

AN ORDINANCE AMENDING THE TOWN CODE OF THE TOWN OF MANTEO, NORTH CAROLINA TO MODIFY CHAPTER 50 UTILITIES
Proposed Code of Ordinances Text Amendment 2024-06 COD

ARTICLE I. Purpose(s) and Authority.

WHEREAS, pursuant to N.C.G.S. § 160A-174, the Town of Manteo (the "Town") may enact and amend ordinances which define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the city, and may define and abate nuisances within its jurisdiction. Pursuant to this authority the Town has codified such ordinances within the Town's Code of Ordinances (the "Town Code"); and

WHEREAS, the Town finds that the local governments owning land within the Town which desire to provide irrigation to the land via that local government's water system rather than the Town's should be able to do so; and

WHEREAS, the Town further finds that in accordance with the findings above it is in the interest of and not contrary to the public's health, safety, morals and general welfare for the Town to amend the Town Code as stated below.

ARTICLE II. Construction.

For purposes of this ordinance amendment, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Any portions of the adopted Town Code which are not repeated herein, but are instead replaced by an ellipsis ("...") shall remain as they currently exist within the Town Code.

ARTICLE III. Amendment of Town Code.

NOW, THEREFORE, BE IT ORDAINED by the Town Board of Commissioners of the Town of Manteo, North Carolina, that the Town Code be amended as follows:

PART I. That Chapter 50 - Utilities, Article II – Water System of the Code of Ordinances, Town of Manteo, North Carolina, is hereby amended to read as follows:

Sec. 50-32. Property required to be connected to water system.
(a) It shall be mandatory that all residences, buildings or other structures which are used for human habitation or occupancy or for business purposes located within the limits of the town shall be connected to the water system.
(b) A person owning a dwelling, building or other structure which is used for human habitation or occupancy or for business purposes may retain or have a well on their premises provided it is not connected in any way to allow a flow into the town water system and further provided the water is not disposed of into the sanitary sewer system.
(c) A local government owning real property within the town's jurisdiction may install a water service connection to that local government's water system for the sole purpose of irrigation of the local government's real property provided that such connection does not allow water flow into the town's water system and further provided the water is not disposed of into the town's sanitary sewer system.

ARTICLE IV. Severability.

All Town ordinances or parts of ordinances in conflict with this ordinance amendment are hereby repealed. Should a court of competent jurisdiction declare this ordinance amendment or any part thereof to be invalid, such decision shall not affect the remaining provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the Town of Manteo, North Carolina which shall remain in full force and effect.

ARTICLE V. Effective Date.

This ordinance amendment shall be in full force and effect from and after the 26th day of June, 2024.

Sherry Butcher Wickstrom, Mayor

ATTEST:
Jamie Whitley, Town Clerk

Date adopted: June 26, 2024

Motion to adopt by Commissioner Cissold
Motion seconded by Commissioner Basnight
Vote: 5 AYES 0 NAYS

TOWN OF MANTEO CORPORATE SEAL 1899 NORTH CAROLINA