

Fire Lane Requirements

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ADOPTED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF FLOWOOD ON AUGUST 16, 1989, ENTITLED "AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE TOWN OF FLOWOOD, MISSISSIPPI, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH" TO PROVIDE FOR THE ESTABLISHMENT OF FIRE LANES AND FIRE ZONES ON PRIVATELY OWNED PROPERTY WITHIN THE TOWN OF FLOWOOD; TO PROVIDE FOR THE MARKING AND SIGNING OF SAME; TO PERMIT THE CONSTRUCTION OF LAKES, PONDS, AND STORM WATER RETENTION BASINS WITHIN ALL ZONING DISTRICTS; TO PERMIT THE OPERATION OF CHILD CARE FACILITIES WITHIN NEIGHBORHOOD COMMERCIAL DISTRICTS; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen of the Town of Flowood, on the 15th day of December, 1987, did adopt a Comprehensive Plan to fulfill the requirements of Section 17-1-9 of the Mississippi Code of 1972, as amended; and

WHEREAS, the Mayor and Board of Aldermen of the Town of Flowood, on the 16th day of August, 1988, did adopt that certain ordinance entitled "AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE TOWN OF FLOWOOD, MISSISSIPPI, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH" (which ordinance shall hereinafter be referred to as "said Ordinance"); and

WHEREAS, the Mayor and Board of Aldermen have given due public notice of a hearing related to the adoption of an amendment to said Ordinance to provide for the establishment of fire lanes and fire zones on privately owned property within the Town; to provide for the marking and signing of same; to permit the construction of lakes, ponds and storm water retention basins within all zoning districts; to permit the operation of child care facilities and nurseries within neighborhood commercial districts; and for related purposes; and

WHEREAS, during and following said hearing on said amendment, the Mayor and Board of Aldermen gave due consideration to the merits and anticipated effects of said amendment and their conformance with said Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF FLOWOOD, MISSISSIPPI:

1. That the title of Section 205 of Article II of said Ordinance be amended to read in its entirety "205. Off-Street Parking and Access."

2. That the following paragraphs be added to Section 205 of Article II of said Ordinance:

205.05 In connection with any place of public assembly, school, church, hospital or other similar facility, any recreational facility, any multi-family dwelling, any commercial structure, any industrial structure, or any complex of such structures, the owner of such structure shall be required to designate and provide adequate fire lanes between at least one public street and each structure on the lot. Such fire lanes shall be constructed and maintained in and of sufficient width, materials and location to permit emergency access at all times including during inclement weather to such structures by vehicles such as fire trucks, ambulances and police cars. Unless otherwise designated and marked, any primary access and/or service drive or lane of travel for motor vehicles located within a lot shall constitute a fire lane.

205.06 In addition to those fire lanes established by the preceding paragraph, the Fire Official shall have the authority to require the construction, maintenance and designation of such other fire lanes and of fire zones as shall be reasonably required to assure access to said structure for firefighting and other emergency purposes or to otherwise assure the health, safety and general welfare of the occupants of said structures. The Fire Official shall also have the authority to require that fire lanes be marked on the surface thereof and/or be adequately marked by signs at the expense of the lot owner. The Fire Official shall also have the authority to require that fire zones be adequately marked by signs at the expense of the lot owner.

205.07 Designated fire zones shall be marked as follows. The owner and/or manager of any such structure shall mark and maintain upon the surface of each fire zone stripes of reflectorized white, traffic, and weather-proof paint (or adhesive material manufactured for such purpose) with each stripe to be four (4) inches in width and all stripes to be placed parallel and no greater than four (4) feet apart.

205.08 It shall be a violation of this Ordinance for any person to park any motor vehicle or trailer, whether attended or unattended, within any fire lane or fire zone, or to cause an obstruction of any kind or nature whatsoever to be placed or remain for any period of time within any fire lane or fire zone. Any unattended motor vehicle or trailer or obstruction found parked or placed in a fire lane or fire zone may be impounded and removed therefrom by a police officer, and the reasonable cost of any tow or service charges incurred may be assessed against the owner of such vehicle or trailer. The cost of removing any other type of obstruction may be assessed against the owner or manager of such structure.

3. That the following paragraph be added to Section 209 of Article II of said Ordinance:

209.03 The construction of lakes, ponds and stormwater retention basins approved by the Mayor and Board of Aldermen shall not be considered as surface mining and shall be permitted within any zoning district.

4. That the following paragraph be added to Sub-section 306.02 of Article III of said Ordinance:

306.02-10 Child care facilities.

5. That the following paragraphs be added as definitions to Article VI of said Ordinance:

601.17.1 Child care Facility: Any establishment providing care of children during the day but not overnight, including facilities for children of working mothers, kindergartens and nursery schools for children under the age for admission to public schools, co-operative nursery schools, play groups for pre-school children or after-school care of school children, and other establishments of a similar nature.

601.27.1 Fire Lane: Any primary access and/or service drive or lane of travel for motor vehicles located within a lot.

601.27.2 Fire Official: The Chief of the Flowood Fire Department, or his authorized representative.

601.27.3 Fire Zone: Any area located adjacent to a structure and situated between the structure and a fire lane, which area has been designated by the Fire Official as the location of emergency access to the structure for firefighting and other similar purposes.

6. That Paragraph 300.02-10 be deleted in its entirety.

7. That Paragraph 601.57 be deleted in its entirety.

THEREFORE BE IT FURTHER ORDAINED by the Mayor and Board of Aldermen of the Town of Flowood, Mississippi, that this amendment to said Ordinance shall become effective on the 1st day of July, 1989.

The above and foregoing Ordinance was first reduced to writing and offered by Alderman W.K. Bell, who moved its adoption, which motion was seconded by Alderman Bobby G. Moore. Said Ordinance was considered and adopted as a whole and the vote on the final passage thereof was as follows:

Alderman Ainsworth voted	<u>AYE</u>
Alderman Bell voted	<u>AYE</u>
Alderman DeWitt voted	<u>Absent</u>
Alderman Graham voted	<u>AYE</u>
Alderman Moore voted	<u>AYE</u>

WHEREUPON, the Mayor declared this Ordinance passed, ordained and duly adopted on the 16th day of May, 1989.

ATTEST:

Velma Wilson
Velma Wilson, Clerk

Chastaine Flynt
Chastaine Flynt, Mayor

(SEAL)

CERTIFICATE

I, Velma Wilson, the duly appointed, qualified and acting Town Clerk of the Town of Flowood and lawful custodian of the minutes and seal of said Town, do hereby certify that the foregoing is a true and exact copy of an Ordinance passed, ordained and adopted by the Mayor and Board of Aldermen of the Town of Flowood, Mississippi, at its regular public meeting _____ and which ordinance is placed of record in the minutes of said meeting in Minute Book 27 at Pages 88 - 89.

Witness my signature and official seal of office, this the 16th day of May, 1989.

Velma Wilson
Velma Wilson, Clerk
Town of Flowood, Mississippi

(SEAL)