

STATE OF MISSISSIPPI  
COUNTY OF CLAY

CLAY COUNTY ORDINANCE GOVERNING  
THE ISSUANCE OF SPECIAL EVENT PERMITS AND  
PROVIDING PENALTIES FOR VIOLATIONS

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WHEREAS, Article Six, Section 170 of the Mississippi Constitution and Section 19-3-41 of the Mississippi Code of 1972, as amended and annotated, grant jurisdiction over roads and all matters of County Police to Boards of Supervisors; and

WHEREAS, Chapter 5, Title 19 of the Mississippi Code of 1972, as amended and annotated, authorizes counties to protect the general health, safety and welfare of its citizens where the Legislature has not made provision; and

WHEREAS, Section 19-3-40 of the Mississippi Code of 1972, as amended and annotated, the “home rule” statute, grants counties the power to adopt ordinances respecting county affairs for which no specific provision has been made by the Legislature and which is not inconsistent with the Mississippi Constitution; and

WHEREAS, Clay County is in the process of creating a long-term comprehensive development plan for the benefit of its citizens and the adoption of an ordinance regulating special events will enhance such plan; and

NOW THEREFORE, BE IT ORDAINED by the Board of Supervisors of Clay County, Mississippi:

**Special Events Permit**

**Purpose:** These standards are intended to govern the time, place, and management of special events conducted on county property or private property, as well as in the vicinity of county roads. These standards are necessary to ensure that an event's demands for health, fire, police, transportation, and other public facilities and services do not exceed the level of service that is normally provided in a particular area of the county and that the event does not create undesirable impacts on county residents.

Specifically, the purposes of these standards are to ensure that special events:

- a. Are conducted in a safe and orderly manner by creating a regulatory framework to issue permits;
- b. Are conducted in a manner that is reasonably suitable for the community, considering the duration and intensity of the proposed special event, and will minimize any significant impacts the event may have on surrounding landowners, residents and businesses;
- c. Do not create public disturbances or become public nuisances by blocking county rights-of-way, disrupting traffic, and creating excessive damage to public property and the property of adjacent landowners; and
- d. Are coordinated with governmental agencies to minimize the detrimental effects an event may have on law enforcement, fire protection, sanitation, emergency response efforts and other public services.

**Definitions:**

Special event - an event, gathering, or activity including but not limited to parades, trail rides, bike races, marathons, fun runs, parties, concerts, carnivals or festivals.

**Applicability/Permit Required:** These standards shall apply to any special event proposed to occur on public or private property that meets any of the following criteria:

- a. Any event on a public right of way
- b. Events of 50 or more participants where outdoor amplified sound or live band is provided
- c. Events of 75 or more participants where alcohol is present
- d. Events of 100 or more participants

**The adoption of this Ordinance by the County does not in any way negate or circumvent existing laws governing the issuance of alcoholic beverage permits and licenses by the Mississippi Department of Revenue. It is the responsibility of the landowner, event promotor and attending event staff to ensure existing laws are followed.**

**Exemptions:**

- a. Weddings of the property owner or family and friends
- b. Funerals
- c. Private yard sales on residential lots
- d. Church events that are conducted solely on property owned or leased by the church
- e. School events that are conducted solely on property owned or leased by the school

**General Application Requirements:**

- a. Every application for a special event permit shall be completed and submitted to the Clay County Sheriff on forms provided by Clay County.
- b. Applications must be filed no later than thirty (30) days prior to the proposed event date.

**Permit Fee:**

- a. The Permit Fee for local landowners shall be \$500.00 per event.
- b. The Permit Fee for a nonowner/event promoter shall be \$1,000.00 per event.

The Clay County Sheriff is authorized to assess a minimum permit fee of \$100.00 for small scale events with costs of admissions less than \$10.00 per person.

The Clay County Sheriff is authorized to assess a Permit Fee of no more than \$1,000.00 for events that are being advertised and promoted to attract the public with costs of admissions in excess of \$10.00.

The Permit Fee shall be remitted within five (5) days of receiving notice that the special event permit has been approved.

The waiver of Permit Fees for any exemptions or exceptions shall be approved by the Clay County Board of Supervisors.

**Application Review Standards:** The following standards shall serve as an overall checklist for the applicant and County staff to review a permit application. The County staff is hereby authorized to determine which of these standards should apply to the application, based on the type, scale and location of the proposed special event.

- a. Solid Waste: The applicant shall present a plan for the sanitary collection and disposal of solid waste from the event. Trash shall be removed from all County rights-of-way following the conclusion of the event.

- b. **Safety/Emergency Services:** The applicant shall provide a safety and operations plan that includes procedures for on-site first aid/medical emergencies and crowd control. A location for on-site first aid/medical services and emergency access by first responders must be submitted for approval when the application for permitting is filed.

The proposed location for on-site first aid services and emergency access may be rejected and another location designated by the approving authority, if it appears the location is not close enough to the main entrance of the event, or a more suitable location is available to prevent risk of damage to County or emergency response equipment.

A minimum of two portable toilets shall be made available at the location designated for on-site first aid services. Landowners, event organizers and event sponsors are encouraged to be familiar with the standards associated with the availability of portable toilets/restrooms to provide a safe environment for event participants. This requirement shall not apply if permanent restrooms are available on site.

1. Access to first aid services shall be provided on-site. The number of certified medical providers shall be determined by the approving authority.
2. Adequate private security personnel, as determined by the Sheriff, shall be provided for crowd and traffic control. The Sheriff shall have the authority to require that law enforcement personnel be on-site at the applicant's expense to monitor crowd control and to regulate traffic.

The Sheriff's Office reserves the right to submit a bill of costs for law enforcement presence at the event, if it appears the landowner or special event promoter failed to fully disclose the details of the special event at the time of application. Bills of Costs shall be paid within ten (10) days of receipt.

3. All electrical cables, wires and equipment shall be covered, concealed, secured and or located in such a manner that event participants will not be placed at risk.
4. The applicant shall provide a plan for on-site parking with a minimum number of spaces provided to accommodate the maximum anticipated attendance. **There shall be no parking permitted on State Highways, County Roads or the**

**County right-of-way.** The applicant shall demonstrate to the approving authority that an appropriate number of entrance and exit locations will be provided and that those entries and exits offer adequate sight distances. Safe and efficient circulation routes shall be provided within the parking area. The applicant will employ an adequate number of persons to monitor and direct traffic.

- c. **Noise:** Noise that is incompatible with the surrounding area shall not be permitted. Use of exterior amplifiers, speakers or similar equipment must be indicated at the time the application is filed.
- d. **Lighting:** For events held at night, the area of assembly and primary circulation routes shall be adequately illuminated to provide for the safety of participants.
- e. **Time Limitations:** The special event permit shall specify the hours of operation. All events must end no later than 2:00 a.m. regardless of the time specified by the applicant.
- f. **Food and Beverage Service:** If food and beverages, including alcoholic beverages, will be sold or given to participants, food service and alcoholic beverage licenses shall be obtained as required by the State of Mississippi.
- g. **Damages:** The County reserves the right to seek reimbursement for damages by submitting a Bill of Costs for payment to Sheriff's deputies, travel costs at the standard government rate for law enforcement officers and emergency responders, as well as other costs incurred to repair damage to County property and County rights-of-way. Bills of Costs shall be paid within ten (10) days of receipt.

**Issuance:** Applications will be acted on and the applicant notified that a permit has been approved or denied for issuance within fifteen (15) days of filing.

**Appeals:** Decisions of the Clay County Sheriff acting in his capacity as the approving authority regarding the issuance of a special event permit, the imposition of fees, additional restrictions, or conditions upon the granting of a special event permit may be appealed to the Board of Supervisors.

If an appeal is made to the Board of Supervisors, the party aggrieved shall submit a written

request to the Chancery Clerk one week preceding any regularly scheduled meeting of the Board of Supervisors at which the aggrieved party desires to be heard.

All appeals shall be in writing and shall include a copy of the original application for a special event permit.

**Right of Entry:**

1. The appropriate licenses and permits shall be displayed at the location of the special event.
2. Law enforcement officers, fire department personnel and any other county personnel on official business shall have the power to enter, free of charge, during the special event and to request the exhibition of the special event permit and any other required permits from any person conducting the special event.

**Violations:**

1. The issuance of a special event permit shall not be construed as an approval of the violation of any other Clay County or State of Mississippi statute, ordinance, regulation or policy.
2. It shall be a violation for any person to host or produce a special event without a Clay County issued permit.
3. It shall be a violation for any person in charge of or responsible for the conduct of a duly permitted special event to fail to comply with the terms and conditions of this Ordinance.

**Penalties:**

Any landowner, event sponsor or promoter who is found to have violated the provisions of this Ordinance shall be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 dollars.

Each day that a violation continues after due notice has been served shall be

deemed a separate offense.

The approving authority and the Clay County Board of Supervisors reserve the right to deny the issuance of permits for failure to comply with the provisions of this Ordinance.

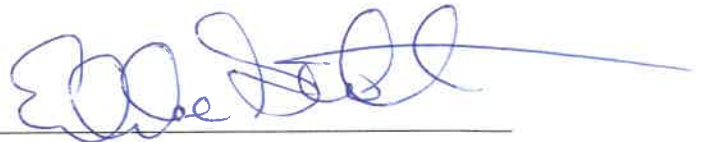
Violations of this Ordinance shall be filed with the Clerk of the Justice Court of Clay County and heard by the Judges of the Clay County Justice Court.

**Effective Date**

This ordinance shall become effective thirty (30) days from the date of its passage by the Clay County Board of Supervisors.

SO ORDERED BY THE CLAY COUNTY BOARD OF SUPERVISORS,

MISSISSIPPI on this the 2 day of December, 2024.

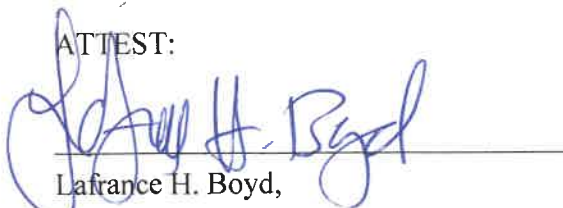


Eddie Scott, Sheriff of Clay County,  
Mississippi



R.B. Davis, President of the Clay County  
Board of Supervisors

ATTEST:



Lafrance H. Boyd,  
Chancery Clerk of Clay County, Mississippi

