**ORDINANCE NO. 2024-____**

**AN ORDINANCE AMENDING CITY OF BREVARD CODE OF ORDINANCES CHAPTER 1 – GENERAL PROVISIONS, CHAPTER 46 – PEDDLERS AND SOLICITORS; AND CHAPTER 62 – STREETS, SIDEWALKS AND OTHER PUBLIC WAYS**

**WHEREAS**, North Carolina General Statutes Section 160A-296 states that municipalities have regulatory authority over all public sidewalks within its corporate limits and are responsible for keeping these public sidewalks open for travel and free from unnecessary obstructions; and,

**WHEREAS**, the City of Brevard Downtown Master Plan Committee reviewed the proposal and unanimously recommended in favor on August 29, 2024; and,

**WHEREAS**, the City of Brevard Downtown Master Plan Committee unanimously recommended in favor of amending City of Brevard Code of Ordinances Chapter 1 – General Provisions, Chapter 46 – Peddlers and Solicitors; and Chapter 62 – Streets, Sidewalks and Other Public Ways on August 29, 2024; and,

**WHEREAS**, the City Council of the City of Brevard finds that the proposed amendment is consistent with the goals and objectives of the City of Brevard Comprehensive Land Use Plan *Building Brevard 2030* and the City of Brevard Downtown Master Plan;

**WHEREAS**, a public hearing was conducted on Monday, October 21, 2024, by the Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard Code of Ordinances be amended as outlined below.

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

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

**SECTION 02**. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

**SECTION 03**. 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 04**. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved this the 4th day of October 2024.

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Maureen Copelof
Mayor

ATTEST:

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Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

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Mack McKeller
City Attorney