

ORD # O-18-2025
AN ORDINANCE TO AMEND SECTION 26-3. – REGULATION OF USE OF GENERATORS
OF THE TOWN OF WENDELL CODE OF ORDINANCES

WHEREAS, Chapter 26 contains the Town’s general provisions for utilities; and

WHEREAS, the Town of Wendell Code of Ordinances Sec. 1-13. establishes uniform procedures for amending the text of the Ordinance;

NOW, THEREFORE BE IT ORDAINED by the Town Board of the Town of Wendell, North Carolina:

SECTION 1. That Section 26-3. of the Code of the Town of Wendell, North Carolina, is hereby amended as follows:

Sec. 26-3. Regulation of Use of Generators

- (a) Purpose. Residents of the Town of Wendell receive electricity service from Duke Energy Progress, and in the absence of power outages caused by weather, mechanical issues, or similar unexpected circumstances, it is the policy of the Town that all residences be served by the utility provider and not by external electricity sources. The provision of electricity by the utility provider is quieter and safer, promoting the general health, safety and welfare of the residents of the Town.
- (b) “Generator” is defined, for purposes of this section, as a device or equipment intended solely for the generation, or supply, of electricity to a residential building, or accessory buildings thereto.
- (c) Except as permitted herein, no person may operate a generator or similar equipment except during periods of power outages or during temporary unavailability of electricity. Temporary unavailability of electricity means that the service cannot be turned on by the utility provider, not due to non-payment of a bill resulting in a customer losing utility service or a resident electing not to open a utility account.
- (d) During power outages there shall be no restriction on the amount of time a generator is used.
- (e) A generator may be used at a time in which there is no power outage or unavailability provided that it is for general household use between the hours of 7 a.m. and 7 p.m. and the duration of use of the generator does not exceed one (1) hour during any twenty-four (24) hour period.
- (f) All use of generators shall comply with Sec. 10-80 of the Town of Wendell Code of Ordinances prohibiting unnecessary noise.
- (g) Any person violating the provisions of this section is creating a public nuisance and shall forthwith cease the use on order from an official of the Town.

SECTION 2. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 3. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

SECTION 4. That this ordinance has been adopted following a duly advertised public hearing of the Town Board.

SECTION 5. That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Wendell Town Code.

SECTION 7. That this ordinance shall become effective upon its adoption by the Wendell Board of Commissioners.

DULY ADOPTED the 14th day of July 2025.

(Town Seal)

Virginia R. Gray, Mayor

ATTEST:

APPROVED AS TO FORM:

Mary Beth Tew, Town Clerk

James P. Cauley III, Town Attorney