

# OFFICE OF THE ATTORNEY GENERAL

## COMPLAINTS RECEIVED PURSUANT TO SECTION 4(5)(b) of HOUSE BILL 314

When a complaint is received by the Office of the Attorney General pursuant to Section 4(5)(b) of House Bill 314, the complaint is date-stamped and forwarded to the State Regulatory Division of the Office of the Attorney General.

The complaint will be assigned a tracking number for reference purposes.

A log will be maintained of all complaints received and will include the name of the complainant, the name of the respondent jurisdiction, the date received by the office, the date assigned to an investigator for inquiry and the name of the investigator assigned to the complaint.

Acknowledgment of receipt of the complaint will be made to the complainant by regular first class United States Mail, postage prepaid. A copy of the complaint will be simultaneously provided to the respondent jurisdiction regular first class United States Mail, postage prepaid.

If the sign has been removed or is not found by the investigator or the complaint is not otherwise substantiated, then a letter will be sent to the complainant and respondent jurisdiction so stating.

If the allegations in the complaint are verified and the sign or ordinance is found to be in violation of the statute, notice will be sent to the proper authority of the respondent jurisdiction (Mayor/Board of Supervisors and the City/County Attorney). The notice will include a copy of the complaint and its attachments, identification of the ordinance or part thereof in violation of the statute, the specifics of the violation and notice of the 30-day opportunity to cure. Said notice will be provided to the respondent jurisdiction by certified mail return receipt requested, registered mail or any other means reasonably calculated to identify the tolling of the thirty (30) day opportunity to cure, such as an investigator's return.

The Office of the Attorney General will copy the complainant on the notice sent to the respondent jurisdiction containing the administrative findings of the Office of the Attorney General by regular first class United States Mail, postage prepaid.

Pursuant to Section 45-9-53(5) of the Mississippi Code, the complainant may then file suit against the municipality or county if, after 30 days, the complainant believes that the municipality/county has not cured the violation.