

ARTICLE XXVI. LEGAL STATUS PROVISIONS

Section 26.1 Conflict with other Laws

Whenever the regulations of this Ordinance require a greater width or size of yards, or require a greater percentage of lot be left unoccupied or impose greater requirements than those required in or under any other statutes, the requirements of this Ordinance shall govern. Whenever the provisions of any other statute require more restrictive standards than are required by this Ordinance, the provisions of such statute shall govern. *Notwithstanding any other provision of this Ordinance, the provisions of any development agreement adopted in accordance with Ordinance No. 1013, an Ordinance of Dorchester County to Establish Procedures to Consider and Enter Into Development Agreements, shall supersede the requirements of this Ordinance as more specifically provided for in such development agreement regarding precedence and construction of the development agreement.*

(Amendment – Ordinance 10-15, adopted September 7, 2010 by County Council inserted a new final sentence – regarding the effect of development agreements)

Section 26.2 Private Agreements

This Ordinance does not and cannot negate, annul or interfere with any easements, covenants or other private agreements or legal relationships. However, in those cases where the regulations of this Ordinance are more restrictive than such private agreements or relationships, the regulations of this Ordinance shall govern. *Notwithstanding any other provision of this Ordinance, the provisions of any development agreement adopted in accordance with Ordinance No. 1013, an Ordinance of Dorchester County to Establish Procedures to Consider and Enter Into Development Agreements, shall supersede the requirements of this Ordinance as more specifically provided for in such development agreement regarding precedence and construction of the development agreement.*

(Amendment – Ordinance 10-15, adopted September 7, 2010 by County Council inserted a new final sentence – regarding the effect of development agreements)

Section 26.3 Severability

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Section 26.4 Repeal of Conflicting Ordinances

All Ordinances and parts of Ordinances in conflict herewith are repealed to the extent necessary to give this Ordinance full force and effect. Provisions of Article III shall also apply.

Section 26.5 Effective Date

This Ordinance shall take effect upon its adoption by County Council. Whenever used in this Ordinance, the term “effective date” shall mean October 1, 2004.