

Upon motion by Councilman Rose, seconded by Councilman Maness, the Council voted unanimously to waive the minimum 40' street right-of-way requirement and to accept a 30' street right-of-way for Jones Street and authorized the installation of a sanitary sewer main in Jones Street by Public Works Commission upon payment of ten tapping fees by the residents of Jones Street and Public Works Commission.

Upon a motion by Councilman Plummer, seconded by Councilman Rhodes, the Council voted unanimously to authorize Public Works Commission to extend water service into the Holiday Park Subdivision, which is outside the city limits, as recommended by the Planning Board.

Upon motion by Councilman Rhodes, seconded by Councilman Rose, the Council voted unanimously to advertise a public hearing on December 11, 1961 to rezone a tract of land off Eastern Boulevard on Minor Street from R-5 Residential District to C-1 Local Business District.

Upon motion by Councilman Rhodes, seconded by Councilman Plummer, the Council voted unanimously final plat approved for Tallywood Subdivision, Section IV, subject to City Engineer and Public Works Commission approval.

Upon motion by Councilman Plummer, seconded by Councilman Maness, the Council voted unanimously to advertise a public hearing on November 27, 1961 to annex two tracts off Cliffdale Road to the City.

Upon motion by Councilman Rhodes, seconded by Councilman Plummer, the Council voted unanimously to adopt the new city code. The ordinance is as follows:

ADOPTING ORDINANCE

No. 1961-4

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA: ESTABLISHING THE SAME: PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED: PROVIDING FOR THE MANNER OF AMENDING SUCH CODE OF ORDINANCES: AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA:

Section 1. That this ordinance, consisting of Chapters 1 through 32, each inclusive, is hereby adopted and enacted as "The Code of the City of Fayetteville, North Carolina," and shall be treated and considered as a new and original comprehensive ordinance which shall supersede all other general and permanent ordinances passed by the City Council prior to November 16, 1960, except such as by reference thereto are expressly saved from repeal or continued in force and effect for any purpose.

Section 2. That all provisions of such Code shall be in full force and effect sixty days from the date this ordinance becomes a law and all ordinances of a general and permanent nature of the City of Fayetteville, North Carolina, enacted on final passage prior to November 16, 1960, and not in such Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of this ordinance, except as hereinafter provided.

Section 3. That the repeal provided for in Section 2 hereof shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance; nor shall such repeal affect any ordinance or resolution promising or guaranteeing the payment of money for the City, or authorizing the issuance of any bonds of the City or any evidence of the City's indebtedness, or any contract or obligations assumed by the City; nor shall such repeal affect the administrative ordinances or resolutions of the City Council not in conflict or inconsistent with the provisions of such Code; nor shall such repeal affect any right or franchise granted by any ordinance or resolution of the City Council to any person, firm or corporation; nor shall such repeal affect any ordinance dedicating, naming, establishing, locating, relocating, opening, paving, widening, vacating, etc., any street or public way in the City; nor shall such repeal affect the annual appropriation ordinance; nor shall such repeal affect any ordinance levying or imposing taxes; nor shall such repeal affect any amendment to the zoning map on file in the office of the City Clerk; nor shall such repeal affect any ordinance establishing and prescribing the street grades of any street in the City; nor shall such repeal affect any ordinance providing for local improvements and assessing taxes therefor; nor shall such repeal affect any ordinance dedicating or accepting any plat or subdivision in the City; nor shall such repeal affect any ordinance or resolution extending the boundaries of the City; nor shall such repeal affect any ordinance providing for the acquisition of lands for use as public parks; nor shall such repeal be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance.

Section 4. That any and all additions or amendments to such Code, when passed in such form as to indicate the intention of the City Council to make the same a part thereof, shall be deemed to be incorporated in such Code so that reference to the "Code of the City of Fayetteville, North Carolina," shall be understood and intended to include such additions and amendments.