



# TOWN OF KNIGHTDALE

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## PLANNING DEPARTMENT

[www.knightdalenc.gov](http://www.knightdalenc.gov)

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### ORD #12-06-04-001

#### AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF KNIGHTDALE, REGARDING NOTIFICATIONS OF UDO VIOLATIONS

WHEREAS, the Town of Knightdale has received a petition to amend Chapter 18.1 of the Unified Development Ordinance with regard to enforcement procedures and notifications of UDO Violations; and

WHEREAS, the Town of Knightdale Unified Development Ordinance Section 15.15 establishes uniform procedures for amending the text of the Ordinance; and

WHEREAS, the zoning text changes do not advance a specific objective stated within the Comprehensive Plan, but having an efficient notification system for violations and enforcement of the Unified Development Ordinance is reasonable and consistent with the Comprehensive Plan's stated goal of providing a responsive and fiscally responsible government whose structure creates the functional framework to meet the goals of the Plan.

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Knightdale, North Carolina:

SECTION 1. That the Unified Development Ordinance of the Town of Knightdale Code be amended to read as follows:

#### **Section 18.1C Notice of Violation and Order to Correct**

**3.** The Administrator may serve the notice of violation and correction by any one of the following methods:

- (a) By delivery in person or by leaving the notice at the usual place of abode of the owner or responsible party with a person who is over the age of 16 years of age and a member of the family of the owner or responsible party;
- (b) By the deposit of first class mail, postage prepaid, to the owner or responsible party at his or her last known mailing address, as listed by the Wake County Revenue Department; or
- (c) By the posting of a placard in a conspicuous place on the premises on which the violation exists in conjunction with first class mail notice to the owner or responsible party.

Service shall be deemed sufficient if the first class mail is not returned by the post office within 10 days of deposit. Service by posting shall be deemed sufficient if the first class mail is

returned and notice of the pending proceedings was posted in a conspicuous place on the property affected on the day the first class mail notice was deposited.

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SECTION 2. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 3. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

SECTION 4. That this ordinance has been adopted following a duly advertised public hearing of the Town Council and following review and recommendation by the Land Use Review Board.

SECTION 5. That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Knightdale Town Code.

SECTION 6. That this ordinance shall become effective upon its adoption by Town Council.

Adopted this 4<sup>th</sup> day of June, 2012.

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Russell B. Killen, Mayor

ATTEST:

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Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

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Clyde Holt, III; Town Attorney