

Ordinance No. 2020-11

VILLAGE OF SUGAR MOUNTAIN

**AN ORDINANCE TO AMEND §90.10 OF THE VILLAGE OF SUGAR
MOUNTAIN CODE OF ORDINANCES REQUIRING NEAT AND ORDERLY
CONSTRUCTION SITES**

WHEREAS, the Village of Sugar Mountain is a Municipal Corporation and political subdivision of the State of North Carolina; and

WHEREAS, the Village of Sugar Mountain desires to maintain a high standard for the quality of life for its citizens, visitors, and guests; and

WHEREAS, North Carolina General Statutes § 160A-174 authorizes the Village of Sugar Mountain to enact ordinances and regulations to promote the health, welfare, and safety of the Village of Sugar Mountain; and

WHEREAS, the Village of Sugar Mountain is a vacation and tourism destination which prides itself on the scenic nature of its community; and

WHEREAS, in order to prevent the spread of debris, materials, and litter, the Village Council finds that it is appropriate to require certain preventative measures by contractors in the construction of new buildings within the jurisdiction of the Village of Sugar Mountain; and

WHEREAS, the provisions set forth below will help to maintain the scenic beauty and tranquility of the Village of Sugar Mountain.

NOW THEREFORE be it resolved by the Village Council of the Village of Sugar Mountain as follows:

SECTION I. Title IX, Chapter 90.10: Neat and Orderly Construction Site, of the Village of Sugar Mountain Code of Ordinances, is hereby amended to read as follows:

(A) Each contractor shall provide a minimum of one portable toilet and trash receptacle for trash at the building site during the period of construction.

(B) Unless the Zoning Administrator approves an alternate method, the developer must provide a debris container. The contractor shall remove all trash and discard materials from the building site at least once per week so as to maintain a reasonably clean area that would not be objectionable to the general public. All trash, construction litter, and discarded building materials shall be removed from the building site and surrounding area before the structure is occupied.

(C) Only materials and equipment that are to be used to build a portion of the project shall be stored on the construction site. No material shall be stored within any

public right-of-way. If the construction site is inactive for a period of thirty (30) days or more, all materials shall be neatly stacked and secured from movement by wind, and all equipment shall be removed from the site. Ground areas that are disturbed more than ten (10) feet outside the footprint of the structure shall be temporarily seeded; mulched, graveled, or adequately mulched.

D) In order to assure public safety, the contractor shall provide an adequate amount of gravel at the entrance of the building site in order to prevent the accumulation of mud upon village streets. If, in the opinion of the Zoning Administrator or the Public Works Department, the material tracked on to the road creates a hazard, the developer shall immediately remove the material and take steps to continuously clean the road. Negligence of the responsible parties to clean the roadway will result in a stop work order being issued.

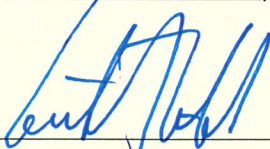
SECTION II. CODIFICATION. The provisions of Section I of this Ordinance shall be published as appropriate in the Village of Sugar Mountain Code of Ordinances as soon as practicable.

SECTION III. SEVERABILITY CLAUSE. If any section, part or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the Town Council in passing this Ordinance that its parts shall be severable and all other parts of the Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION IV. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

READ, CONSIDERED, PASSED AND APPROVED at a regular meeting of the Town Council for the Village of Sugar Mountain, North Carolina, at which a quorum was present and which was held on the 15th day of December, 2020.

ADOPTED this the 15 day of December, 2020.



Gunther Jochl, Mayor

ATTEST:

 (SEAL)

Tammy Floyd
Clerk to the Board

