

AN ORDINANCE TO ESTABLISH AND CREATE THE ALLEGHANY COUNTY/ROARING GAP LAND USE DISTRICT

The County Commissioners of Alleghany County, North Carolina, do hereby ordain and enact:

- Section 1.           PURPOSE:           In accordance with North Carolina General Statutes, Section 52 A-121, it is the intent of this ordinance to prohibit aesthetic harm, or acts or conditions which would be detrimental to the health, safety, and welfare of the citizens of Alleghany County by preserving the unique and historic character and the peace and dignity of the County and of the Roaring Gap Community consisting of approximately 2100 acres where for over 100 years the residents thereof have maintained a residential and recreation area which is environmentally beautiful and safe for walking, horseback riding, and other recreational purposes, and to set standards for housing in the Land Use District.
- Section 2.           AREA:                The boundaries of the Alleghany County/Roaring Gap Land Use District are set forth on the attached map.
- Section 3.           USE:                    The land in this land Use District shall be used only for residential purposes, and such recreational and ancillary activities as have been historically, and are presently, located here.
- Section 4.           LIMITATIONS:           Only conventional site built homes are allowed as residences; a site built home is one which is substantially constructed or assembled on the premises and attached to a permanent foundation with the intent that the structure will remain in place indefinitely, and that title thereto must be conveyed by a real property deed. It does not include mobile homes or any structure which can be disassembled, separated or moved without extraordinary effort, or title to which should be registered with the North Carolina Department of Motor Vehicles.
- Section 5.           ENFORCEMENT:           Enforcement of this ordinance shall be as provided in N.C.G.S. § 153A-123 to which reference is hereby made and incorporated herein by reference, including actions for abatement, injunctive relief, or other civil remedies.
- Section 6.           VIOLATIONS:           Any person, firm, or corporation who or which violates the provision of this ordinance, he or it shall be guilty of a misdemeanor and fined not exceeding \$50.00 or imprisoned not exceeding 30 days as provided by law. Each day upon which any violation shall occur, shall constitute a separate offense.
- Section 7.           SEVERABILITY:           The provisions of this ordinance are severable, and if any of its provisions shall be held void or unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.
- Section 8.           EFFECTIVE DATE:        This ordinance shall be and become effective upon adoption.

Passed and adopted by the Alleghany County Board of Commissioners, this 3rd day of May, 1999.

ALLEGITANY COUNTY BOARD OF COMMISSIONERS

(sig: Karen Evans)  
Clerk to the Board  
(County Seal)

By: (sig: Ken Richardson)  
Chairman

FILED in ALLEGHANY County'  
On Jul. 13 1999 at 04:38:06 PM  
By Lizabeth R. Roupe  
Register of Deeds  
(sig: Lezabeth Reeves Roupe)  
Ordinance book 1  
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EXHIBIT A

All land within the black line is subject to the attached ordinance except the two "spotted" areas identified as tax parcel numbers:

4927051267	4917958289
4917956312	4917956100
4917946888	4917945911
4917944895	4917945741
4917945423	4917844076
4917841095	

