

NORTH CAROLINA GENERAL ASSEMBLY
1959 SESSION

CHAPTER 3
HOUSE BILL 34

AN ACT TO AMEND CHAPTER 71 OF THE PRIVATE LAWS OF 1907 AND CHAPTER 384 OF THE PRIVATE LAWS OF 1911 TO AUTHORIZE THE BOARD OF COMMISSIONERS OF THE CITY OF ALBEMARLE TO ADOPT BY REFERENCE CERTAIN RECOGNIZED STANDARD CODES AND TO EMPOWER THE BOARD OF COMMISSIONERS TO REVISE AND CODIFY THE ORDINANCES OF THE CITY OF ALBEMARLE AND ADOPT SUCH REVISION AND RE-CODIFICATION BY REFERENCE.

The General Assembly of North Carolina do enact:

Section 1. Section 34 of Chapter 71 of the Private Laws of 1907 as amended by Section 3 of Chapter 384, Private Laws of 1911, is hereby amended by adding the following paragraph at the end thereof:

"Adoption of Codes by Reference. The Board of Commissioners is hereby authorized to adopt by reference the provisions of any portion of any recognized standard code prepared by the various trade associations, relating specifically, but not limited to, building codes; plumbing codes; electrical wiring codes; health and sanitation codes; fire prevention codes; inflammable codes and any other codes which embrace rules and regulations pertinent to a subject which is a proper municipal legislative matter, without setting forth the provisions of such codes in full, provided that at least one copy of each such code which is incorporated or adopted is kept in the office of the City Clerk for public use, examination and inspection. Any existing ordinance which has incorporated by reference the provisions of any such code is hereby expressly validated.

"Ordinance Codification. The Board of Commissioners is hereby empowered to revise, codify and compile from time to time all of the ordinances of the city, or may in lieu thereof, if deemed more practical, adopt a new set of ordinances, and to publish in book or pamphlet form, either bound or loose leaf, all of such ordinances of a general and permanent character, and to make such changes, alterations, modifications, additions, and substitutions therein as it may deem best to the end that a complete simplified code of such ordinances then in force shall be presented. Such revision shall be one ordinance embracing all ordinances of a general and permanent character as the same have been revised, compiled, codified or adopted anew, and shall be a repeal of all ordinances in conflict therewith, except that such repeal shall not affect any pre-existing rights or obligations incurred. Such ordinances when so revised, compiled, codified or adopted anew, and published in book or pamphlet form, either bound or loose leaf, by the authority of the Board of Commissioners, need not be printed or published loose

leaf, admissible in evidence in all courts, and have the same force and effect as would the original ordinance."

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby in any other form, and shall be in such book or pamphlet form, bound or repealed.

Sec. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 18th day of February, 1959.