



ORDINANCE AMENDMENT

Pursuant to an affirmative vote of 5 yeas and nays by the Board of Commissioners of the Town of Highlands at its regular meeting on the 27th day of May , 2021, and an affirmative vote of yeas to nays by The Board of Commissioners at its regular meeting on the day of , 20 if required, the following ordinances are hereby AMENDED:

Unified Development Ordinance of Highlands, NC (UDO)
Article 15 - Inspections, Violations and Enforcement, Sec. 15.1 Construction and Interpretation

(EXISTING CODE LANGUAGE IN BLACK & PROPOSED AMENDMENTS
IN RED.)

ARTICLE 15 – INSPECTIONS, VIOLATIONS AND ENFORCEMENT

Sec. 15.1 Construction and Interpretation

15.1.1 Purpose

This Article shall be construed to provide for the exercise of all remedies provided for in G.S. 160A-175 and 160D-403, and to provide for the efficient administration and enforcement of the other articles in the Town's Unified Development Ordinance (referred to in this Article as the "Ordinance"). In this article, "Director" shall mean the person, or the designees of the person, who is the Planning and Development Director, the Stormwater Administrator, or the Watershed Administrator, as the context indicates, and including any interim positions or other positions established by the Board of Commissioners to administer the other articles of this Ordinance.

15.1.2 Inspections

- A. The Director and Code Enforcement Officer shall have the following duties and authority:
1. To enter upon and investigate the condition of uninhabited buildings within the Town to determine if such buildings are in violation of the ordinance;



2. To enter upon all premises within the Town, at reasonable times, for the purpose of making any inspections reasonably related to enforcement of the provisions of this Ordinance;
 3. To periodically inspect all properties upon which land-disturbing activity is occurring to determine whether the measures required in the plan are effective in controlling erosion and sedimentation resulting from the land-disturbing activity;
 4. At the time of inspections, to present proper credentials if requested;
 5. To obtain any necessary inspection warrants under G.S. 15-27.2 and comply with all requirements of said Statute;
 6. To determine compliance with this Ordinance; and
 7. To investigate complaints and alleged violations of this Ordinance.
 8. To Obtain the appropriate consent before inspecting areas not open to the public, or that an appropriate inspection warrant has been secured.
- B. *Interference with Inspections.* It shall be a violation of this Ordinance for any person or entity to do any of the following:
1. To refuse entry or access to the Director or Code Enforcement Officer when entry is requested for purposes described in this Ordinance; and
 2. To obstruct, hamper, or interfere with the Director or Code Enforcement Officer in carrying out official duties.
 3. If the Director or Code Enforcement Officer is asked to leave the property they must leave immediately.

Notice of the foregoing provision entitled "Interference with Inspections" shall be included in the certificate of approval of each plan.

By signing a Zoning Certificate, the Owner or Owner's representative is allowing Town staff to inspect the property at their discretion, so long as they follow the Inspection rules in Sec. 15.1.2 of this Ordinance.