

TITLE I: GENERAL PROVISIONS

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CHAPTER 10: GENERAL PROVISIONS

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§ 10.01 DEFINITIONS AND INTERPRETATION.

(A) *Definitions.* For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CODE. The code of ordinances of the Town of Cramerton.

COUNCIL. The Town Council of the Town of Cramerton.

PERSON. An individual, trustee, executor, other fiduciary, corporation, firm, partnership, association, organization or other entity acting as a unit.

TOWN. The Town of Cramerton.

(B) *Interpretation.*

(1) Words importing the masculine gender include the feminine and neuter.

(2) Words used in the singular include the plural and words used in the plural include the singular.

('87 Code, §§ 1-1 and 1-12(a) and (b))

§ 10.02 HOW CODE CITED.

The ordinances embraced in this and the following chapters shall constitute and may be cited as The Code of Ordinances of the Town of Cramerton or more simply as The Cramerton Town Code. ('87 Code, § 1-2)

§ 10.03 MATTERS INCLUDED IN AND EXCLUDED FROM CODE.

This code includes all ordinances intended to be continuing or permanent (with the following exceptions) and excludes all ordinances relating to boundaries, zones or locations that must be shown on a map, as well as those ordinances intended to have only a temporary effect or that must be adopted on an annual basis. Without limiting the foregoing, the code excludes the following:

- (A) The annual budget ordinance and any amendment thereto.
- (B) Any ordinance making an assessment.
- (C) Any ordinance opening, relocating, closing, altering or naming any street or alley.
- (D) Any ordinance relating to zoning map changes.
- (E) Any ordinance relating to the corporate limits.

(F) Any ordinance relating to the classification, salaries, compensation or bonds of town officers or employees or members of boards or commissions.

(G) Any franchise ordinance.

(H) Any ordinance authorizing the issuance of bonds.
(‘87 Code, § 1-3)

§ 10.04 EFFECT OF REPEAL OR EXPIRATION OF CODE PROVISIONS.

(A) The repeal of any provision of this code or its expiration by virtue of any reversion contained herein shall not affect any right accrued, any offense committed, any penalty or punishment incurred or any proceeding commenced before the repeal took effect or the provision expired.

(B) Whenever an ordinance that repeals a provision of this code is itself repealed, the previous code provision shall not be revived without express words to that effect.
(‘87 Code, § 1-4)

§ 10.05 NEW PROVISIONS CONSIDERED CONTINUATIONS OF SIMILAR EXISTING PROVISIONS.

Whenever this code is amended by adopting new provisions, insofar as these new provisions are the same in substance as the previously adopted provisions they amend or supersede, they shall be considered as continuations thereof and not as new enactments unless otherwise specifically provided.
(‘87 Code, § 1-5)

§ 10.06 REFERENCES TO GENERAL STATUTES THAT ARE LATER AMENDED.

(A) Whenever a section, subsection, subdivision or sentence begins with “As provided in G.S.” what follows is a summary of the General Statute section cited. It is included for information only, and any violation of the cited section will be punished as provided by state law. (‘87 Code, § 1-12(c))

(B) Whenever any provisions of this code refers to or cites a section of the General Statutes of the State of North Carolina and that section is later amended or superseded, the code provisions shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section. (‘87 Code, § 1-6)

§ 10.07 SECTION HEADINGS.

The section headings of this code are intended as mere catchwords to indicate the contents of the sections and shall not be construed a part of the sections or as affecting the meaning or interpretation of the sections.
(‘87 Code, § 1-7)

§ 10.08 COMPUTATION OF TIME.

(A) The time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is a Saturday, Sunday or legal holiday, that day shall be excluded. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and holidays shall be excluded.

(B) Whenever a person has the right or is required to do some act within a prescribed period after the service of a notice or another paper upon him/her and the notice or paper is served by mail, three days shall be added to the prescribed period.
(‘87 Code, § 1-8)

§ 10.09 DELEGATION OF AUTHORITY.

Unless otherwise specifically provided, whenever a power, duty, function or responsibility is assigned to a particular official or employee, the official may delegate the authority to exercise the power or perform the function, but ultimate responsibility and accountability for the exercise of the power or performance of the function remains with the official or employee to whom the power or function is assigned.
(‘87 Code, § 1-9)

§ 10.10 SEVERABILITY.

It is hereby declared to be the intention of the Council that the sections, paragraphs, sentences, clauses and phrases of this code are severable, and if any section, paragraph, sentence, clause or phrase is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, the unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this code since the same would have been enacted by the Council without the incorporation in this code of any unconstitutional or invalid section, paragraph, sentence, clause or phrase.
(‘87 Code, § 1-11)

§ 10.99 PENALTY.

Unless otherwise specifically provided, if any person shall violate any provision of this code of ordinances, except any provision regulating the operation or parking of vehicles, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than \$500 or imprisoned for not more than 30 days. (G.S. § 14-4(a))

Statutory reference:

For provisions concerning enforcement of ordinances, see G.S. § 160A-175

CHAPTER 11: CITY STANDARDS

Section

11.01 Town seal

§ 11.01 TOWN SEAL.

The seal of the town shall be a metallic seal and shall be circular in shape with the words "Town of Cramerton, North Carolina" on the outer margin thereof, and with the word "Seal" in the center thereof. The seal shall be so constructed that it shall impress its image on paper and shall be kept in the custody of the Town Clerk.

("87 Code, § 3-52)

