

**CODE OF ORDINANCES**  
CITY OF  
**LINCOLN, NORTH CAROLINA**

---

GENERAL ORDINANCES OF THE CITY

---

Published by Order of the City Council

---



MUNICIPAL CODE CORPORATION

Tallahassee, Florida

1988



CURRENT OFFICIALS  
OF THE  
CITY OF LINCOLNTON

---

Bobby G. Huitt  
*Mayor*

---

Fred M. Houser  
Dr. John "Les" Cloninger  
Carroll Heavner  
Larry M. Hovis  
*City Council*

---

Dan Barefoot  
*City Attorney*

---

Jefft Emory  
*City Manager*

---

Donna C. Flowers, CMC  
*City Clerk*



## PREFACE

This Code constitutes a complete recodification of the ordinances of the City of Lincoln of a general and permanent nature.

Source materials used in the preparation of the Code were the 1976 Code, as supplemented through June 4, 1982, and ordinances subsequently adopted by the city council. The source of each section is included in the history note appearing in parentheses at the end thereof. The absence of such a note indicates that the section is new and was adopted for the first time with the adoption of the Code. By use of the comparative tables appearing in the back of this volume, the reader can locate any section of the 1976 Code, as supplemented, and any subsequent ordinance included herein.

The chapters of the Code have been conveniently arranged in alphabetical order and the various sections within each chapter have been catchlined to facilitate usage. Footnotes which tie related sections of the Code together and which refer to relevant state laws have been included. A table listing the state law citations and setting forth their location within the Code is included at the back of this volume.

### *Numbering System*

The numbering system used in this Code is the same system used in many state and municipal codes. Each section number consists of two component parts separated by a dash, the figure before the dash referring to the chapter number and the figure after the dash referring to the position of the section within the chapter. Thus, the first section of Chapter 2, is numbered 2-1 and the third section of Chapter 4 is 4-3. Under this system, each section is identified with its chapter and at the same time new sections or even whole chapters can be inserted in their proper place simply by using the decimal system for amendments. By way of illustration: If new material consisting of three sections that would logically come between sections 6-9 and 6-10 is desired to be added, such new sections would be numbered 6-9.1, 6-9.2, and 6-9.3 respectively. New chapters may be included in the same manner. If the new material is to be included between Chapters 4 and 5, it will be designated as Chapter 4.5. Care should be taken that the alphabetical arrangement of chapters is maintained when including new chapters. New articles and new divisions may be included in the same way or, in the case of articles, may be placed at the end of the chapter embracing the subject, and, in the case of divisions, may be placed at the end of the article embracing the subject, the next successive number being assigned to the article or division.

### *Indices*

The indices have been prepared with the greatest of care. Each particular item has been placed under several headings, some of the headings being couched in lay phraseology, others in legal terminology, and still others in language generally used by municipal officials and employees. There are numerous cross references within each index which stand as guideposts to direct the user to the particular item in which he is interested.

### *Looseleaf Supplements*

A special feature of this Code to which the attention of the user is especially directed is the looseleaf system of binding and supplemental servicing

for the Code. With this system, the Code will be kept up-to-date periodically. Upon the final passage of amendatory ordinances, they will be properly edited and the appropriate page or pages affected will be reprinted. These new pages will be distributed to holders of copies of the Code, with instructions for the manner of inserting the new pages and deleting the obsolete pages.

Successfully keeping this Code up-to-date at all times will depend largely upon the holder of the volume. As revised sheets are received, it will then become the responsibility of the holder to have the amendments inserted according to the attached instructions. It is strongly recommended by the publisher that all such amendments be inserted immediately upon receipt to avoid misplacing them and, in addition, that all deleted pages be saved and filed for historical reference purposes.

#### *Acknowledgments*

The publication of this Code was under the direct supervision of B. Meade White, Supervising Editor, of the Municipal Code Corporation, Tallahassee, Florida. Credit is gratefully given to the other members of the publisher's staff for their sincere interest and able assistance throughout the project.

The publisher is most grateful to Mr. David E. Lowe, City Manager, and Ms. Kay B. Polhill, City Clerk, for their cooperation and assistance during the progress of the work on this Code. It is hoped that their efforts and those of the publisher has resulted in a Code of Ordinances which will make the active law of the city readily accessible to all citizens and which will be a valuable tool in the day-to-day administration of the city's affairs.

MUNICIPAL CODE CORPORATION  
Tallahassee, Florida

ADOPTING ORDINANCE  
ORDINANCE NO. 0-23-89

*An Ordinance Adopting and Enacting a New Code for the City of Lincolnton, North Carolina; Providing for the Repeal of Certain Ordinances Not Included Therein; Providing a Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code; and Providing When Such Code and This Ordinance Shall Become Effective.*

*The City Council of Lincolnton Ordains:*

*Section 1.* The Code entitled the "Code of Ordinances, City of Lincolnton, North Carolina" published by Municipal Code Corporation consisting of Chapters 1 through 13, each inclusive, is adopted.

*Section 2.* All ordinances of a general and permanent nature enacted on or before September 8, 1988, and not included in the Code or recognized and continued in force by reference therein, are repealed.

*Section 3.* The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

*Section 4.* Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof, shall be punished as provided in Section 14-4 of the General Statutes of North Carolina. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief, and revocation of licenses or permits.

*Section 5.* Additions or amendments to the Code when passed in the form as to indicate the intention of the City Council to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

*Section 6.* Ordinances adopted after September 8, 1988, that amend or refer to ordinances that have been codified in the Code, shall be construed as if they amend or refer to like provisions of the Code.

*Section 7.* This ordinance shall become effective July 13, 1989.

*Passed and adopted by the City Council this 13th day of July, 1989.*

SEAL

/s/ Jerry L. Campbell  
Mayor

/s/ Kay B. Polhill  
City Clerk

*Certificate of Adoption*

I hereby certify that the foregoing is a true copy of the ordinance passed at the regular meeting of the City Council of the City of Lincoln held on the 13th day of July, 1989.

SEAL

/s/ Kay B. Polhill  
City Clerk