



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 17th day of June , 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. 15.3 Notices of Violations

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

Sec. 15.3 - Notices of Violations

15.3.6 Equitable Remedies

In addition to other remedies provided for in this Ordinance, State Statutes, or the common law, this Ordinance may be enforced by appropriate equitable remedies issuing from a court of competent jurisdiction. In such case, the General Court of Justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the Town for equitable relief that there is an adequate remedy at law. By way of illustration, and not by way of limitation, the Town may seek equitable remedies in the form of any of the following:

- A. Temporary restraining order;
- B. Temporary or permanent mandatory injunction to require positive action to correct violations;
- C. Temporary or permanent prohibitory injunction to prevent future violations;
- D. Stop work order under G.S. ~~460A-421~~ 160D-404(b);
- E. Order of abatement to stop violations;
- F. Order of abatement to direct that action be taken as necessary to place a body of water downstream from the dam in its former condition and otherwise bring the property into compliance with Sec. 4.15, Dam Impoundment Draining Permit;
- G. Temporary and permanent injunction to prevent illegal subdivisions and the transfer or sale of lots from such illegal subdivisions; and



- H. For offenders who engaged in a land-disturbing activity and who failed to retain sediment generated by the activity, as required by G.S. 113A-57(3), an order requiring restoration after noncompliance, to restore the waters, landscape and riparian buffers and land affected by the failure so as to minimize the detrimental effects of the resulting pollution by sedimentation. See also Article 11, Landscape, Screening and Buffers, and Article 12, Natural Resources and Environmental Protection, for specific requirements.