

**TOWN OF ELIZABETHTOWN
ADOPTING ORDINANCE
TO ENACT A NEW CODE OF ORDINANCES**

ORDINANCE NO. 94-1

ENACTING AS AN ORDINANCE, A CODE OF ORDINANCES FOR THE TOWN OF ELIZABETHTOWN REVISING, AMENDING, RESTATING, CODIFYING, AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE CITY DEALING WITH SUBJECTS EMBRACED IN SAID CODE.

WHEREAS, the present general ordinances of the Town of Elizabethtown are incomplete and inadequate and the manner of arrangement, classification and indexing thereof is insufficient to meet the immediate needs of the Town; and

WHEREAS, the Acts of the General Assembly of the State of North Carolina empower and authorize the Town Council of every city to revise, amend, restate, codify and to compile any existing ordinance or ordinances and all new ordinances not heretofore adopted or published and to incorporate said ordinances into one ordinance in book form; and

WHEREAS, the Common Council of the Town of Elizabethtown has authorized a general compilation, revision and codification of the ordinances of the Town of a general and permanent nature and publication of such ordinances in book form.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Elizabethtown, that:

Section 1. The general ordinances of the Town of Elizabethtown, as herein revised, amended, restated, codified and compiled in book form are adopted as and shall constitute the "Code of Ordinances of the Town of Elizabethtown."

Section 2. Said Code as adopted in Section 1 shall consist of the following titles, to-wit:

- CHARTER AND RELATED LAWS
- TITLE I. GENERAL PROVISIONS
- TITLE III. ADMINISTRATION
- TITLE V. PUBLIC WORKS
- TITLE VII. TRAFFIC CODE
- TITLE IX. GENERAL REGULATIONS
- TITLE XI. BUSINESS REGULATIONS
- TITLE XIII. GENERAL OFFENSES
- TITLE XV. BUILDING AND LAND USE REGULATIONS
- TABLE OF SPECIAL ORDINANCES
- PARALLEL REFERENCES
- INDEX

Section 3. The following ordinances pertaining to subjects in Section 2 are to be amended in the codification:

Elizabethtown - Adopting Ordinance

Ordinance	Chapter	Amended
Annexation	Charter	Apr. 6, 1992
Noise	97	Oct. 4, 1993
Privilege License	110	Dec. 6, 1993
Land Usage	153	Oct. 7, 1991

Section 4. All prior ordinances (except those noted in Section 3) pertaining to the subjects treated in said code shall be deemed repealed from and after the effective date of said Code except as they are included and reordained in whole or in part in said Code; provided such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of said Code, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easement, plats or dedication of land to public use, naming or vacating or setting the boundaries of streets, alleys, or other public places, nor to any other ordinance of a temporary or special nature or pertaining to subjects not contained therein.

Section 5. Said Code shall be deemed published as of the day of its adoption and approval by the Town Council of the Town of Elizabethtown is hereby authorized and ordered to file a copy of said Code in the Office of the Town Clerk.

Section 6. Said Code shall be in full force and effect two weeks from the date of its publication and filing thereof in the Office of the Clerk-Treasurer, and said Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded and approved and that any public hearings and notices thereof as required by law have been given.

Section 7. The Town Council of the Town of Elizabethtown publicly advertised and did conduct a January 10, 1994 Public Hearing on said Code prior to adopting a new Code of Ordinances.

PASSED AND ADOPTED by the Town Council of the Town of Elizabethtown on this 10th day of January, 1994.

Wallace S. Leinwand /s/
Mayor

ATTEST:

APPROVED AS TO FORM:

Marion C. Morrisey /s/
Town Clerk

H. Goldston Womble, Jr. /s/
Town Attorney

**AN ORDINANCE ENACTING AND ADOPTING SUPPLEMENT #2
TO THE CODE OF ORDINANCES OF THE TOWN OF ELIZABETHTOWN**

Ordinance No. 95-9

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the second supplement to the Code of Ordinances of the Town of Elizabethtown, which supplement contains all ordinances of a general nature enacted since the prior supplement to the Code of Ordinances of this municipality; and

WHEREAS, said American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make references to sections of the North Carolina Code; and

WHEREAS, it is the intent of Council to accept these updated sections in accordance with the changes of the law of the State of North Carolina;

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Elizabethtown, State of North Carolina:

SECTION 1. That the second Supplement to the Code of Ordinances of the Town of Elizabethtown as submitted by American Legal Publishing Corporation of Cincinnati, and as filed in the Town Clerk's office, be and the same is hereby adopted by reference as if set out in its entirety.

SECTION 2. That this ordinance shall take effect and be in force from and after its date of passage.

Adopted this the 6th day of November, 1995.

Wallace S. Leinwand /s/
Mayor

Elizabethtown - Adopting Ordinance

ATTEST:

APPROVED AS TO FORM:

Marion C. Morrisey /s/
Town Clerk

H. Goldston Womble, Jr. /s/
Town Attorney

**AN ORDINANCE ENACTING AND ADOPTING SUPPLEMENT #3
TO THE CODE OF ORDINANCES OF THE TOWN OF ELIZABETHTOWN**

Ordinance No. 96-3

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the third supplement to the Code of Ordinances of the Town of Elizabethtown, which supplement contains all ordinances of a general nature enacted since the prior supplement to the Code of Ordinances of this municipality; and

WHEREAS, said American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make references to sections of the North Carolina Code; and

WHEREAS, it is the intent of Council to accept these updated sections in accordance with the changes of the law of the State of North Carolina;

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Elizabethtown, State of North Carolina:

SECTION 1. That the third Supplement to the Code of Ordinances of the Town of Elizabethtown as submitted by American Legal Publishing Corporation of Cincinnati, and as filed in the Town Clerk's office, be and the same is hereby adopted by reference as if set out in its entirety.

SECTION 2. That this ordinance shall take effect and be in force from and after its date of passage.

Adopted this the 5th day of August, 1996.

Wallace S. Leinwand /s/
Mayor

Elizabethtown - Adopting Ordinance

ATTEST:

APPROVED AS TO FORM:

Marion C. Morrisey /s/
Town Clerk

H. Goldston Womble, Jr. /s/
Town Attorney

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT
TO THE CODE OF ORDINANCES FOR THE TOWN OF ELIZABETHTOWN, N.C.
AND DECLARING AN EMERGENCY**

Ordinance No. 97-6

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the fourth supplement to the Code of Ordinances of the Town of Elizabethtown, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this municipality; and

WHEREAS, said American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make references to sections of the N.C. Code; and

WHEREAS, it is the intent of Council to accept these updated sections in accordance with the changes of the law of the State of North Carolina; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;

NOW, THEREFORE, BE IT ORDAINED, BY THE TOWN COUNCIL OF THE TOWN OF ELIZABETHTOWN, STATE OF NORTH CAROLINA:

SECTION 1. That the fourth supplement to the Code of Ordinances of the Town of Elizabethtown as submitted by American Legal Publishing Corporation of Cincinnati, Ohio and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

SECTION 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Council and the Town Clerk is hereby authorized and ordered to insert such supplement into the copy of the code of ordinances kept on file in the Office of the Clerk.

SECTION 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

PASSED AND ADOPTED by Council on this 7th day of July, 1997.

TOWN OF ELIZABETHTOWN

Wallace S. Leinwand /s/
Mayor

ATTEST:

APPROVAL AS TO FORM:

Marion C. Morrisey /s/
Town Clerk

H. Goldston Womble, Jr. /s/
Town Attorney

Elizabethtown - Adopting Ordinance

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF
ORDINANCES FOR THE TOWN OF ELIZABETHTOWN, N.C.
AND DECLARING AN EMERGENCY**

Ordinance No. 98-4

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the fifth supplement to the Code of Ordinances of the Political Subdivision, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to sections of the N.C. code; and

WHEREAS, it is the intent of the Legislative Authority to accept these updated sections in accordance with the changes of the law of the State of N.C.; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE
POLITICAL SUBDIVISION OF ELIZABETHTOWN:**

- Section 1. That the fifth supplement to the Code of Ordinances of the Political Subdivision as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.
- Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.
- Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 14th day of September, 1998.

TOWN OF ELIZABETHTOWN

Wallace S. Leinwand, Mayor

ATTEST:

APPROVAL AS TO FORM:

Marion C. Morrisey, Town Clerk

H. Goldston Womble, Jr., Town Atty.

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF
ORDINANCES FOR THE TOWN OF ELIZABETHTOWN, N.C.
AND DECLARING AN EMERGENCY**

Ordinance No. 99-4

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the sixth supplement to the Code of Ordinances of the Political Subdivision, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to sections of the N.C. code; and

WHEREAS, it is the intent of the Legislative Authority to accept these updated sections in accordance with the changes of the law of the State of N.C.; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE
POLITICAL SUBDIVISION OF ELIZABETHTOWN:**

- Section 1. That the fifth supplement to the Code of Ordinances of the Political Subdivision as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.
- Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.
- Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 13th day of September, 1999.

TOWN OF ELIZABETHTOWN

Wallace S. Leinwand, Mayor

ATTEST:

APPROVAL AS TO FORM:

Marion C. Morrisey, Town Clerk

H. Goldston Womble, Jr., Town Atty.

Elizabethtown - Adopting Ordinance

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE TOWN OF ELIZABETHTOWN, N.C. AND DECLARING AN EMERGENCY

Ordinance No. 01-01

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the seventh supplement to the Code of Ordinances of the Political Subdivision, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to sections of the N.C. code; and

WHEREAS, it is the intent of the Legislative Authority to accept these updated sections in accordance with the changes of the law of the State of N.C.; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF ELIZABETHTOWN:

- Section 1. That the seventh supplement to the Code of Ordinances of the Political Subdivision as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.
- Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.
- Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 8th day of January, 2001.

TOWN OF ELIZABETHTOWN

Kenneth R. Kornegay /s/
Kenneth R. Kornegay, Mayor

ATTEST:

Beverly M. Pait /s/
Beverly M. Pait, Town Clerk

5 Ayes and 0 Nays
There was one vacant seat
on the board.

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF
ORDINANCES FOR THE TOWN OF ELIZABETHTOWN, N.C.
AND DECLARING AN EMERGENCY**

ORDINANCE 02-3

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the eighth supplement to the Code of Ordinances of the Political Subdivision, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to sections of the N.C. code; and

WHEREAS, it is the intent of the Legislative Authority to accept these updated sections in accordance with the changes of the law of the State of N.C.; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF ELIZABETHTOWN:

Section 1. That the 8th supplement to the Code of Ordinances of the Political Subdivision as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.

Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

February, 2002.

TOWN OF ELIZABETHTOWN

Kenneth R. Kornegay, /s/
Kenneth R. Kornegay, Mayor

ATTEST:
Beverly M. Pait /s/
Beverly M. Pait Town Clerk

UNANIMOUS VOTE

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF
ORDINANCES FOR THE TOWN OF ELIZABETHTOWN, N.C.
AND DECLARING AN EMERGENCY**

Ordinance No. 02-8

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the 9th supplement to the Code of Ordinances of the Political Subdivision, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to sections of the N.C. code; and

WHEREAS, it is the intent of the Legislative Authority to accept these updated sections in accordance with the changes of the law of the State of N.C.; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL
SUBDIVISION OF ELIZABETHTOWN:**

- Section 1. That the 9th supplement to the Code of Ordinances of the Political Subdivision as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.
- Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.
- Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 4th day of November, 2002.

TOWN OF ELIZABETHTOWN

Kenneth R. Kornegay /s/
Kenneth R. Kornegay, Mayor

ATTEST:

Beverly M. Pait /s/
Beverly M. Pait, Town Clerk

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF
ORDINANCES FOR THE TOWN OF ELIZABETHTOWN, NC
AND DECLARING AN EMERGENCY**

Ordinance No. 04-1

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the tenth supplement to the Code of Ordinances of the Political Subdivision, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to sections of the N.C. code; and

WHEREAS, it is the intent of the Legislative Authority to accept these updated sections in accordance with the changes of the law of the State of N.C.; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE
POLITICAL SUBDIVISION OF ELIZABETHTOWN:**

- Section 1. That the tenth supplement to the Code of Ordinances of the Political Subdivision as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.
- Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.
- Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 5th day of January, 2004.

TOWN OF ELIZABETHTOWN

Kenneth R. Kornegay /s/
Kenneth R. Kornegay, Mayor

ATTEST:

Patricia S. Stokes /s/
Patricia S. Stokes, Town Clerk

Elizabethtown - Adopting Ordinance

APPROVED AS TO FORM:

H. Goldston Womble /s/
H. Goldston Womble, Town Attorney

The following Council Members voted in the affirmative: Herman Lewis, Pat Devane, Russell Priest, Sylvia Campbell, Rufus Lloyd, Scoti Ussery

The following Council Members voted in the negative: None

The following Council Members were absent: None