Lynn Fitch
ATTORNEY GENERAL
OPINIONS AND POLICY

February 15, 2022

Joseph T. Sims, Esq.
Attorney for Town of Bay Springs
Post Office Box 361
Bay Springs, Mississippi 39422

Re: Building Codes

Dear Mr. Sims:

The Office of the Attorney General has received your request for an official opinion.

OFFICIAL OPINION

Background

Sometime in the past, the Town of Bay Springs (the "Town") adopted the International Building Code to replace the Southern Building Code. Now, the Town wishes to return to the Southern Building Code.

Question Presented

Can the Town revert back to the Southern Building Code?

Brief Response

Yes. The Town may amend or revise its building code pursuant to Mississippi Code Annotated Section 21-19-25.

Applicable Law and Discussion

Section 21-19-25 authorizes municipalities to adopt building codes by ordinance and provides the specific notice requirements and others for adoption. The statute also provides, "[a]ll the provisions of this section shall apply to amendments and revisions of the code mentioned in this section." *Id.* It is our opinion that a plain reading of the text authorizes the Town to amend or revise its current building code to reflect the desired building code through an ordinance in the manner prescribed by the statute which includes the required notice of amendment or revision.

If this office may be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

LYNN FITCH, ATTORNEY GENERAL

By: */s/ Abby C. Overby*

Abby C. Overby
Special Assistant Attorney General

OFFICIAL OPINION