

AN ORDINANCE REGULATING THE USE OF GENERATORS WITHIN THE TOWN'S MUNICIPAL LIMITS

WHEREAS, under N.C.G.S. § 160A-174, a Town may by ordinance define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the Town, and may define and abate nuisances; and

WHEREAS, the Board of Aldermen/Alderwomen of the Town of Fremont finds that the use of generators, other than for the reasons listed in this ordinance, creates noise which unreasonably and excessively disturbs the public; and

WHEREAS, the Board of Aldermen/Alderwomen finds that adoption of this ordinance would enhance the public health, safety, and welfare of the Town of Fremont and its citizens.

NOW THEREFORE, BE IT ORDAINED by the Board of Aldermen/Alderwomen of the Town of Fremont, North Carolina that **Title IX: GENERAL REGULATIONS** of the Fremont Code of Ordinances be amended to add as follows:

Chapter 101: Generators

101.01 REGULATION OF USE OF GENERATORS

A. "Generator" is defined, for purposes of this section, as a device or equipment intended solely for the generation, or supply, of electricity to a residential or commercial building, or accessory buildings thereto.

B. No person shall operate a generator or similar equipment except during periods of power outages or during temporary unavailability of electricity. Temporary unavailability of electricity means the service cannot be turned on by the utility providing the service to the property.

C. There can be unlimited time for use of a generator during power outages. Exercise of a generator is permitted for maintenance, but not more than once a week, on weekdays, between the hours of 10 a.m. and 5 p.m., and not to exceed 30 minutes of time.

D. Any person violating the provisions of this section is creating a public nuisance and shall forthwith cease the use on order of the Code Enforcement Officer.

SECTION II

That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION III

That if any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion

shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

That this ordinance is effective:

This the _____ day of _____, 2026.

Eddie Yelverton
Mayor

ATTEST:

Joyce M. Artis
Town Clerk