#### **ENACTMENT:**

An ordinance as amended establishing regulations for Mobile Home and Travel Trailer Parks within the County of New Hanover, North Carolina, and providing for the administration, enforcement, and amendment thereof, in accordance with the provisions of North Carolina General Statutes 153-A Article 18 inclusive, and for the repeal of all ordinances in conflict herewith.

#### PREAMBLE:

WHEREAS, in order to promote the health, safety, morals and general welfare of the inhabitants of the County of New Hanover, North Carolina; to provide for planned mobile home and travel trailer park development, it is desirable and necessary to adopt the Mobile Home and Travel Trailer Park Ordinance for the unincorporated areas of said County as hereinafter set forth.

NOW THEREFORE, be it ordained by the County of New Hanover, North Carolina as follows:

## **SECTION I: Authority**

The provisions of this ordinance are adopted under authority granted by the General Assembly of North Carolina. (General Statutes 153-A, Article 18)

#### **SECTION II: Jurisdiction**

The regulations set forth in this ordinance shall be applicable within the unincorporated areas of the County of New Hanover.

#### **SECTION III: Title**

This ordinance shall be known as the Mobile Home and Travel Trailer Park Ordinance.

## **SECTION IV: Definitions**

- 4.1: General
- (1) For the purpose of this ordinance, certain terms or words used herein shall be interpreted as follows:
- 4.2: Tense and Number
- (1) The present tense includes the future tense, and the future tense includes the present tense.
- (2) The singular number includes the plural number, and the plural number includes the singular number.
- 4.3: Word Interpretations
- (1) The word, "may" is permissive.
- (2) The words "shall" and "will" are mandatory.
- (3) The word, "County" shall mean the County of New Hanover, North Carolina.
- (4) The words, "Planning Board" shall mean the New Hanover County Planning Board.
- (5) The words, "County Commissioners" shall mean the County Commissioners of New Hanover county, North Carolina.
- (6) The word, "person" includes firm, association, organization, partnership, trust, company, or corporation, as well as an individual.
- (7) The words, "Used" or "occupied" include the words intended, designed, or arranged to be used or occupied.

# 4.4: Definitions

- (1) <u>Mobile home</u> Mobile home means a movable or portable dwelling over thirty-two (32) feet in length and over eight (8) feet wide, constructed to be towed on its own chassis and designed without a permanent foundation for year-round occupancy, which includes one (1) or more components that can be retracted for towing purposes and subsequently expanded for additional capacity, or of two (2) or more units separately towable but designed to be joined into one (1) integral unit and not complying with the N.C. State uniform Residential Building Code.
- (2) <u>Mobile home park</u> Mobile home park shall mean any site or tract of land upon which are located at least three 93) or more mobile home spaces to be occupied for dwelling or sleeping purposes, regardless of whether or not a charge is made for such service. Mobile home subdivisions shall be subject to the New Hanover county Subdivision Regulations. Mobile home parks shall not be allowed at a density greater than 2.5 dwelling units per acre in areas classified Rural, Conservation, or Resource Protection in the Wilmington New Hanover Land Use Plan.
- (3) <u>Mobile home space</u> A plot of land, the minimum size of which shall not be less than 5,000 square feet, designed to accommodate a single mobile home in accordance with the requirements of this ordinance.
- (4) <u>Structural additions</u> Any roofed, canopied, enclosed porch and/or room or structure which is used in connection with a mobile home. A concrete slab porch or open deck with no roof shall not be considered a structural addition.
- (5) <u>Travel trailer</u> A wheeled vehicular portable structure built on a chassis designed to be used as a temporary dwelling for travel and/or recreational purposes, including, but not limited to structures mounted on auto or truck bodies that are commonly referred to as campers.
- (6) <u>Travel trailer park</u> Travel trailer park shall mean any site or tract of land upon which are located the minimum number of travel trailer spaces or land area required by this ordinance regardless of whether or not a charge is made for such service.
- (7) <u>Travel trailer space</u> A plot of land within a travel trailer park designed for the accommodation of one travel trailer.

#### SECTION V: PLAN PREPARATION AND APPROVAL PROCEDURES

5.1: <u>General</u> - Mobile homes and travel trailer parks shall only be established in accordance with the following procedures:

No person shall construct a mobile home park or travel trailer park or make any addition to a mobile home park or travel trailer park that either alters the number of sites for mobile homes or travel trailers within the park or affects the facilities required therein until he first secures a permit authorizing such construction or addition. The construction or addition shall be in accordance with plans and specifications submitted with the application.

## 5.2: Sketch Plan

The developer may submit a sketch plan prior to submission of a detailed preliminary plat/plan to the County Planning Department. The Planning Department shall advise the developer of general compliance with the requirements of this ordinance. The sketch plan shall be drawn at a scale not more than 1'' = 100' and shall contain such information as: name of park, owner's name and address, total acreage, conceptual space designation, street layout, cross sections, proposed drainage, type of water and sewer, zoning of the tract, existing land uses, and conservation resources.

## 5.3: Preliminary Plan

Following sketch plan review, if applicable, the developer shall prepare a preliminary plan at a scale of 1" = 100' or less, and shall show the following information:

- (1) Name of park, developer, scale, date, and tax map, block and parcel number
- (2) Vicinity Map
- (3) Dimensions and bearings of exterior property lines
- (4) Land contours and vertical intervals of not less than two (2) feet
- (5) Roads and easements in vicinity
- (6) Spaces well defined and numbered
- (7) All existing structures and proposed structures
- (8) Road cross section details
- (9) Water source

- (10) Sewage disposal designed to County specifications
- (11) Surface and/or subsurface drainage plan
- (12) Recreation areas
- (13) Location of street lighting
- (14) Responsibility for electric system design
- (15) Location of 100 year flood line
- (16) Location of conservation resources
- (17) Buffer and landscaping plan
- (18) Adjoining property owners
- (19) Sign location, setback and dimensions

## 5.4: Preliminary Plan Approval

Upon receipt of 10 copies of a properly submitted plan to the Planning department along with the necessary comments and recommendations from the NCDOT, County health Department, County Engineering, the Board of Education, and other agencies and offices as may be deemed necessary or desirable, the chairperson of the Planning board or his/her appointee and any of its designated members shall meet with the Planning Director and staff and applicant, if he desires, to review the plans as submitted. Upon review and consultation with the Board members and staff, the Chairperson of the Planning Board shall either approve or deny the preliminary plan.

Following the initial review, the Chairperson shall have ten days in which to take action on the preliminary plan. Failure to take action within the specified time shall be deemed as approved by the Planning board chairperson.

- (1) If the preliminary plan is approved, approval shall be noted on the plan. One print of the plan shall be transmitted to the applicant and another print shall be retained by the Planning Department.
- (2) When a preliminary plan is disapproved, the Planning Director shall specify the reasons for such action in writing. One copy of such reasons and the plan shall be retained by the Planning Department. A final site development plan shall be submitted to the Planning Department within one (1) year of the preliminary approval date. Otherwise, the preliminary plan shall become void unless a written extension of time is applied for prior to expiration. The Director may approve a one-year extension of preliminary site development plans. (6/6/88) Decision of the Planning board Chairperson may be appealed to the Board of Adjustment.

#### 5.5: Construction

If the preliminary plan is approved, the developer may obtain the required development permits and then proceed with construction of the park and installation of improvements.

#### 5.6: Final Site Development Plan

After preliminary plan approval and after the developer has constructed the park in accordance with the requirements of this ordinance, the developer shall prepare a final site development plan. This plan shall show all improvements and mobile home spaces and shall be signed by the Planning Director prior to the placement of any mobile homes in the park.

# SECTION VI: ISSUANCE OF CONSTRUCTION PERMITS AND CERTIFICATE OF OCCUPANCY

## 6.1: Issuance

Construction permits will be issued by Inspections and Engineering in accordance with the approved preliminary plan. The issuance of permits in this manner shall include but not be limited to: grading, sedimentation and erosion control, building, electrical, water and sewer.

## 6.2: Occupancy

No mobile home space shall be occupied until all improvements have been completed for the phase of the

park under review and a final site development plan for that phase has been signed by the Planning Director. Final site plans shall comply with Section 5.6 of this Ordinance. Required improvements shall include but not be limited to: installation of water and sewer systems, installation of roads, electric systems and street lighting, installation of roads and recreation area development and marked spaces. A field inspection by the appropriate inspection officials and engineering officials shall be conducted to verify the installation of required improvements.

## 6.3: Improvement Sureties

Occupancy of an improved mobile home park space may be approved in lieu of street paving and required landscaping provided the developer provides the County a surety, either in the (8) form of a bond, cash in escrow or irrevocable letter of credit in an amount equal to the projected cost of the improvements left incomplete. No surety or portion thereof shall be released by the county Engineer until certification of completion of the improvement has been provided.

#### SECTION VII: SPECIFICATIONS FOR MOBILE HOME PARKS

#### 7.1: General

All mobile home parks proposed for development after the effective date of this ordinance shall be subject to the following design requirements:

## 7.2: Minimum Design Requirements

- (1) Every mobile home park shall contain at least three (3) mobile home spaces.
- (2) The amount of land for each mobile home space utilizing individual septic tank systems shall be determined by the New Hanover County Health Department after an investigation of soil conditions, the proposed method of sewage disposal, and proposed water system. However, in no case shall the size of a mobile home space be less than five thousand (5,000) square feet, and six thousand (6,000) square feet for multi-section units.
- (3) No mobile home park spaces shall be located in the 100 year Flood Plain.
- (4) Parking shall be provided off-street at a ratio of 2:1 and shall be set back a minimum of ten (10) feet from the roadway surface.
- (5) <u>Space Requirements</u> Each mobile home space shall be at least forty (40) feet wide. There shall be at least twenty (20) feet clearance between mobile homes including ones parked end to end. No mobile home shall be located closer than seventy-five (75) feet to any residentially zoned property not occupied by a mobile home park. The mobile home shall be set back a minimum of 29 feet from the center line of the roadway. (3/9/88)
- (6) <u>Buffering</u> The mobile home park shall meet the requirements of Section 67 of the Zoning Ordinance, except that no decrease in the 75 foot setback shall be allowed if the buffer width is increased. (8/6/90)
- (7) <u>Road Improvements</u> All roads in any park serving more than 25 spaces shall be paved to County specifications. Each road shall be at least eighteen (18) feet in width and shall be generally centered in a right-of-way not less than thirty (30) feet in width. The right-of-way shall have direct access to a publicly maintained street or highway.
  - a) Each mobile home space shall abut an improved interior road.
  - b) No mobile home space, however, shall have direct access to a public street or thoroughfare.
  - c) Every street shall have a reserved strip six (6) feet in width running parallel and adjacent to each side of the paved surface. This strip shall be used for driveways, walkways, grass, low growing vegetative cover or utility rights-of-way and must be seeded.
  - d) Unless unusual topography or configuration of property lines dictate otherwise, cul-de-sacs shall not exceed 1000 feet in length with a minimum turnaround of eighty (80) feet in diameter and an improved surface radius of 35 feet.
  - e) All streets will be appropriately identified with street name signs as applicable.
  - f) Parks providing internal access using unpaved roads shall design these roads to ensure emergency vehicle access.
- (8) <u>Lot Identification</u> All spaces shall be permanently identified with numbers at least three (3) inches high. The numbers should be located on the ground by permanent markers or monuments provided they are visible

from the street. The numbers may be pole mounted provided the numbers do not exceed one (1) square foot and the pole does not exceed three (3) feet in height except that electrical pedestals may also be used for numbering. Each individual mobile home shall also be affixed with lot identification numbers erected on the facade of the structure that fronts the roadway.

- (9) <u>Signage</u> Permanent identification signs for the park may be allowed provided: a) The sign is non-illuminated and does not exceed 32 square feet in area. b) The sign shall be located on private property and at least ten (10) feet from any public right of-way and at least twenty (20) feet from any dwelling unit.
- (10) Open Space The developer shall be responsible for ensuring adequate open space areas are available for use by the residents. The amount of open space required shall be based on the following table:

Size	Park Area Required
26 - 50 spaces	½ acre
51 - 100 spaces	1 acre
101 - 150 spaces	1 ½ acres
Over 150 spaces	1 ½ acres + 199 sq. ft. per lot over 150

All open space areas shall have a minimum of 2,500 square feet. This requirement may be waived if the average lot size of the park is 10,000 square feet or greater. Such open space area's) shall be designed and located to be easily accessible to all residents.

- (11) <u>Street Lights</u> A lighting system consisting of electric lamps with 200 foot spacing or as specified in CP&L standards shall be provided. Pole mounted lights shall be set back five (5) feet from the edge of the roadway surface. Lighting intensity shall be based on the standards used by Carolina Power and Light for candlepower at ground level.
- (12) <u>Refuse Collection</u> Arrangements shall be made for a private vendor or other source to collect refuse, either from individual spaces or from centrally located dumpster sites. All dumpster locations are to be fenced and screened from view. Individual refuse receptacles shall be waterproof and rodent proof.
- (13) <u>Sewage Disposal</u> All parks are to be provided with a sewage collection system and/or septic tanks approved by the appropriate health agency. All mobile home parks locating in the Sewer District of New Hanover County shall design and install a sewer collection system in accordance with County specifications. (8/3/87) New Hanover County shall design and install a sewer collection system in accordance with County specifications. (8/3/87)
- (14) <u>Water Supply</u> All parks shall obtain water from a public source or a source as approved by the local or State health agency.
- (15) <u>Utilities</u> Each space shall be equipped with water, sewer and electrical connections.

#### Fire Hydrants

- 1) Mobile home parks with central water systems
- a) For any mobile home park with three or more spaces that is served by a public or private central water system meeting State requirements ) Section .2101 Title 10 Chapter 10D (NCAC) for fire hydrants, the developer shall be required to install a fire hydrant at the entrance to the mobile home park.
- b) For any mobile home park with ten or more spaces served by a central water system, meeting State requirements (Section .2101 Title 10 Chapter 10D (NCAC) for fire hydrants, the developers shall be required to install additional hydrants equal to the total linear feet of roadway divided by 1000 or to the total number of spaces divided by 40, whichever is greater. These additional hydrants shall be spaced evenly throughout the mobile home park in order to provide maximum fire protection coverage, as determined by the County Fire Marshal. In no case shall a space be located more than 500 feet from a hydrant.
- 2) Mobile home parks with surface water bodies

For any mobile home park with three or more spaces and with no adequate central water

system, but either including or adjacent to an adequate, permanent surface water body, the developer shall be required to do one of the following:

- a) Install a dry fire hydrant as close to the water source as possible, with the adequacy of the water source and location of the dry fire hydrant to be determined by the County Fire Marshal; or
- b) Establish an easement or road to the water source providing permanent, all-weather access that is adequate, as determined by the County Fire Marshal for fire-fighting equipment and vehicles.
- (16) <u>Mobile home stands and anchors</u> Each mobile home space shall be improved to provide an adequate foundation for the placement and anchoring of the mobile home as follows:
- a) The mobile home site shall be improved to provide an adequate foundation for the placement and anchoring of the mobile home, thereby securing the structure against uplift, sliding, rotation and/or overturning.
- b) Each mobile home shall be provided with anchorage in accordance with the North Carolina Uniform Standard Code for Mobile Homes. (Chapter 143, Article 9A of the North Carolina General Statutes).

## (17) Permitted Uses

- a) Within a mobile home park, one mobile home or dwelling unit may be used as an administrative office. Other administrative and service buildings housing sanitation and laundry facilities or any other such facilities shall comply with all applicable ordinances, codes and statutes regarding buildings, electrical installations, plumbing, and sanitation systems.
- b) Convenience establishments of a commercial nature, including food stores, coin operated laundries and dry cleaning establishments, laundry and dry cleaning pickup stations, beauty parlors, and barber shops may be permitted in mobile home parks subject to the following restrictions:
  - 1) Such establishments shall be located, intended and designed to serve only the trade or service needs of persons residing in the park.
  - 2) Such establishments shall be subordinate to the residential use and character of the park.
  - 3) Off-street parking for commercial establishments shall be provided at a ratio of one (1) space for every four hundred (400) square feet of gross floor area.
  - 4) Such establishments shall present no visible evidence of their commercial character from any portion of any residential district outside the park. Commercial establishments other than a coin operated laundry shall be limited to five hundred (500) square feet of gross floor area for parks having less than seventy-five (75) occupied mobile home spaces. Commercial establishments in parks having more than seventy-five (75) occupied spaces shall be limited to one thousand (1,000) square feet of gross floor area. Parks that decrease their occupied spaces to less than seventy-five (75) for a period of twelve (12) months shall be required to decrease the amount of gross floor area for commercial establishments to five hundred (500) square feet.
  - 5) Vehicular access to such establishments shall be from interior streets.
  - 6) Signs serving such establishments inside the mobile home park shall be limited to twenty
  - (10) square feet in area, non-illuminated, and shall be attached to the establishment.
- c) All service buildings, commercial structures, and the grounds of the park shall be maintained in clean condition and kept free from any condition that will menace the health of any occupant, the public, or constitute a nuisance.
- d) Travel trailers are not permitted in a Mobil Home Park.

## SECTION VIII: TRAVEL TRAILER PARK SPECIFICATIONS

- (1) Every travel trailer park shall contain at least twenty-five (25) spaces. Travel trailers shall only be located in approved trailer parks.
- (2) Every space shall consist of a minimum area of two thousand (2,000) square feet. Each space shall be designated on the ground by permanent markers or monuments.
- (3) Parking spaces sufficient to accommodate at least one (1) motor and camping vehicle shall be constructed

within each space.

- (4) All spaces developed adjacent to a public street shall be set back a minimum of forty (40) feet from the street right-of-way.
- (5) All spaces shall be located on sites with elevations that are not susceptible to flooding. The spaces shall be graded to prevent any water from ponding or accumulating within the park. Each space shall be properly graded to obtain a reasonably flat site and to provide adequate drainage away from the space.
- (6) The park shall have all weather roads that directly abut each space. All road rights-of-way shall be twenty (20) feet except that one way roads may have a minimum width of twelve (12) feet. In areas of heavy vehicle use, thirty (30) foot rights-of-way shall be required.
- (7) No space shall have direct vehicular access to a public road.
- (8) The park shall be developed with proper drainage ditches. All banks shall be sloped and seeded.
- (9) Cul-de-sacs or dead end roads shall not exceed one thousand (1,000) feet in length measured from the entrance to the center of the turnaround. Any road designed to be permanently closed shall have a turnaround at the closed end with a minimum right-of-way diameter of eighty (80) feet.
- (10) When the park has more than one (1) direct access to a public road, they shall not be less than three hundred (300) feet apart or closer than three (300) feet to a public road intersection unless unusual site conditions demand otherwise.
- (11) Each park shall have a central structure or structures that will provide separate toilet facilities for both sexes. This structure may also contain a retail sales counter and/or coin operated machine for the park residents' use only, provided there is no exterior advertising. Vending machines also may be permitted in a sheltered area.
- (12) No swimming pool or bathing area shall be installed, altered, improved, or used without compliance with applicable Health Department regulations. No bathing area shall be used without the approval of the New Hanover county Health Department.
- (13) Sign for identification of parks Not more than two (2) signs with a total area of not more than thirty-two (32) square feet for each sign may be permitted. Signs shall be located on park property, but no closer than ten (10) feet to any property line and road right-of-way. Only indirect non-flashing lighting may be used for illumination and the sign must be constructed in such a manner as to prevent a direct view of the light source from any public right-of-way.
- (14) <u>Sanitary Facilities</u> All toilet, shower, lavatory, and laundry facilities shall be provided and maintained in a clean and sanitary condition and kept in good repair at all times. They shall be safely and adequately lighted. Facilities shall be easily accessible and conveniently located. All toilet, shower, lavatory, and laundry room facilities shall be acceptable to the New Hanover county Health Department and shall be in conformity with all New Hanover County codes. All buildings shall be constructed in accordance with the building codes for the County.
- (15) <u>Water Supply</u> A safe, adequate, and conveniently located water supply must be provided for each park. No water supply shall be installed, altered, or used without the approval of the New Hanover County Health Department.
- (16) Sewage Disposal
- a) Sewage dumping stations shall be approved by the New Hanover County Health Department. Each park shall provide at least one (1) sewage dumping station.
- b) No method of sewage disposal shall be installed, altered, or used without the approval of the New Hanover county health Department. All sewage wastes from each park, including wastes from toilets, showers, bathtubs, lavatories, wash basins, sinks, and water using appliances not herein mentioned, shall be piped into the park's sewage disposal system or systems.

## (17) Garbage and Refuse Disposal

- a) The park owner is responsible for refuse collection.
- b) No method of sewage disposal shall be installed, altered, or used without the approval of the New Hanover County Health Department. All sewage wastes from each park, including wastes from toilets, showers, bathtubs, lavatories, wash basins, sinks, and water-using appliances not herein mentioned shall be piped into the park's sewage disposal system or systems.
- (18) <u>Open Space Areas</u> Each park shall provide open space areas to serve the needs of the anticipated users. One fourth (1/4) acre of level well-drained ground for every fifty (50) spaces shall be utilized as open space. The park owner is responsible for the development and maintenance of all open space areas.
- (19) <u>Manufactured Homes</u> It shall be unlawful for a person to park or store a mobile home in a travel trailer park. However, one (1) mobile home may be allowed within a travel trailer park to be used as an office and/or

residence of persons responsible for the operation and maintenance of the travel trailer park. (20) Fire Hydrants - The developer of any travel trailer park with a central water system meeting State requirements (Section .2101 Title 10 - chapter 10D NCAC) for fire hydrants shall be responsible for providing adequate fire protection for the travel trailer park through the provision of a fire hydrant. This fire hydrant shall be located as close as possible to the entrance of the travel trailer park. The hydrant shall be connected to the central water system serving the travel trailer park and in accordance with specifications established by the County Fire Marshal.

#### SECTION IX: REGISTRATION

It shall be the duty of the operator of a mobile home and/or travel trailer park to keep an accurate register containing a record of all occupants of the park. The operator shall keep the register available at all times for inspection by law enforcement officials, public health officials, and other officials whose duties necessitate acquisition of the information contained in the register. The register shall contain the following information: (1) Name and address of the occupants of each space; (2) Date entering and leaving the park; and (3) The license number of each vehicle (car, truck, camping vehicle, etc.) With state of issuance, make and type of equipment for recreational vehicles parks only. (4) Mobile home park operators shall comply with Chapter 9 of the New Hanover County code concerning registration.

#### **SECTION X: AMENDMENTS**

## 10.1: Amending the Ordinance

The provisions of this ordinance may from time to time be amended, supplemented, changed, modified, or repealed by the County Commissioners.

## 10.2: Procedure

- (1) The Planning Board shall consider and make recommendations to the Count Commissioners concerning each proposed amendment.
- (2) No amendment shall be adopted by the County Commissioners until after public notice and hearing. Before taking such lawful action as it may deem advisable, the County Commissioners shall consider the Planning Board's recommendation on each proposed amendment. If no recommendation is received from the Planning Board within thirty (30) days after the public hearing, the proposed amendment shall be deemed to have been approved by the Planning Board.

## 10.3: Board of Adjustment

The New Hanover County Board of Adjustment shall hear and decide appeals from and review any order, requirements, decision, or determination made by an administrative official charged with the enforcement of this ordinance. The powers, duties, and procedures of the Board of Adjustment shall be in accordance with the provisions of North Carolina General Statutes 153-A, Article 18. An appeal from the decision of the Board of Adjustment may be made to the New Hanover County Superior Court.

## **SECTION XI: LEGAL PROVISIONS**

## 11.1: Provisions of Ordinance declared to be minimum requirements

The provisions of this ordinance shall be held o be minimum requirements adopted for the promotion of the public health, safety, morals or general welfare. Wherever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted regulations, the most restrictive or that imposing the higher standards shall govern.

# 11.2: Complaints Regarding Violations

Whenever a violation of this ordinance occurs or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Inspections

Director. He shall record properly such complaint, immediately investigate and take action thereon as provided by this ordinance.

#### 11.3: Enforcement of Ordinance

This ordinance may be enforced by any one or more of the remedies authorized by N.C.G.S. 153A-123, including but not limited to the following:

- (1) Violation of this ordinance is a misdemeanor as provided by N.C.G.S. 14-4 as amended, which specified punishment by a maximum fine of fifty (\$50.00) dollars or imprisonment for not more than 30 days.
- (2) Violation of this ordinance subjects the offender to a civil penalty of fifty (\$50.00) dollars to be recovered by the County in a civil action in the nature of debt if the offender does not pay the penalty to the County Finance Office within ten (10) days after the offender has been cited for a violation.
- (3) This ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction.
- (4) This ordinance may be enforced by injunction, order of abatement, or both as provided in N.C.G.S. 153A-123(e).
- (5) Each day's continuing violation of this ordinance is a separate and distinct offense.

## 11.4: Separability Clause

Should any section of provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decisions shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

#### 11.5: Applicability

All existing parks including those with active preliminary plan approval that do not comply with these regulations shall become nonconforming and subject to the requirements governing non- conforming situations in Article IV of the Zoning Ordinance. The expansion of existing parks or the reapproval of preliminary plans that have expired shall comply with all regulations herein.

# 11.6: Effective Date

This ordinance was originally adopted by the Board of County Commissioners on March 2, 1970 and subsequently amended on April 6, 1987.