

Article I. In General

Sec. 70- 1 Adoption of Ordinances.

This section is set forth in the Code of the Town of New Market, as adopted August 16, 1993.

Sec. 70- 2 Title.

An ordinance to provide for the establishment of zoning districts within which the proper use of land and natural resources shall be encouraged and regulated; to establish minimum standards for open space, building and population density; to regulate the occupancy and use of dwellings, buildings and structures that may hereafter be erected, altered, moved or removed; to provide for the administration, enforcement, amendment and appeal of such regulations; and to prescribe penalties for violation thereof.

Sec. 70- 3 Short Title.

This chapter is known, and may be cited as the “Zoning Ordinance of New Market”. The accompanying map is known, and may be cited as “The Zoning Map of New Market”.

Sec. 70- 4 Purpose.

It is the purpose of this chapter to promote the health, safety or general welfare of the public and to further accomplish the objectives stated within Section 15.2.-2200, *et seq.*, of the Code of Virginia. To these ends, this chapter has been designed:

- (a.) To provide for adequate light, air, convenience of access, and safety from fire, flood and other dangers.
- (b.) To reduce or prevent congestion in the public streets.
- (c.) To facilitate the creation of a convenient, attractive, and harmonious community.
- (d.) To facilitate the provision of adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports and other public requirements.
- (e.) To protect against destruction of or encroachment upon historic areas.
- (f.) To protect against one or more of the following: overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, or loss of life, health or property from fire, flood, panic or other dangers;
- (g.) To encourage economic development activities that provide desirable employment and enlarge the tax base.
- (h.) To provide for the preservation of agricultural and forestal lands and other lands of significance for the protection of the natural environment.

- (i.) To promote the creation and preservation of affordable housing suitable for meeting the current and future needs of the Town of New Market and the Northern Shenandoah Valley Regional Planning District.
- (j.) To implement the policies and recommendations set forth in the New Market Comprehensive Plan.

Sec. 70- 5 Interpretation.

In interpreting and applying the provisions of this chapter, the requirements contained herein are declared to be in the minimum requirements for the promotion of the health, safety and general welfare of the inhabitants of the town. This chapter shall not be deemed to interfere with or abrogate or annul or otherwise affect in any manner whatever any easements, covenants, or other agreements between parties; provided, however, that where this chapter imposes a greater restriction upon the use of buildings or premises or upon the height of buildings, or upon other yard, lot and/or area requirements, or requires larger open spaces than are imposed or required by other ordinances, rules, regulations or permits or by easements, covenants or agreements, the provisions of the chapter shall prevail.

Sec. 70- 6 Severability.

Should any article, section, clause or provision of this chapter be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so held to be unconstitutional or invalid.

Sec. 70- 7 Conflicting Provisions.

All zoning ordinances, maps, or parts thereof in conflict with the provisions of this chapter are hereby repealed.

Sec. 70- 8 When Effective.

This chapter shall take effect from and after the date of passage thereof, and its provisions shall be in force thereafter until repealed.