

REQUEST FOR BOARD ACTION

HENDERSON COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: 20 November 2013

SUBJECT: Re-enactment of Henderson County Code

PRESENTER: Charles Russell Burrell

SUMMARY OF REQUEST:

County staff has created an online version of the Henderson County Code. This is in keeping with the recommendation of your Regulation Review Advisory Committee. The current code can be viewed internally (that is, while on the Henderson County computer networks) only, at the address previously communicated to you. However, upon final adoption by the Board, it is anticipated that the Code will be found and publicly available at the web address <http://www.hendersoncountync.org/codes/>.

County staff has been in the process of testing the internal version over the past few months.

The adoption of a new online Code is recommended to be a two part process. First, today staff recommends adoption of the existing Code with no changes other than a new numbering scheme. The previous numbering scheme was largely adopted by the company which formerly provided web hosting services for the Code. The new scheme is more realistic in terms of numbers of Chapters, and will be even more so upon the second part of the adoption process, anticipated to occur on December 2, 2013.

The second part of the process will be the relocation of certain chapters currently in the "Code" which are not truly ordinances (the violation of which result in civil or criminal penalties). These will be recommended to be moved to appendices of the Code, where they will be available for public inspection, but in a way that makes more sense for a Code of Ordinances. Examples include certain regional agreements (Apple County Greenways; Asheville Regional Housing; Town of Fletcher Building Code Administration; Regional Water Supply; cable television franchises, and more). Also recommended will be deletion of other sections of the current Code which are either outdated (that is, dealt with in other places, either in the Code or in State law) or no longer serve a purpose (an ordinance on "Departments" that no longer exist).

In compliance with N.C. Gen. Stat. §153A-48, a paper "Ordinance Book" will be maintained, although not printed by outside printers.

County staff will present further information on this matter.

BOARD ACTION REQUESTED:

Preliminary adoption of the proposed code of ordinances.

If the Board is so inclined, the following motion is suggested:

I move that the Board adopt the proposed code of ordinances.

Henderson County Code of Ordinances

Re-Adopted

The various chapters of this Code contain all currently effective legislation of a general and permanent nature enacted by the Board of Commissioners of Henderson County, including revisions or amendments to existing legislation deemed necessary by the Board of Commissioners in the course of codification.

NOTE: The italicized chapters below are those that will be recommended by staff to be removed from the Code and moved to the supplemental materials section. However these sections will still remain in effect, even after they are moved, unless repealed by the Board of Commissioners or the contractual relationship ends.

Note: Any reference to N.C.G.S. are to the North Carolina General Statutes which can be accessed [here](#).

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