

AN ORDINANCE BY THE BOARD OF SUPERVISORS OF FORREST COUNTY, MISSISSIPPI, REGULATING FORESTRY HARVESTING AND TRANSPORT UPON CERTAIN ROADS

WHEREAS, Section 170 of the Mississippi Constitution and Section 19-3-41 of the Mississippi Code of 1972, as amended, provide the Board of Supervisors with full jurisdiction over roads, ferries and bridges of the County and all others matters of County policies: and

WHEREAS, Section 65-1-45 of the Mississippi Code of 1972, as amended, grants the Board of Supervisors regulatory powers to restrict or prohibit the use of any county road or bridge for the preservation or protection of the road or bridge from damages or the protection of the public's safety and welfare: and

WHEREAS, Section 63-3-211 of the Mississippi Code of 1972, as amended grants additional power to local authorities to enact traffic regulations: and

WHEREAS, Section 19-3-40 of the Mississippi Code of 1972, as amended, grants the Board of Supervisors power to adopt orders, resolutions or ordinances with respect to County affairs, property and finances: and

WHEREAS, in order to protect the County's roads and ditches as much as possible from unnecessary damages and prevent damages to the motoring public.

Now, therefore, be it ordained by the BOARD OF SUPERVISORS of Forrest County Mississippi as follows:

SECTION 1: The provisions of this Ordinance apply to all territory within the legal boundaries of Forrest County, Mississippi, but outside the legal corporate boundaries of the Cities of Hattiesburg and Petal, Mississippi.

SECTION 2: The following describes the requirements of the Application/Permit Ordinance:

- (a) Any person wanting to conduct any logging on land in Forrest County shall be required to complete and file a Permit Application with the Forrest County Road Manager and provide all attachments required as a part of said Permit Application and such insurance and proof of financial responsibility required therein. Failure to comply with these requirements shall result in revocation of said permit and immediate cessation of any further use of the roads described in Section 1; herein above.**
- (b) Failure to secure the required permit prior to commencing any logging operation in Forrest County will be a violation of this Ordinance and subject any land owner, loggers, driver or representative to the fines and penalties hereunder.**
- (c) Applicant is responsible for each vehicle associated with each job having a fully executed copy of the Application for permit in the vehicle and visible for display upon request.**

SECTION 3: It shall be unlawful for any landowner, logger, hauling company and anyone associated with or employed or contracted by any of the above to not have a fully executed application/permit on his/her person (or in vehicle) during a logging harvest or cutting/thinning job in Forrest County, Mississippi.

SECTION 4: Violation of this Ordinance shall constitute a misdemeanor, and shall be punishable, upon conviction, by a fine of \$250.00 (first offense): \$1,000.00 (second offense) and imprisonment in the County Jail not more than six (6) months, or either. Each day any such violation occurs shall constitute a separate offense.

SECTION 5: Violation of this Ordinance amounting to a third offense shall result in revocation of the violator's privilege to use the County maintained roads within the areas described in Section 1., herein above.

SECTION 6: The County Road Manager (or his designee) shall approve each Application/Permit required by this Ordinance.

SECTION 7: This Ordinance shall be effective from and after the date of its adoption, and shall be enforceable from and after the date of publication of this Ordinance per Section 10: below.

SECTION 8: In addition to the penalties hereinabove provided for violation of the Ordinance, any damage or condition caused or permitted to exist in violation of any provision of this Ordinance shall be subject to appropriate civil action, including, but not limited to, injunctive relief for abatement, damages and sanctions in any court of appropriate jurisdiction.

SECTION 9: If any section, sentence, clause, or provision of this Ordinance is declared void, unconstitutional or invalid for any reason, such portion or provision or the application or the enforceability thereof, shall be severable from this Ordinance. The remainder of this Ordinance, or all applications and the appropriate enforcement thereof, shall not be affected and shall be interpreted, if necessary, so as to give a meaning consistent with the purpose and intent of the enacted Ordinance.

SECTION 10: The Clerk of this Board is hereby authorized and directed to cause this Ordinance to be published once a week for three (3) consecutive weeks in a local newspaper.

The above and foregoing Ordinance, after having been first reduced to writing and discussed and considered by the Board, was moved for adoption by Supervisor _____,

And seconded by Supervisor _____. The matter was put to a roll call vote as follows:

SUPERVISOR STEVE STRINGER

Yes

SUPERVISOR GENTRY MORDICA

Yes

SUPERVISOR SHARON THOMPSON

Absent

SUPERVISOR RODERICK WOULLARD

Yes

SUPERVISOR TERRI BELL

Yes

Whereupon the President of the Board declared the motion carried and the Ordinance adopted, on this the 16th day of December, 2024.

[Signature]

President, Board of Supervisors

ATTEST:

[Signature]

Clerk, Board of Supervisors

