

ARTICLE 1 AUTHORITY AND PURPOSE

1.1 AUTHORITY.

These regulations are adopted pursuant to the authority vested in the Village of Misenheimer by its Charter, the Session laws, and the General Statutes of North Carolina, particularly Chapter 160D, and any special local legislation enacted by the General Assembly for the Village of Misenheimer.

1.2 PURPOSE.

The purposes of these regulations are to: promote the health, safety, morals, and general welfare of the community; to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate and economic provision of public facilities and infrastructure; to conserve the value of buildings; and to encourage the most appropriate use of land throughout the corporate area and extraterritorial zoning jurisdiction, in accordance with adopted plans and policies.

1.3 TITLE.

These regulations shall be known as the Zoning Ordinance of Misenheimer, North Carolina, and may be cited as the “Zoning Ordinance”. The maps referred to herein titled Official Zoning Map, Misenheimer, North Carolina may be cited as the “Zoning Map”.

1.4 JURISDICTION.

These regulations govern the development and use of land and structures within the corporate limits of the Village of Misenheimer.

1.5 ZONING MAP.

The Village Council has adopted a Zoning Map entitled “Official Zoning Map, Village of Misenheimer, NC” which is retained in the office of the Village Clerk. The Zoning Map sets out and delineates the zoning districts established in Article 3. The Zoning Map and notations thereon are hereby designated, established, and incorporated as a part of these regulations and shall be as much a part of these regulations as if they were fully described herein.

1.6 SEVERABILITY.

If any section, specific provision, or standard of these regulations, including any zoning district boundary that now exists or may exist in the future, is found by a court of competent jurisdiction to be invalid for any reason, the decision of the court shall not affect the validity of any other section, provision, standard, or district boundary of these regulations except the provision in question. The other portions of these regulations not affected by the decision of the court shall remain in full force and effect.

1.7 RELATION TO OTHER ORDINANCES.

If the provisions of this ordinance conflict with the provisions of any other validly enforceable ordinance(s), the most stringent provisions shall control.

1.8 EFFECTIVE DATE.

The provisions of any and all previous zoning regulations are hereby repealed. Vested rights for existing development permitted by previous approvals or approvals granted but not yet developed shall be established in Section 2.3 of these regulations and North Carolina law.

Editors's Note:

Amended 4/12/21 to comply with changes required by the adoption of Chapter 160D of the NC General Statutes.