

ORDINANCE NO. 958

**AN ORDINANCE RE-ESTABLISHING VOTING PRECINCTS AND POLLING PLACES WITHIN THE SIX WARDS OF THE CITY PREVIOUSLY ESTABLISHED THROUGH ORDINANCE 912**

WHEREAS, the Mayor and Board of Aldermen of the City of Moss Point, Mississippi, established six wards within the City of Moss Point and voting precincts within each ward on September 15, 1992, which is set forth in Ordinance 912; and

WHEREAS, on December 18, 2012, the Mayor and Board of Aldermen approved voting precinct changes for each of the six wards set forth in Ordinance 912 to include changing Ward 1 precinct to Ed Mayo School, Ward 2 precinct to Frederick Street Ball Park, Ward 3 precinct to Sue Ellen Gym, Ward 4 precinct to Riverfront Recreation Center, Ward 5 precinct to Central Fire Station and Ward 6 to YMBC. On January 3, 2013, the Mayor and Board further amended the voting precincts to include Pelican Landing as a combined Precinct for Wards 5 and 6. These precinct changes were approved under the requirements of Section 5 of the Voting Rights Act of 1965 by the Civil Rights Division of the U.S. Justice Department by letter dated February 22, 2013; and

WHEREAS, on April 7, 2016, the Mayor and Board of Aldermen, in an effort to eliminate costs associated with facilitating and manning the numerous voting precincts and to help the City better facilitate the holding of elections voted to change and consolidate the voting precincts as approved by the Department of Justice on February 22, 2013.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF MOSS POINT, MISSISSIPPI, as follows:**

**SECTION 1.** Ward 1 and Ward 2, as legally defined in Ordinance 912, shall have the following voting precinct: Kreole Avenue Fire Station, located on Kreole Avenue.

**SECTION 2.** Wards 3 and 4, as legally defined in Ordinance 912, shall have the following combined voting precinct: Sue Ellen Recreation Center, located on Sue Ellen Street.

**SECTION 3.** Ward 5, as legally defined in Ordinance 912, shall have the following voting precincts: All residents that live in Ward 5 and are north of the Escatawpa River shall vote at Pelican Landing located on Highway 613. All residents that live in Ward 5 and are south of the Escatawpa River shall vote at the Young Mens' Business Club ("YMBC") located on Dantzler Street.

**SECTION 4.** Ward 6, as legally defined in Ordinance 912, shall have the following voting precincts: All residents that live in Ward 6 and are north of the Escatawpa River shall vote at Pelican Landing on Highway 613. All residents that live in Ward 6 and are south of the Escatawpa River shall vote at YMBC on Dantzler Street.

**SECTION 5.** That if any of the provisions of this Ordinance shall be held to be void or unconstitutional by a Court of competent jurisdiction such action shall not affect the validity of the other provisions of this Ordinance.

**SECTION 6.** That the United States Supreme Court in *Shelby County v. Holder* (2013), struck down the coverage formula in Section 5 of the Voting Rights Act as unconstitutional, making Section 5 unenforceable. As such the City did not seek approval from the Department of Justice prior to the adoption of this Ordinance as such approval was not required.


**SECTION 7.** That all other ordinances or parts of ordinances of the City of Moss Point in conflict with the provisions of this Ordinance be, and the same are hereby repealed as far as any conflict is concerned.

The above and foregoing Ordinance having been introduced in writing and read and considered by the Mayor and Board of Aldermen of the City of Moss Point, Mississippi, section by section, paragraph by paragraph, and then as a whole, was adopted on the 20<sup>th</sup> day of December 2016, by the following vote:

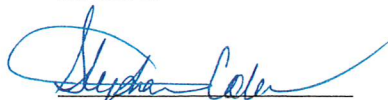
**ALDERMEN VOTING**

Alderman Houston Cunningham voted	Yea
Alderman Chuck Redmond voted	Yea
Alderwoman Shirley Chambers voted	Yea
Alderman Robert Byrd voted	Yea
Alderman Linwood Grierson voted	Yea
Alderman James Smith voted	Yea
Alderman Wayne Lennep voted	Yea

The above and foregoing Ordinance having received a unanimous vote of all of the members of the Board of Aldermen present, the Mayor declared the same carried, and the Ordinance adopted this the 20<sup>th</sup> day of December, 2016.

  
Billy Broomfield  
City of Moss Point, Mississippi

ATTEST:

  
Stephanie Coleman, City Clerk  
City of Moss Point, Mississippi