

ORDINANCE NO. 2004-3

TOWN OF OPHIR

WHEREAS, the General Assembly desires to amend the Ophir Land Use Code to define setback requirements; and,

WHEREAS, the General Assembly finds that definition of setbacks in the Ophir Land Use Code will promote the health, safety and general welfare of the Ophir Community;

NOW, THEREFORE, BE IT ORDAINED BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR the following;

- I. **Amendment.** The Ophir Land Use Code is hereby amended to add the definition of Setback to §201. Definitions., such definition to read as follows:

“Setbacks. The setback is the minimum distance of a structure from the edge of a lot or parcel. Setbacks are measured from the edge of a lot or parcel to the exterior of a structure. Roof overhangs are permitted to encroach 2 feet into a front and side setback area. Structures include decks and patios over 30 inches in height.”

- II. **Public Hearing.** This Ordinance shall be referred to a public hearing on the 20th day of April, 2004.
- III. **Effective Date:** This Ordinance shall be in full force and effect upon publication of notice of final adoption.

First reading introduced, read and approved by the General Assembly on the 16th day of March, 2004.

Second and final reading approved and adopted by the General Assembly of the Town of Ophir on the 15th day of June, 2004.

By: Monica Carey
Monica Carey, Mayor

Attest: Randy Barnes
Randy Barnes, Town Clerk

Eric James Heil
Approved as to Form: Eric James Heil, Town Attorney