

## **TABLE OF SPECIAL ORDINANCES**

Chapter

- I. CONTRACTS**
- II. FRANCHISES**
- III. VARIANCES**



**TABLE I: CONTRACTS**

| <i>Ord. Passed</i> | <i>Description</i>  |
|--------------------|---|
| 9-12-88            | Adopting service contract between the North Carolina League of Municipalities, American Legal Publishing Corporation and Bryson City for the purpose of codifying the town ordinances |

**Bryson City - Table of Special Ordinances**

**TABLE II: FRANCHISES**

| <i>Ord. Passed</i> | <i>Description</i>   |
|--------------------|--|
| 4-2-01             | Granting a gas franchise to Public Service Company of North Carolina, Inc., for a period of 30 years |



**TABLE III: VARIANCES**

| <i>Ord. Passed</i> | <i>Description</i>  |
|--------------------|---|
| 6-6-94             | Granting to Mr. Wiggins a variance of the flood protection ordinance to construct a storage building on property located behind Carolina Building Supply  |
| 9-14-98            | Granting to Edith Hall a variance from the mobile home park ordinance to locate a mobile home on her property within 16 feet of an existing mobile home located on adjoining property and within 14 feet of her property line |

**Bryson City - Table of Special Ordinances**



**ORDINANCE OF SATELLITE ANNEXATION**

WHEREAS, a Petition For Annexation of a satellite area has heretofore been filed by Morgan Crisp, Inc., owner of that certain real property described in Exhibit A attached to this Ordinance; and,

WHEREAS, the town clerk has investigated the Petition and has certified to the Board of Aldermen that the Petition appears to be valid and in accordance with the provisions of NCGS 160A-58.1; and,

WHEREAS, after due advertisement, a public hearing has been held on the annexation; and,

WHEREAS, the Board of Aldermen finds and determines that the area described in the Petition meets all of the standards set out in NCGS 160A-58.1(b), that the Petition bears the signature of all of the owners of real property within the area proposed for annexation, that the Petition is otherwise valid, and that the public health, safety and welfare of the inhabitants of the City and of the area proposed for annexation will be best served by the annexation.

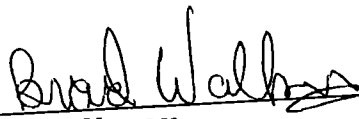
NOW, THEREFORE, BE IT ORDAINED as follows:

1. That that real property described on Exhibit A attached hereto be and the same is hereby annexed into the Town of Bryson City.

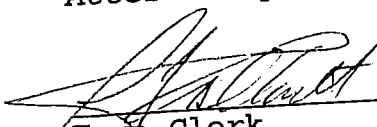
2. That this Ordinance shall be effective as of the 1<sup>st</sup> day of January 2008.

3. That this annexation shall be recorded and reported in the same manner as specified by NCGS 160A-29.

The foregoing Ordinance was adopted unanimously by the Board of Aldermen of the Town of Bryson City sitting in regular session on the 3<sup>rd</sup> day of December 2007.

  
\_\_\_\_\_  
Mayor

Attested by:

  
\_\_\_\_\_  
Town Clerk

## EXHIBIT A

BEGINNING on a locust hub, a corner common to Lots 5 and 6 Bennett Heights, Part 2, this being the most eastern corner of Lot 5 and the most Southern corner of Lot 6 and runs with the line of Lot 6 N 56-12 E. 120.00 feet to a locust hub, a corner of Lots 6 and 7; then running with the line of Lot 7, N. 56-12 E. 120.00 feet to a locust hub, this being the corner of Lots 7 and 8; then running with the line of Lot 8, N. 56-12 E. 87.35 feet; N. 33-35 W. 88.55 feet; then N. 81-32 W. 166.60 feet to a stake in the centerline of said 30 foot road right of way; then leaving said road and runs with the line of Lot 1, Part 1, Bennett Heights as recorded in Plat Book 3, at Page 16, Swain County Public Registry; N. 51-54 W. 37.35 feet to a hub; then S. 43-17 W. 135.20 feet to a hub, this being a common corner of Lot 1, Part 1 and the Southeast corner of Lot 2, Part 2 and the Northwest corner of Lot 7, Part 2 and the Northeast corner of Lot 6, Part 2 and also the end of a 50 foot right of way which runs parallel to and with the most northern line of Lot 6; then running with the line of Lots 2 and 6, Part 2 and along the North side of a 30 foot right of way S. 87-01 W. 140.48 feet to a locust hub, this being in the line of Lot 2, Part 2 and the N.E. corner of Lot 3, Part 2 and the N.E. corner of Lot 6, Part 2; then running with the line of Lot 3, Part 2, S. 27-14 E. 123.27 feet to a locust hub, this being the Southeast corner of Lot 3, Part 2 and the Northeast corner of Lot 5, Part 2 and in the line of Lot 6; then running with the East line of Lot 5, Part 2, S. 32-45 E. 235.87 feet to the point of BEGINNING. This being Lots 6, 7 and 8, Part 2 of Bennett Heights as shown on a plat recorded in Plat Book 3, Page 40, Swain County Registry.

AN ORDINANCE ENACTING A CODE OF ORDINANCES  
FOR THE TOWN OF BRYSON CITY,  
REVISING, AMENDING, RESTATING, CODIFYING AND COMPILING  
CERTAIN EXISTING GENERAL ORDINANCES OF THE TOWN OF  
BRYSON CITY DEALING WITH SUBJECTS EMBRACED IN SUCH  
CODE OF ORDINANCES, AND DECLARING AN EMERGENCY.

WHEREAS, the present general and permanent ordinances of the Town of Bryson City are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs; and ,

WHEREAS, the acts of the General Assembly of the State of North Carolina empower and authorize the Town of Bryson City to revise, amend, restate, codify and compile any existing ordinances and all new ordinances not heretofore adopted or published and to incorporate such ordinances into one ordinance in book form; and ,

WHEREAS, the Board of Aldermen of the Town of Bryson City has authorized a general compilation, revision and codification of the ordinances of the Town of Bryson City of a general and permanent nature and publication of such ordinance in book form; and,

WHEREAS, it is necessary to provide for the usual daily operation of the Town of Bryson City and for the immediate preservation of the public peace, health, safety and general welfare of said municipality that this ordinance take effect at an early date.

NOW, THEREFORE, be it ordained by the Board of Aldermen of the Town of Bryson City:

Section 1. The general ordinances of the Town of Bryson City as revised, amended, restated, codified and compiled in book form are hereby adopted as and shall constitute the "Code of Ordinances of the Town of Bryson City."

Section 2. Such Code of Ordinances as adopted in Section 1 shall consist of the following titles:

Section 3. All prior ordinances pertaining to the subjects treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and re-ordained in whole or in part in such Code; provided, such repeal shall not effect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall such repeal effect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code.

Section 4. Such Code shall be deemed published as of the day of its adoption and approval by the Board of Aldermen and the Clerk of the Town of Bryson City is hereby authorized and ordered to file a copy of such code of ordinances in the office of the clerk.

Section 5. Such Code shall be in full force and effect as provided in Section 6, and such Code shall be presumptive evidence in all Courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded and approved and that any public hearings and notices thereof as required by law have been given.

Section 6. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of this municipality and shall take effect at the earliest date provided by law.

PASSED AND ADOPTED by unanimous vote of the Board of Aldermen of the Town of Bryson City on this the \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Alderman

\_\_\_\_\_  
Alderman

\_\_\_\_\_  
Alderman

Attest:

\_\_\_\_\_  
Alderman

\_\_\_\_\_  
Town Clerk

M\town of BC.ordinance