

**MEMORANDUM**

**DATE:** December 3, 2012  
**TO:** Samantha D. Abell, City Manager  
**THRU:** Eric Meyer, Planning and Economic Development Director  
Patty Huffman, Grants and Projects Manager  
**FROM:** Joseph E. Belles, Code Enforcement Officer  
**SUBJECT:** Abatement of Substandard Property Conditions, 1930 Greycliffe Drive Gautier, Mississippi 39553

---

**ISSUE:**

Pursuant to the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11, Staff requests that the City Council set a public hearing date for February 5, 2013, to receive public comment regarding the abatement of the subject property.

**LEGAL DESCRIPTION:**

This property listed on the land assessment roll more generally described as:

**Legal Description:** PIDN 85441211.000  
Lot 124 HICKORY HILL ESTATE SUBDIVISION  
Unit # 10 Deed Book 1420, page 872

**Property Address:** 1930 GREYCLIFFE DRIVE

**Owners of Record:** Travis Ward & John D. Ward  
**Last Known Address:** 62200 West End Blvd # 3214  
Slidell, LA 70461

**BACKGROUND:**

An initial telephone complaint from a neighbor concerned with visible code violations were reviewed and substantiated by code enforcement and a code violation file was opened again against the property in December 2010. Code enforcement has dealt with repeated minor code violations with this property since October 2008. Code enforcement identified the 1984 model manufactured home in a state of disrepair and more specifically cited the vacant home filled with trash and debris visible through the windows and a small dog always running loose behind a three-foot chain link fence. The City of Gautier, Water Department advised code enforcement the water has been disconnected since October 2008. The United States Postal Service returned both letters mailed to the out-of-state owners at their address reflected on the Jackson County

Tax Records as, insufficient address, unable to forward, and return to sender. Additionally copies of the returned letters were posted on the front door to the manufactured home. In January 2011, Ms Sunny Wilson who claimed to be the two owner's mother had the property cleaned and was informed of the City's revised manufactured home requirements when homes are vacant more than sixty days. After the manufactured home and property were cleaned, the code violation case was closed.

Code enforcements reopened the case when the property was observed is a state of disrepair and overgrown. The property is now unsecured, had malicious damage done to the inside of the home and presents blight to the neighborhood. The property was sold for the 2008 unpaid taxes to Mr. Henry Cornelius Edwards. Mr. Edwards was contacted three times by telephone and another letter of violation was posted on the front door November 1, 2012. Mr. Edwards address was located and a letter of violation was mailed notifying him of the property condition and possible potential abatement request by Code Enforcement to the City Manager and Council.

Property owners in the vicinity remain concerned with the visible appearance of this dilapidated structure, overgrown property and are concerned for the health, safety and welfare of their neighborhood. Code enforcement informed the owner by letter on December 10, 2012, the property would be recommended for an abatement hearing if not in compliance by January 31, 2013.

**APPLICABLE LAW:**

Mississippi Code of 1972, Section 21-19-11, provides procedures to municipalities to clean private property determined to be a menace to those in the municipal community thus:

(1) To determine whether property or parcel of land located within a municipality is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community, a governing authority of any municipality shall conduct a hearing, on its own motion, or upon the receipt of a petition \* \* \* signed by a majority of the residents residing within four hundred (400) feet of any property or parcel of land alleged to be in need of the cleaning. Notice shall be provided to the property owner by:

(a) United States mail \* \* \* two (2) weeks before the date of the hearing mailed to the address of the subject property and to the address where the ad valorem tax notice for such property is sent by the office charged with collecting ad valorem tax; and

(b) Posting notice for at least two (2) weeks before the date of a hearing on the property or parcel of land alleged to be in need of cleaning and at city hall or another place in the municipality where such notices are posted.

Any notice required by this section shall include language that informs the property owner that an adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of one (1) year after the hearing without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning. A copy of the required notice mailed and posted as required by this section shall be recorded in the minutes of the governing authority in conjunction with the hearing required by this section.

If, at such hearing, the governing authority shall adjudicate the property or parcel of land in its then condition to be a menace to the public health, safety and welfare of the community, the governing authority, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, dilapidated

fences, outside toilets, dilapidated buildings, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water there from. The governing authority may by resolution adjudicate the actual cost of cleaning the property 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. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The "cost assessed against the property" means either the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done, and administrative costs and legal costs of the municipality. For subsequent cleaning within the one-year period after the date of the hearing at which the property or parcel of land was adjudicated in need of cleaning, upon seven (7) days' notice posted both on the property or parcel of land adjudicated in need of cleaning and at city hall or another place in the municipality where such notices are generally posted, and consistent with the municipality's adjudication as authorized in this subsection (1), a municipality may reenter the property or parcel of land to maintain cleanliness without further notice or hearing no more than six (6) times in any twelve-month period with respect to removing dilapidated buildings, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land, and the expense of cleaning of 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 governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice.

(2) If the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in a court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned.

(3) If the governing authority does not declare that the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes.

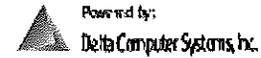
(4) All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

(5) Nothing contained under this section shall prevent any municipality from enacting criminal penalties for failure to maintain property so as not to constitute a menace to public health, safety and welfare.

### **RECOMMENDATION:**

Staff recommends City Council hold a public hearing on February 5, 2013, in order to determine the property a menace to the public health, safety and welfare of citizens and direct Staff to commence with abatement of the dilapidated structure.





Copyright 2012

# Property Link

## JACKSON COUNTY, MS

Current Date 11/27/2012

Tax Year 2012  
Records Last Updated 11/26/2012

**PROPERTY DETAIL**

**OWNER** WARD TRAVIS C & WARD JOHN D  
62200 WEST END BLVD #3214

**ACRES** : \*\*NA\*\*  
**LAND VALUE** : 8500  
**IMPROVEMENTS** : \*\*NA\*\*  
**TOTAL VALUE**: 8500  
**ASSESSED** : 1275

SLIDELL LA 70461

**PARCEL** 85441211.000  
**ADDRESS** 1930 GREYCLIFFE

**TAX INFORMATION**

YEAR 2012	TAX DUE	PAID	BALANCE
COUNTY	65.50	0.00	65.50
CITY	40.93	0.00	40.93
SCHOOL	59.15	0.00	59.15
<b>TOTAL</b>	<b>165.58</b>	<b>0.00</b>	<b>165.58</b>

To Pay Online, [WWW.MS1STOP.COM](http://WWW.MS1STOP.COM)

**LAST PAYMENT DATE** \*\*NA\*\*

**TAXES DELINQUENT PRIOR YEAR**  
**MISCELLANEOUS INFORMATION**

**EXEMPT CODE**  
**HOMESTEAD CODE** None  
**TAX DISTRICT** 5840  
**PPIN** 069581  
**SECTION** 12  
**TOWNSHIP** 7S  
**RANGE** 7W

**LEGAL** LOT 124 HICKORY HILL EST S/D  
UNIT #10 DB 1420-872  
(314 MAP771.12-02)

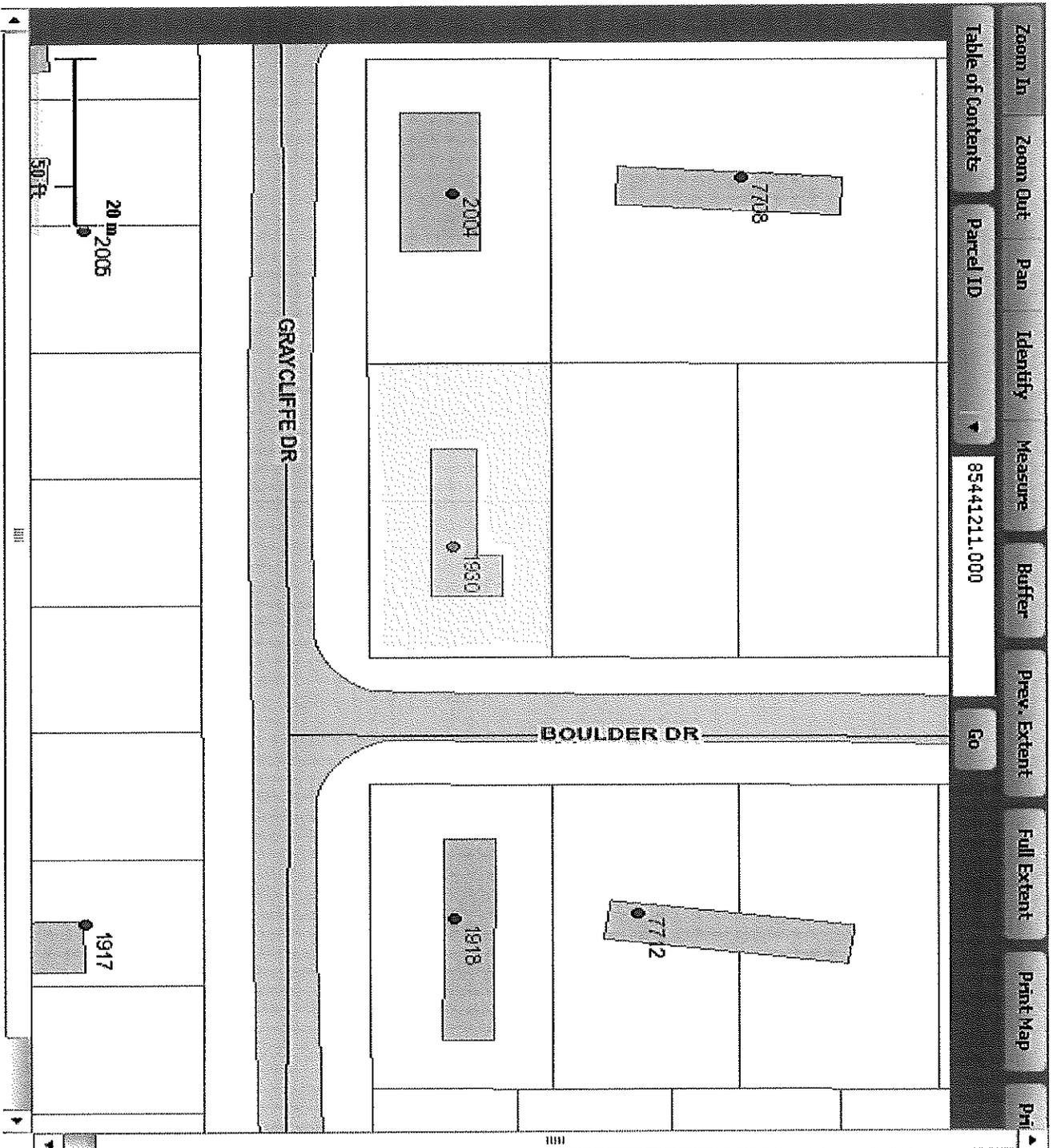
**Book** **Page**

**TAX SALES**

PURCHASE COUNTY TAX SALE FILES

<u>Year</u>	<u>Sold To</u>	<u>Redeemed Date/By</u>
2011	JAMES F DOBSON	UNKNOWN
2010	ON POINT LLC	UNKNOWN
2009	JOSEPH A SKELTON	9/ 7/2012 BETTY EDWARDS
2008	HENRY CORNELIUS EDWARDS	UNKNOWN
2006	INTREPID GROUP LLC	8/ 4/2008 TRAVIS WARD
2005	J T GREAT, LLC	8/ 4/2008 TRAVIS WARD

[Back](#)



Zoom In Zoom Out Pan Identify Measure Buffer Prev. Extent Full Extent Print Map Print

Table of Contents Parcel ID 85441211.000 Go

User Guide

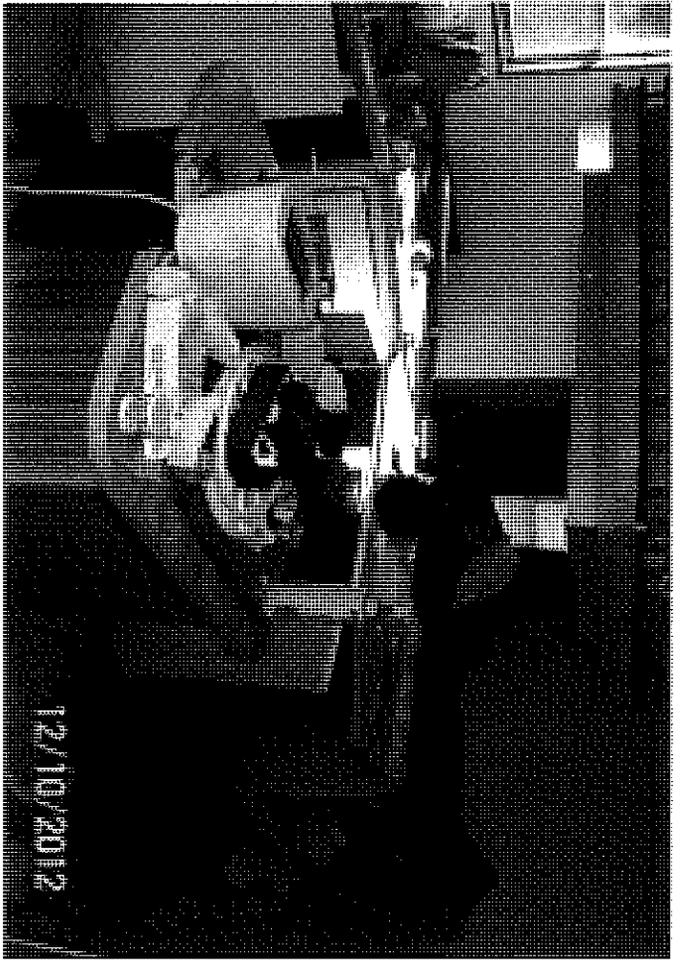
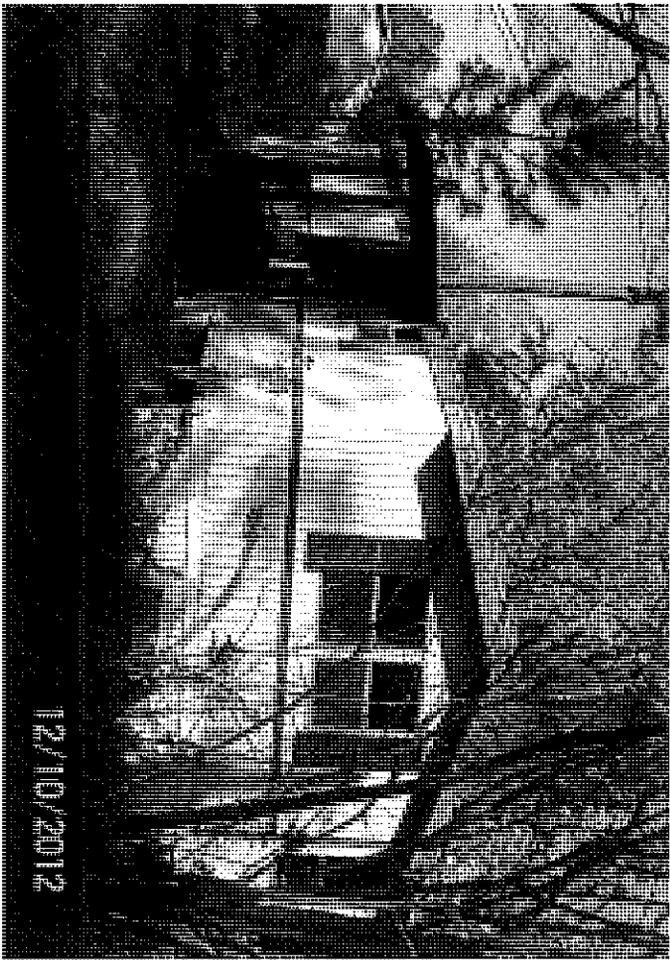
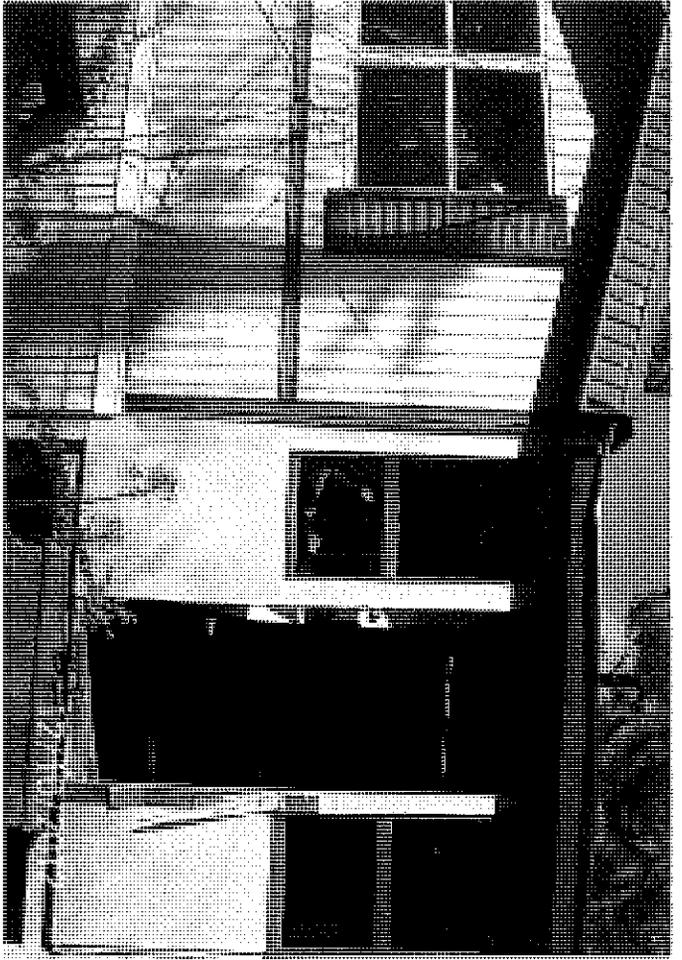
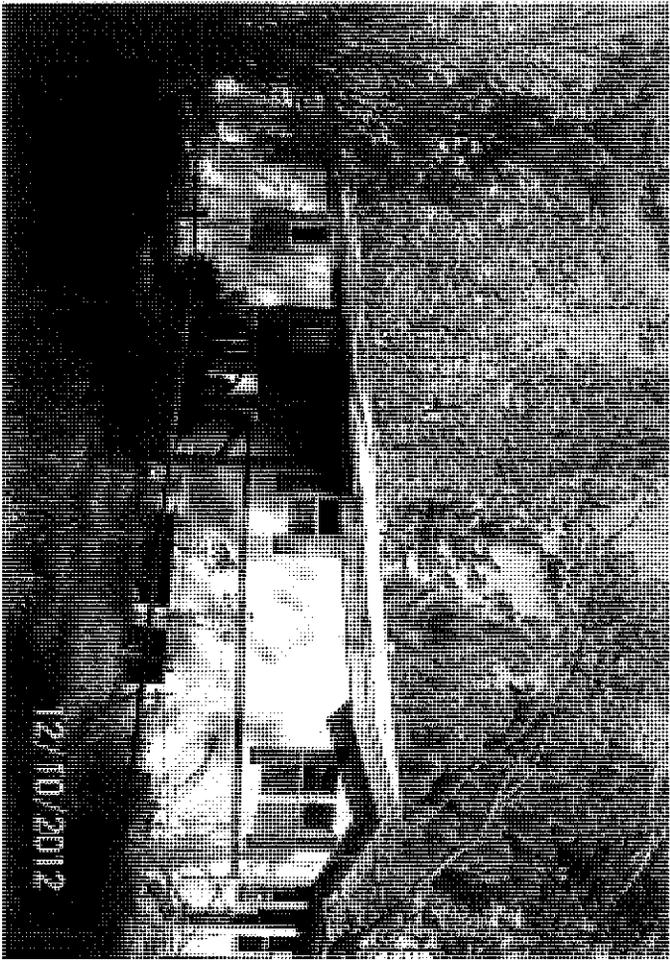
**Parcel ID:** 85441211.000  
**Owner Name 1:** WARD TRAVIS C & WARD JOHN D  
**Owner Name 2:**  
**Owner Address:** 62200 WEST END BLVD #3214  
**Owner City:** SLIDELL LA  
**Owner ZIP:** 70461  
**Parcel Location:** 1930 GREYCLIFFE DR GAUTIER  
**Zoning Code:** R-3  
**Legal Description 1:** LOT 124 HICKORY HILL EST S/D  
**Legal Description 2:**  
**Legal Description 3:** UNIT #10 DB 1420-872 (314 MAP771.12-02)  
**Legal Description 4:**  
**Legal Description 5:**  
**Legal Description 6:**

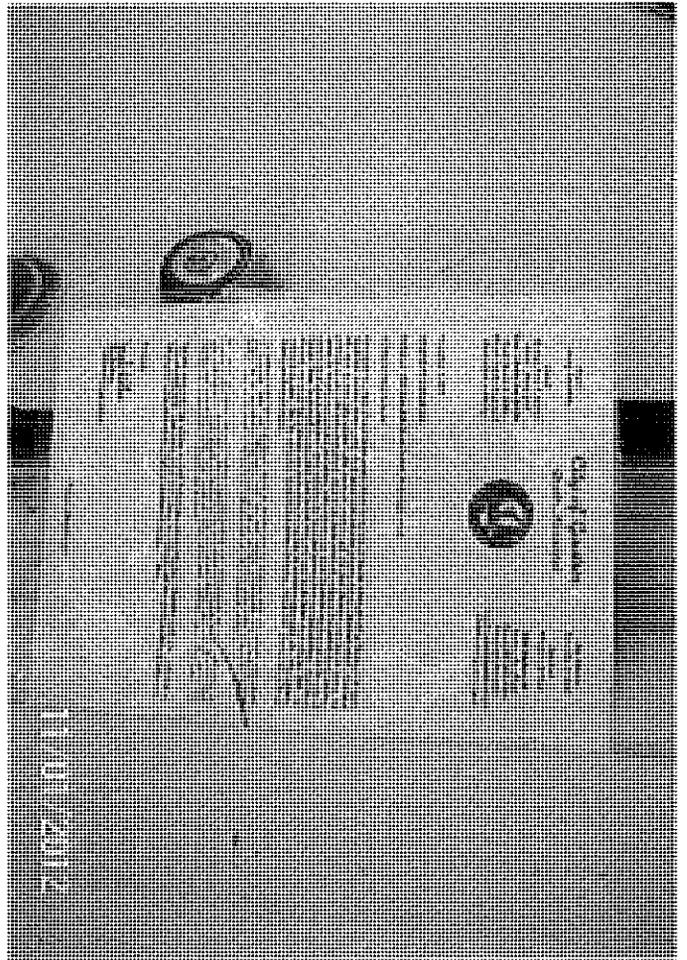
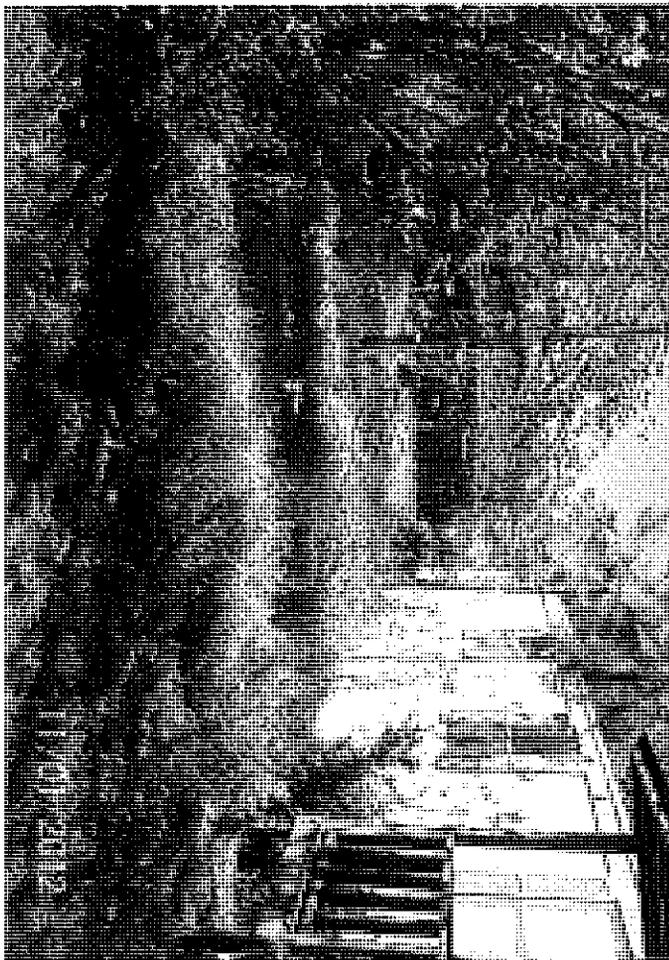
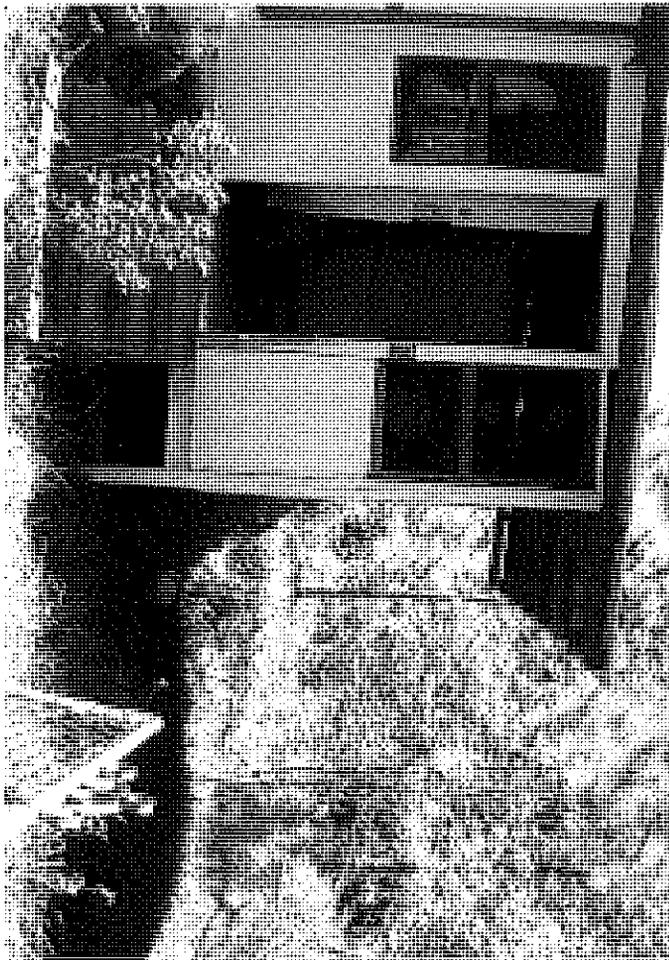
Clear Info



City of Gautier, MS







Mayor  
Tommy Fontenberry

City of Gautier  
Gautier, Mississippi

City Manager  
Samantha D. Abell

Interim City Clerk  
Cindy Russell

Council  
At Large Mary F. Martin  
Ward 1 Johnny Jones  
Ward 2 Hurley Ray Guillotte  
Ward 3 Gordon T. Gollott  
Ward 4 Scott D. Macfarland  
Ward 5 Adam D. Colledge



3330 Highway 90  
Gautier, MS 39553  
Phone: (228) 497-8000  
Fax: (228) 497-8028  
Email: [gautier@gautier-ms.gov](mailto:gautier@gautier-ms.gov)  
Website: [www.gautier-ms.gov](http://www.gautier-ms.gov)

December 10, 2012

Henry C. Edwards  
154 Quail Run Road  
Lucedale, Mississippi 39452

POSSIBLE NEW OWNER  
TAX SALE

COPY

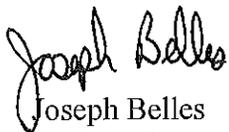
mailed 12-10-12  
JB

Reference: 1930 Greycliffe Drive Gautier, MS 39553

This letter is to inform you the City of Gautier; Planning and Economic Development Department will recommend to the governing authority the property at 1930 Greycliffe Drive Gautier, Mississippi is a menace to the public health, safety, and welfare of the community. Code Enforcement will request the mayor and city council review the history of the code violations on this property during a scheduled January 2013 council meeting. If the mayor and council determine the property meets the criteria for abatement they will set a public hearing for a scheduled February 2013 council meeting. The purpose of the hearing is to listen to testimony and determine if the property meets the requirements outlined in Mississippi Code Annotated 1972 § Title 21, Chapter 19, Section 11 to begin the necessary clean-up of this property.

Code enforcement is requesting the property be in compliance by January 15, 2013. If you have any questions you can contact the City of Gautier, Code Enforcement Office, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-8802 or my cell number (228) 219-7035.

Sincerely,



Joseph Belles  
Code Enforcement Officer

*Mayor  
Tammy Fortenberry*

*City of Gautier  
Gautier, Mississippi*

*City Manager  
Samantha D. Abell*

*Interim City Clerk  
Cindy Russell*

*Council  
At Large Mary F. Martin  
Ward 1 Johnny Jones  
Ward 2 Hivley Ray Guillotte  
Ward 3 Gordon F. Gallatt  
Ward 4 Scott D. Macfarland  
Ward 5 Adam D. Colledge*



*3330 Highway 90  
Gautier, MS 39553  
Phone: (228) 497-8000  
Fax: (228) 497-8028  
Email: [gautier@gautier-ms.gov](mailto:gautier@gautier-ms.gov)  
Website: [www.gautier-ms.gov](http://www.gautier-ms.gov)*

December 10, 2012

John or Travis Ward  
62200 West End Blvd  
Slidell, LA 70461

COPY

mailed 12-10-12  
JB

Reference: 1930 Greycliffe Drive Gautier, MS 39553

This letter is to inform you the City of Gautier; Planning and Economic Development Department will recommend to the governing authority the property at 1930 Greycliffe Drive Gautier, Mississippi is a menace to the public health, safety, and welfare of the community. Code Enforcement will request the mayor and city council review the history of the code violations on this property during a scheduled January 2013 council meeting. If the mayor and council determine the property meets the criteria for abatement they will set a public hearing for a scheduled February 2013 council meeting. The purpose of the hearing is to listen to testimony and determine if the property meets the requirements outlined in Mississippi Code Annotated 1972 § Title 21, Chapter 19, Section 11 to begin the necessary clean-up of this property.

Code enforcement is requesting the property be in compliance by January 15, 2013. If you have any questions you can contact the City of Gautier, Code Enforcement Office, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-8802 or my cell number (228) 219-7035.

Sincerely,

*Joseph Belles*

Joseph Belles  
Code Enforcement Officer

Mayor  
Tommy Fontenberry

City of Gautier  
Gautier, Mississippi

City Manager  
Samantha D. Abell

City Clerk  
Wendy S. McClain

Council  
At Large Mary F. Martin  
Ward 1 Johnny Jones  
Ward 2 Hurley Ray Guillotte  
Ward 3 Gordon J. Gollott  
Ward 4 Scott D. Macfarland  
Ward 5 Adam D. Colledge



3330 Highway 90  
Gautier, MS 39553  
Phone: (228) 497-8000  
Fax: (228) 497-8028  
Email: [gautier@gautier-ms.gov](mailto:gautier@gautier-ms.gov)  
Website: [www.gautier-ms.gov](http://www.gautier-ms.gov)

November 1, 2012

PROPERTY OWNER (S)

Reference: 1930 Greycliffe Drive Gautier, Mississippi 39553

To Whom It May Concern:

COPY

POSTED LTR @ PROPERTY  
11-01-12 JB

On October 31, 2012, a Code Enforcement Officer for the City of Gautier while patrolling Hickory Hill Estate Subdivision detected several codes of ordinance violations at the property address referenced above. This letter will serve as code enforcements initial notice of violation and you have fourteen (14) days to correct the problems or notify the code enforcement office if you cannot meet this suspense. The mobile home has been vacant for several years and does not comply with manufactured home placement requirements of the City of Gautier and is always overgrown. Letters mailed to the out of state owners have not been answered. The City of Gautier, Water Department records reflect there has not been any water at this home since October 2008. At this time, we would like to discuss our observations to maintain an amicable appearance with other property owners in this area. The City of Gautier, Unified Development Ordinance, Article XVI, Section 16.7, Care of Property and Premises States:

The general site and/or premises shall be maintained in general with particular references to insuring that the appearance will be and remain compatible and harmonious with properties in the general area and will not be so at variance with other properties in the general area as to cause a substantial depreciation of such property values.

The owner or tenant is responsible for maintaining all landscaping in good condition to present a healthy, neat, and orderly appearance. All property and yards shall be maintained free from weeds or plant growth in excess of six (6) inches. Weeds shall be defined as all grasses and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated plants, flowers and gardens.

You may contact the City of Gautier, Code Enforcement Office, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-8802/1878. Code Enforcement will be happy to assist you with any questions that you may have. The property will be reviewed for compliance on/about November 13, 2012.

Sincerely,

  
Joseph Belles  
Code Enforcement Officer



# City of Gautier

COMMUNITY SERVICES DEPARTMENT

3305 Gautier - Vancleave Road

P.O. Box 670

Gautier, MS 39553-0670

City of Gautier  
City Hall

JAN 21 2011

Received by  
*[Signature]*

John & Travis Ward  
62200 West End Blvd  
Slidell, LA 70461



PITNEY BOWES

\$ 000.440

02 1P

0003157231

JAN 12 2011

MAILED FROM ZIP CODE 39553



*[Handwritten mark]*

NIXIE

708 5E 1

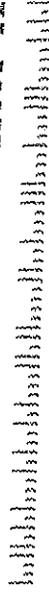
00 01/15/11

RETURN TO SENDER  
INSUFFICIENT ADDRESS  
UNABLE TO FORWARD

EC: 96563067070

\*0766-21591-12-95

70461530670@0670



Mayor  
Tommy Fontenberry

*City of Gautier*  
*Gautier, Mississippi*

City Manager  
Sidney M. Runnels

Council  
At Large Mary Martin  
Ward 1 Johnny Jones  
Ward 2 Hurley Ray Guillotte  
Ward 3 Gordon F. Gollott  
Ward 4 Scott D. Macfarland  
Ward 5 Adam D. Colledge

City Clerk  
Adrienne Howell

3330 Highway 90  
Gautier, MS 39553  
1-228-497-8000 phone  
1-228-497-8028 fax  
Email: [gautier@gautier-ms.gov](mailto:gautier@gautier-ms.gov)



January 11, 2011

John & Travis Ward  
62200 West End Blvd  
Slidell, LA 70461

Reference: 1930 Greycliffe Drive Gautier, Mississippi 39553

To Whom It May Concern:

On December 22, 2010, a Code Enforcement Officer for the City of Gautier while patrolling Hickory Hill Estate Subdivision detected a code of ordinance violation at the property address referenced above. This letter will serve as my initial notice of violation and you have fourteen (14) days to correct the problem or notify the code enforcement office if you cannot meet this suspense. The mobile home appears vacant but there is trash and debris visible from the street and often times there is a small dog behind the fence. Our City of Gautier, water department records reflect there has not been any water at this home since October 2008. At this time, we would like to discuss our observations to maintain an amicable appearance with other property owners in this area.

You may contact the City of Gautier, Code Enforcement Office, Monday – Friday, 8:00 AM - 5:00 PM at (228) 497-8802. I will be happy to assist you with any questions that you may have. We gratefully appreciate your cooperation in this matter.

Sincerely,

  
Joseph Belles  
Code Enforcement Officer

Cc: File



**City of Gautier**  
 COMMUNITY SERVICES DEPARTMENT  
 3305 Gautier - Vancleave Road  
 P.O. Box 670  
 Gautier, MS 39553-0670



City of Gautier  
 City Hall

JAN 4 - 2011

*[Handwritten signature]*

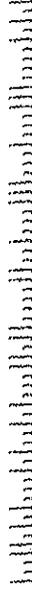
John & Travis Ward  
 62200 West End Blvd  
 Slidell, LA 70461

NIXIE 708 SE 1 00 12/28/10

RETURN TO SENDER  
 INSUFFICIENT ADDRESS  
 UNABLE TO FORWARD

BC: 39553067070 \*0766-15360-23-95

7046235530670



*Mayor  
Tommy Fortenberry*

*City of Gautier  
Gautier, Mississippi*

*City Manager  
Sidney M. Runnels*

*City Clerk  
Adrienne Howell*

*Council  
At Large Don Nash  
Ward 1 Johnny Jones  
Ward 2 Hurley Ray Guillotte  
Ward 3 Gordon F. Gollott  
Ward 4 Scott D. Macfarland  
Ward 5 Adam D. Colledge*



*3330 Highway 90  
Gautier, MS 39553  
1-228-497-8000 phone  
1-228-497-8028 fax  
Email: [gautier@gautier-ms.gov](mailto:gautier@gautier-ms.gov)*

December 23, 2010

John & Travis Ward  
62200 West End Blvd  
Slidell, LA 70461

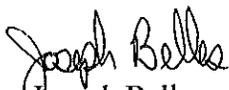
Reference: 1930 Greycliffe Drive Gautier, Mississippi 39553

To Whom It May Concern:

On December 22, 2010, a Code Enforcement Officer for the City of Gautier while patrolling Hickory Hill Estate Subdivision detected a code of ordinance violation at the property address referenced above. This letter will serve as my initial notice of violation and you have fourteen (14) days to correct the problem or notify the code enforcement office if you cannot meet this suspense. The mobile home appears vacant but there is trash and debris visible from the street and often times there is a small dog behind the fence. Our City of Gautier, water department records reflect there has not been any water at this home since October 2008. At this time, we would like to discuss our observations to maintain an amicable appearance with other property owners in this area.

You may contact the City of Gautier, Code Enforcement Office, Monday – Friday, 8:00 AM - 5:00 PM at (228) 497-8802. I will be happy to assist you with any questions that you may have. We gratefully appreciate your cooperation in this matter.

Sincerely,

  
Joseph Belles  
Code Enforcement Officer

Cc: File