

AN ORDINANCE AMENDING THE KITTY HAWK TOWN CODE

WHEREAS, the North Carolina General Assembly adopted Chapter 160D to the NCGS; and

WHEREAS, Chapter 160D consolidates former city- and county- enabling statutes for development regulations into a single unified chapter; and

WHEREAS, municipalities are required to amend local ordinances to conform to this new law; and

WHEREAS, the proposed text amendments bring Chapter 8. Building and Building Regulations, into conformance with NCGS 160D; and

WHEREAS, the Town Council of Kitty Hawk has found this amendment to be consistent with the Town's adopted CAMA Land Use Plan.

BE IT ORDAINED by the Town Council of Kitty Hawk that Chapter 8 of the Kitty Hawk Town Code be amended as follows:

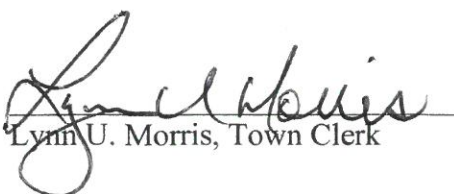
Sec. 8-5.- Same – Issuance of notice of violation, notice of condemnation or order.

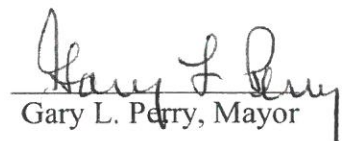
(a) At any time after an inspector issues a notice of violation or notice of condemnation or issues an order pursuant thereto, any inspector, or at the inspector's request the town attorney, may file a notice of lis pendens with the clerk of superior court for the county. A copy of the notice of violation or notice of condemnation or a copy of the order shall be attached to the lis pendens. When the lis pendens is filed with the clerk, it shall also be served on the owners and parties in interest in the building or dwelling, including any lienholder and tenants who may be determined by the exercise of reasonable diligence.

(b) Any inspector may cancel the lis pendens upon a determination by that inspector that the property is no longer unsafe and that the owner has fully complied with the inspector's order. Cancellation must be made, in writing, signed by the inspector and provided to the clerk of court.

(c) Buildings deemed unsafe shall be subject to those corrective procedures and processes described in N.C.G.S. 160D-1119 through 160D-1125.

This ordinance amending the Kitty Hawk Town Code shall take effect the 6th day of July 2021. Passed and adopted at a regular meeting held by the Town Council of Kitty Hawk the 6th day of July, 2021, with a 5 to 0 vote.

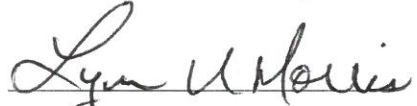

Lynn U. Morris, Town Clerk


Gary L. Perry, Mayor

APPROVED AS TO FORM:

Casey Varnell, Town Attorney

The undersigned certifies that the forgoing official ordinance designated ORDINANCE AMENDMENT OF THE TOWN OF KITTY HAWK, NORTH CAROLINA was filed in the Kitty Hawk Ordinance Book on the 11th day of August, 2021, at 2 o'clock p.m.



Lynn U. Morris, Town Clerk