

GENERAL PROVISIONS OF THE CODE

The provisions in the following chapters and sections shall constitute and be designated "THE CODE OF THE TOWN OF HARMONY" and may be cited.

It is hereby declared to be the intention of the Board of Aldermen that the sections, paragraphs, sentences, clauses, and phrases of this code are severable, and the declaration by a court of competent jurisdiction that any section, paragraph, sentence, clause or phrase is unconstitutional shall not affect any remaining section, paragraphs, sentences, clauses, or phrases.

The repeal of an ordinance, or its expiration, shall not affect any right accrued, any offence committed, any penalty or punishment or any proceeding commenced before the repeal took effect or the ordinance expired.

Whenever in this code or in any ordinances of the Town, any act is prohibited or made or declared to be unlawful, where no specific penalty is provided therefore, the violation of the provision of the code shall be punished by a fine, not to exceed one hundred (\$100.00) dollars for each separate violation. Each day any violation of the code or of any ordinance shall continue shall constitute a separate offense.

CHAPTER 8 – BUILDING REGULATIONS

ARTICLE 1 - IN GENERAL

SECTION 8.1 – State Building Code – Adopted and Incorporated by Reference

The North Carolina State Building Code, current edition, and amendments thereto, published by the North Carolina Building Code Council and the North Carolina Department of Insurance, is hereby adopted and incorporated by reference and made a part of this chapter as if fully set out herein.

State Law Reference – State Building Code, Chapter 143, Article 9

Resolution adopting for the Town of Harmony, the Iredell County Building Code, current edition, and the current Iredell County Insulation and Energy Ordinance, and authorizing the Iredell County Building Inspectors to administer and enforce said ordinances within the Harmony Town limits.

Whereas, the Harmony Board of Aldermen, hereinafter called the Board, deems it best after considering North Carolina General Statute 160A-411, 160A-413, and 160A-360, and North Carolina General Statute 153A-122, that the Town of Harmony adopt and apply within the town limits of said town, the current Iredell County Insulation and Energy Ordinance dealing with the licensing of insulation contractors and others.

Whereas, the Board further believes that the best administration and enforcement of these codes and ordinances can be provided by the Iredell County Building Inspection Department, and that it would be in the best interest of the town Board and the Town of Harmony to request that the Board of Commissioners of the County of Iredell direct one or more of the County Building inspectors to exercise their powers within the Town of Harmony to administer and enforce the above ordinances.

It is therefore resolved and ordained by the Harmony Board of Aldermen, that the Iredell County Insulation and Energy Ordinance, current edition, and the Iredell County Building Code, current edition, be from this date henceforth effective within the town limits of the Town of Harmony.

It is further ordained and resolved that, subject to the approval of the Iredell County Board of Commissioners, the administration and enforcement of said ordinances within the town limits of Harmony be

conducted by the Iredell County Building Inspectors Office in the manner and form directed by the Iredell County Board of Commissioners.

This ordinance and resolution is adopted pursuant to North Carolina General Statutes 160A-411, 160A-413, 160A-360, and 153A-122.

This resolution and ordinance adopted hereby shall be effective this 3rd day of April 1978.

ARTICLE 2 - ZONING

IREDELL COUNTY/TOWN OF HARMONY INTERLOCAL AGREEMENT FOR IMPLEMENTATION AND ENFORCEMENT OF ZONING WITHIN THE TOWN OF HARMONY WITNESSETH:

WHEREAS, Iredell County and the Town of Harmony desire to enter into an agreement, concerning the implementation and enforcement of zoning within the incorporated area of the Town of Harmony, in order to facilitate growth and land use planning; and

WHEREAS, Article 322 of Chapter 153A authorizes the County to enter into such an agreement and Article 363 of Chapter 160A authorizes the Town of Harmony to enter into such an agreement; and

WHEREAS, NCGS 160A-360 authorizes the Town of Harmony to implement zoning within their corporate limits; and

WHEREAS, the Iredell County Board of Commissioners have agreed for the Iredell County Department of Planning and Development to assist the Town of Harmony with this implementation; and

WHEREAS, the Iredell County Board of Commissioners have agreed that the County staff will serve as staff to the Town of Harmony concerning all zoning matters.

NOW THEREFORE, the parties do mutually agree as follows:

Sphere of Influence

The Town of Harmony will maintain a Zoning Ordinance similar to the Iredell County Zoning Ordinance.

Iredell County shall provide staff from the Department of Planning and Development to assist the Town with the implementation its adopted Zoning Ordinance.

Iredell County shall provide staff to assist the Town Council concerning all rezoning, expansion of non-conforming use, special use permit, variance, and change in nonconforming use hearings.

Iredell County shall provide staff to enforce the zoning code concerning any violation procedures that may arise.

Iredell County shall charge and receive a fee for all zoning permits, rezoning applications, variances, amendments, and special use permits for property within the corporate limits based upon the Iredell

County Planning Department's Fee Schedule.

Iredell County shall be financially responsible for all required legal ads for rezoning, variances, amendments, and special use permits.

The Town of Harmony shall provide a meeting place for all required public hearings.

The Town of Harmony shall be responsible for any litigation.

Term

This agreement shall remain in place until either the Iredell County Board of Commissioners or the Town Council for the Town of Harmony cancels said agreement.

Amendment

This document shall be amended only by a written document executed in the same manner as this Agreement. This document may be cancelled at any time upon thirty (30) days written notice by the Iredell County Board of Commissioners or the Town Council for the Town of Harmony.

Integration

This instrument contains the entire agreement between Iredell County and the Town of Harmony, and no statement, either oral or written, made by an agent of either party which is not contained herein shall be valid or binding.

SECTION 8.3- Non-Residential Building Appearance

Refer to Iredell County Zoning Ordinance Section 3.21 Non-Residential Building Design Requirements