
Article III Legal Provisions and Exceptions**Section 3.1 Relation to Other Ordinances**

It is not intended that these regulations shall in any way repeal, annul, or interfere with the existing provision of any other law or ordinance except any ordinance which these regulations specifically replace. It is not intended that these regulations interfere with any easements, covenants, or other agreements between parties. However, if the provisions of these regulations impose greater restrictions or higher standards for the use of a building or land, then the provisions of these regulations shall control.

Section 3.2 Severability

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each section, subsection, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Section 3.3 Repeal and Reenactment of Existing Zoning Ordinance

The rewriting of this Ordinance in part carries forth by reenactment some of the provisions of the existing Zoning Ordinance of the Town of Stanley, and it is not intended to repeal but rather to reenact and continue in force such existing provisions so that all rights and liabilities that have been accrued are preserved and may be enforced. All provisions of the Zoning Ordinance which are not reenacted herein are hereby repealed. All suits at law or in equity and/or all prosecutions resulting from the violation of the Zoning Ordinance in effect, which are now pending in any of the courts of this state or of the United States, shall not be abated or abandoned by reason of the adoption of this Ordinance, but shall be prosecuted to their finality the same as if this Ordinance had not been adopted; and any and all violations of the existing Ordinance, prosecutions for which have not been instituted, may be filed and prosecuted; and nothing in this Ordinance shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending and/or which may have been instituted or prosecuted.

Section 3.4 Effective Date

This Ordinance shall become effective at midnight **XXXXXXX**, following its adoption by the Town Council of the Town of Stanley, North Carolina.

Section 3.5 Exceptions to Applicability

These regulations shall not prevent the construction of any building or structure for which a building permit has been secured prior to the effective date of this Ordinance so long as the permit has not been revoked (pursuant to G.S. 160A-422) or allowed to expire.

Nothing herein contained shall require any change in the plans, construction, size or designated use of any building, structure or part thereof for which a building permit has been granted by the Building Inspector prior to the time of passage of this Ordinance or any amendment thereto; provided, however, that where construction is not begun under such outstanding permit within a period of one hundred eighty (180) days subsequent to the passage of this Ordinance or any amendment thereto, or where it has not been prosecuted to completion within eighteen (18) months subsequent to passage of this Ordinance or any amendment thereto, any further construction or use shall be in conformity with the provisions of this Ordinance or any such amendment.

Nothing herein contained shall require any change in the plans, construction, size or designated use of any conditional or special use permit which has been granted prior to the adoption of this Ordinance and which conditional or special use is no longer carried forth on this Ordinance provided that a building permit has been obtained and construction begun within one hundred eighty (180) days of the date of the approval of such permit by the Town Council and provided that such building permit is prosecuted to completion as provided for above. Such valid conditional or special uses including those already existing for non-continued uses may be constructed, continued and reconstructed the same as any permitted use subject to such use limitations and other conditions as provided for in the original issuance of the conditional or special use permit. Any such conditional or special use that is changed to any permitted use for any period of time shall not be permitted to resume the conditional or special use.