

AN ORDINANCE REVISING, CONSOLIDATING,  
ELABORATING AND ADDING TO THE ORDINANCES  
OF THE TOWN OF BATH, NORTH CAROLINA

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF BATH  
THAT:

Section 1. The following compilation of ordinances is hereby adopted as the official Code of Ordinances of the Town of Bath, North Carolina.

Section 2. (a) All ordinances of a general and permanent nature of the town enacted on or before July 1, 1979 and not included within this Code, or recognized and continued in force by reference therein, are hereby repealed from and after the effective date of this ordinance, except as provided in Section 3.

(b) To the extent that ordinances or portions of ordinances included within this Code are the same in substance as ordinances in effect prior to the adoption of this Code, it is intended that they be treated as continuations and not as new enactments or amendments, in order that all rights and liabilities that have accrued are preserved and may be enforced.

Section 3. This Code of Ordinances contains all of the general and permanent ordinances of the Town of Bath, but it does not contain, and is not intended to affect, the following classes of ordinances or actions having the effect of ordinances:

1. Annexation Ordinances;
2. Budget Ordinances or Amendments thereto;
3. Bond Orders and Ordinances;
4. Ordinances granting a franchise;
5. Ordinances or resolutions pertaining to the exercise of the power of eminent domain;
6. Ordinances or resolutions pertaining to the levy of special assessments;
7. Ordinances amending the charter of the Town of Bath, pursuant to Article 5, Part 4 of Chapter 160A, General Statutes of North Carolina;

8. Ordinances, resolutions, or orders naming, renaming or closing a street;

9. Ordinances or resolutions establishing or amending the boundaries of wards or election districts;

10. Ordinances establishing or amending the boundaries of zoning districts;

11. Resolutions of any type;

12. Ordinances establishing or amending a position classification and pay plan for municipal employees; and

13. Ordinances of any type which are not normally or customarily codified, including but not limited to, ordinances of limited interest or ordinances of a transitory nature.

Section 4. No provision of this ordinance is intended, nor shall be construed, to affect in any way any rights or interests (whether public or private):

(a) Now vested or accrued, in whole or in part, the validity of which might be sustained or preserved by reference to any provision of an ordinance repealed by the adoption of this Code.

(b) Derived from, or which might be sustained or preserved in reliance upon, action heretofore taken pursuant to or within the scope of any ordinance repealed by the adoption of this Code.

Section 5. No action or proceeding of any nature (whether civil or criminal, judicial or administrative or otherwise) pending on the effective date of this ordinance by or against the Town of Bath or any of its departments or agencies shall be abated or otherwise affected by the adoption of this Code.

Section 6. If any portion of this Code or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Code which can be given effect without the invalid provision or application, and to this end the provisions of this Code are declared to be severable.

Section 7. Ordinances which are adopted after the cut-off date specified in Section 2 shall be forwarded to the North Carolina League of Municipalities for codification into this volume. The League is hereby authorized to make all necessary editorial changes to codify such ordinances appropriately.

Section 8. A copy of this code shall be kept on file in the office of the Town Clerk and it shall be the express duty of the Clerk, or someone authorized by the Clerk, to insert in their designated places all duly adopted amendments to this code, and to extract from this code all provisions which may be from time to time duly repealed. A copy of this code shall be available for all persons desiring to examine it during reasonable times, under the supervision of the Town Clerk.

Section 9. It shall be unlawful for any person to change or amend by additions or deletions any part or portion of this code, or to alter or tamper with the code in any manner whatsoever which will cause the ordinances of the Town of Bath to be misrepresented thereby. Any person violating this Section shall be guilty of a misdemeanor, and shall be punished as provided in Section 14-4 of the General Statutes of North Carolina.

Section 10. This ordinance, and the Code of Ordinances which it adopts, shall be in full force and effect from and after the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Town of \_\_\_\_\_

BY: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk