

NOTICE OF ADOPTION OF AN ORDINANCE OF THE TOWN OF SMITHVILLE,  
MISSISSIPPI ESTABLISHING A FLOOD DAMAGE PREVENTION ORDINANCE  
PURSUANT TO SECTION 17-1, M.C.A.

WHEREAS, the Town of Smithville, Mississippi on the 5th day of February in the year 2019, adopted an Ordinance, being Ordinance No. 110, establishing a flood damage prevention ordinance pursuant to Section 17-1-1 et. seq., M.C.A.

WHEREAS, the purpose of the ordinance was to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed as described therein; and

WHEREAS, Section 17-1-3 M.C.A. provides that the governing authorities of municipalities shall have the power to create ordinances for the purpose of promoting health, safety, morals, or the general welfare of the community; and

WHEREAS, Section 21-17-19, Mississippi Code Annotated of 1972, as amended, provides that whenever a municipality is required to publish a public measure, including an ordinance, the substance of the ordinance may be printed in lieu of the full text of the ordinance; and

WHEREAS, the substance of the ordinance shall be an explanatory statement summarizing the full text of the ordinance in which the chief purpose of the ordinance is explained in clear and unambiguous language; and

WHEREAS, in the event publication is made in the manner described by Section 21-17-19, the statute provides that during the entire time of publication of the explanatory statement in a newspaper, a copy of the full text of the public measure or the amendment thereto, shall be posted by the clerk of the municipality in three (3) public places in which the municipality is located; and in addition, the clerk shall furnish any resident of the municipality a copy of the full text of the public measure upon request; and

WHEREAS, pursuant to Section 21-13-1 M.C.A., the Town has power to pass ordinances, enforce same, and provide penalties for violations; and

WHEREAS, pursuant to Section 21-17-5 M.C.A., the Town has the power to adopt any orders, resolutions or ordinances with respect to such municipal affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi; and

WHEREAS, in consideration of the above and foregoing statute, the Town of Smithville, Mississippi, does hereby give notice as follows:

## **PUBLIC NOTICE**

The Town of Smithville, Mississippi, as allowable by Section 21-17-19, Mississippi Code Annotated of 1972, as amended, does hereby publish and give notice to all citizens and interested persons that an ordinance has been adopted, being Ordinance No. 110, creating a Flood Damage Prevention Ordinance pursuant to Section 17-1-1 et. seq., M.C.A., in order to promote public health, safety and welfare, to minimize public and private losses due to flood conditions in specific areas, and to adopt provisions and regulations in order to carry out the purposes of the Ordinance.

In accordance with the requirements of Section 21-17-19, M.C.A., a copy of the full text of the ordinance described herein shall be posted at Smithville Town Hall, Mel's Diner, and Smithville Texaco.

The Municipal Clerk of the Town of Smithville shall furnish any resident of the municipality a copy of the full text of this ordinance upon request.

This Ordinance was passed and adopted by unanimous vote on the 5th day of February, 2019. This Ordinance shall become effective and be in force as provided for by law.

s/Earl Wayne Cowley  
EARLWAYNE COWLEY, MAYOR

ATTEST:  
s/ Kimberly Johnson  
Kimberly Johnson, TOWN CLERK

Publish 03/13/2019