was Ferrell C Warden Jr. He was purchasing the property from said owner Todd Babin. (3957 Grilletta Ct Marrero, La. 70072. Telephone # 0504-348-9520) with a contract of sale. When Mr. Warden found out he had to place the modular unit on permanent foundation and not block piers he had to bring in engineered stamped plans to the Code office. The site has not been in compliance since the unit was delivered on the site. Trash, debris and old wood decks have been left in disarray on the parcel causing dangerous hazards with large winds. The unit is not secure and up to code standards. The Zoning and Code office has received many complaints in reference to the subject property. The current complaint is new owners living in the modular unit with an electrical extension cord plugged in the the neighbor behind subject property. On 5-10-17, our Harrison County Code Administrator made contact with Charles Doss(new owner). She advised him that Code would put a stop work order on modular unit. Today Zoning, Code and Safety Officer Dist 2 went out on site visit. Mr. Doss was not on property. We inspected property and Code put a stop work order on unit and I, Safety Officer put a notice of violation on said unit. Enclosed are records of building permit(expired), Notice of Violation and pictures. He was given one month to remove structure and clean property. I have also mailed Notice of violation to Todd Babin owed of record.

Update to report 12-13-17

On 12-13-17 Harrison County District 2 demolished the enclosed menace property as per Board Order signed on 08-17-17. The property was declared a menace property by the Harrison County Board of Supervisors in accordance with Miss Code of 1972 Title 19 Chapter 5 (19-5-105). Enclosed in this report are back up documents for the breakdown cost related to the demolition of the subject property. The itemized cost includes equipment used, labor cost and disposal fees. The breakdown cost includes: Equipment \$2,966.00 / Payroll \$ 1,124.64 / Disposal fees \$ 387.89. Total cost of demolition is \$4,478.53.



Date: 5/11/17



Time: 2:43 PM



Priority: None



19141 W Wortham road saucier, Ms

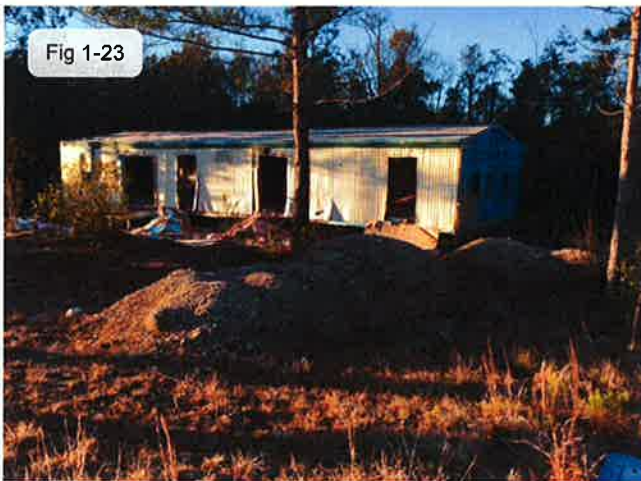


Tags: **Property Damage**

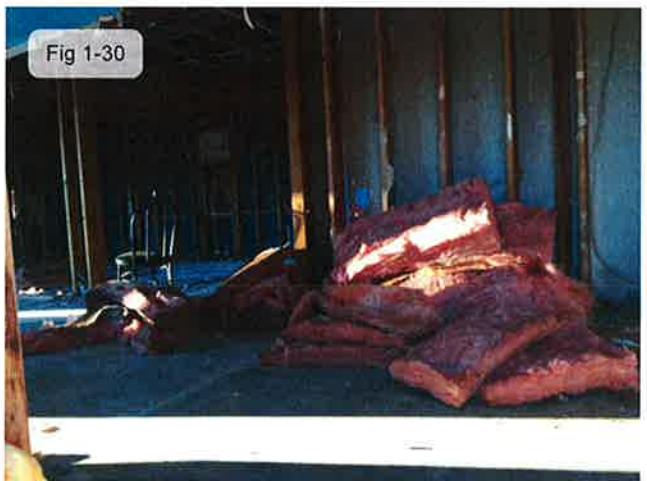
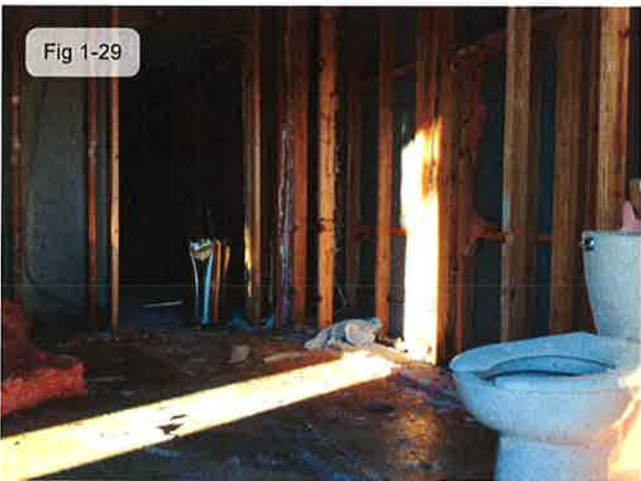


# Incident Summary

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# Incident Summary



Fig 1-31



Fig 1-32



Fig 1-33



Fig 1-34



Fig 1-35



Fig 1-36



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Fig 1-43



Fig 1-44

Supervisor BEVERLY MARTIN moved the adoption of the following Order:

**ORDER ADJUDICATING THAT PROPERTY OWNED BY THE TODD J. BABIN LOCATED AT 19141 WEST WORTHAM ROAD, SAUCIER, MISSISSIPPI, BEING PARCEL NO. 0604N-01-008.123, IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE COMMUNITY IN ACCORDANCE WITH MISS. CODE ANN. §19-5-105 (1972), AS AMENDED, AND AUTHORIZING THE COUNTY TO CLEAN THE SAME AND ASSESS THE COSTS AS A LIEN AGAINST THE PROPERTY**

WHEREAS, after receiving complaints from citizens living near the subject property, being more particularly described as Parcel No. 0604N-01-008.123, Zoning and Building Code Department employee(s) inspected said property and determined the condition of the property to be in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community in accordance with Miss. Code Ann. §19-5-105 (1972), as amended; and

WHEREAS, the property owner failed to clean the property after having been notified by to do so; and

WHEREAS, County employees requested notice and a hearing regarding the subject property pursuant to Miss. Code Ann. §19-5-105 (1972), as amended; and

WHEREAS, the Harrison County Board of Supervisors issued Notice to the property owner and posted a Notice on the subject property in accordance with Miss. Code Ann. §19-5-105 (1972), as amended, of a public hearing on August 7, 2017 at 10:00 a.m. at the Board of Supervisors Meeting Room in the First Judicial District of Harrison County, Mississippi, located in Gulfport, Mississippi, to consider allegations that the property located at 19141 West Wortham Road, Saucier, Mississippi, is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community; and

WHEREAS, Todd J. Babin, owner of the property requested that the Board postpone the public hearing until a later date; and

WHEREAS, after consideration and deliberation of the matter, the Board denied Todd J. Babin's request for a continuance; and

WHEREAS, Todd J. Babin failed to appear at the public hearing; and

Fig 1-45

EXHIBIT  
A

WHEREAS, the Zoning Administrator and two adjacent property owners, Mark Eagle and Ray Leggett, appeared, testified and presented evidence at said public hearing that the property was in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community in addition to numerous photographs made a part of the record; and

WHEREAS, after full consideration of the evidence presented, the Board of Supervisors adjourned and declared that the property owned by Todd J. Babin located at 19141 West Wortham Road, Saucier, Mississippi, being more particularly identified as Parcel No. 0604N-01-008.123, to be in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community; and

WHEREAS, pursuant to the provisions of Miss. Code Ann. §19-5-105 (1972) as amended, the Board of Supervisors is authorized to proceed to have the subject property cleaned by cutting woody filling debris, removing rubbish, dilapidated fences, outside toilets, dilapidated buildings, including but not limit to specifically a trailer which unsuitable for human habitation, and other debris, and draining ponds and standing water thereon; and

WHEREAS, the Board finds that due other commitments the county cannot proceed to clean the property for at least 30 days;

WHEREAS, the Board of Supervisors will, at its next regular meeting after the property is cleaned, adjudge the actual cost of cleaning the land and may also impose a penalty not to exceed One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more; and

WHEREAS, the cost and any penalty shall become an assessment against the property; and

WHEREAS, Harrison County may reenter the property or parcel of land to maintain cleanliness without further notice of hearing no more than six (6) times in any twelve (12) month period with respect to removing dilapidated buildings, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four (24) month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land; and

Fig 1-46



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Fig 1-47

WHEREAS, the expense of cleaning the property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less; and

WHEREAS, the Board of Supervisors may assess the same penalty each time the property or land is cleaned as otherwise provided in Miss. Code Ann. § 19-5-105 (1972), as amended; and

WHEREAS, Harrison County is authorized to proceed to clean said property and to assess the cost of the cleanup and penalties imposed against the property as set forth above.

**NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, AS FOLLOWS:**

**SECTION I.** The findings, conclusions, and statements of fact contained in the foregoing preamble are hereby adopted, ratified and incorporated herein.

**SECTION II.** That the subject property is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community in accordance with Miss. Code Ann. § 19-5-105 (1972), as amended, and therefore, Harrison County shall, upon the expiration of thirty (30) days from the date of this Order and the property owner's continued failure to clean said property (including the removal of the mobile/modular home unit), proceed to clean the property of **Todd J. Dubin** located at 19141 West Wortham Road, Searcy, Mississippi, being more particularly described as **Parcel No. 0604N-01-008.123**.

**SECTION III.** In the event the property owner, **Todd J. Dubin**, fails to **acceptably clean the property within thirty (30) days** from the date of this Order (including the removal of the mobile/modular home unit) and Harrison County cleans the property located at 19141 West Wortham Road, Searcy, Mississippi, being more particularly described as Parcel No. 0604N-01-008.123, the Board of Supervisors will, at its next regular meeting after the property is cleaned, adjudicate the actual cost of cleaning the **land** and may also impose a penalty not to exceed One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more.

Fig 1-48

**SECTION IV.** That Harrison County may require the property or parcel of land to maintain cleanliness without further notice of having no more than six (6) times in any twelve (12) month period with respect to removing dilapidated buildings, dilapidated fences, including removal of the dilapidated trailer shrouns, and outside toilets, and no more than twelve (12) times in any twenty-four (24) month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land. The expense of cleaning the property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. The Board may assess the same penalty each time the property or land is cleaned as otherwise provided by Miss. Code Ann. §19-5-105 (1972), as amended.

Supervisor **CORNIE M. ROCKCO** seconded the motion to adopt the above and foregoing Order, whereupon the question was put to a vote with the following results:

Supervisor <b>BEVERLY MARTIN</b>	voted	<b>AYE</b>
Supervisor <b>ANGEL KIBLER-MIDDLETON</b>	voted	<b>AYE</b>
Supervisor <b>MARLIN E. LADNER</b>	voted	<b>AYE</b>
Supervisor <b>KENT JONES</b>	voted	<b>(ABSENT &amp; EXCUSED)</b>
Supervisor <b>CORNIE M. ROCKCO</b>	voted	<b>AYE</b>

The majority of the members present having voted in the affirmative, the motion was declared carried, and the Order adopted on this the 7<sup>th</sup> day of August 2017.

