ORDINANCE NO. 2026-XX

AN ORDINANCE AMENDING THE CITY OF BREVARD CODE OF ORDINANCES CHAPTER 2 TO ADD NEW SECTION 2-297 - MUNICIPAL INFRASTRUCTURE REIMBURSEMENT AGREEMENTS

WHEREAS, NCGS §160A-499 permits municipalities to partner with private developers for the construction of public infrastructure under certain circumstances; and

WHEREAS, to legally participate in such agreements, NCGS §160A-499 requires that the improvement in question be included in the City's capital improvement plan, and that procedures and terms under which such agreements may be approved must be codified in the City's Code of Ordinances; and

WHEREAS, a public hearing was conducted on October 19, 2026, by Brevard City Council, and after review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Section 2-297 – Municipal Infrastructure Reimbursement Agreements be added to the Brevard City Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 01. Chapter 2 of the City of Brevard Code of Ordinance is hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. 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 jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 03. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved on the 19th day of October, 2026.

_____
Maureen Copelof
Mayor

ATTEST:

_____
Denise Hodsdon, CMC, NCCMC
City Clerk

APPROVED AS TO FORM:

_____
Mack McKeller
City Attorney