

STATE OF MISSISSIPPI
COUNTY OF CLAY

AMENDED
ORDINANCE REGULATING PLACES OF PUBLIC ASSEMBLAGE,
INCLUDING ROADHOUSES AND LIKE ESTABLISHMENTS,
AND PROVIDING FOR PENALTIES FOR VIOLATIONS

(Revised June 30, 2026)

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 continues to review its long-term comprehensive plan to promote the safety and welfare its citizens and the revision of its ordinance regulating public assemblage will enhance such plan; and

WHEREAS, the Clay County Board of Supervisors has received significant accounts of places of public assemblage, including roadhouses, nightclubs, dance halls and the like, within and without of the County which contribute to littering, public intoxication, controlled substance violations, noise, disorderly conduct, assaults, overcrowding and traffic congestion limiting emergency responders in the performance of their duties, and, additionally, some of these assemblages have permeated conspiracies of silence, allowing violators to escape the administration of justice, and which are managed without adequate attention to these problems; and

WHEREAS, on numerous occasions, the impact of these business operations has been more significant when the establishment is hosted by an even/entertainment promoter for a special event or performance, or the like when the establishment fails to alert law enforcement of criminal conduct occurring during operations; and

WHEREAS, some of those operations are located in buildings which are not in compliance with current building and/or National Fire Protection Association standards, causing a safety hazard for the occupants, customers and patrons of said buildings.

WHEREAS, the Board of Supervisors finds that certain promoted events have resulted in increased demands upon law enforcement, emergency response, traffic control, and public safety resources; and

WHEREAS, the Board further finds that immediate implementation of this amendment is necessary to protect the health, safety, and welfare of the citizens of Clay County and to ensure adequate review of enhanced events before they occur.

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

Article I.

Applicability, Intent & Interpretation

This ordinance applies to businesses that are open to the public on a recurring basis and whose regular operations include the sale or service of alcoholic beverages, entertainment, dancing, live performances, amplified music, or similar activities conducted as part of the business. This ordinance shall also apply to all places of public assemblage, including all existing establishments, as well as any that make application subsequent to the adoption of this ordinance. This ordinance is applicable to the owner of the real property, any lessee, operator, host, entertainment promoter and any borrower of the premises conducting events on the property.

Establishments intended to be covered by this ordinance are roadhouses, nightclubs, dance halls, lounges, taverns, cabarets, bars, pool halls, and restaurants allowing alcoholic beverages, even if the ability to serve alcohol has been temporarily suspended or revoked, or regardless of whether entertainment is provided or allowed during any portion of the business's regular operation(s).

The intent of this ordinance is to promote public safety and welfare by regulating premises, security, alcohol policies, loitering, littering, noise, over-crowding, parking and other nuisances which affect public safety and welfare.

This ordinance shall not apply to functions hosted or sponsored by a governmental entity or its agents acting on behalf of said entity or any charitable organization which has exempt status as established by the Internal Revenue Service.

This ordinance shall not apply to events requiring permits under Clay County's Special Event Ordinance unless expressly provided herein.

If any portion of this ordinance is claimed to be ambiguous, the appropriate regulating authority as identified in Article III shall render interpretations of this ordinance based on the intent. Any party in disagreement with the interpretation of the regulating authority may file a written appeal to the Regulations Committee as described in Article V. Upon receipt of a written appeal, the Regulations Committee shall schedule a meeting with the appellant within thirty (30) calendar days to hear testimony from both sides and to render a decision as outlined in this Ordinance. The interpretation of the authority shall stand during any appeal process.

Article II. Definitions

Bring Your Own Bottle/BYOB: Any establishment that allows alcoholic beverages, including but not limited to hard liquor, to be brought onto or inside the premises for consumption

Consume or Consumption: Consume or consumption is the ingestion of alcoholic beverages or the possession of any alcoholic beverages in its original container or bottle, can or other container, which has been opened.

Enhanced Event: Any event conducted at a permitted place of public assemblage that exceeds the establishment's ordinary course of business and, because of its nature, size, promotion, or anticipated attendance, is reasonably expected to require additional law enforcement, traffic control, security, or other public safety resources.

An Enhanced Event includes any event that involves one or more of the following:

- 1) A promoter, organizer, or event management company;
- 2) Public advertising or promotion intended to attract attendees beyond the establishment's customary clientele;
- 3) The sale of advance tickets, admission charges, cover charges, VIP access, or reserved seating;
- 4) An anticipated attendance that exceeds the establishment's normal operating capacity or exceeds two hundred (200) persons, whichever is less;

- 5) Live entertainment, concerts, performances, celebrity appearances, contests, or similar attractions reasonably expected to substantially increase attendance;
- 6) The rental, lease, license, or other use of the premises by a third party for the purpose of conducting a for-profit event; or
- 7) Any event which, based upon articulable public safety considerations, the Sheriff determines is reasonably likely to require additional law enforcement or emergency services beyond those ordinarily required for the operation of the permitted establishment.

Event or Entertainment Promoter: Any individual, partnership, corporation, or other entity or agent promoting any venue, performing artists, advertising services, or similar activities, by contracting with a person, partnership or corporation not owned and operated by the promoter.

For Profit Event: Any event, other than a nonprofit event, that is conducted for the purpose of generating revenue or other financial benefit, directly or indirectly, for any person, business, organization, promoter, property, owner, permittee, performer, or sponsor. For profit events include the sale of admission tickets, cover charges, or entry fees; advertising or marketing intended to attract members of the general public for commercial purposes; collection of donations, contributions, memberships or similar payments as a condition of attendance or participation; and/or any contractual arrangement under which a person or entity receives compensation or other financial consideration based upon attendance, admissions, concessions, or event revenues.

For Profit Event shall not include bonafide government functions, private family gatherings, public school activities, charitable activities, political fund-raising events or similar activities conducted by organizations or other entities recognized as tax-exempt, unless the Sheriff determines that the event is being conducted primarily as a commercial enterprise.

Nonprofit Event: Any event designed and intended to produce profits for the benefit of and/or subsequent disbursement by organizations which are tax exempt under federal tax laws and Internal Revenue Service regulations.

Nonresident: A nonresident is an individual, partnership, corporation, limited liability company, association or legal entity whose principal place of business or legal residence is located outside of the geographic boundaries of Clay County, Mississippi. For the purpose of this Ordinance, a promoter shall be deemed a nonresident regardless of whether the promoter contracts with a local property owner, permittee, venue or agent to conduct the event.

Overcrowding: A condition that exists when either there are more people in a building, structure or portion thereof than has been authorized or posted by the fire official or when the fire official determines that a threat exists to the safety of the occupants, due to the persons sitting and/or standing in locations which may obstruct or impede the use of aisles, passages, corridors, stairways, exits, or other components of means of egress as required by the Mississippi Legislature and/or adopted by the Clay County Board of Supervisors.

Public Safety Concerns: One or more acts of violence resulting in physical injury or observed illegal drug activity, or the unlawful possession of beer or light wine, occurring inside of the establishment or on the premises, parking area or an open-air activity owned, leased or operated by the establishment.

Regulating Authority: The official, officer or entity charged with regulating the provisions of this ordinance, including but not limited to, the Sheriff and/or his designee, fire coordinator, State Fire Marshal, or the Alcohol Beverage Control division of the State Department of Revenue.

Regulations Committee: The committee designated by the Clay County Board of Supervisors to administer certain sections of this ordinance as provided in Article V.

Safe Operation: A period of least ninety (90) days during which Clay County's E911 office has recorded no calls for service reporting criminal activity or public safety concerns other than those reported by the establishment.

Article III

A. General Operations

(1) Permit Required. As a condition precedent to opening any establishment as defined in Article II or any other provision of this Ordinance, the owner, lessee or operator of the premises shall obtain a permit prior to allowing customers or patrons to enter the place of public assemblage. Compliance with all physical and operating requirements of this Ordinance shall be the joint responsibility of all owners, lessees, operators and hosts.

(2) Permit Application and Issuance. Permit applications may be obtained from the Clay County Sheriff and/or his designee. Upon submission of a completed application and an applicable permit fee, the Sheriff and/or his designee shall review the application, as well as any incidents occurring at the place of public assemblage within the preceding twelve (12) month time period, past compliance with this Ordinance, and the historical record of the owner and proposed establishment, if any.

Permit Fees shall be assessed as follows:

- a) The permit fee for a local club owner or business owner shall be \$500.00.
- b) The permit fee for a locally based DJ, who make appearances at various locations shall be \$50.00.
- c) The permit fee for a nonresident event promoter shall be \$1,000.00 per event.

THE SHERIFF AND/OR HIS DESIGNEE SHALL THEN SUBMIT HIS RECOMMENDATIONS AND THE COMPLETED APPLICATION TO THE REGULATIONS COMMITTEE FOR CONSIDERATION. The Regulations Committee shall issue permits subject to the facility meeting all occupancy requirements of the State or County's adopted building and life safety codes.

As part of the annual permit application, each applicant shall disclose whether the applicant, owner, operator, or permittee intends to rent, lease or otherwise make the premises available to third parties for concerts, receptions, parties, etc.

If the applicant answers in the affirmative, the applicant shall provide a general description of the types of events to be conducted on the premises. The Sheriff may require an applicant that rents its premises to obtain an Enhanced Event Permit for specific events that are reasonably expected to require additional law enforcement or public safety resources.

(3) Permit Validity. The permit shall be valid for a period of one (1) year, excluding rentals, unless suspended or revoked for failure to comply with this Ordinance. If the permit is revoked, the permit holder forfeits the annual permit fee for that year.

B. Enhanced Event Permit

(1) Permit Required. In addition to any annual permit required under this Ordinance, any permittee proposing to conduct an Enhanced Event shall obtain an Enhanced Event Permit from Clay County prior to the event.

(2) Permit Application and Issuance. Applications for an Enhanced Event Permit shall be submitted to the Clay County Sheriff no less than fourteen (14) calendar days before the proposed event and shall include:

- (a) The date and hours of operation of the event;
- (b) The name of the permittee and any event promoter, organizer, entertainer, or contractor participating in the event;
- (c) The anticipated attendance;
- (d) A security plan;

- (e) A plan for on-site first aid/medical services and emergency access by first responders;
- (f) A traffic and parking plan, if requested;
- (g) A description of any admission fees, ticket sales, or promotional activities; and
- (h) Any additional information reasonably requested by the Sheriff or Regulations Committee.

(3) Enhanced Event Permit Fee. An Enhanced Event Permit fee shall be assessed as follows:

- (a) Five Hundred Dollars (\$500.00) for events utilizing a Clay County based/resident promoter; or
- (b) One Thousand Dollars (\$1,000.00) for events utilizing a nonresident promoter.

The Regulations Committee may establish a lower fee for events determined to have minimal public safety impacts.

(4) Security Requirements. The Sheriff or Regulations Committee may require additional security personnel, traffic control measures, metal detector screening, medical personnel, parking attendants, or other public safety measures deemed necessary for the protection of the public.

(5) Advertising Restrictions. As a condition of an Enhanced Event Permit, all advertising and promotional materials shall comply with applicable federal, state, and local law. No permittee or event promoter shall display or distribute advertising containing obscene material as defined by applicable law or advertising that promotes or encourages unlawful activity.

The Sheriff may require the modification or removal of any advertising that violates this Section as a condition of issuing or maintaining an Enhanced Event Permit

(6) Joint Responsibility. The permittee, property owner, and any event promoter shall be jointly and severally responsible for compliance with this Ordinance and any conditions imposed as part of the Enhanced Event Permit.

(7) Denial. An Enhanced Event Permit may be denied upon a finding that:

- (a) The applicant has failed to provide required information;
- (b) The proposed event presents an unreasonable risk to public safety;
- (c) The applicant, permittee, or promoter has a history of violations of this Ordinance or other applicable laws; or

- (d) Adequate security, parking, occupancy, or emergency access provisions have not been demonstrated.

(8) Cost Reimbursement for Under Reported Attendance. The permittee and any event promoter shall accurately disclose the anticipated attendance for any Enhanced Event.

If the Sheriff determines that the actual attendance substantially exceeded the attendance represented in the application, and such underestimation resulted in the expenditure of additional law enforcement, traffic control, emergency response, or public safety resources beyond those reasonably anticipated during permit review, the County may assess the permittee and event promoter for the actual and reasonable costs incurred.

For purposes of this subsection, "substantially exceeded" shall mean actual attendance exceeding the represented attendance by twenty-five percent (25%) or more, or by such lesser amount as the Sheriff determines materially affected public safety operations.

The Sheriff shall provide written notice of any assessment, together with a summary of the costs incurred. The permittee and promoter shall have ten (10) business days from receipt of the notice to request review by the Regulations Committee. If no review is requested, the assessment shall become final and payable within thirty (30) days.

Failure to pay a final assessment may constitute grounds for denial, suspension, or non-renewal of any permit issued under this Ordinance.

(9) Relationship to Annual Permit. The issuance of an annual permit under this Ordinance shall not authorize the conduct of an Enhanced Event without obtaining an Enhanced Event Permit when required herein.

C. Renewal, Suspension and Revocation of Permits

Permit Renewal. A renewal of general operating permits may be granted after a review of the past year's performance. Consideration by the Sheriff and/or his designee shall include but not be limited to: safe operation, past permit revocations and/or suspensions, violations of other applicable law, and any prior permittees affiliated or associated with the applicant, evidence of illegal drug activity, beer or light wine violations, evidence of fighting, disorderly conduct and other dangerous activities on or about the permitted premises.

Violations of this ordinance on the premises' events conducted by persons, entities, or organizations other than the owner, whether permitted under this ordinance or not, may be grounds for non-renewal of the permit.

Should the Regulations Committee find that the applicant has not submitted a complete application or appropriate fee, or if the Sheriff and/or his designee find that the applicant has failed to comply with this Article, the

Regulations Committee shall decline to issue the permit. The annual permit fee shall be returned to the applicant along with a letter stating the reasons for the denial.

Suspension and/or Revocation. The Regulations Committee may temporarily suspend a permit for a violation of one or more of the provisions of this ordinance.

(a) If a permit is suspended or revoked, no entertainment activities, including amplified music, whether live or programmed, dancing, table games or video games may be conducted on the premises. If any entertainment activities occur during a period of suspension or revocation, the privilege license and certificate of occupancy shall be revoked. Such suspension or revocation does not otherwise affect the sale or purchase of the realty or personalty during the suspension or revocation.

(b) The Regulations Committee may permanently revoke a permit for two or more violations within the provisions of this ordinance in a twelve (12) month period or for more than three violations of the provisions of this ordinance. Such permanent revocations shall also result in the revocation of the privilege license and certificate of occupancy.

(c) Such suspension shall be held in abeyance for a period of three (3) business days to permit the owner, lessee, manager, host, agent, etc. to appeal the suspension or revocation. Notice of the suspension or revocation shall be by certified mail, hand delivery, or by leaving notification at the door of the permittee's location.

(d) A permit shall not be suspended or revoked for a violation of Article IV which is not a public safety concern unless the violation is found to have continued or recurred after the permittee had received notice of the violation and an opportunity to remedy or prevent the violation's occurrence.

Emergency Temporary Suspension by Sheriff. The Sheriff's on-duty field Supervisor/Commander may temporarily suspend the establishment's permit if he/she determines that an immediate suspension is necessary to restore order for failure to comply with the Ordinance or an event in progress is found to be endangering the life, health and safety of customers, patrons or residents. Emergency Temporary Suspension by the Sheriff or his designee shall be implemented as follows:

(1) The facility shall be vacated and closed, effective immediately, upon verbal notification to the owner, lessee, manager, host, agent or representative and shall be effective for up to 24 hours or as needed to restore order or to ensure compliance with security requirements.

(2) The establishment may re-open thereafter, provided that the situation giving rise to the emergency temporary suspension of the permit has been

adequately addressed as determined by the Sheriff and/or his designee. The Field Supervisor shall submit a report outlining the basis for his/her decision to suspend the permit(s) to the Sheriff and/or his designee. The Sheriff and/or his designee shall, within five (5) business days, submit a finding to the Regulations Committee, either recommending the continuation of the permit, temporary suspension for a designated period or revocation. The Regulations Committee shall notify the permittee as provided herein.

(3) Within three (3) business days of receiving notice of denial, suspension or revocation of the permit, the permittee or applicant may appeal the action by filing a written notice of appeal with the Regulations Committee at the Office of the County Administrator.

(4) The Regulation Committee will conduct a hearing as promptly as possible, and within five (5) business days of receiving the written notice of appeal, to determine whether to: (a) reinstate or issue the permit; (b) temporarily suspend the permit; or (c) permanently revoke the permit.

(5) The permittee or applicant for a permit shall be entitled to appear, testify and present evidence at a hearing. However, formal rules of evidence shall not apply and reasonable limitations may be placed upon total hearing time. Upon request, the hearing shall be recorded.

(6) A temporary suspension may not extend beyond the date on which the permit expires. Any such suspension or revocation does not otherwise affect the owner's sale of the premises or personalty. The Regulations Committee shall prepare written findings and conclusions concerning the appeal decision within five (5) business days of the hearing.

Appeal Procedure Concerning Imposition of

Supplemental Security Requirement

(a) Within ten (10) business days of receiving notice that the business has become subject to the supplemental security requirement, the permittee may appeal the action by filing a written notice of appeal with the Regulations Committee. The Regulations Committee will conduct a hearing as promptly as possible, and within five (5) business days of receiving the written notice of appeal, to determine whether to: (a) continue imposition of the security requirement; (b) continue imposition of the security requirement, but shorten the requirements; or (c) remove the security requirement.

(b) The permittee or permit applicant shall be entitled to appear, testify and present evidence at the hearing. However, formal rules of evidence shall not apply and reasonable limitations may be placed upon total hearing time. Upon request, the hearing shall be recorded. The Regulations Committee shall prepare its findings and conclusions concerning the appeal decision within five (5) business days of the hearing.

Article IV

Operating Requirement

(A) *Applicability*. All establishments must adhere to posted occupancy limits. Supplemental security may be required based on occupancy limits and the number of law enforcement or emergency calls received within a six (6) month period.

(B) *Entertainment Promoter Use*. The owner or lessee of the establishment shall not allow any entertainment promoter to use, sub-lease or rent the premises (including any outdoor and/or parking areas) without verifying that the promoter has a valid entertainment promoter permit and has complied with the security staffing requirements.

(C) *Hours of Operation*. Operating hours for establishments shall be from noon until 1:00 a.m. the following morning. At 1:30 a.m., all customers shall be out of the building and off the premises. The owner, management, band and security will be allowed to remain on site after 1:30 a.m. to clean the premises and remove equipment. The owner, management, band and security must be off the premises by 2:00 a.m.

(D) *Age Restrictions*. It is unlawful for any person under the age of twenty-one (21) to be in possession of alcoholic beverages. All persons under the age of twenty-one (21) years shall be wearing a non-removable, easily identifiable armband in any nightclub, bar or location where alcoholic beverages are sold. The permittee shall be responsible for verifying the age of all occupants. It shall be the responsibility of the owner, operator, event host and security staff to make certain all persons admitted have photograph identification.

(E) *Weapons and Other Dangerous Items*. The permittee shall post a sign on the entrance door declaring that no weapons are allowed inside. The permittee shall also be responsible to ensure that no guns, knives, brass knuckles, or other paraphernalia which may be used as weapons are brought into the building except by security guards duly licensed and authorized to carry said weapons.

Aside from a location listed in Subsection (1)(f) of this section or Section 45-9-101(13) indicating that the possession of a firearm is prohibited on the premises, as long as the sign also indicates that it does not apply to a person who is properly licensed under Section 45-9-101 or Section 91-31-1(2) to carry concealed firearm or to a person lawfully carrying a firearm that is not concealed.

Hand wand metal detectors shall be utilized on all persons entering the establishment.

Pyrotechnics are prohibited and the permittee is responsible to ensure that no fire or other hazardous materials are used inside the premises.

(F) Occupancy Capacity. The number of people in an assembly area, in concentrated use without fixed seating, shall be seven square feet per person. If fixed seating is present, the occupancy will be the number of seats with adequate aisles and clearances.

The assembly area is to be measured in a continuous area. This area requirement may be modified for a bandstand, speaker's stand or for displays.

(G) Egress. There shall be a minimum of two means of egress from the assembly area. The paths to these exits must not be obstructed and no lock or exit hardware shall present free escape from the premises. Each exit shall be clearly marked with any exit having a minimum opening of 36 inches and be hinged in the outward direction of egress travel. Egress capacities shall be consistent with assembly capacity. An egress shall terminate in a safe, free and unobstructed area.

(H) Emergency Lighting. Emergency lighting shall be installed to illuminate the assembly area and paths of egress in the case of a power failure.

(I) Signage. Signage shall be provided at all exits or paths of egress to an exit. Signs stating "NO EXIT" shall be provided for all dead-end corridors, closet doors, openings to kitchen or utility rooms.

(J) Authority. The Authority Having Jurisdiction (AHJ) shall have the ability to inspect any premises to ensure adherence to this ordinance, as well as to make recommendations for overall safety for every day and special event operations.

- 1) Overcrowded or admittance of any person beyond the approved capacity of a building or portion thereof shall not be allowed. Each person admitted beyond the safety capacity shall be considered a separate offense.
- 2) The fire official or law enforcement official, upon finding any overcrowding, obstructions of any passageways, aisles or other means of egress, or upon finding any condition which constitutes a life safety hazard shall be authorized to cause the event to be immediately ceased until such condition or obstruction is corrected.
- 3) Owners or any permittee shall be responsible for recording the number of people allowed in the facility and such numbers shall be produced upon request by fire or law enforcement officials. Failure

to provide a documented tabulation of customers/patrons admitted shall constitute a misdemeanor.

(K) Nuisance Activity. The establishment/permittee, etc. shall use best efforts to deter nuisance activities, including but not limited to loitering outside the establishment, littering, vandalizing, making loud noises or otherwise disturbing the peace of nearby property residents. Property residents aggrieved by the activities of an establishment or its patrons may file a written complaint fully describing the nature of the nuisance with the Clay County Sheriff's Office. The Sheriff's Office is authorized to issue citations based on this ordinance, and require all parties involved to appear in Clay County Justice Court for hearing of the alleged violation(s). If found guilty, the Court is authorized to fine and/or imprison as allowed by law for misdemeanor offenses, and to suspend or revoke permits as provided in Article III of this ordinance. Continued violations of littering, loitering, vandalizing, loud noise, fighting, assaults, blocking roadways, and other nuisance activities will be grounds for suspension or revocation of permits issued.

(L) Masks and Face Coverings. Masks that conceal one's identity are prohibited. Examples of masks and face coverings prohibited by this ordinance are ski masks, which cover all but one's eyes, nose and mouth; balaclavas, which cover necks and the lower part of one's face; and costume masks covering the whole face except the eyes.

(M) Security. All businesses covered under this ordinance shall provide adequate supervision so as to prohibit the sale, giving or furnishing of any alcohol, beer or light wine to any person visibly intoxicated, or to any habitual drunkard, or to any person under the age of twenty-one (21) years, and to otherwise provide for the safety of employees and patrons on the premises of such businesses to the extent required by State and local laws, rules and regulations, and as further provided herein. The permittee for the sale of alcoholic beverages and/or beer or light wine, as the case may be, shall be responsible at all times for acts of manager(s) and employee(s) who are in violation of applicable local or State laws or rules and regulations, and which take place at the permitted establishment, regardless of whether the permittee is present.

Unless otherwise excused, all establishments and their operators, as contained in this ordinance shall provide a minimum of ten (10) bonded and approved security guards per 100 people for each event, plus a minimum of two (2) bonded security guards in each parking lot to control traffic and congregating. At least one of the bonded security guards shall remain on site for at least one hour after the establishment closes to ensure that no loitering, littering or other unlawful activity occurs. A minimum of five (5) approved security guards must be present and on duty at any event or establishment, unless otherwise excused by the Regulations Committee, the Sheriff or the Sheriff's designee.

- 1) Security guards shall be uniformly attired and easily identified with SECURITY printed on their shirt or uniform, with lettering in a bold color which contrasts with the color of the shirt. The shirt/uniform shall be different than any other shirt/uniform worn by non-security employees on the premises,
- 2) If a private security company is used by the business that company must be insured, bonded and hold a valid business license to do business in the State of Mississippi and Clay County.
- 3) A list of all members of any private or on site security team must be provided to the Sheriff at the time the permit is issued. The list shall be updated and submitted to the Sheriff each time the list is modified.
- 4) In the case of a promoted and/or advertised event, it shall be the joint responsibility of the owner and event promoter to provide adequate security.
- 5) The Regulations Committee and/or the Sheriff reserve the right to inspect and accept or reject the security guards scheduled to staff an establishment or an event. The Regulations Committee and/or the Sheriff also reserve the right to require additional security personnel.
- 6) Bonded security guards shall utilize a hand wand metal detector on all persons entering the premises.
- 7) Security guards shall be responsible for making certain all persons admitted are in possession of age verifiable photo identification.

(N) Security Cameras. The owners or permittees shall install security cameras and record events in each of the several areas of the interior premises, as well as the parking lot, which will be subject to inspection at any time by the Clay County Sheriff's Department or fire officials.

- (1) All cameras must be working properly and maintained by the business. The Sheriff or his designee shall have authority to periodically inspect cameras and sample footage, showing day/date of usage, to ensure compliance with this ordinance. For purposes of inspection, the Sheriff or his designee is authorized to review, during regular business hours, only the minimal amount of the most recent footage to allow him or her to determine the cameras are working properly and otherwise in compliance with this ordinance.
- (2) All cameras must have sufficient resolution and low-light capabilities to capture clear and identifiable images of persons

inside the establishment. No camera shall operate at a resolution lower than 1080p. Levels of lighting shall be maintained inside the establishment to capture video footage sufficient to identify individuals, and to provide clear observation of the premises and activities of patrons on the premises, by security staff at such businesses.

- (3) All cameras shall be required to operate in record mode during regular hours of operation or at any time the business is open to the public and alcohol is being sold or consumed on the business's premises. "Open to the public" shall mean accessible to individuals other than staff or employees, whether by general admission, special permit, special permission or invitation.
- (4) All video recordings shall be stored or electronically retained for a minimum of thirty (30) days.
- (5) If a camera or cameras are found to be out of compliance due to placement or functionality, a business shall be given seven (7) calendar days from the date such non-compliance began, to return to compliance before being deemed in violation of this ordinance.
- (6) Restaurant establishments may apply for an exemption under the following conditions: (a) submission of a seating plan for approval by the Regulations Committee; (b) if approved, the seating plan must be posted in the establishment along with the occupant capacity certification and the tables and chairs must be in place according to the plan during all hours of restaurant operation; and (c) the establishment may be exempt from the security guard requirement if approved by the Regulations Committee.

(O) Independent Contractors/Food Vendors. Any independent contractor or food vendor inside or outside the premises must follow the Mississippi Department of Health Codes and have the required certifications to serve food.

Such contractor or vendor must all also follow the same time requirements as the bar, nightclub, roadhouse, etc., meaning that all sales must be final by 1:00 a.m. The contractors/vendors must be off the premises by 1:30 a.m.

(P) Posting of Ordinance, Business Permit and Licenses. A current version of this ordinance, business permit(s) and license to serve alcohol must be conspicuously displayed on the premises.

Article V Regulations Committee

(A) There is hereby established a Regulations Committee composed of the following members: (a) County Sheriff and/or his designee; (b) County Fire

Coordinator and/or his designee; (c) a citizen of Clay County duly appointed by the Clay County Board of Supervisors; (d) the County Administrator and/or his designee; and (e) the County Attorney.

(B) The committee shall meet on an "as needed" basis. A three-fifths (3/5ths) majority present at a meeting shall constitute a quorum. The committee shall elect a president, vice president and secretary. The president shall preside at meetings. In the absence of the president, the vice president shall preside. In the absence of the president and vice president, the secretary shall preside. The presiding officer shall conduct the meeting in accordance with common law rules of parliamentary procedure. The committee shall have the following duties and authority:

- (1) To render interpretations of this ordinance when an interpretation of a regulating authority is challenged as outlined in Article I;
- (2) The authority to suspend or revoke the license by the procedure described in the paragraph below of any establishment found guilty of any two of the same or separate violations during a twelve (12) month period of any county, state or federal regulation, including but not limited to, the regulations contained in this ordinance or a total of any three violations. This authority shall not affect the authority of any other officer or entity to exercise a legal right to close the operation;
- (3) To make rules for conducting the business of the committee;
- (4) Members of the committee shall report any violations to the secretary. The secretary shall keep an accounting of reported violations and report to the other members of the committee when a business accumulates three violations. For the purpose of this, a guilty verdict rendered by a local, state or federal court shall constitute a violation;
- (5) Any member of the committee may ask for a meeting of the committee to determine what, if any, action should be taken relative to a business which has been found guilty of any three violations;
- (6) The committee shall give written notice of a meeting to the subject business owner, lessee, operator, host, etc., at least ten (10) calendar days in advance of the meeting by registered mail to the address of the operation contained in the application and/or permit in order to afford them the right to appear and give testimony at said meeting.
- (7) Action by the committee shall be decided by a majority vote of the members present at such meeting. The committee shall give written notice of the decision to the affected party by sending same by registered mail to the address contained in the application/permit;
- (8) The owner, permittee, etc. may appeal the decision of the committee by filing a written appeal with the Clay County Board of Supervisors

within ten (10) calendar days following the postmark date on the notice from the committee with the Chancery Clerk of Clay County;

Any decision by the Clay County Board of Supervisors may be appealed pursuant to the provisions of Section 11-51-75 of the Mississippi Code of 1972, as amended and annotated;

Members of the committee shall not be held personally liable, either individually or as a group, for any action taken by the committee while acting in good faith on behalf of Clay County.

Article VI Violations and Penalties

(A) A violation of any provision of this ordinance shall be a misdemeanor. Unless provided for in this ordinance, each violation shall subject the owner/permittee to a mandatory fine of not less than Five Hundred Dollars (\$500.00) and/or not more than ninety (90) days in jail, or both.

(B) Each day that a violation exists shall constitute a separate offense and will be subject to separate penalties for every day that the violation continues.

(C) If any court determines that any violation is a felony, such finding shall supersede the penalties provided in this ordinance.

Article VII Ordinance Provisions

(A) The omission of any specific requirement or provision for this ordinance shall not be interpreted as permitting any variation from the general meaning and intent of the ordinance as commonly inferred or interpreted, and should the occasion arise as to such intent and meaning, the interpretation of the governing authorities shall hold.

(B) Should any section or provision of this ordinance be declared unconstitutional or invalid, such declaration shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held to be unconstitutional or invalid.

(C) Whenever any requirements of this ordinance are in conflict with the provisions of any other legally adopted rules or regulations, the most restrictive law or requirement shall govern.

Article VIII

Effective Date

This amendment shall become effective upon its adoption by the Clay County Board of Supervisors.

No Enhanced Event may be conducted after the effective date of this amendment without first obtaining an Enhanced Event Permit, regardless of the date on which the event was advertised, promoted, contracted or scheduled.

SO ORDAINED BY THE BOARD OF SUPERVISORS OF CLAY COUNTY, MISSISSIPPI, on this the 30 day of June, 2026.



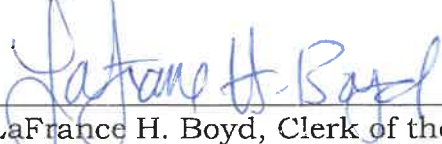
Eddie Scott, Sheriff of Clay County,
Mississippi



Melvin R. Raines, President of the
Board of Supervisors of Clay County,
Mississippi



ATTEST:



LaFrance H. Boyd, Clerk of the Board
of Supervisors of Clay County,
Mississippi and Chancery
Clerk of Clay County, Mississippi