



**An Ordinance to Amend  
Article 3 Administrative/Legislative Authority  
of the Unified Development Ordinance (UDO)  
of the Town of Sunset Beach, North Carolina**

**WHEREAS**, the Town has enacted a Unified Development Ordinance that controls land development within both the Town’s incorporated areas and within its extraterritorial area; and

**WHEREAS**, in order to promote the public health, safety and general welfare and to promote the best interests of the town and community, it is necessary from time to time for the Town Council to consider appropriate revisions, modifications and additions to the town’s Unified Development Ordinance; and

**WHEREAS**, Town staff has initiated a text amendment to include the powers, duties, and responsibilities of the position of Building Inspector in how it relates to the land development practices of the Town; and

**WHEREAS**, the Planning Board reviewed and deliberated the options, and reached a 4 to 0 vote to recommend to the Town Council that amendments to Article 3 Administrative/Legislative Authority be approved; and

**WHEREAS**, pursuant to N. C. General Statutes and town ordinances, a public hearing, properly noticed, was held on November 21, 2017, where public comment was heard and considered by the Town Council regarding this issue; and

**WHEREAS**, the Planning Board finds that the proposed amendments to the Unified Development Ordinance are consistent with the Sunset Beach Comprehensive Land Use Plan; and

**WHEREAS**, the Town Council further finds that the approval of these proposed amendments are reasonable and in the public interest in that these amendments: are consistent with the Town’s comprehensive plan (2010 Town of Sunset Beach CAMA Land Use Plan), Policy 14 (A) stating that **“Sunset Beach desires as much as practicable that all development be designed and placed so as to be compatible with its existing coastal town and residential character,”** to which the building inspector will monitor as per State Law and finds that it is in the public interest because of the following reasons to maintain and protect the natural environment and promote orderly development of the limited landmass and to protect the health, safety and welfare of the citizens of Sunset Beach.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of Sunset Beach that Unified Development Ordinance Article 3 Administrative/Legislative Authority is hereby amended with the addition of the following language in numerical order:

**Part VII: Building Inspector**

**Section 3.22 DUTIES AND POWERS OF THE BUILDING INSPECTOR.**

The Building Inspector is hereby designated as the officer to enforce the provisions of this chapter and to exercise the duties and powers herein prescribed. The Building Inspector is authorized to exercise the powers as may be necessary or convenient to carry out and effectuate the purpose and provisions of this chapter. The Building Inspector shall have the following powers and duties:

- (A) All the powers, responsibilities, and authority as described in North Carolina GS 160A-412;
- (B) To investigate the dwelling conditions, and to inspect dwellings and dwelling units located in the town, in order to determine which dwellings and dwelling units are unfit for human habitation and for the purpose of carrying out the objectives of this chapter with respect to the repair, closing or demolition of the dwellings and dwelling units;
- (C) To take such action, together with other appropriate departments and agencies, public and private, as may be necessary to effect rehabilitation of housing which is deteriorated;
- (D) To keep a record of the results of inspections made under this chapter and an inventory of those dwellings that do not meet the minimum standards of fitness herein prescribed;
- (E) To administer oaths and affirmations, examine witnesses and receive evidence;
- (F) To enter upon premises for the purpose of making examinations and inspections; provided, the entries shall be made in accordance with Section 3.23 and state law, and shall be made in the manner as to cause the least possible inconvenience to the persons in possession;
- (G) To appoint and fix the duties of the officers, agents and employees as he or she deems necessary to assist in carrying out the purposes of this chapter, and to delegate any of his or her functions and powers to the officers, agents and employees; and
- (H) To perform other duties as may be herein prescribed or by the Town Council.

**Section 3.23 RIGHT OF ENTRY OF BUILDING INSPECTOR.**

- (A) For the purpose of making inspections, the Inspector is hereby authorized to enter, examine and survey at all reasonable times all dwellings, dwelling units, rooming houses, rooming units and the premises associated therewith. The owner or occupant of every dwelling, dwelling unit, rooming house or rooming unit, or the person in charge thereof, shall give the Inspector free access to that dwelling and its premises at all reasonable times for the purposes of inspection, examination and survey.

(B) Every occupant of a dwelling, dwelling unit, rooming house or rooming unit shall give the owner thereof, or his or her agent or employee, access to any part of that dwelling or dwelling unit and its premises at all reasonable times for the purpose of making the repairs or alterations as are necessary to effect compliance with the provisions of this chapter or with any lawful order issued pursuant to the provisions of this chapter.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2017

Town of Sunset Beach

\_\_\_\_\_  
By: Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk