

1.4 APPLICABILITY AND JURISDICTION

1.4.1 General

The provisions of this Ordinance shall apply to all development and the use of all structures on all lands and waters within the corporate limits of the Town of Apex and within the ETJ, except within the Town of Cary's zoning jurisdiction, as mutually established and adopted by the Town boards of Apex and Cary during August, 1969.

1.4.2 Application to Town

Use of all structures and land owned by the Town or by Town agencies or departments shall comply with all requirements of this Ordinance, except that the Town or Town agencies or departments may be exempt from the provisions of this Ordinance when an emergency exists such that it is impossible to submit to the normal procedures and requirements of this Ordinance and quick and instant action is necessary to secure the public health, safety, or welfare. The Town Council shall ratify such exemption after-the-fact at its next regularly scheduled meeting, and shall base its ratification on specified findings of fact related to the emergency involved.

1.4.3 No Development Until Compliance with this Ordinance

No structure, land or water shall hereafter be used and no structure, or part thereof, shall hereafter be located, erected, moved, reconstructed, extended, converted or structurally altered except for normal repairs of existing structures, without full compliance with the provisions of this Ordinance and all other applicable Town, State, and Federal regulations. For the purposes of this section, development or use of land shall include land disturbance activities such as clearing and grading, or otherwise disturbing the existing vegetative cover.

1.4.4 Bonafide Farms Exempt

Bonafide farms, as defined by the North Carolina General Statutes are exempt from the provisions of this Ordinance.