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IN THE MATTER OF THE ADOPTION OF AN ORDINANCE AND CODE PROHIBITING THE
SALE OF BEER, WINE OR ALCOHOLIC BEVERAGES IN SECTIONS 2, 3, 4, 9,
10, 11, 14, 15 and 16 OF TOWNSHIP 4 NORTH, RANGE 9 EAST,
PIKE COUNTY, MISSISSIPPI

WHEREAS, this Board adopted an Ordinance by Order of May 30, 1990 which prohibited the sale of beer, wine or alcoholic beverages within the above Sections, and

WHEREAS, counsel for this Board has discovered a procedure by which said Ordinance may be made effective, immediately which would require the adoption of another Ordinance,

NOW, THEREFORE, upon motion of Supervisor A. Marks, seconded by Supervisor Freddie Wall and passed by the affirmative vote of all five members of this Board, IT IS HEREBY ORDERED that the Ordinance adopted May 30, 1990 by this Board prohibiting the sale of beer, wine and alcohol within the above Sections be, and the same is hereby rescinded.

SO ORDERED, this, the 4th day of June, A.D., 1990.



PRESIDENT

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IN THE MATTER OF THE ADOPTION OF AN ORDINANCE AND CODE PROHIBITING THE SALE OF BEER, WINE OR ALCOHOLIC BEVERAGES AND PROHIBITING THE LOCATION AND USE OF ANY BUILDING FOR THE SALE OF BEER, WINE OR ALCOHOLIC BEVERAGES IN SECTIONS 2, 3, 4, 9, 10, 11, 14, 15 and 16 OF TOWNSHIP 4 NORTH, RANGE 9 EAST, PIKE COUNTY, MISSISSIPPI, AND PROHIBITING THE ISSUANCE OF A PERMIT OR PRIVILEGE LICENSE FOR THE SALE THEREOF

WHEREAS, Pike County Sheriff Billy Simmons and Lincoln County Sheriff Lynn Boyte and a board room full of residents from the northeast corner of this County appeared before this Board and requested that for the general public health, safety and welfare, this Board adopt an ordinance and code prohibiting the sale of beer, wine or alcoholic beverages within the area of the nine (9) Sections forming the Northeast Corner of the County, as above captioned, known hereinafter as "said area", and

WHEREAS, Sheriff Billy Simmons advised this Board that this area of the County is approximately twenty (20) miles and too far away from the Sheriff's Office at Magnolia such as to provide timely response by law enforcement vehicles in event of alcoholic beverage related problems and violence and also that should an establishment locate and begin selling alcoholic beverages in said area, traffic would greatly increase over already narrow and over-traveled roads, and

WHEREAS, Sheriff Billy Simmons also advised that alcohol related problems and violence would always arise in and around establishments selling alcoholic beverages which were so far out from the Sheriff's Office in rural areas of any county and that his office was without adequate personnel and vehicles to keep said area properly patrolled, and

WHEREAS, said area is right across the County line from Lincoln County and Sheriff Lynn Boyte advised this Board that the opening in said area of an alcoholic beverage selling establishment would cause alcohol related problems and violence for his department, also, and that he, too, had insufficient personnel and vehicles to keep that portion of Lincoln County across the County line from said area properly patrolled, and that in event of such a problem, response time would be excessive in view of the distance involved from Brookhaven, and

WHEREAS, Sheriff Simmons and Sheriff Boyte stated that were the Walthall and Lawrence County Sheriffs able to be present, they would make the same reports concerning patrol and response time problems, and

WHEREAS, area residents Robin Nettles and E. M. Myers addressed this Board and stated, in behalf of the group, that said area of the County was now quiet and peaceful, but that the traffic and alcohol related problems which the sale of alcohol in said area would create would jeopardize the travel and general safety of residents of the small unincorporated communities in the area, and urged the adoption of an ordinance prohibiting the sale of alcohol, and

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WHEREAS, Sheriff Billy Simmons advised that historically, alcohol related problems, drunk driving and violence would follow immediately after the beginning of sale of alcohol in the area and that immediate action was necessary in the interest of adequate law enforcement, and

WHEREAS, in view of the above, THIS BOARD FINDS AND ADJUDICATES that an ordinance and code prohibiting the sale of beer, wine or alcoholic beverages and prohibiting the location and use of any building for the sale of beer, wine or alcoholic beverages in Sections 2, 3, 4, 9, 10, 11, 14, 15, and 16 of Township 4, Range 9 East and prohibiting the issuance of a permit or privilege license for same be adopted, effective immediately, all for the immediate preservation of the public health, safety, morals and general welfare and in the interest of adequate law enforcement in said area,

NOW, THEREFORE, the following ordinance and code was introduced;

ORDINANCE AND CODE PROHIBITING THE SALE OF BEER, WINE OR ALCOHOLIC BEVERAGES AND PROHIBITING THE LOCATION AND USE OF ANY BUILDING FOR THE SALE OF BEER, WINE OR ALCHOLIC BEVERAGES IN SECTIONS 2, 3, 4, 9, 10, 11, 14, 15 and 16 OF TOWNSHIP 4 NORTH, RANGE 9 EAST, PIKE COUNTY, MISSISSIPPI AND PROHIBITING THE ISSUANCE OF A PERMIT OR PRIVILEGE LICENSE FOR THE SALE THEREOF

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIKE COUNTY, MISSISSIPPI as the governing board of said County, as follows:

SECTION 1: The sale of beer, wine or alcoholic beverages and the location and use of any building for the sale of beer, wine or alcoholic beverages within Sections 2, 3, 4, 9, 10, 11, 14, 15 and 16 of Township 4 North, Range 9 East, Pike County, Mississippi is hereby declared illegal and is prohibited, said action being authorized by Sections 19-5-9 and 67-3-65, MCA, 1972, which are made a part hereof by reference. The issuance of a permit or privilege license for such an establishment in said area is likewise prohibited.

SECTION 2: Any violation of this code shall be that of a misdemeanor, punishable, upon conviction, by a fine of not more than \$500.00 or by imprisonment in the County Jail for not more than six (6) months, or by both such fine and imprisonment, in the discretion of the Court.

SECTION 3: This ordinance and code is effective immediately after passage for the immediate preservation of the public health, safety, morals and general welfare.

SECTION 4: The full text of this ordinance and code and the order adopting it shall be published in the manner and time required by law.

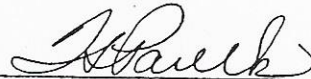
ADOPTED AND PASSED by Order of the Board of Supervisors of Pike County, Mississippi on June 4th, A.D., 1990.

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The above and foregoing ordinance and code having been first typewritten and presented in pamphlet form to this Board, Supervisor Aubrey Matthews moved its adoption and said motion was seconded by Supervisor Freddie Wall. The ordinance and code was then read, considered, and adopted Section by Section and then as a whole by the following votes:

Supervisor Theodore Bullock - "For"
Supervisor A. Marks - "For"
Supervisor Aubrey Matthews - "For"
Supervisor T. A. Paulk - "For"
Supervisor Freddie Wall - "For".

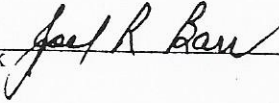
SO ORDAINED, ADOPTED AND ORDERED, this, the 4th day of June, A.D., 1990.



PRESIDENT

ATTEST:

CLERK



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ORDINANCE AND CODE PROHIBITING THE SALE OF BEER, WINE OR ALCOHOLIC BEVERAGES AND PROHIBITING THE LOCATION AND USE OF ANY BUILDING FOR THE SALE OF BEER, WINE OR ALCOHOLIC BEVERAGES IN SECTIONS 2, 3, 4, 9, 10, 11, 14, 15 AND 16 OF TOWNSHIP 2 NORTH, RANGE 9 EAST, PIKE COUNTY, MISSISSIPPI AND PROHIBITING THE ISSUANCE OF A PERMIT OR PRIVILEGE LICENSE FOR THE SALE THEREOF

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIKE COUNTY, MISSISSIPPI as the governing board of said County, as follows:

SECTION 1: The sale of beer, wine or alcoholic beverages and the location and use of any building for the sale of beer, wine or alcoholic beverages within Sections 2, 3, 4, 9, 10, 11, 14, 15 and 16 of Township 2 North, Range 9 East, Pike County, Mississippi is hereby declared illegal and is prohibited, said action being authorized by Sections 19-5-9 and 67-3-65, MCA, 1972, which are made a part hereof by reference. The issuance of a permit or privilege license for such an establishment in said area is likewise prohibited.

SECTION 2: Any violation of this code shall be that of a misdemeanor, punishable, upon conviction, by a fine of not more than \$500.00 or by imprisonment in the County Jail for not more than six (6) months, or by both such fine and imprisonment, in the discretion of the Court.

SECTION 3: This ordinance and code is effective immediately after passage for the immediate preservation of the public health, safety, morals and general welfare.

SECTION 4: The full text of this ordinance and code and the order adopting it shall be published in the manner and time required by law.

ADOPTED AND PASSED by Order of the Board of Supervisors of Pike County, Mississippi on June 4th, A.D., 1990.