

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY

### BOARD OF COMMISSIONERS

MEETING DATE: 2 December 2013  
SUBJECT: Re-enactment of Henderson County Code, Second Reading  
PRESENTER: Charles Russell Burrell

#### SUMMARY OF REQUEST:

At your 20 November 2013 meeting, the Board re-adopted on first reading the Henderson County Code. As discussed at the 20 November meeting, today you are requested to approve second (final) reading, and to relocate certain chapters currently in the Code which are not truly ordinances (the violation of which result in civil or criminal penalties). Also recommended will be deletion of other sections of the current Code which are either outdated (that is, dealt with in other places, either in the Code or in State law) or no longer serve a purpose (an ordinance on "Departments" that no longer exist).

Attached is a proposed table of contents which indicates the moved and deleted chapters. It can be compared to the table which was approved on 20 November. Also recommended will be deletion of other sections of the current Code which are either outdated (that is, dealt with in other places, either in the Code or in State law) or no longer serve a purpose (an ordinance on "Departments" that no longer exist).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 be available to present further information on this matter.

#### BOARD ACTION REQUESTED:

Final adoption of the proposed revised 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**  
**TABLE OF CONTENTS**

**PART I: GENERAL ADMINISTRATION**

- Chapter 1- General Provisions
- Chapter 2- Board of Commissioners
- Chapter 3- Board and Committees
- Chapter 4- Manager
- Chapter 5 -Mutual Aid Agreements
- Chapter 6 - Retirement System
- Chapter 7- County Seal
- Chapter 8- Commissioners Districts
- Chapter 9- Region B Council of Governments

**Chapters 10-15 Reserved for Future Codification**

**PART II: GENERAL LEGISLATION**

- Chapter 16- Animal Regulations
- Chapter 17- Smoking in County Buildings
- Chapter 18- Noise
- Chapter 19 -Parks and Recreation Areas
- Chapter 20 – Pawnbrokers
- Chapter 21- Taxation
- Chapter 22- Vehicles & Traffic
- Chapter 23 - Weapons

**Chapters 24-40 Reserved for Future Codification**

**PART III: LAND DEVELOPMENT**

- Chapter 41 - Property Addressing
- Chapter 42 – Land Development Code
- Chapter 43 - Junkyards & Vehicle Graveyards

Chapter 44 - Vehicles, Abandoned/Junk

Chapter 45 - Farmland Preservation

Chapter 46 - Cemeteries

Chapter 47 - Entry Gates

Chapter 48 - Minimum Housing Code

Chapter 49 - Historic Preservation

Chapter 50 - Massage Parlors

Chapter 51 - Motor Sports Facility

Chapter 52 - Nuisance

**Chapters 53-75 Reserved for Future Codification**

**PART IV: PUBLIC SAFETY**

Chapter 76 - Emergency Management

Chapter 77 - Emergency Medical Services

Chapter 78 - Fire Prevention

Chapter 79 - Public Safety Telephone

**Chapters 80-90 Reserved for Future Codification**

**PART V: UTILITIES**

**Chapter 91 - Cane Creek Water & Sewer**

**Chapter 92 - Cable Television**

**Chapter 93 - Water**

**Chapter 94 - Sewers**

**Chapter 95 - Solid Waste**

## **SUPPLEMENTAL MATERIALS**

### **Agreements**

Apple Country Greenways Agreement  
Area Mental Health Agreement  
Asheville Regional Housing Agreement  
Cable TV franchise  
Cane Creak Water & Sewer Agreement  
Mutual Aid Emergency Transport Service Franchise Agreement  
Nonemergency Transport Service Franchise Agreement  
Regional Water Supply Agreement  
Sewage Disposal Agreement  
Town of Fletcher Bldg. Code Administration  
Wastewater Collection Agreement

### **Previous Ordinances**

Former Chapter 10- General Assembly Enactments  
Former Chapter 11- Departments  
Former Chapter 24 - Chain Gangs  
Former Chapter 25 - Peddling and Soliciting

### **Additional Sources of Law**

North Carolina Building Code