

Ordinance



City Council
City of Wilmington
North Carolina

Introduced By: Sterling B. Cheatham, City Manager

Date: 8/2/2011

**Ordinance Amending the Land Development Code Chapter 18, Article 9, Section 18-526 to
Revise Off-street Parking Requirements for Churches within the 1945 Corporate Limits
(LDC-1-711)**

LEGISLATIVE INTENT/PURPOSE:

WHEREAS, NCGS Section 160A-385 authorizes local governments to amend ordinances regulating land use within their jurisdiction; and

WHEREAS, the amendment set out below is made in accordance with NCGS Section 160A-364 and Article 3, Section 18-117 of the Land Development Code; and

WHEREAS, the amendment set out below is intended to promote the public health, safety, and welfare by amending the Land Development Code to provide guidelines for the height, construction, and maintenance of fences, walls and screens.

THEREFORE, BE IT ORDAINED:

SECTION 1: Chapter 18, Article 9, Section 18-526. Off-street parking standards. (h)(5) of the Wilmington City Code is hereby amended to read as follows:

- (5) Religious institutions located in the 1945 corporate limits. The provisions of subsection (b) shall not apply to religious institutions that require 50 or fewer parking spaces if on-street parking is available within a two-block radius. Off-premises parking shall be encouraged through subsection 18-526(d) of this chapter.

SECTION 2. That any person violating the provisions of this ordinance shall be subject to the penalties set forth in Article XIV, Section 18-52 of the Land Development Code.

SECTION 3: That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 4: That if any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent

CERTIFIED TO BE A TRUE COPY.
Arlene Spivey-Sidbury
CITY CLERK

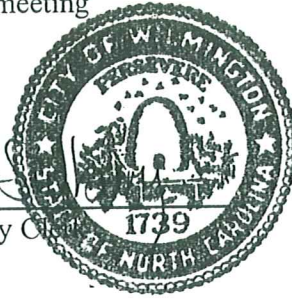
jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5: That this ordinance shall be effective immediately upon its adoption.

Adopted at a regular meeting
on August 2, 2011.

ATTEST:

Penelope Spicer-Sidbury
Penelope Spicer-Sidbury, City Clerk



Bill Saffo
Bill Saffo, Mayor

APPROVED AS TO FORM:

Carolyn L. Johnson
City Attorney