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## PART THIRTEEN — PROJECT AND ZONING CODE

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### ARTICLE 1301 Authority

#### 1301.01 Authority.

#### 1301.02 Relationship to Other Ordinances.

#### 1301.03 Interpretation, Conflict and Severability.

#### CROSS REFERENCES

Zoning authority generally—see WV Code 8A-7-1 *et seq.*

#### 1301.01 Authority.

The Zoning Ordinance is enforceable only within the corporate boundaries of the Corporation of Harpers Ferry and is established under the authority granted pursuant to WV Code 8A-7-1 *et seq.* The Zoning Ordinance is intended to comply with the provisions of 8A-7-1 *et seq.* (Ord. 2015-02, passed 01-29-2015.)

#### 1301.02 Relationship to Other Ordinances.

- (a) The Zoning Ordinance shall be interpreted to include any and all other provisions of the Harpers Ferry Code that are necessary for an understanding of the Zoning Ordinance and the attainment of its purposes. The Corporation of Harpers Ferry intends that all ordinances related to land use be read as part of a uniform system of land use regulations.
- (b) All departments, officials, employees or agents of the Corporation of Harpers Ferry that or who are vested with the duty or authority to issue permits, certificates or approvals shall conform to the provisions of the Zoning Ordinance and shall issue no permit, certificate or approval for any Use, Structure or activity if the same would be in conflict with the provisions of the Zoning Ordinance unless otherwise provided for by law. Any permit, certificate or approval issued in conflict with the provisions of the Zoning Ordinance shall be null and void and, in no event, shall act as a waiver of the standards and requirements of this Zoning Ordinance. (Ord. 2015-02, passed 01-29-2015; Ord. 2017-01, passed 02-25-2017.)

#### 1301.03 Interpretation, Conflict and Severability.

- (a) In its interpretation and application, the Zoning Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare.
- (b) The Zoning Ordinance is not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute or other provision of law. Where the conditions imposed by, or pursuant to, the Zoning Ordinance are different from those imposed by any other ordinance, rule or regulation, statute or other provision of law, the provisions that are more restrictive and that impose the higher or greater standards shall control, except where federal or state law otherwise forbids it.
- (c) The provisions of the Zoning Ordinance are severable. If any provision of the Zoning Ordinance is adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the provision directly involved in the controversy in which the judgment shall have been rendered and shall not affect or impair the validity of the

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#### HISTORY:

Ord. 2015-02 (passed 01-29-2015, effective 02-16-2015) superseded all previous zoning and related ordinances to bring the Town into compliance with current WV Code. Ord. 2015-02 was further refined by Ord. 2015-07 (passed 07-13-2015) and Ord. 2017-01 (passed 02-25-2017).

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remainder of the provisions of the Zoning Ordinance, and the Corporation of Harpers Ferry hereby declares that it would have enacted all such remaining provisions of the Zoning Ordinance. (Ord. 2015-02, passed 01-29-2015; Ord. 2017-01, passed 02-25-2017.)