



Town of Waynesville, NC

Town Council Regular Meeting

Town Hall, 9 South Main Street, Waynesville, NC 28786

Date: June 11th, 2024 Time: 6:00 p.m.

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(828) 452-2491 cpoolton@waynesvillenc.gov

A. CALL TO ORDER - Mayor Gary Caldwell

1. Welcome/Calendar/Announcements

B. PUBLIC COMMENT

C. ADDITIONS OR DELETIONS TO THE AGENDA

D. CONSENT AGENDA

All items below are routine by the Town Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember so requests. In which event, the item will be removed from the Consent Agenda and considered with other items listed in the Regular Agenda.

2.
 - a. May 28, 2024 Regular Scheduled Meeting Minutes
 - b. Approval of resolution adopting the "Revised CDBG-I Procurement Policy, effective 1/1/2024.
 - c. Acceptance of a perpetual easement from KARE, Inc. to the Town for the purpose of greenway construction.
 - d. Appointment of Blake Yoder to the Planning Board.
 - e. Appointment of Corey Isbell to the Waynesville Housing Authority with his term beginning July 1st, 2024.
 - f. End of Year Budget Amendment.

Motion: To approve the consent agenda as presented.

E. PRESENTATION

3. The USPCA Excellence Award for Officer Chelsea Parton and K-9 Loki
 - Brandon Gilmore, Assistant Chief of Police

4. Presentation on Progress of Waste Treatment Plant Renovation

- Mark Cathey, McGill Associates

5. Pavement Condition Survey

- John Fersner, Labella Engineering

Motion: To accept the revised PCS for CIP paving projects.

6. Presentation of Cam Bracelets

- Brandon Gilmore, Assistant Chief of Police

F. PUBLIC HEARINGS

7. Presentation of 2024-25 Annual operating and capital budget

- Rob Hites, Town Manager

Motions: Direct staff to amend or approve budget as presented.

8. A Public Hearing to consider a text amendment related to general corrections and updates, including protest petitions, tree preservation, and definition of townhomes.

- Olga Grooman, Assistant Director of Development Services

Motions:

1. ***Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.***

2. ***Motion to adopt the Ordinance as presented (or as amended).***

9. Revisions to Charter & Code of Ordinances to reflect change in governing body's name

- Martha Bradley, Town Attorney

Motion: To adopt the proposed ordinance amending the Town's Charter and Code of Ordinance to reflect the governing body's correct title.

G. NEW BUSINESS

10. Access Road Sewer

- Jeff Stines, Public Services Director

Motion: To approve T.P. Howard for replacement of the Access Road sewer line and to approve a budget amendment in the amount of \$235,000.00 for replacement of the Access Road sewer line.

11. Annual renewal of terms for Board and Commissions Members

- Jesse Fowler, Assistant Town Manager

Motions:

1. Motion to re-interview (or not to re-interview) Planning Board, Zoning Board of Adjustment, ABC Board, and Waynesville Housing Authority members who applied to serve another term.

If Town Council votes to re-interview advisory board and commission's renewing members, then:

2. Motion to appoint all other applicants to serve another term on their respective boards.

If Town Council votes not to re-interview advisory board and commission's renewing members, then:

1. Motion to appoint all renewing applicants to serve another term on their respective boards.

H. COMMUNICATION FROM STAFF

12. Manager's Report

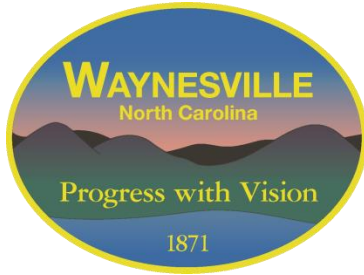
- Town Manager, Rob Hites

13. Town Attorney Report

- Town Attorney, Martha Bradley

I. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

J. ADJOURN



TOWN OF WAYNESVILLE

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CALENDAR

June 2024

ALL COUNCIL MEETINGS TO START AT 6:00 PM IN THE BOARD ROOM LOCATED AT 9 SOUTH MAIN STREET UNLESS OTHERWISE NOTED

2024	
Fri. June 14th	Mountain Street Dance 4-6pm
Saturday June 22 nd	Community Painting Day @ the Pigeon Community Center 10am-2pm
Thursday, June 27 th	Chefs On Fire Public Art Fundraising Event @ Folkmoot 5-8pm
Tues. June 25	Town Council Meeting – Regular Session
Thurs. July 4	Town Offices Closed-Independence Day & Stars and Stripes Kids Parade 10am-3pm
Tues, July 9	Town Council Meeting – Regular Session
Fri. July 12 th	Mountain Street Dance 4-6pm
Tues. July 23	Town Council Meeting – Regular Session
Fri. August 9 th	Mountain Street Dance 4-6pm
Tues. August 13	Town Council Meeting – Regular Session
Tues, August 27	Town Council Meeting – Regular Session
Mon Sept. 2	Town Offices Closed-Labor Day
Tues, September 10	Town Council Meeting – Regular Session
Tues. September 24	Town Council Meeting – Regular Session
Tues. October 8	Town Council Meeting – Regular Session
Sat. October 12	Church Street Art and Craft Show 10am-5pm
Tues. October 22	Town Council Meeting – Regular Session
Thurs. October 31 st	Treats on the Street 5-7pm
Mon November 11	Town Offices Closed-Veteran's Day
Tues. November 12	Town Council Meeting – Regular Session
Thurs. & Fri. November 28 & 29	Town Offices Closed-Thanksgiving
Sat. November 30 th	Christmas Tree Lighting 6-7pm
Mon. December 2 nd	Waynesville Christmas Parade 4-6pm
Tues. December 10	Town Council Meeting – Regular Session
Sat. December 14	A Smoky Mountain Christmas 6-9pm
Tues, Wed, Thurs December 24, 25, and 26	Town Offices Closed-Christmas

Board and Commission Meetings – June 2024

ABC Board	ABC Office – 52 Dayco Drive	June 18th 3 rd Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	CANCELLED 1 st Tuesday 5:30 PM
Cemetery Commission	Public Services Building	January, March, July, and October 3 rd Tuesday 2:00 PM
Downtown Waynesville Commission	Municipal Building – 16 South Main Street	June 18th 3 rd Tuesday 8:30 AM
Environmental Sustainability Board	Municipal Building-16 South Main Street	June 6th and 20th 1 st and 3 rd Thursdays 4:30pm
Firefighters Relief Fund Board	Fire Station 1 – 1022 N. Main Street	Meets as needed; <i>No meeting currently scheduled</i>
Historic Preservation Commission	Town Hall – 9 S. Main Street	June 5th 1 st Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	June 16th 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	June 13th 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	June 16th 3 rd Monday 5:30 PM
Waynesville Housing Authority	Main Office-48 Chestnut Park Drive	June 19th 3 rd Wednesday 9:00 AM

MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL
Regular Meeting
May 28, 2024

THE WAYNESVILLE TOWN COUNCIL held a regular meeting on Tuesday, May 28, 2024, at 6:00pm in the Town Hall Board Room located at 9 South Main Street Waynesville, NC.

A. CALL TO ORDER

Mayor Gary Caldwell called the meeting to order at 6:02 pm with the following members present:

Mayor Gary Caldwell
Mayor Pro Tem Chuck Dickson
Councilmember Jon Feichter
Councilmember Anthony Sutton
Councilmember Julia Freeman

The following staff members were present:

Rob Hites, Town Manager
Jesse Fowler, Assistant Town Manager
Candace Poolton, Town Clerk
Town Attorney Martha Bradley
Elizabeth Teague, Director of Development
Taylor Garland, Assistant Finance Director
Page McCurry, H.R. Director
Police Chief David Adams
Assistant Chief of Police, Brandon Gilmore
DWC Director, Beth Gilmore

Members of the Media:

Becky Johnson and Paul Nielson, The Mountaineer
Corey Vaillancourt, Smoky Mountain News

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and announced that the next Town Council meeting will be held on June 11th. He reminded everyone that Friday June 7th is Art After Dark. Councilmember Feichter announced that this Saturday will be the Gateway to the Smokies arch unveiling.

B. PUBLIC COMMENT

Tera McIntosh- Dr. McIntosh thanked Council for adding a Pride on Main to the Consent Agenda. She said they all have a due diligence to act in a way that is supportive to the minority population. She said that being inclusive is good for the economy.

Sam Kearny- Ms. Kearny said that she loves Waynesville and owns a mocktail bar in Frog Level. She said that she supports the Pride on Main event because events are good for business.

Sara Lavery- Ms. Lavery thanked the veterans in the room. She said that celebrating others shows our strength.

Grey Raines- Mr. Raines said that he is a managing partner of Raines Company, and they are working on the Longview project. He said three years ago, they made a commitment to Waynesville and they have delivered. He said since the start of this project, their track record has been called into question, but their commitment has not waived. He said they are excited about the Longview project as well as projects in the future.

Patrick Bradshaw- Mr. Bradshaw said he works for Civil Design Concepts and is representing the Waynesville Inn and Golf Club. He said the initial submittal of the proposed project began in February and since then they've had two Planning Board meetings, two neighborhood meetings, multiple public hearings, and a meeting with the town attorney and councilmembers. He said what began as a request for nine items has been whittled down to three- lot size at 0.33 acres, setbacks at 20 feet between homes, and driveway separation. He said that Council approved the Greenview development that had more requests. He said they made concessions regarding sidewalk easements and height of the homes.

Clint Cogburn- Mr. Cogburn said he is a Land Use Attorney representing some property owners across from Longview Drive. He said the proposed changes are insufficient, too general, and too speculative. He said that lot size is still an issue. He added that he reached out to the applicant much earlier in the process to discuss conditions, but they chose not to engage until the "final hour". Mr. Cogburn said his clients are still open to finding a solution, but they ask that Council deny the application.

Harry McCracken- Mr. McCracken said he emailed Council photos of what a 35 foot tall house would look like in front of his property using a 35 foot tall pole. He said the homes would block the existing homeowners views and would change the character of the neighborhood. He asked Council to deny the application.

Gerry Gilbert- Mr. Gilbert said he owns a property on Longview and he does not support the new houses. He said the view is beautiful now, and he is opposed to putting 12 lots in that small area. He said it doesn't keep up with the Land Use Plan and he requested that they decline the project.

Matt Haynes- Mr. Haynes said he is the VP of Operations for Premier Magnesia, and they've recently moved their corporate office to Waynesville. He said they utilize Waynesville Inn and Golf Club for their business partners to stay when they're in town. He said the proposed Longview development can lead to further development and tourism in the area and aid the longer-term stability of the golf club.

Patrick McDowell- Mr. McDowell said he served on the Planning Board for many years. He emphasized that this is about what's allowed in the area, and he believes the Longview development is the best option available. He said the additional options that could be presented would need to be approved because they meet zoning regulations. He said Raines Company restored the Inn when it could've been turned into housing. He said the residents' view will be protected by the elevation change. Mr. McDowell said when those living on Longview built their homes, the people behind them may have felt the same way-that their view was affected. He said if the application is denied, the applicant could bring before Council something else that residents wouldn't like as much, and it would have to be approved because it meets zoning regulations.

Linnea McAden- Ms. McAden said she lives on Longview Drive and thanked Council for the thought and hard work put into this project. She said she has three concerns after the negotiations; She said .33 acre would not be sufficient, the width of the lots is not sufficient, and the density of the housing is too much. She requested that if the project is approved, that Council considers that instead of allowing canopy trees in the landscaping, to consider understory trees to maintain the view. She added that sidewalks are very important to the community.

Annette Bran- Ms. Bran said she lives adjacent to Longview Drive. She said she supports the Pride on Main event. She said she shares concerns with her neighbors about the housing density of 12 lots. She said she hears valid comments on both sides but feels there is room for a compromise. Ms. Bran said they should reduce the number of lots and the lot width is not wide enough.

C. ADDITIONS OR DELETIONS TO THE AGENDA

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to add an item to the agenda under New Business after item 7, to appoint a member to fill a vacancy on the Waynesville Housing Authority. The motion passed unanimously.

D. CONSENT AGENDA

All items below are routine by the Town Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember so requests. In which event, the item will be removed from the Consent Agenda and considered with other items listed in the Regular Agenda.

2.
 - a. Approve the May 14, 2024 Regular Scheduled Meeting Minutes
 - b. Approve the May 14, 2024 Special Meeting Minutes-Budget Workshop #4
 - c. Call for a public hearing for June 25, 2024 to consider the Railroad Overlay Map Amendment (RR-O), per section 15.14 of the Land Development Standards (LDS).
 - d. Request NC DOT to close US 276 from Tuesday May 28th- Thursday May 30th.
 - e. To approve the dissolution of the trust(s) and authorize the Mayor to execute the attached "Receipt, Release, Refunding & Indemnification Agreement" and "Consent and Joinder."
 - f. Reschedule the Public Hearing for Revisions to Charter & Code of Ordinances to reflect change in

- governing body's name to June 11th, 2024.
- g. Apple Harvest Festival Special Event Permit
 - h. Farm Fresh 5K Special Event Permit
 - i. Folkmoot Festival Special Event Permit
 - j. HayCo Pride Special Event Permit
 - k. Pride on Main Special Event Permit

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve the consent agenda as presented. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to move item 4. Longview Conditional District Map Amendment before the Budget Presentation. The motion passed unanimously.

- 3. Longview Conditional District Map Amendment (Rezoning)
 - Town Attorney, Martha Bradley

Town Attorney Martha Bradley reminded Council that at a public hearing at the May 14, 2024 meeting, the Council voted to close the public hearing and hold a vote on the application at its May 28, 2024 to allow time for Town staff to meet with the developer to negotiate mutually agreeable conditions for the rezoning which addressed concerns raised by the Council and members of the public during the public hearing. She said that Waynesville Inn & Golf Club applied for a conditional district rezoning for approximately 3.5 acres off Longview Drive which would be subdivided into 12 lots for the construction of single-family residences. The application sought lenience for lot size, lot width, pedestrian facilities, civic space, landscape plan, and driveway requirements.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to find the Conditional District Map Amendment as proposed by the applicant, inconsistent with the 2035 Land Use Plan and not reasonable and not in the public interest in that it does not create a range of housing opportunities and choices or promote a diverse housing stock including market rate, workforce housing and affordable options that appeal to a variety of households, it does not protect and enhance Waynesville's natural resources by encouraging park and greenway development to protect watersheds and improve access to open space, or by protecting rural lands, iconic views and mountain vistas, and it does not protect and promote Waynesville's cultural resources or invest in preservation, restoration and promotion of Waynesville's history. The motion passed unanimously.

A motion was made by Councilmember Dickson, seconded by Councilmember Feichter, to deny the Conditional District Map Amendment as proposed by the applicant. The motion passed unanimously.

E. PRESENTATION

- 4. Receive Manager's proposed 2024-25 operating and capital budget

- Rob Hites, Town Manager

Town Manager Rob Hites read the budget message verbatim.

Councilmember Sutton directed staff to present an alternate budget that shows the police starting rate increasing to \$48,000 at the June 11th budget hearing. Councilmember Feichter agreed with Councilmember Sutton, and that as a town, they've worked hard to retain officers and want to continue to do so. Councilmember Freeman said with the increasing the tax rate and raising salaries, they are just compensating for a loss, so she will not be supporting this budget.

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to receive the 2024-25 Manager's Proposed Capital and Operating Budget. The motion passed unanimously.

F. OLD BUSINESS

5. Request for changes to Hazelwood Commercial Area Parking

- Rob Hites, Town Manager

Town Manager Rob Hites reported that Councilmember Sutton requested that the staff study several parking related issues mentioned in a memorandum from a merchant in Hazelwood. He said that she requested that staff fix the standing water issue between the end of the sidewalk and rail right of way, which has been completed. Mr. Hites said that she also asked staff to install a 15-minute Loading Zone sign outside Ms. Hall's Bakery, which can be placed at Council's request. He said that she requested they relocate the Handicapped Space outside of her bakery. He said they would have to check with the ADA about moving the space and if we're required to keep a handicapped space on the street. He added that there are many handicapped spaces in the parking lot across the street.

Mr. Hites reported that staff has received a number of complaints regarding employees of the businesses taking up spaces near Hazelwood Street and parking all day. He said he sent individual letters to each business owner last year and spoke with the property owners regarding this issue. He said Council can easily establish limited parking in the Hazelwood Lot, but enforcing the ordinance with small dollar civil citations is expensive to administer and difficult to enforce. He also said that Council can establish 2-hour parking in the spaces nearest Hazelwood Avenue and seek voluntary compliance but establishing a civilian/police parking enforcement program will most likely prove frustrating.

Chad Brown, owner of Hazelwood Gun & Tactical said there are things in Ms. Hall's letter that are not true. He said he's never received a letter or any communication from the town. Mr. Brown said the ADA spot is for multiple businesses' customers to use. He added that Ms. Hall rents the building, and when he spoke to the owner of the building, the owners of Beach Mountain, and John Burgin, they are against timed parking. Mr. Brown said that timed loading and parking would hinder business. He said the spaces are for the public, not Farm to Cake Bakery.

Councilmember Sutton thanked staff for the gravel they put into the flooded area, but after the rain from the weekend, they need to re-visit the area. Councilmember Sutton said he would still like to move the ADA spot

to make parking available for more people. He said the spot is ADA, but there's no clear space for someone to get out onto the sidewalk. He agreed that timed parking is not a good idea, but he would like to relocate the ADA space. Mr. Hites said he will talk to an engineer to make sure proper guidelines are followed.

G. NEW BUSINESS

6. Audit of Pole Attachments

- Rob Hites, Town Manager

Town Manager Rob Hites reported that the Town charges vendors that attach to its power poles an annual fee (per pole) for each attachment at \$25 per pole. He said the Town has hundreds of poles with multiple attachments, AT&T, Spectrum Cable, and Private security companies. Last year, Mr. Hites said that Spectrum objected to paying its fee because the Town had not conducted a pole attachment survey for several years. He said an electrical engineering company has presented a proposal of \$54,900 to perform the survey and the Town has funds in the electric budget to carry out the project in the current fiscal year.

Councilmember Sutton asked if the fees will it generate enough revenue to cover the audit. Mr. Hites said that it won't in the first year, but it will in the next five to six years. Councilmember Dickson requested an inventory of street lights as well what kind of bulbs they have. Mr. Hites said it's a great idea and staff will ask UTEK to include that in the survey.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to approve the contract with UTEK to conduct a pole attachment survey as well as streetlight inventory in the amount up to \$60,000. The motion passed unanimously.

7. Interview Logistics for Planning Board Applicants

- Jesse Fowler, Assistant Town Manager

Assistant Town Manager Jesse Fowler reported that the Waynesville Planning Board has one vacancy and two applicants. He said that according to the Boards and Commissions Manual, Council must interview the applicants before appointing a new member. Councilmembers Dickson and Freeman agreed to interview the applicants.

8. Appoint a member to the Waynesville Housing Authority

- Councilmember Dickson

A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to appoint Amanda Singletary to the Waynesville Housing Authority.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to appoint CK Davis to the Waynesville Housing Authority on July 1st, 2024. The motion passed unanimously.

Councilmember Dickson asked Council to think of any potential WHA applicants that have financial experience.

I. COMMUNICATION FROM STAFF

9. Manager's Report

- Town Manager, Rob Hites

Nothing to report.

10. Town Attorney Report

- Town Attorney, Martha Bradley

Nothing to report.

J. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

Mayor Caldwell asked Mr. Hites to work on the hillside of the Obama-King park. Mr. Hites said staff will work with a landscaping company to complete the project. Mayor Caldwell said he would like to see a ribbon cutting once it's done. Mr. Hites suggested that Council should invite Senator Corbin down for the opening of the Fire Department/Finance improvements to thank him.

Mayor Caldwell said he said he got a call from Lake Silvers from Congressman Edward's office that he may be able to get the Town \$2.9 million for the new Fire Department. He added that local legislature did nothing for getting money for the fire department.

He said he is looking forward to the unveiling of the arch on Saturday and congratulated everyone for their work on making that project happen.

Councilmember Freeman said that Jack Swanger, previous ABC Chair of many years, passed away Friday afternoon and to please keep his family in their prayers.

Councilmember Sutton reported that the NC Transportation Summit was fruitful. He also thanked Congressman Edwards for his contribution to Waynesville.

DWC Beth Gilmore requested that Council RSVP to the Community Forum held on Main Street. Ms. Bradley, Councilmember Feichter, and Councilmember Dickson said they will attend.

Mayor Caldwell said that during his weekend at Lake Chatuge, a child lost her life, soon to be Tuscola graduate, Kara Bryson. He requested that everyone keeps her family in their prayers.

K. ADJOURN

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to adjourn at 7:28pm. The motion passed unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Candace Poolton, Town Clerk

DRAFT

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date 6/11/24**

SUBJECT Approval of resolution adopting the “Revised CDBG-I Procurement Policy, effective 1/1/2024.

AGENDA INFORMATION:

Agenda Location: Consent
Item Number:
Department: Administration
Contact: Rob Hites
Presenter: Rob Hites

BRIEF SUMMARY: The Department of Environmental Quality (DEQ) notified us that the “Procurement Policy” the Town adopted was superseded by a version adopted by DEQ on December 30,2023. DEQ requests that the Town adopt the most up to date policy. It closely follows NC procurement law with some additional procedures regarding ranking of vendors, advertising, rebidding etc. Part of the process is to adopt a resolution adopting the updated policy.

MOTION FOR CONSIDERATION: Approve a resolution adopting the revised DEQ Procurement Policy effective January 1,2024.

FUNDING SOURCE/IMPACT: Water and Sewer

ATTACHMENTS: Resolution

MANAGER’S COMMENTS: NONE

RESOLUTION No. R-15-24

Procurement Policy and Plan for CDBG-I Grantees

WHEREAS, the **Town of Waynesville** will comply with the terms and conditions of federal funding that is awarded and accepted, including, but not limited to, the terms and conditions of the Grant Contract, and the December 20,2023 of the *Procurement Policy of the North Carolina Department of Environmental Quality's Water Infrastructure Division, Community Development Block Grant-Infrastructure Program (CDBG-I Procurement Policy)*, attached;

WHEREAS, the States were advised by Housing and Urban Development (HUD) to develop their own procurement policies, and the CDBG-Infrastructure Program has developed and adopted the attached policy (*CDBG-I Procurement Policy*) as reference for its grantee communities, using portions of 2 CFR Part 200 "Uniform Administrative Requirements, Cost Principles, and Audit Requirements of Federal Awards," supplemented with NC General Statutes 143-64.31, 143-129, and 143-131; and 24 C.F.R. § 570.489(g), which explicitly prohibit cost plus a percentage of cost and percentage of construction cost methods of contracting. In addition, all purchase orders and contracts shall include any clauses required by Federal Statutes, executive orders, and implementing regulations including the Section 3 clause, per 2 C.F.R. 200.327 (Appendix II of Part 200), 24 C.F.R. 570.489 (g), and 24 C.F.R. 570.607;

WHEREAS, the **Town of Waynesville**, as the recipient of Federal CDBG funds, acknowledges its responsibility to and will adhere to the aforesaid *CDBG-I Program Procurement Policy* of the North Carolina Department of Environmental Quality's Division of Water Infrastructure;

WHEREAS, the **Town of Waynesville** will, to the extent applicable, follow methods of procurement, procure by contracting with small, minority firms, women's business enterprises, and labor surplus area firms, when those entities offer the best level of knowledge, skills and abilities for professional services, and when those entities offer the knowledge, skills and abilities and are the lowest cost responsive, responsible bidders in building trade and related services; and

WHEREAS, the **Town of Waynesville** will demonstrate contract cost and price awareness and adhere to awarding agency contract provisions (2 CFR Part 200, Appendix II, except for items F and J, which were not adopted by the CDBG-Infrastructure Program, as allowed under 2 CFR Part 200.101(e)(1));

NOW THEREFORE, BE IT RESOLVED;

SECTION 1: All procurement of goods and services by the **Town of Waynesville** with CDBG grant funds shall be accomplished in accordance with the requirements of the *CDBG-I Program Procurement Policy*, and HUD implementing regulations at 24 CFR Part 570.489 (g) and (h), which prohibits cost plus a percentage of construction cost method of contracting for services.

SECTION 2: In addition, all purchase orders and contracts shall include any clauses required by Federal Statutes, Executive Orders, and implementing regulations including the Section 3 clause, per 2 C.F.R. 200.327 (Appendix II of Part 200), 24 CFR 570.489(g), 24 C.F.R. 570.607, or the North Carolina General Statutes Chapter 143 applying to procurement in general by North Carolina municipalities and counties.

SECTION 3: When Federal and State regulations are different, the more restrictive regulation shall apply to the procurement in question, as outlined in the *CDBG-I Program Procurement Policy*

SECTION 4: The **Town of Waynesville** will adhere to the following guidelines during procurement of goods and services using Federal funds:

- A. In all cases where goods or services are procured based on one bid or proposal received, the **Town of Waynesville** will follow established principles to verify the reasonable cost of the procurement and shall contact the State Agency supervising the grant program before making any contract award based on non-competitive negotiation. The **Town of Waynesville** shall follow all noticing and advertising requirements prior to accepting the single source respondent. Written permission from the CDBG-I Program shall be obtained prior to entering into a single source contract.
- B. Section 3 certified businesses, and historically underutilized businesses, including women-owned and minority-owned enterprises shall be included on bidders' or professional services' lists maintained by the **Town of Waynesville**. Firms shall be solicited for all competitive negotiations, small purchases, and informal and formal bids when such firms are potential competitive sources for goods and services.
- C. As applicable, appropriate and to the extent consistent with law, the **Town of Waynesville** shall, to the greatest extent practicable under a federal award, provide preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States, Buy American preferences set forth in 2 C.F.R. part 184, for their infrastructure project.

SECTION 5: The **Town of Waynesville** will adhere to the following guidelines during procurement of professional service contracts:

- A. Professional services shall be procured through the use of Request for Proposals (administrative services) or Request for Qualifications (engineering services). Respondents offering administrative services shall be selected on the basis of the best qualified respondent for the price. Respondents offering engineering services shall be selected on the basis of the best qualified respondent, without regard for price. A written selection procedure shall be used to evaluate respondents, and those records maintained in the procurement files.
- B. The **Town of Waynesville** shall develop a written scope of work for each service to be awarded on the basis of competitive negotiation, which shall include descriptions of tasks to be completed, project timetables, and an outline of fee proposal requirements. The selected engineering services respondent and the **Town of Waynesville** shall then enter into competitive negotiations to arrive at a mutually agreeable price for engineering services. All contracts awarded through competitive negotiations shall be awarded strictly on the basis of the written selection procedure.

SECTION 6: The **Town of Waynesville** will adhere to the following guidelines during procurement of construction contacts:

- A. Construction service contracts shall be competitively bid using sealed bids, with the award going to the lowest responsive, responsible bidder. A minimum of three bids shall be received prior to opening the sealed bids.

SECTION 7: Additionally, the **Town of Waynesville** will adhere to the following guidelines during all procurement:

- A. Prior to any contract award, the **Town of Waynesville** shall verify the consultant and/or contractor's eligibility to participate in a federally assisted program.
- B. No consultant or bidder shall assist in the development of the Request for Proposals, in the Request for Qualifications, nor the construction bid posting in which the consultant or bidder has a direct or indirect interest.
- C. No consultant or bidder shall assist in the evaluation of proposals or bid packages for contracts in which that consultant or bidder has a direct or indirect interest. The **Town of Waynesville** shall adhere to all applicable Federal and State conflict of interest regulations in making contract awards.
- D. The **Town of Waynesville** shall request references or check references of contractors or firms who are awarded contracts with Federal grant funds and will request a written warranty for all goods and services provided through the small purchase's procedure.
- E. The **Town of Waynesville** shall not award any contract for federally-assisted projects on a contingency or cost-plus-percentage of construction basis.
- F. The **Town of Waynesville** shall hold a pre-bid meeting and a pre-construction meeting for each construction project bid competitively using CDBG-Infrastructure funds. Evaluation criteria for the bids may add points for attending the pre-bid meeting of contractors, but it is not a prerequisite.

PASSED BY THE CITY COUNCIL/ WAYNESVILLE,, NORTH CAROLINA.

Adopted this 11th day of June, 2024.

Gary Caldwell, Mayor

ATTEST:

Clerk

Candace Poolton

**TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: June 11, 2024**

SUBJECT: Acceptance of a perpetual easement from KARE, Inc. to the Town for the purpose of greenway construction.

AGENDA INFORMATION:

Agenda Location: Consent Agenda
Item Number:
Department: Development Services
Contact: Elizabeth Teague, Martha Bradley
Presenter: Elizabeth Teague

BRIEF SUMMARY:

KARE, Inc. (Kids Advocacy Resource Network) has executed an easement in perpetuity to the Town of Waynesville across their property at 465 Boyd Avenue, PIN 8605-96-8882. This easement will allow the Town to pursue greenway construction from where it stops at Killian Street (near the Hickory Hollow Apartments) to Boyd Avenue. This section of greenway was included in the 2017 Greenway Feasibility Study and is adjacent to the former Queen property which the Town purchased in 2022, also for the purpose of greenway construction.

MOTIONS FOR CONSIDERATION:

1. Motion to accept the greenway easement for the purpose of greenway construction in accordance with the 2017 Greenway Feasibility Study.

FUNDING SOURCE/IMPACT:

This easement itself will not cost the Town other than legal fees, but will allow the Town to construct a greenway which will entail grant funding, local match, and future construction and maintenance costs as determined in the future.

ATTACHMENTS:

1. Easement
2. Map

STATE OF NORTH CAROLINA
COUNTY OF HAYWOOD

Prepared by & mail after recording to:

Martha Sharpe Bradley, Esq.
Law Office of Martha Sharpe Bradley, PLLC
370 N. Main St., Ste. 310
Waynesville, NC 28786

EASEMENT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that, on this 3 day of June, 2024, KARE, INC, a North Carolina not-for-profit corporation (hereinafter "Grantor"), in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, does hereby grant unto THE TOWN OF WAYNESVILLE, a municipal corporation, and its successors, assigns, subsidiaries, and divisions (hereinafter "Grantee"), the perpetual right, privilege, and easement to go in and upon that certain land of Grantor situated in the Town of Waynesville, County of Haywood, North Carolina located at 465 Boyd Avenue, Waynesville, NC 28786 with a parcel identification number of 8605-96-8882 (hereinafter "Premises") and over an across said premises within an existing easement as follows:

1. Grantor hereby conveys to Grantee a perpetual easement (hereafter "Easement") within the existing "35.0' Wide Easement" described in a deed dated March 2, 2023 from Earl Holding Company, LLC to KARE, Inc., recorded in Book 1082, Page 275 in the Haywood County Registry and as shown on a survey dated February 3, 2006 recorded in Plat Cabinet C, Slot 4341, Haywood County Registry.

2. The purpose of the Easement is for constructing, maintaining, and repairing a public greenway and related structures, including, but not limited to, a paved walking trail, trout buffer, and maintenance areas with right to enter the property of the Grantor for said purpose.

3. Grantee, together with its agents and employees, and the general public shall have the right of ingress and egress upon the Easement and the right of access from a public street, Boyd Avenue, as shown on the recorded plat.

4. At no time shall Grantor charge Grantee for the use of the Easement or for the privilege of exercising the rights granted under this agreement.

5. Grantor reserves the right to make use of the Easement in a manner which is not inconsistent with the rights herein conveyed, or which does not interfere with the use of the Easement by Grantee for the purposes of this agreement. Grantor shall not, however, erect any building, fence, or other structure on the Easement without obtaining the prior written approval of Grantee.

6. This Easement and the rights expressed herein shall be appurtenant to and run with the title of the lands of Grantor.

TO HAVE AND TO HOLD said rights of way and easement to the Grantee, and its successors and assigns, forever.

IN WITNESS WHEREOF, the Grantor(s) have duly executed the foregoing as of the day and year first above written.

Kare, Inc.

BY: Savannah C. Anders (SEAL)
Savannah Anders, Executive Director

STATE OF NORTH CAROLINA, COUNTY OF HAYWOOD

I, the undersigned Notary Public for the County and State aforesaid, certify that Savannah Anders did personally appear before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this the 3rd day of June, 2024.

[SEAL]

TRISHA OLIVIA CARVER
NOTARY PUBLIC
HAYWOOD COUNTY, NC
My Commission Expires 8/10/2026

Trisha Olivia Carver

Notary Public

My Commission Expires:

8/10/2026

TOWN OF WAYNESVILLE

BY: _____ (SEAL)

STATE OF NORTH CAROLINA, COUNTY OF HAYWOOD

I, the undersigned Notary Public for the County and State aforesaid, certify that _____ did personally appear before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this the ____ day of _____, 202__.

[SEAL]

Notary Public

My Commission Expires: _____

Report For

KARE INC A NC CORP
PO BOX 1392
WAYNESVILLE, NC 28786-1392

Account Information

PIN: 8605-96-8882

Legal Ref: 1082/275

Add Ref: 1082/272
CAB C/4341

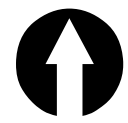
Site Information

CONVALESCENT HOME
Commercial Use
465 BOYD AVE

Heated Area: 5740
Year Built: 1973
Total Acreage: 1.11
Township: Town of Waynesville

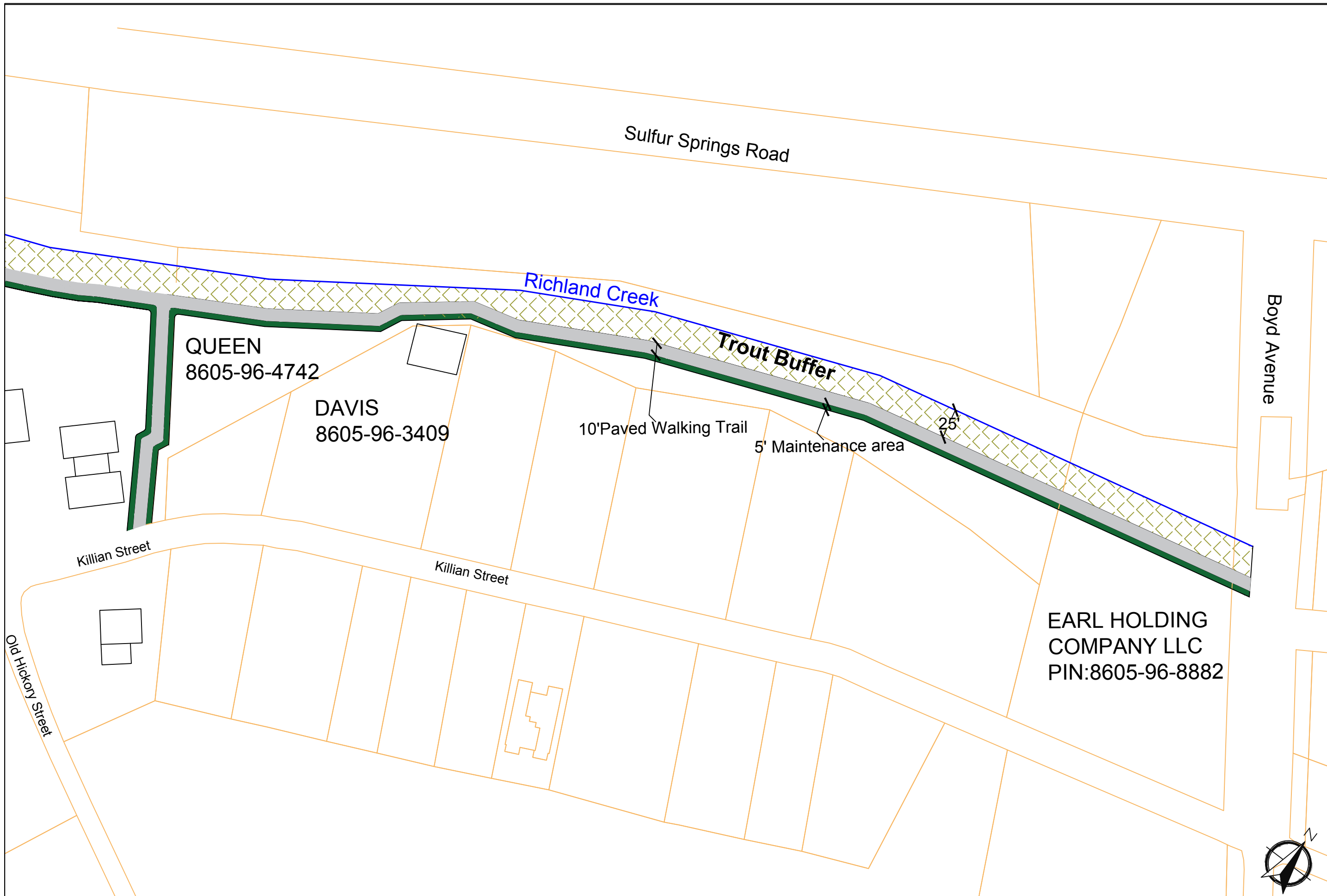
Site Value Information

Land Value: \$34,000
Building Value: \$406,500
Market Value: \$440,500
Deferred Value: \$0
Assessed Value: \$440,500
Sale Price: \$600,000
Sale Date: 3/6/2023



1 inch = 50 feet
July 5, 2023

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.



EARL HOLDING
COMPANY LLC
PIN:8605-96-8882

QUEEN
8605-96-4742

DAVIS
8605-96-3409

10' Paved Walking Trail

5' Maintenance area

25'

Richland Creek

Trout Buffer

Sulfur Springs Road

Boyd Avenue

Killian Street

Killian Street

Old Hickory Street

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: June 11, 2024**

SUBJECT: Appointment of Blake Yoder to the Waynesville Planning Board.

AGENDA INFORMATION

Agenda Location: New Business
Item Number:
Department: Administration
Contact: Jesse Fowler, Assistant Town Manager
Presenter: Jesse Fowler, Assistant Town Manager

BRIEF SUMMARY

Councilmembers Freeman and Dickson interviewed Blake Yoder for the Planning Board Seat on June 5th and recommend him to be appointed to the Waynesville Planning Board with his term ending June 30th, 2025.

MOTIONS FOR CONSIDERATION

Motion to appoint Blake Yoder to the Waynesville Planning Board.

FUNDING SOURCE/IMPACT

N/A

MANAGER'S COMMENTS AND RECCOMENDATIONS

ATTACHMENTS:

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: June 11, 2024**

SUBJECT: Appointment of Corey Isbell to the Waynesville Housing Authority with his term beginning July 1st, 2024.

AGENDA INFORMATION

Agenda Location: New Business
Item Number:
Department: Administration
Contact: Jesse Fowler, Assistant Town Manager
Presenter: Jesse Fowler, Assistant Town Manager

BRIEF SUMMARY

The Waynesville Housing Authority will have one vacancy as of June 30th, 2024. Councilmembers Sutton and Dickson interviewed Corey Isbell for the opening on May 31st and recommend him to be appointed to the Waynesville Housing Authority with his term beginning July 1st, 2024.

MOTIONS FOR CONSIDERATION

Motion to appoint Corey Isbell to the Waynesville Housing Authority with his term beginning July 1st, 2024

FUNDING SOURCE/IMPACT

N/A

MANAGER'S COMMENTS AND RECCOMENDATIONS

ATTACHMENTS:

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: June 11, 2024**

SUBJECT: End of Year Budget Amendment

AGENDA INFORMATION:

Agenda Location: Consent
Item Number:
Department: Finance
Contact: Taylor Garland, Interim Finance Director
Presenter: Taylor Garland, Interim Finance Director

BRIEF SUMMARY: A budget amendment is needed to cover projected expenditures through June 30, 2024. Nearly all the requested increases in appropriations are to cover remaining salaries and benefits through the end of the fiscal year.

MOTION FOR CONSIDERATION: Approve the budget amendment as presented.

FUNDING SOURCE/IMPACT: Several revenue line items have exceeded the budget, so funds are available to cover the requested amendment without appropriating additional fund balance.

ATTACHMENTS:

Budget Amendment

INTERIM FINANCE DIRECTOR: _____


TAYLOR GARLAND

6/4/24

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Amendment No. 25 to the 2023-2024 Budget Ordinance

WHEREAS, the Town Council of the Town of Waynesville, wishes to amend the 2023-2024 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Waynesville that the 2023-2024 Budget Ordinance be amended as follows:

General Fund:

Increase the following revenues:

Ad Valorem Taxes	350,000
Permits and Fees	20,500
Investment Income	<u>100,000</u>
Total	470,500

Increase the following appropriations:

Town Council	20,500
Police	310,000
Fire	<u>140,000</u>
Total	470,500

Water Fund:

Increase the following revenues:

Investment Income	40,000
-------------------	--------

Increase the following appropriations:

Water Treatment	40,000
-----------------	--------

Sewer Fund:

Increase the following revenues:

Investment Income	40,000
-------------------	--------

Increase the following appropriations:

Sewer Treatment	40,000
-----------------	--------

Adopted this 11th day of June 2024.

Town of Waynesville

Gary Caldwell
Mayor

Attest:

Candace Poolton
Town Clerk

Approved As To Form:

Martha Sharpe Bradley
Town Attorney

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: June 11, 2024**

SUBJECT: The USPCA Excellence Award for Officer Chelsea Parton and K-9 Loki

AGENDA INFORMATION:

Agenda Location: Presentation
Item Number:
Department: Police
Contact: Assistant Chief Brandon Gilmore
Presenter: **Assistant Chief Brandon Gilmore**

BRIEF SUMMARY: Would like to present to Officer Parton a USPCA Award for excellent service she has received.

MOTION FOR CONSIDERATION:

FUNDING SOURCE/IMPACT:

ATTACHMENTS:

MANAGER'S COMMENTS AND RECOMMENDATIONS:

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 6/11/24**

SUBJECT Presentation on Progress of Waste Treatment Plant Renovation

AGENDA INFORMATION:

Agenda Location: Presentation

Item Number:

Department: Sewer

Contact: Rob Hites

Presenter: Mark Cathey, McGill Associates

BRIEF SUMMARY : The renovation is on schedule. The staff and contractors have discovered several malfunctioning components that were either “short wired” or nonfunctional as they have drained basins and installed new components. The cost of replacing this equipment will be absorbed by the contingency account budgeted for these unknowns. McGill will give us an update on contractor’s progress .

MOTION FOR CONSIDERATION: Accept the report.

FUNDING SOURCE/IMPACT: State Revolving Loan

ATTACHMENTS: None

MANAGER’S COMMENTS: None.

**TOWN OF WAYNESVILLE COUNCIL MEETING
REQUEST FOR COUNCIL ACTION
Meeting Date: June 11, 2024**

SUBJECT: Pavement Condition Survey

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Public Services
Contact: Jeff Stines, Director of Public Services
Rob Hites, Town Manager
Presenter: John Fersner, Labella Engineering

BRIEF SUMMARY: . Council ask for the Pavement Condition Survey to be updated to assist in the CIP for paving projects. The last PCS was completed in 2015. With the updated information, staff can recommend paving of the Powell Bill inventory based on the results of the PCS

MOTION FOR CONSIDERATION: To accept the revised PCS for CIP paving projects.

FUNDING SOURCE/IMPACT: N/A

ATTACHMENTS: Revised Pavement Condition Survey

MANAGER'S COMMENTS AND RECOMMENDATIONS:

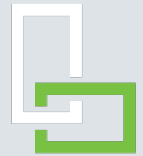
Town of Waynesville

2024 Pavement Condition Survey



TOWN COUNCIL MEETING
JUNE 11, 2024

John Fersner, PE



LaBella
Powered by partnership.

Introduction



1. Waynesville maintains 87.20 miles of roads

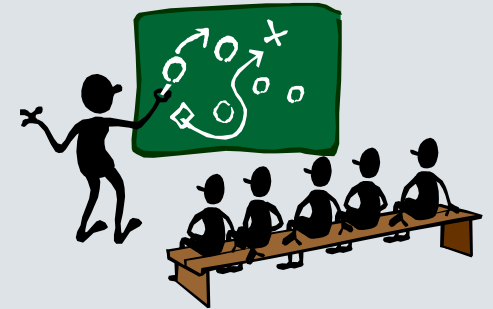
2. LaBella finished the survey in April 2024

3. Data Collection

- Eight common pavement surface distresses observed
- Additional attributes

4. Post Data Collection

- PCR Developed
- Maintenance Activities Recommended

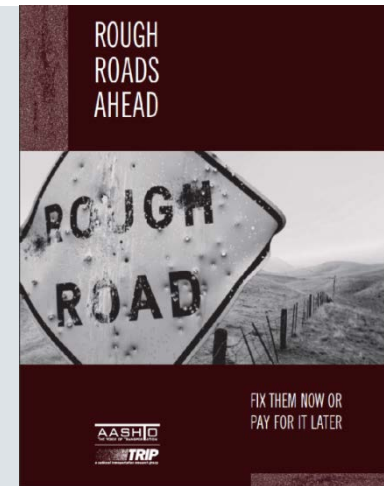


Roadway Assets



AASHTO's Rough Roads Ahead

- USA Roadways - \$1.75 Trillion
- 4,000,000 miles of roadways
- \$437,500/mile
- Assuming an average pavement width of 24'
 - Roadway Value ~ \$31/SY (\$40/SY today)
- Waynesville's streets – 1,045,945 SY
- Roadway assets – \$41.8 million



2009 AASHTO Publication

Data Collection – Pavement Distresses



Alligator Cracking



Block Cracking



Reflective Cracking



Raveling

Data Collection – Pavement Distresses



Rutting



Patching



Bleeding



Ride Quality

Table 6

Pavement Condition Survey Distress Summary For Rated Streets

Distress Items	Miles Low Volume	Miles High Volume	Total Miles	% Miles
1. Alligator Cracking				
None	65.42	11.93	77.35	88.7
Light	1.89	0.11	2.00	2.3
Moderate	0.09	0.00	0.09	0.1
Severe	7.38	0.37	7.75	8.9
2. Block Cracking				
None	14.89	0.49	15.38	17.6
Light	55.04	10.13	65.17	74.7
Moderate	4.36	1.80	6.16	7.1
Severe	0.48	0.00	0.48	0.6
3. Reflective Cracking				
None	74.78	12.39	87.17	100.0
Light	0.00	0.03	0.03	0.0
Moderate	0.00	0.00	0.00	0.0
Severe	0.00	0.00	0.00	0.0
4. Rutting				
None	69.01	12.27	81.28	93.2
Light	5.63	0.15	5.78	6.6
Moderate	0.13	0.00	0.13	0.1
Severe	0.00	0.00	0.00	0.0
5. Raveling				
None	64.99	12.30	77.29	88.6
Light	8.96	0.12	9.08	10.4
Moderate	0.68	0.00	0.68	0.8
Severe	0.15	0.00	0.15	0.2
6. Bleeding				
None	74.73	12.42	87.15	99.9
Light	0.05	0.00	0.05	0.1
Moderate	0.00	0.00	0.00	0.0
Severe	0.00	0.00	0.00	0.0
7. Ride Quality				
Average	71.35	12.42	83.77	96.1
Slightly Rough	3.43	0.00	3.43	3.9
Rough	0.00	0.00	0.00	0.0
8. Patching				
None	67.41	11.84	79.25	90.9
Light	3.71	0.42	4.13	4.7
Moderate	2.85	0.16	3.01	3.5
Severe	0.80	0.00	0.80	0.9
Total	74.78	12.42	87.20	100.0

Data Collection – Additional Attributes



- Number of lanes
- Block number
- Segment length
- Segment width
- Sidewalk
- Curb and gutter
- Asphalt height above gutter

Table 7
Deduct Values

PAVEMENT DISTRESS	SEVERITY			
	None (N)	Light (L)	Moderate (M)	Severe (S)
Alligator Cracking (AL, AM, AS) (Multiplied by percent)	0	25	60	99
Block/Trans Cracking (BK)	0	5	20	35
Reflective Cracking (RF)	0	5	10	20
Rutting (RT)	0	5	15	25
Raveling (RV)	0	5	25	35
Bleeding (BL)	0	5	15	25
Ride Quality (RQ)	-	0	10	25
Patching (PA)	0	5	10	15

As an example, presume a street segment has the following pavement distresses: 20% Light Alligator Cracking (AL), Moderate Rutting (RT), Light Patching (PA), and no other pavement distresses. The Pavement Condition Rating would be:

$$\begin{aligned} \text{PCR} &= 100 - (\text{AL}) - (\text{RT}) - (\text{PA}) \\ \text{PCR} &= 100 - (0.2 \times 25) - (15) - (5) = 75 \end{aligned}$$

Findings



1. PCR = 82.9
2. NC Municipality Average = 78.0
3. Street System is in “Good” condition
4. PCR is above average
5. 54.3% of street system needs maintenance or resurfacing
6. NC Municipality Average = 48%

Findings



- 7. Waynesville has a current need of \$2,255,610**
 - \$1,772,986 – Routine Maintenance
 - \$482,624 – Resurfacing
 - Additional Costs – 25% to 40%
 - Raising structures, milling, administrative, etc.

**Figure 1 - Breakdown of Streets into PCR Categories
Year 2011, 2015, 2020 & 2024**

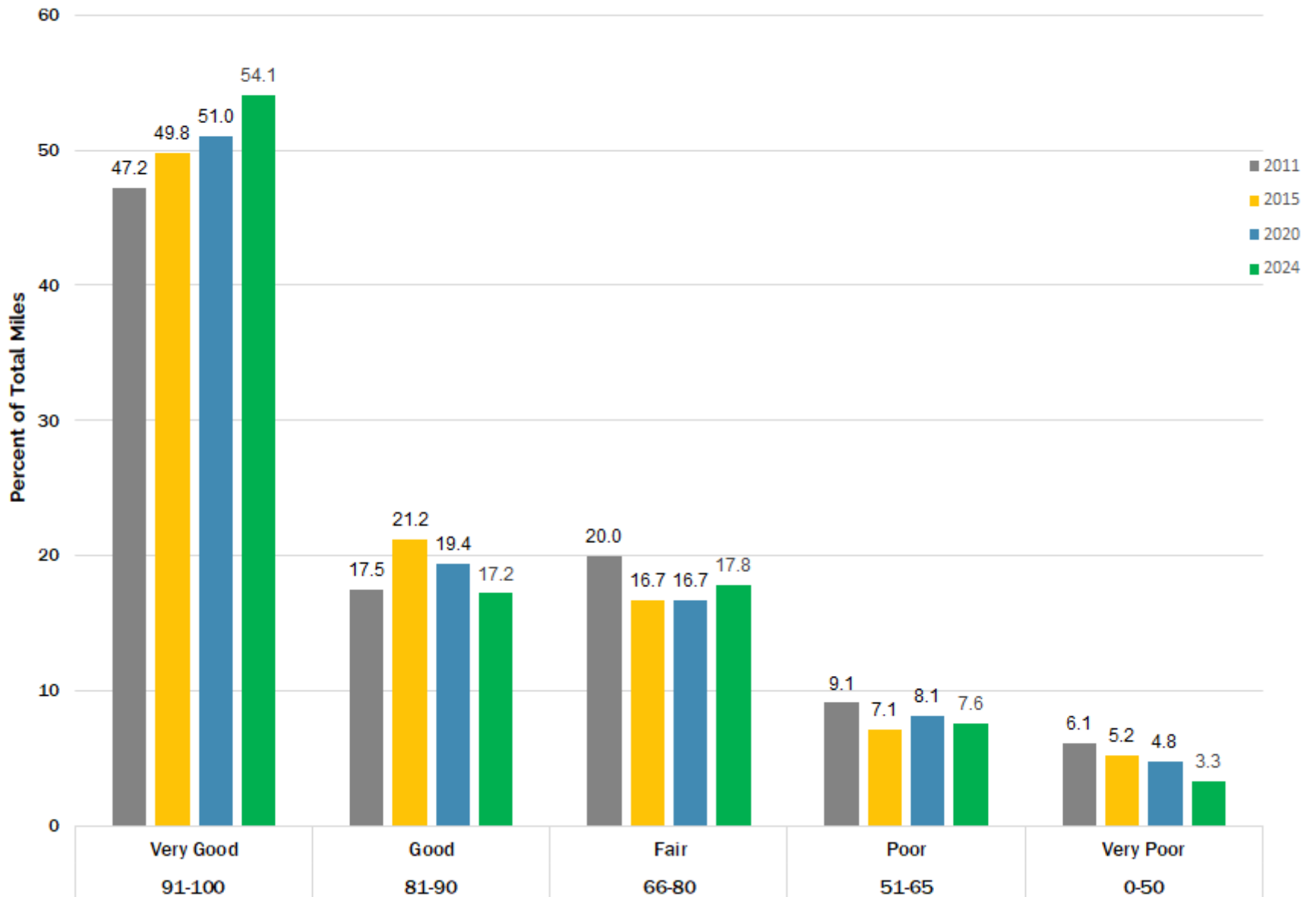
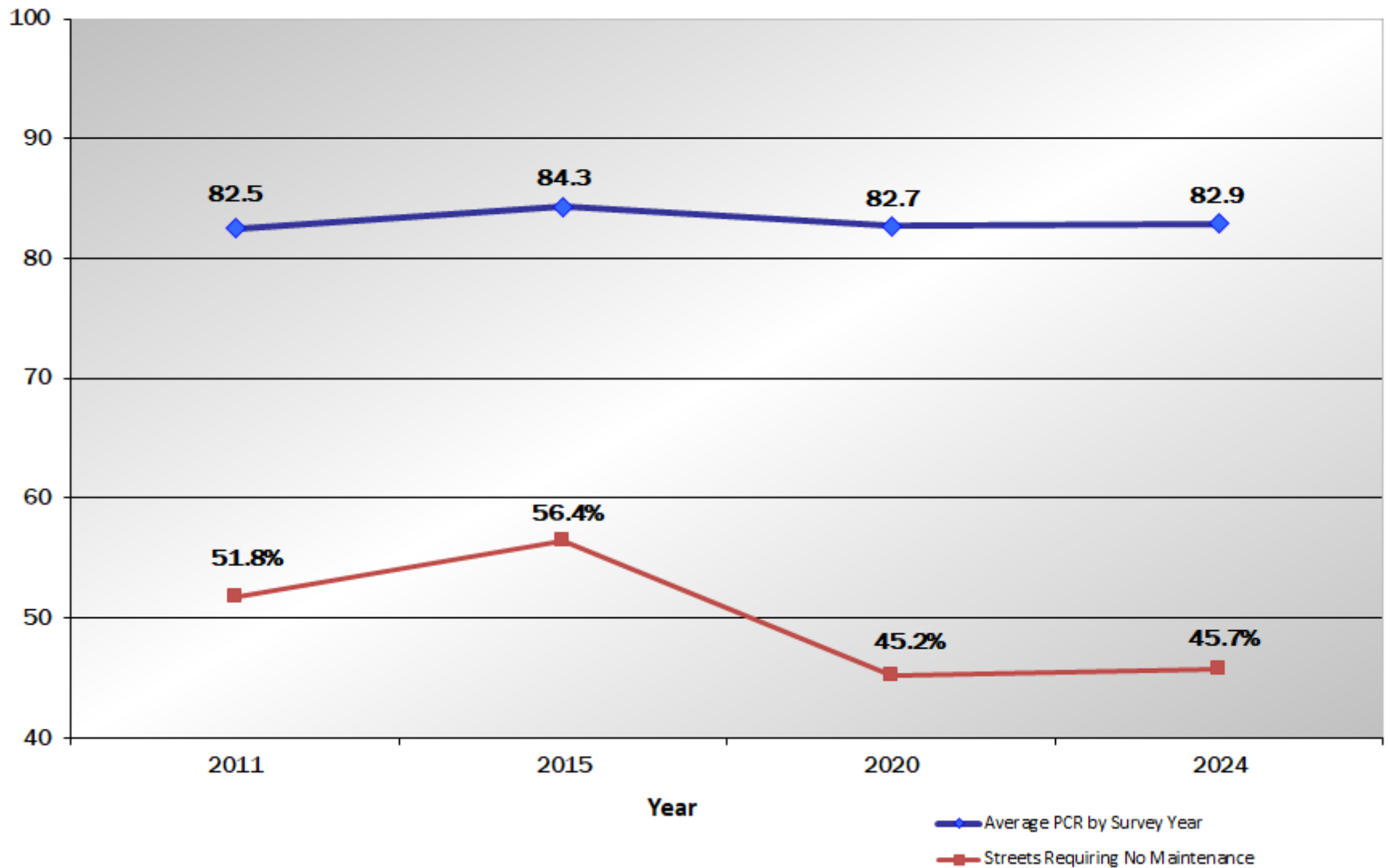
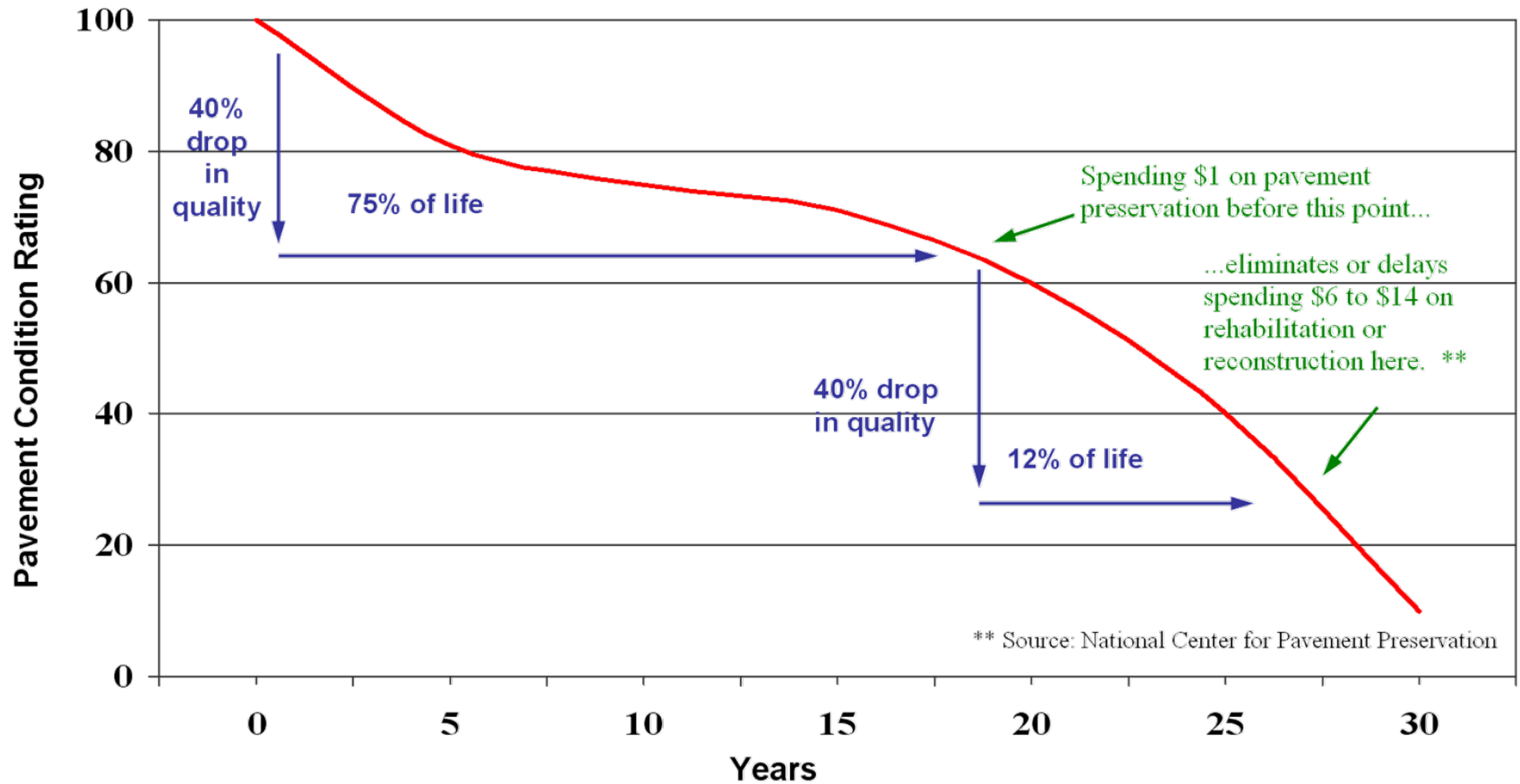


Figure 2 - Historic Street Condition Indicators



Typical Pavement Deterioration Curve



Proactive vs. Reactive Pavement
Maintenance Program



Table 8

Maintenance Activities

PAVEMENT DISTRESS	LOW VOLUME STREETS			HIGH VOLUME STREETS		
	Light (L)	Moderate (M)	Severe (S)	Light (L)	Moderate (M)	Severe (S)
Alligator Cracking (AL, AM, AS)	None	4' Wide Skin Patch	4' Wide Full-Depth Patch	None	8' Wide Skin Patch	8' Wide Full-Depth Patch
Block/Transverse Cracking (BK)	None	Crack Sealing	1" PM Resurfacing and BST Seal	None	Crack Sealing	1" PM Resurfacing and BST Seal
Reflective Cracking (RF)	None	Crack Sealing	Joint Repair	None	1" PM Resurfacing	Joint Repair
Rutting (RT)	None	None	1" PM Resurfacing	None	Short Overlay	1.5" PM Resurfacing
Raveling (RV)	None	1" PM Resurfacing	1" PM Resurfacing	None	1" PM Resurfacing	1" PM Resurfacing
Bleeding (BL)	None	None	1" PM Resurfacing	None	None	1" PM Resurfacing
Ride Quality (RQ)	None	None	1" PM Resurfacing	None	None	1" PM Resurfacing
Patching (PA)	None	None	Short Overlay	None	None	1" PM Resurfacing

Unit Costs



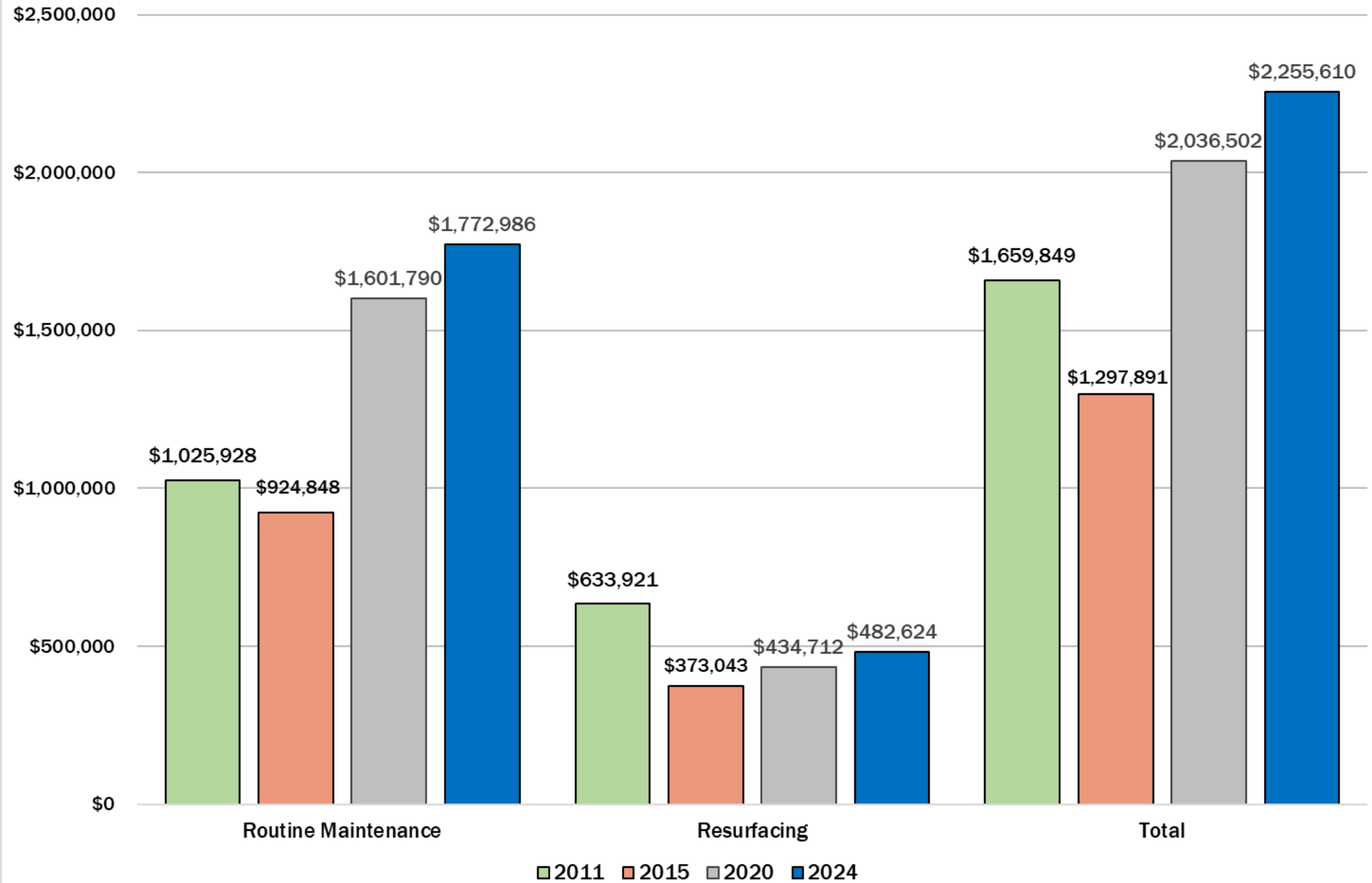
Table 10
Unit Costs for Maintenance Activities

ACTIVITY	COST (PER SQUARE YARD)
Crack Sealing	\$1.06
Skin Patching	\$35.00
Joint Repair	\$1.00
Full-Depth Patch (4" Depth)	\$46.00
Short Overlay	\$33.00
1" Plant Mix Resurfacing	\$8.25
1.5" Plant Mix Resurfacing	\$12.37
2" Plant Mix Resurfacing	\$16.50
BST Seal (<i>also known as chip seal</i>)	\$4.00

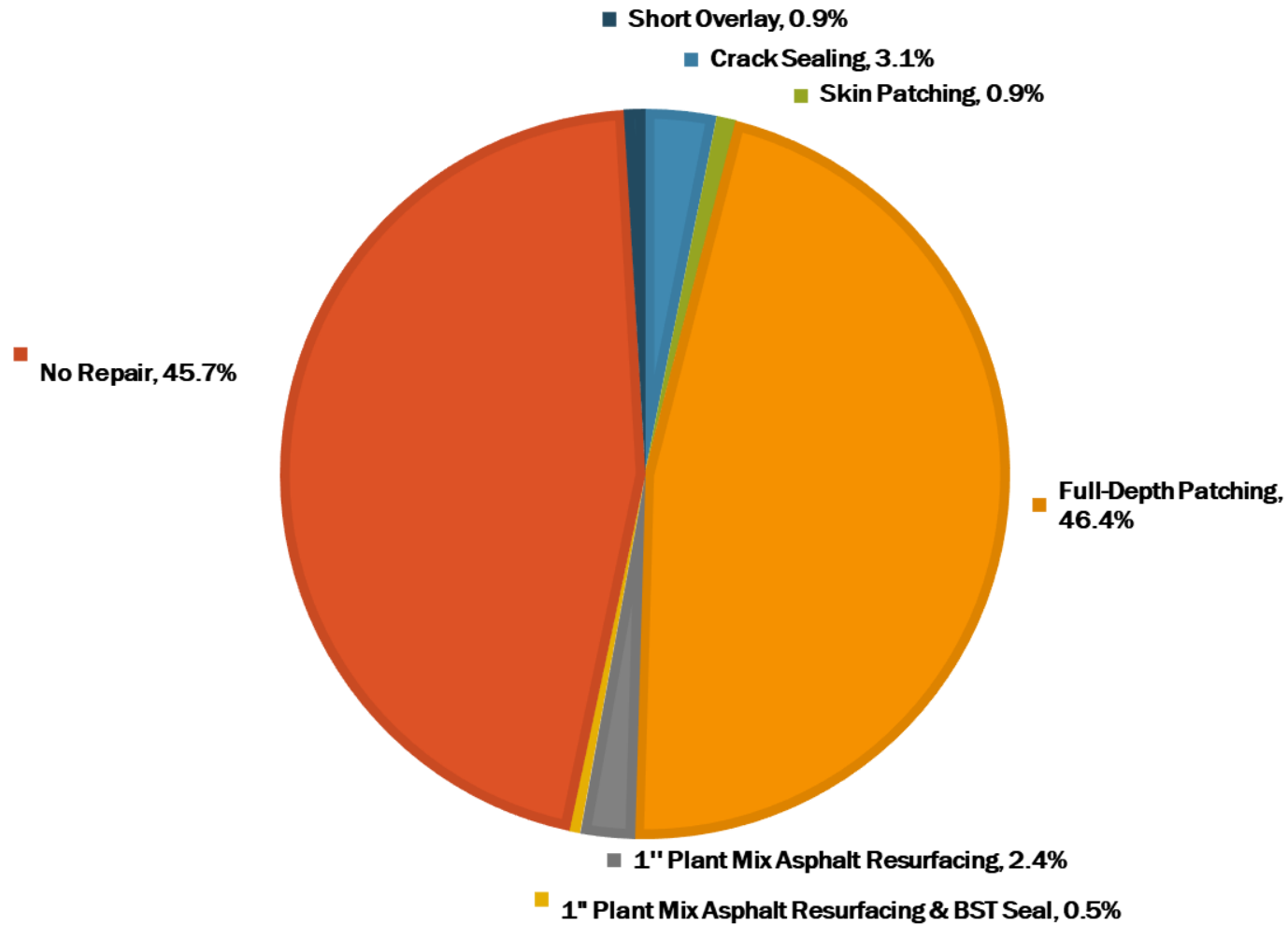
Table 11
**Summary Table of Suggested Primary
Maintenance Activities for Rated Streets**

Primary Activity	Miles Lo Vol	Cost Lo Vol	Miles Hi Vol	Cost Hi Vol	Total Miles	% Miles	Total Cost	Cost/Mile	% Cost
Crack Sealing	1.36	\$19,377	1.38	\$26,041	2.74	3.1%	\$45,418	\$16,603	2.0%
Skin Patching	0.76	\$14,125	0.00	\$0	0.76	0.9%	\$14,125	\$18,511	0.6%
Joint Repair	0.00	\$0	0.00	\$0	0.00	0.0%	\$0	\$0	0.0%
Full-Depth Patching	38.33	\$1,417,203	2.13	\$123,174	40.47	46.4%	\$1,540,377	\$38,062	68.3%
Short Overlay	0.80	\$173,066	0.00	\$0	0.80	0.9%	\$173,066	\$215,313	7.7%
<i>Routine Maintenance Total</i>	41.26	\$1,623,771	3.51	\$149,215	44.77	51.3%	\$1,772,986	\$39,600	78.6%
1" Plant Mix	1.72	\$307,476	0.36	\$87,227	2.08	2.4%	\$394,703	\$189,647	17.5%
1" Plant Mix and BST Seal	0.48	\$87,921	0.00	\$0	0.48	0.5%	\$87,921	\$181,763	3.9%
1.5" Plant Mix	0.00	\$0	0.00	\$0	0.00	0.0%	\$0	\$0	0.0%
2" Plant Mix	0.00	\$0	0.00	\$0	0.00	0.0%	\$0	\$0	0.0%
<i>Resurface Total</i>	2.20	\$395,397	0.36	\$87,227	2.56	2.9%	\$482,624	\$188,160	21.4%
Total Repair	43.46	\$2,019,168	3.88	\$236,442	47.34	54.3%	\$2,255,610	\$47,650	100.0%
No Repair	31.32	\$0	8.54	\$0	39.86	45.7%	\$0	\$0	0.0%
Total System	74.78	\$2,019,168	12.42	\$236,442	87.20	100.0%	\$2,255,610	\$25,868	100.0%

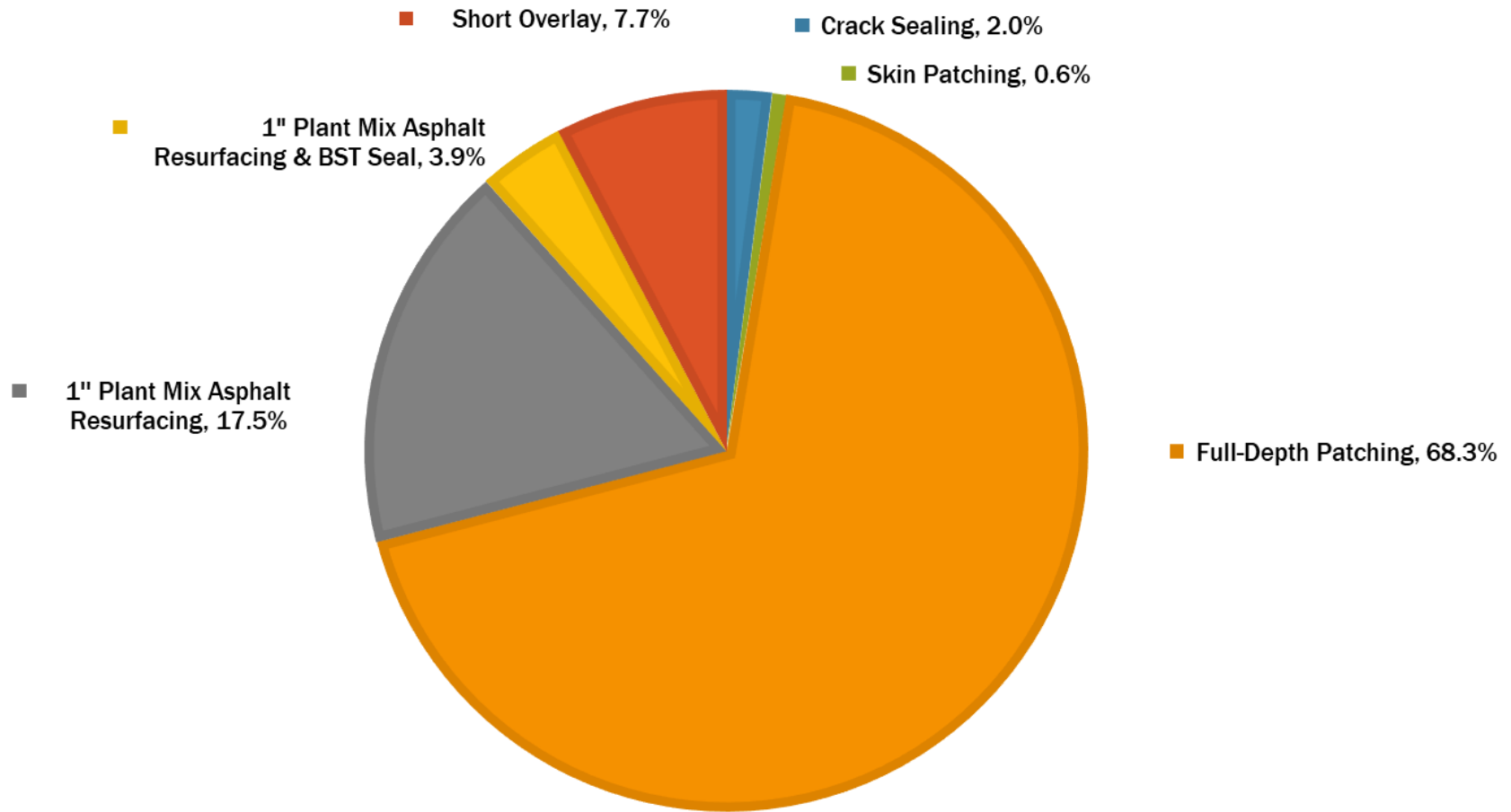
Figure 5 - Routine Maintenance vs. Resurfacing Cost



**FIGURE 3 - DISTRIBUTION OF MAINTENANCE NEEDS BY PRIMARY REPAIR TYPE
(% OF TOTAL MILES)**



**FIGURE 4 - DISTRIBUTION OF MAINTENANCE COSTS BY PRIMARY TYPE
PERCENTAGE OF TOTAL COST
TOTAL COST: \$2,255,610**



Priorities



Table 1
Priority by Type of Maintenance

PRIORITIES	Total Miles	Total Cost	Cost Per Mile	Percentage of Cost
<u>HIGH PRIORITY</u> : Routine Maintenance, Resurfacing of Alligator Cracking and Rutting	46.04	\$2,045,240	\$44,423	90.7%
<u>MEDIUM PRIORITY</u> : Resurfacing of Severe Block/Transverse Cracking, Severe Reflective Cracking, Severe Raveling, and Severe Bleeding	0.61	\$105,013	\$172,152	4.6%
<u>LOW PRIORITY</u> : Resurfacing of Moderate Block or Reflective Cracking and Raveling, Resurfacing of Severe Ride Quality and Patching	0.68	\$105,357	\$154,937	4.7%
Total Repairs	47.33	\$2,255,610	\$47,657	100.0%

Recommendations



LaBella recommends that Waynesville should continue to dedicate its maintenance funding towards preventative maintenance practices and structural repair

- This practice will reduce the maintenance cost per mile in future years

15 year paving cycle

- 5.8 miles per year
- \$ 1,091,328 per year *(at today's prices)*

In Closing

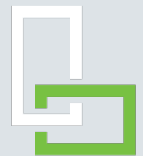


- **Asphalt Deteriorates**
- **Awareness is Key**
- **Pavement Preservation**
- **Protect one of the Town's Largest Assets**
 - Return on Investment

Questions



John Fersner, PE
LaBella Associates, P.C.
12-D Oak Branch Drive
Greensboro, NC 27407
Phone: (336) 271-1976
Email: jfersner@labellapc.com
www.labellapc.com



LaBella
Powered by partnership.

**TOWN OF WAYNESVILLE COUNCIL MEETING
REQUEST FOR BOARD ACTION
Meeting Date: June 11, 2024**

SUBJECT: Presentation of Cam Bracelets

AGENDA INFORMATION:

Agenda Location: Presentation
Item Number:
Department: Police
Contact: Chief David Adams
Presenter: Asst. Chief Gilmore

BRIEF SUMMARY:

We would like to provide a presentation to the board regarding Cam Bracelets and how the revenue from ABC funds could support this project.

MOTION FOR CONSIDERATION:

FUNDING SOURCE/IMPACT: The funding for this project has already been established

ATTACHMENTS:

MANAGER'S COMMENTS AND RECOMMENDATIONS:

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 6-11-24**

SUBJECT Presentation of 2024-25 Annual operating and capital budget

AGENDA INFORMATION:

Agenda Location: Public Hearing

Item Number:

Department: Finance

Contact: Rob Hites

Presenter: Rob Hites

BRIEF SUMMARY: We will present the budget to the public.

MOTION FOR CONSIDERATION: Direct staff to amend or approve budget as presented.

FUNDING SOURCE/IMPACT: All funds

ATTACHMENTS: Town Budget

MANAGER'S COMMENTS: We will present the budget based on the direction of Council setting a 3.8 cent ad valorem tax increase and the recommended Storm Water Utility. We calculated the alternative of a General Fund based on a \$48,000 entry level salary for law enforcement officers and will have that report available should you wish to discuss it. We will look forward to your direction.



Town of Waynesville

Annual Budget

2024-2025



BUDGET MESSAGE

2024-2025

May 28, 2024

The Honorable Mayor and Members of the Town Council

In accordance with the provisions of the North Carolina General Statutes, your staff presents the proposed Municipal Operating and Capital Budget for Fiscal Year 2024-25.

INTRODUCTION

The FY 2024-25 proposed budget is the last budget based on the 2020 quadrennial revaluation. The last year in a valuation cycle finds real estate values lagging the market. The upcoming 2025-26 revaluation will true up the tax values with the market value as defined in the NC General Statutes. Despite the comments regarding rampant growth of Waynesville, the ad valorem tax scroll has only increased an estimated 4% or \$211,500 (*1.28 cents on the tax rate*). Sales tax has returned to its traditional increase of 4%, in line with the rest of the State. As the Town is experiencing only modest growth in revenue, it is being pressured by the competition for its employees. 48% of the new General Fund spending is dedicated to keeping the Town's wages and benefits within the Western North Carolina employment market. Our salary recommendations simply keep Waynesville in line with State and local governments. The Town's utility funds are also being affected by unfunded mandates such as the mandate to reduce inflow into our sewers, as well as a mandate to relocate power and utility lines along the Russ Avenue and Walnut Street corridor. The Federal and State government have added a new level of bureaucracy by requiring that the Town inspect every sewer outfall annually to check for leaks and locate lead service lines in the water system. We estimate that we can hold water and sewer rates at the same level as in 2023-24. However, we will need an increase in electric rates to pay for the relocation of the circuits and new services along Russ Avenue and install circuits in new residential areas.

The State and Federal mandate that the Town inspect and record the condition of its sewer outfalls and storm water detention basins annually require that it establish a new utility fund the "Storm Water Utility" rather than further increase ad valorem taxes in the General Fund. The Storm Water Fund is based on the area of a parcel that is impervious to water, such as a building or parking lot. Landowners will be charged a

fee based on the amount of impervious surface on their property. The impervious surfaces increase the speed and quantity of runoff into the Town's creeks. The excess runoff increases erosion of creek banks, introduction of chemicals from leaking vehicles and addition of waste such as drink cups, and paper bags.

We estimate that the Town will only experience an increase of 4% in General Fund revenue over last year's tax assessment. We estimate the Town will experience a \$180,000 increase in sales taxes and \$100,000 in investment income.

After all adjustments to revenue, we estimate that the General Fund will increase by \$1,586,790 compared to the previous year.

The Council recognizes that the Town has a continuing need to renew equipment, purchase supplies and train its staff in order to provide the same level of service that Waynesville's residents have come to expect. A number of pieces of equipment have been in use for over 20 years and have simply worn out. Items such as leaf shredding machines, cardio exercise equipment, and meter reading devices have repeatedly failed and must be replaced. The Fire and Police Departments are experiencing increasing levels of calls due to both growth in permanent and recreational clientele. Increasing call demand has resulted in the department's requests for additional full-time staff.

BUDGET SUMMARY

The Town has dedicated the majority of its revenue growth to adjustments in employee compensation. It has lost a number of skilled employees to other local governments and the private sector as they increase their wages and benefits. When an organization loses a well-trained employee, it loses 50% of that position's productivity while the position is vacant and as the new employee learns their duties.

We have made great strides in our hiring and retention rates, but market pressure continues to lure employees to other organizations. In order to hire and retain employees, we recommend The Council approve a 2 ½ % Cost of Living Adjustment amounting to \$155,000 (COLA) in addition to the Town's average 2 ½% "Career Development Program" which is budgeted to cost \$258,500.

New and Reclassified Positions

The proposed budget includes the match necessary to qualify the Police Department for two additional officers. We recommend that the Fire Department add two fire fighters as of July 1st and an additional two fire fighters on January 1st. The new "Storm Water Fund" will be staffed by an entry level Planner under this proposal.

Salaries and Benefits

The Town will contribute 13.66% for staff and 15.04% for Sworn Officers to the NC Local Government Retirement Fund. It contributes 5% of an employee's salary to a 401K. In addition, the Town fully covers an employee's health insurance benefits including a \$4,500 HRA. The Town contributes 75% to the employee's family health coverage.

Our health insurance rate is tied to the Town's "medical loss ratio", the cost of the claims submitted by the employees and their families. The Town's experience rating and rate increases are evaluated annually. The insurance companies like "medical loss ratios stay less than 70%. Thanks to a healthy workforce our insurance loss ratio is 65%. Due to our positive rating our health insurance carrier is NOT requesting an increase in insurance premiums for the upcoming year.

Worker's Compensation Insurance

The Town's workers' compensation insurance rates are set by the NC Insurance Commission, not by the insurance industry. The Town's worker's compensation claims have been in the acceptable range for the past year however the increases in the salaries of the workforce have caused an increase of \$11,500.00.

Liability Insurance

We have received a quote on property and liability insurance for \$316,873.00, a 9.6% increase, as a projected expense for the upcoming year.

FUND SUMMARIES

General Fund

We recommend a \$19,039,765.00 General Fund operating budget for FY 2024-25. This represents a 9.0% increase from the FY 2023-24 budget. We do not recommend that the Council appropriate funds from the General Fund Balance.

Ad Valorem Taxes

Haywood County provides its municipalities with a tax scroll that lists the value of each taxpayer's real and personal property. The Towns apply their tax rate to those values and calculate the taxes due to the Towns. Haywood County reassesses its property every four years. We are in year four of an assessment cycle.

The staff recommends a \$.0378 increase in the current ad valorem tax rate to \$.477. per \$100 in value. The State requires that local governments budget the percentage of taxes collected in the previous year. Waynesville's collection rate was 99.19% in 2023-24. We project the Town will collect \$7,315,000 in current year property tax in 2024-25.

General Funds Sales Tax

The Town estimates that it will collect \$4,680,000 in Sales Tax for FY 2024-25, a 4% increase.

Downtown Municipal Service District

The Town established a “Downtown Municipal Service District” in 1986 in order to provide redevelopment and promotion of the Town’s traditional central business district. The revenue derived from the MSD also funds the District’s membership in the State and US Mainstreet program. Properties within the district pay an additional ad valorem tax in addition to the ad valorem taxes paid by the rest of the Town.

The current ad valorem tax on the Downtown Municipal Service District is \$.19 per \$100 of valuation. We estimate that the District will yield \$107,800 in 2024-25.

In early 2022 the Board of Alderman reorganized the administration of the district by placing the staff, programing, and accounting functions within the Town’s organization. The Board created a 13- member committee that serves to advise the staff and Board on programs and policies of the Downtown Service District. The governing and administration of the Downtown Municipal Service District has been a tremendous success. The MSD has retained its certification as a “Mainstreet Community”.

Water Fund

The staff recommends a budget of \$3,535,417. This represents an 8.5% decrease from FY 2023-24. The reduction in the overall budget is due to lower capital improvement requests. We do not recommend an increase in water rates for the 2024-25 fiscal year.

Water Treatment

We recommend a \$ 1,263,390 budget to fund the operation of the Water Treatment Plant. This represents little change from last year’s budget.

Water Collection Line Service and Maintenance

We recommend a \$1,339,310 budget for FY 2024-25. This represents a 21% decrease from the previous year. The decrease is due to completion of several capital projects that were funded through operating revenue in the previous year. We do not recommend a rate increase for the upcoming fiscal year.

Water Fund Administration and Finance

The Water Fund contributes a portion of its revenue to the meter reading, billing, collection, and accounting of its operation. The staff estimates the percentage of the Finance Department’s operation dedicated to the Water Fund. For the upcoming FY

2024-25 budget year we recommend a \$916,717 budget. This represents a 4% increase from the previous year.

SEWER FUND

Sewer Plant Financing and Construction

The staff does not recommend an increase in Sewer Rates for the upcoming fiscal year. The Sewer Fund is made up of two operating divisions. The Town has secured \$29 million dollars in State Revolving Loans that carries a “0”% interest rate for a 26-year term. The plant is due to be completed in the summer of 2025. Next year will be the first year the Town pays a principal payment on the loan, so we anticipate a rate increase during the 2025-26 fiscal year.

Sewer Maintenance

We recommend a \$1,259,419 operating budget for this Division. The recommended budget represents a 24% decrease over FY 2023-24. This reduction is mainly due to reduction in major capital spending.

Sewer Plant

We recommend that the Town Council appropriate \$1,783,045 for operation and maintenance of the plant. This amounts to a 11% increase from last year’s budget. The Town will experience significant changes in the Sewer Plant budget as the new plant is placed in operation and a number of new pumps, motors and aerators are placed in service.

Capacity Use Fees

Capacity Use Fees are based on the premise that users of Waynesville’s waste treatment system purchase a portion of the plant’s six-million-gallon capacity. The fees are based on a table of projected sewer use adopted by the Council. The fees fall below the “upper limit” of fees the Study indicated could be charged. The schedule of “Capacity Use Fees” the Town adopted represents a “single fee system” that creates one schedule of fees for both In-Town and Out-of-Town users. ‘Capacity Use Fees’ are calculated on a case-by-case basis. The calculations are based on the State’s “NC Wastewater Flow Rates” (15A NCAC 02T .0114).

In 2018-19 the Town adopted a schedule of “Capacity Use Fees” based on a study mandated by the General Assembly (HB 436). A certified engineering firm reviewed the Town’s capital expenditures and weighed them against the Town’s goal to keep its cost of service affordable.

In order to ensure that user/developers reserve their capacity in the Waste Treatment Plant they must receive approval for their development in accordance with the Town’s

Comprehensive Plan AND pay the system development fees at the time of approval of the development. Should an owner/developer choose to abandon their project within three years of approval, the Town will refund their "Capacity Use Fees". Failure to pay the fees may result in the user/developer not being guaranteed the capacity necessary to develop their project.

We have not increased the Town's Capacity Use Fees since 2019 and do not recommend an increase for the 2024-25 fiscal year. In 2018-19 the Council capped the Town's "Capacity Use Fees" at \$100,000 for the combined Water and Sewer Fees. This was done to encourage investment in Waynesville after a decade of near zero growth. The Town is starting a \$29,450,000 waste treatment renovation that was not factored into the "Capacity Use Study" carried out in 2018. As we complete the project, it would be appropriate to carry out a new study and establish "Capacity Use Fees" that reflect the cost of that project.

The Town has approximately 2.91 million gallons of capacity in its six-million-gallon waste treatment plant. When the plant is renovated and placed online the Town will, once again, be open to new investment. Until we complete a new "Capacity Use Study" we recommend that the Council increase the cap on combined Capacity Use Fees from \$150,000 to \$200,000. We will recommend that the Council fund a new study during the 2025-26 Fiscal Year.

ELECTRIC FUND

For FY 2024-25 we recommend an Electric Department budget of \$11,324,608. This represents a 7% increase in the operating budget. We recommend a 7% increase in electric rates across all rate classes. This increase will also be applied to the base charges. The increase is due to two capital projects, the relocation of power lines and light standards along the Russ Avenue and Walnut Street corridor required by NCDOT and the installation of underground power service in the Queen Farm Subdivision.

The Finance staff is "up to date" on past due accounts created by the Covid pandemic. While we have been very successful in collecting our past due accounts, we will have to "write-off" only an estimated \$30,000 in electric charges due to customers moving without forwarding addresses.

STORM WATER MANAGEMENT FUND

The staff is recommending a new fund for the upcoming fiscal year. The NC Department of Environmental Quality through contract with the Environmental Protection Agency is requiring local governments that fall under authority of the EPA's storm water program to begin an annual inspection of all sanitary and storm sewer lines within the municipality. The municipalities must also report on the condition of storm water retention and detention devices constructed by private entities. Should the storm water systems be deficient, the municipality must order the devices be repaired. The cost of the unfunded mandate will require that the Town fund an employee to carry out this

task. In addition to the employee, the Town will use storm water funds to enhance its effort to remove debris from catch basins and keep debris out of the street gutter systems. A storm water fund is based on property owners being charged a nominal fee based on the amount of impervious surface that lies within their property. An example of the impervious surface on a residential lot would be the footprint of the dwelling, outbuildings and driveways that appear on the lot. The size of the impervious surface is divided into four tiers and a fee is set per tier. A base fee or equivalent residential unit (ERU) is established and used to calculate the fee for commercial properties with large structures and parking area. The fee will be charged on the property owner's annual ad valorem tax bill.

ASSET MANAGEMENT AND GARAGE FUNDS

The Asset Management Fund was eliminated as a separate fund in the 2023-24 budget. It is being treated as a division of the Public Services Department. In the past each operating department was charged separately for Asset Services. The proposed budget finds the contribution to the asset services department to the individual funds rather than the operating divisions.

CONCLUSION

The proposal that is before you represent a "program of work" that is experiencing the effects of both slow growth and the pressure of increasing competition for the Town's experienced workforce.

The Town has reached the maximum allotment of sewer capacity permitted under the Special Order of Consent (SOC), two of the developments approved under the Special Order of Consent has commenced construction. With the price of materials decreasing, we hope that more of the approved developments will commence construction. Another regulatory change that may impact development is the General Assembly has changed the NC Flow Rates. The new rates permit less flow per bedroom than the old flow rates. This may permit some of our customers to release some of the flow they have been allocated, freeing up sewer allotment for other developments. The sewer plant itself is nearing completion. Once it is online, the Town will have 2.9 million gallons of water and sewer to accommodate additional growth.

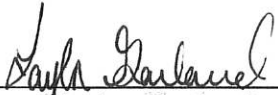

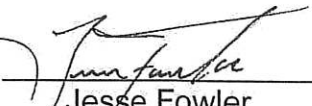
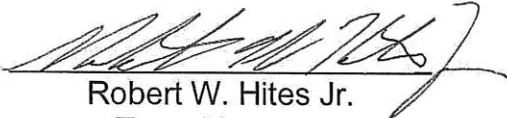
One of the Board's principal goals is to design, fund and construct a new fire station in Hazelwood. The 2024-25 budget funds the engagement of an architectural firm to design, bid and conduct construction observation of Fire Station #2. We anticipate the design process to take a year and the actual construction a second year. As the Town approaches the construction phase of Station #2, it will apply to the NC Local Government Commission for permission to seek bids for borrowing up to \$6 million for the project. If all goes as planned, Fire Station #2 should come online in the fall of 2027.

The proposal that is before you represent an analysis of spending patterns in the Town. The budget team has conservatively estimated the revenues the Town needs to

operate. The ad valorem tax and Electric Fund increase are the result of salary demands and increases in operating costs outstripping the revenues available to the Town. Hopefully the reassessment of real and personal values in 2025 will help the Town with its budgetary needs in the future fiscal years.

We look forward to receiving your input on the proposed budget.

Respectfully submitted:

 Taylor Garland Interim Finance Director	 Page McCurry Human Resources Director	 Jesse Fowler Assistant Town Manager
 Robert W. Hites Jr. Town Manager		

Budget Summary

Operating Funds

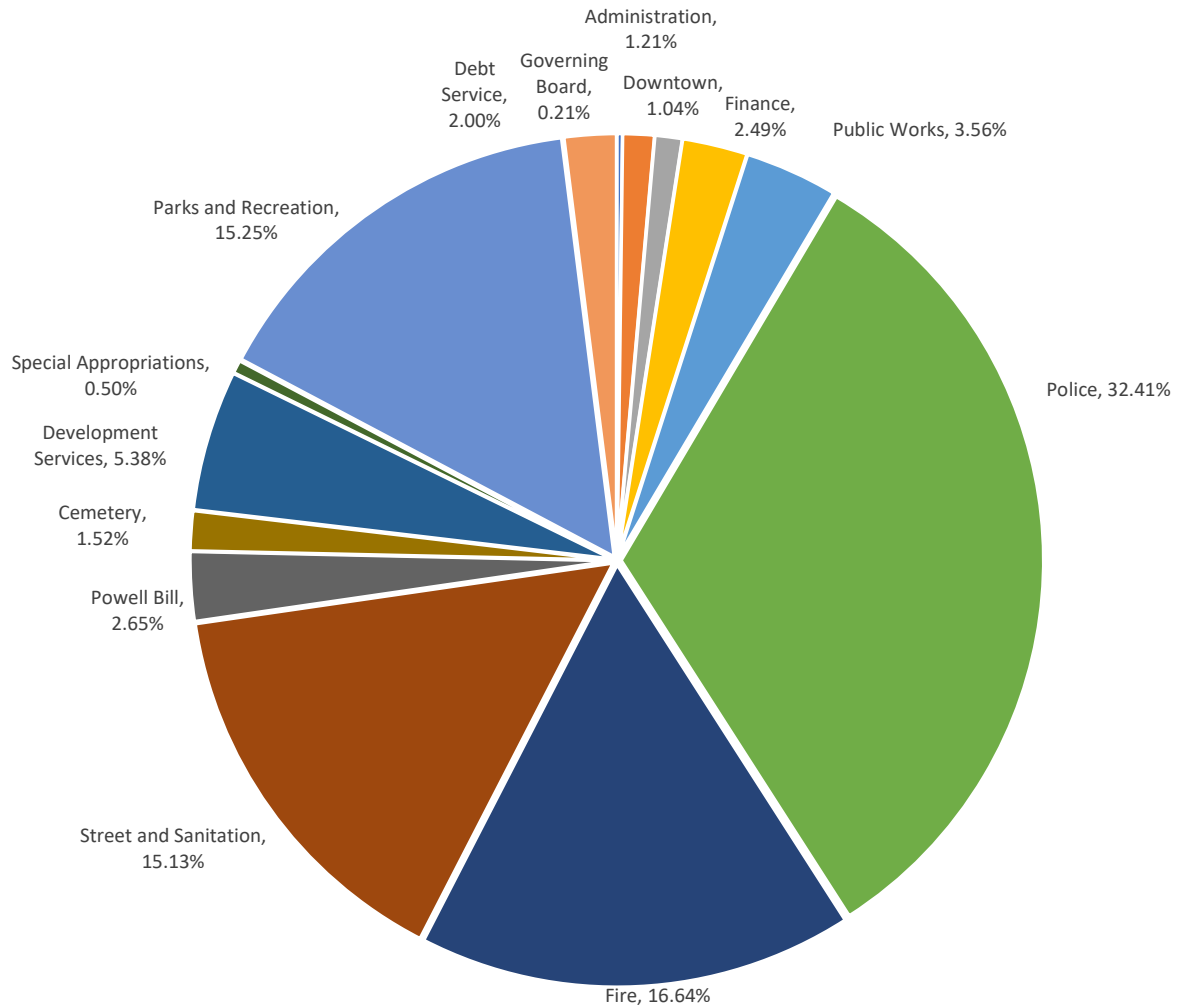
	FY23 Budget	FY24 Budget	FY25 Budget
Revenues			
General Fund	\$ 17,079,739	\$ 17,452,975	\$ 19,039,765
Water Fund	\$ 4,041,353	\$ 3,862,497	\$ 3,535,417
Sewer Fund	\$ 3,736,565	\$ 4,161,074	\$ 3,970,000
Electric Fund	\$ 10,029,179	\$ 11,402,059	\$ 11,324,608
Stormwater Fund	\$ -	\$ -	\$ 200,000
Total	\$ 34,886,836	\$ 36,878,605	\$ 38,069,790
Expenditures			
General Fund	\$ 17,079,739	\$ 17,452,975	\$ 19,039,765
Water Fund	\$ 4,041,353	\$ 3,862,497	\$ 3,535,417
Sewer Fund	\$ 3,736,565	\$ 4,161,074	\$ 3,970,000
Electric Fund	\$ 10,029,179	\$ 11,402,059	\$ 11,324,608
Stormwater Fund	\$ -	\$ -	\$ 200,000
Total	\$ 34,886,836	\$ 36,878,605	\$ 38,069,790

Internal Service Fund

	FY23 Budget	FY24 Budget	FY25 Budget
Revenues			
Garage	\$ 876,612	\$ 1,117,900	\$ 1,186,780
Total	\$ 876,612	\$ 1,117,900	\$ 1,186,780
Expenditures			
Garage	\$ 876,612	\$ 1,117,900	\$ 1,186,780
Total	\$ 876,612	\$ 1,117,900	\$ 1,186,780

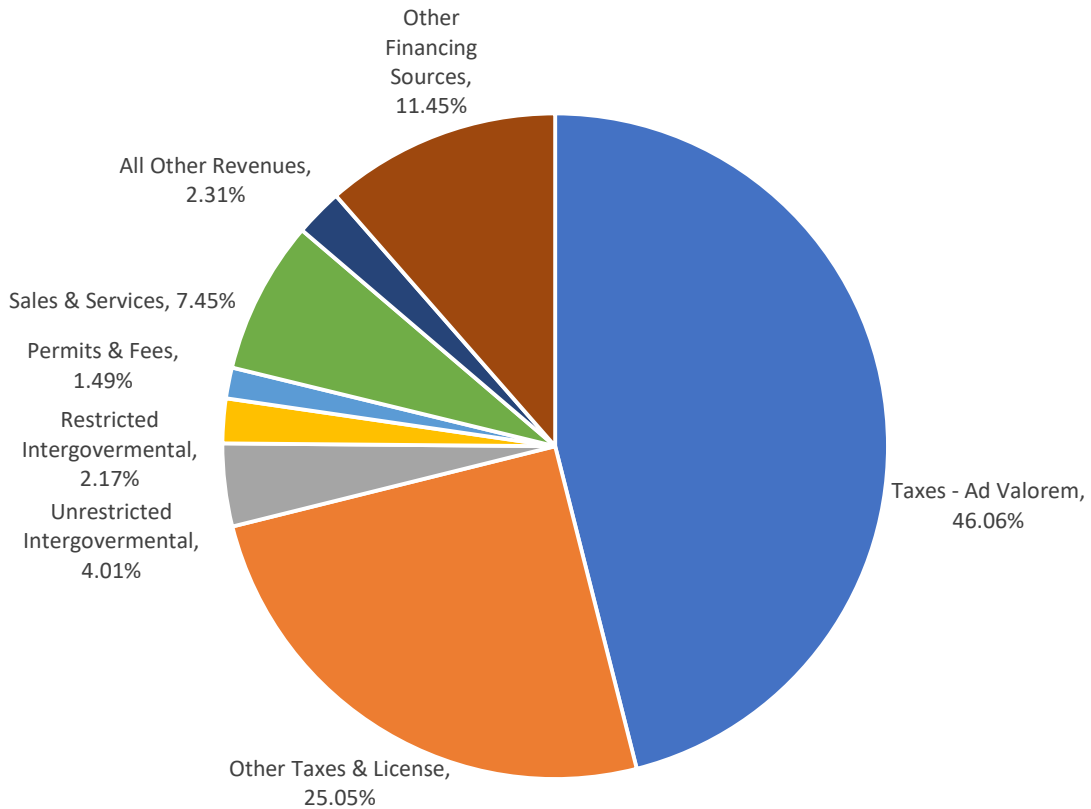
General Fund

Department	Amount	Percent of Total
Governing Board	\$40,317	0.21%
Administration	\$229,930	1.21%
Downtown	\$198,400	1.04%
Finance	\$473,720	2.49%
Public Works	\$678,139	3.56%
Police	\$6,170,460	32.41%
Fire	\$3,168,945	16.64%
Street and Sanitation	\$2,880,920	15.13%
Powell Bill	\$505,000	2.65%
Cemetery	\$289,930	1.52%
Development Services	\$1,025,005	5.38%
Special Appropriations	\$94,500	0.50%
Parks and Recreation	\$2,903,851	15.25%
Debt Service	\$380,648	2.00%
Total	\$19,039,765	100.00%



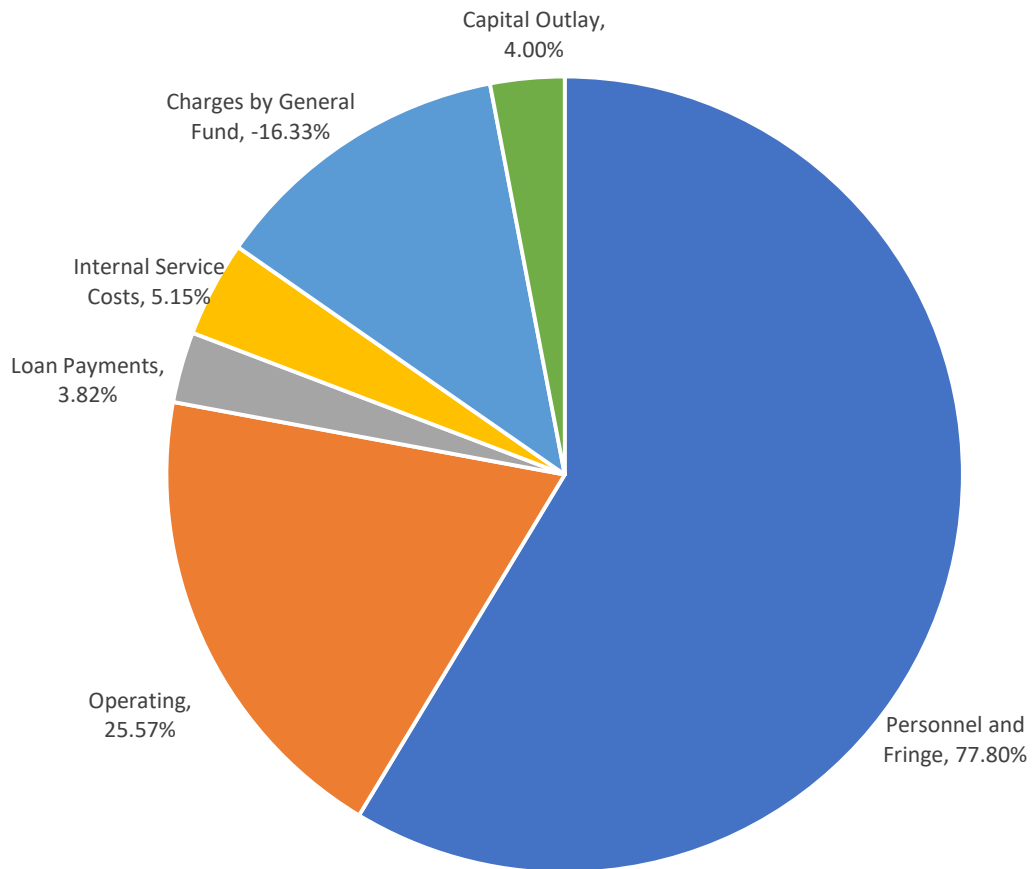
General Fund Revenues

Revenues	Amount	Percent of Total
Taxes - Ad Valorem	\$8,770,115	46.06%
Other Taxes & License	\$4,770,150	25.05%
Unrestricted Intergovernmental	\$763,500	4.01%
Restricted Intergovernmental	\$413,500	2.17%
Permits & Fees	\$283,850	1.49%
Sales & Services	\$1,418,250	7.45%
All Other Revenues	\$439,800	2.31%
Other Financing Sources	\$2,180,600	11.45%
Grand Total	\$19,039,765	100.00%



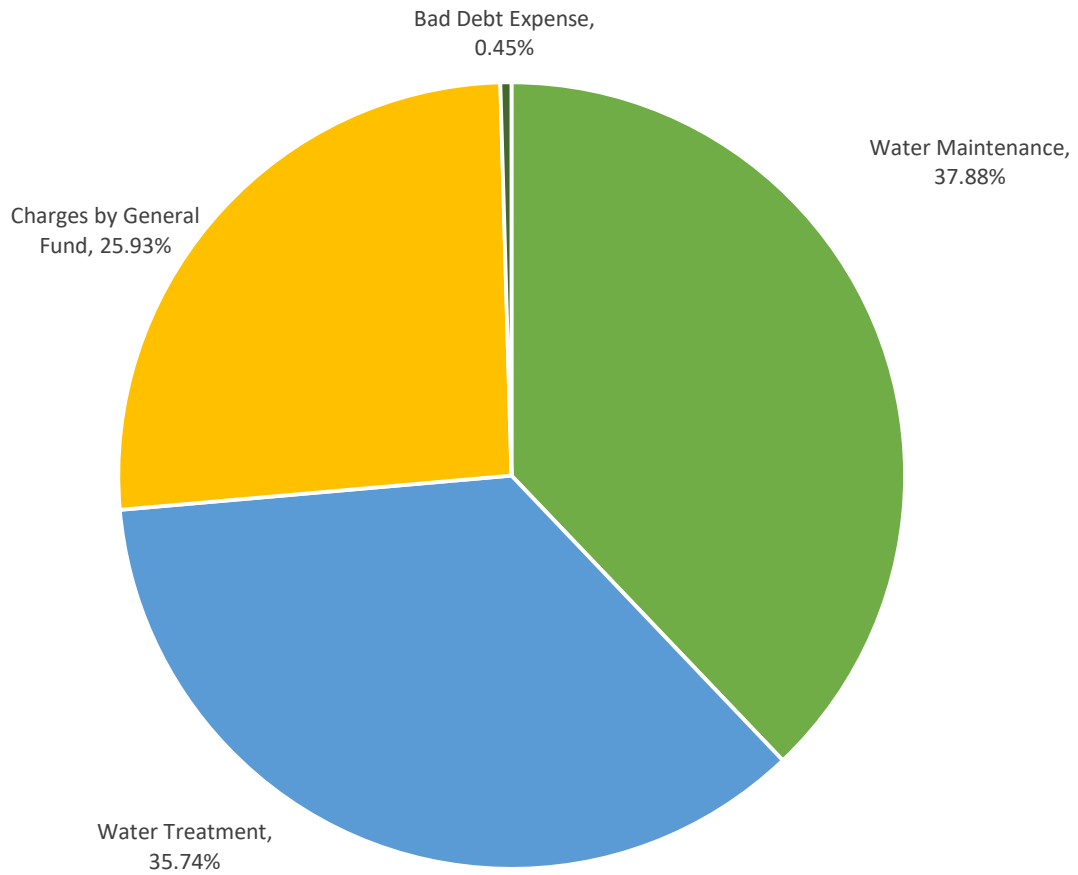
General Fund Expenditures

Expenditure Type	Amount	Percent of Total
Personnel and Fringe	\$14,812,543	77.80%
Operating	\$4,868,241	25.57%
Loan Payments	\$727,902	3.82%
Internal Service Costs	\$980,195	5.15%
Charges by General Fund	(\$3,110,116)	-16.33%
Capital Outlay	\$761,000	4.00%
Grand Total	\$19,039,765	100.00%



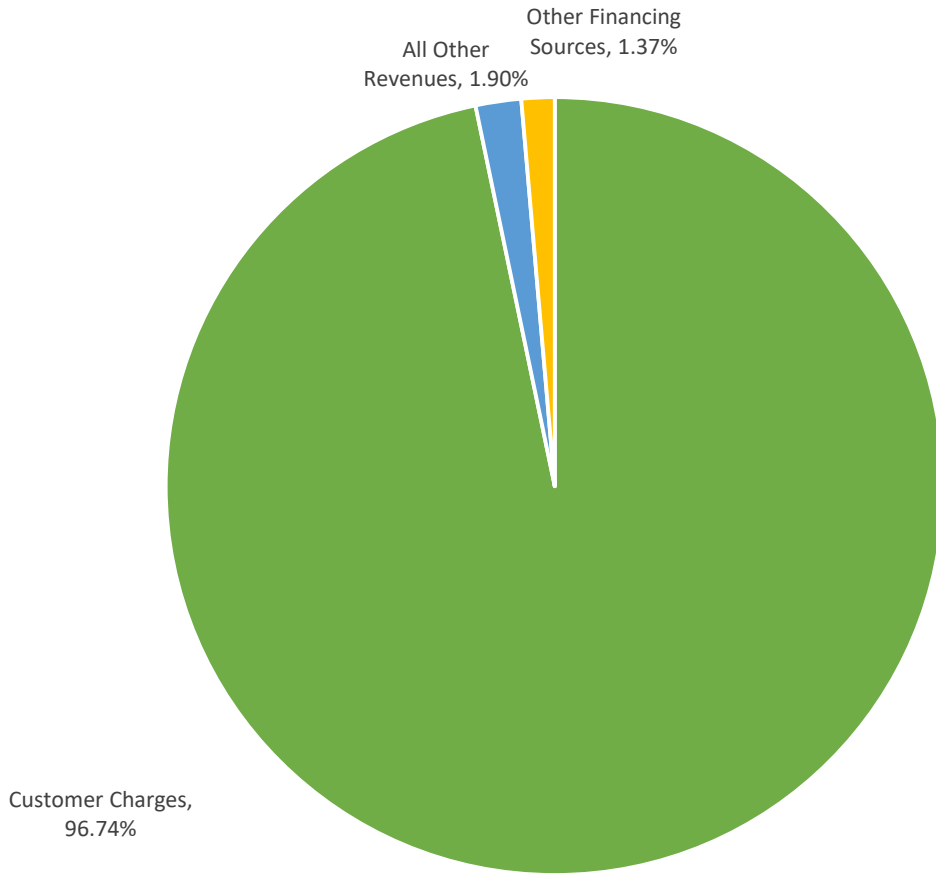
Water Fund

Department	Amount	Percent of Total
Water Maintenance	\$1,339,310	37.88%
Water Treatment	\$1,263,390	35.74%
Charges by General Fund	\$916,717	25.93%
Bad Debt Expense	\$16,000	0.45%
Total	\$3,535,417	100.00%



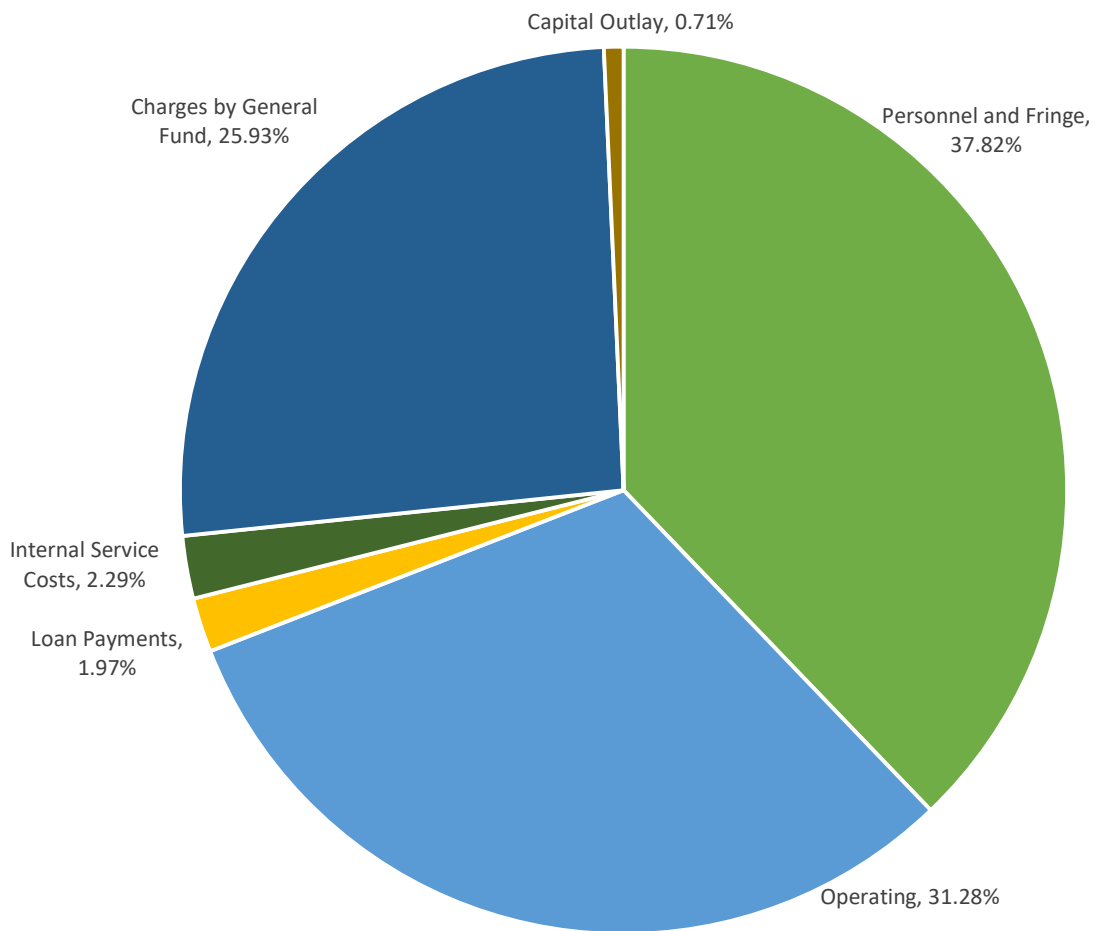
Water Fund Revenues

Revenues	Amount	Percent of Total
Customer Charges	\$3,420,000	96.74%
All Other Revenues	\$67,000	1.90%
Other Financing Sources	\$48,417	1.37%
Grand Total	\$3,535,417	100.00%



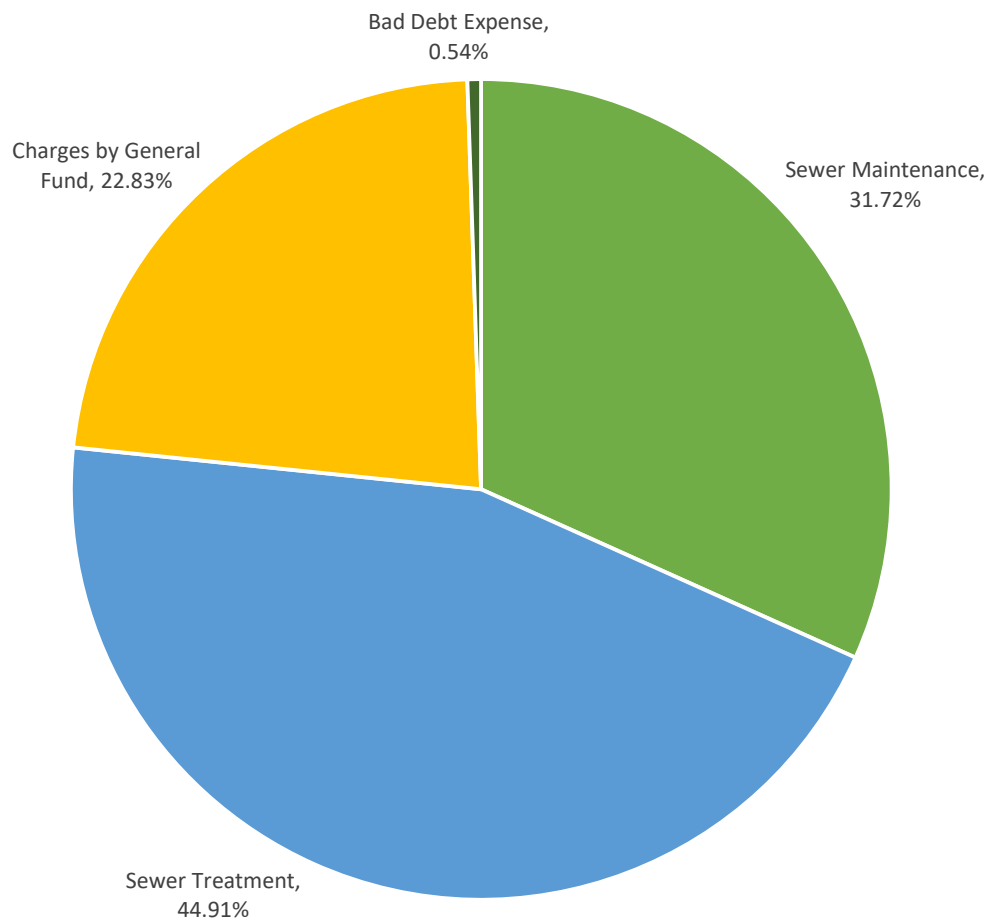
Water Fund Expenditures

Expenditure Type	Amount	Percent of Total
Personnel and Fringe	\$1,337,145	37.82%
Operating	\$1,105,750	31.28%
Loan Payments	\$69,720	1.97%
Internal Service Costs	\$81,085	2.29%
Charges by General Fund	\$916,717	25.93%
Capital Outlay	\$25,000	0.71%
Grand Total	\$3,535,417	100.00%



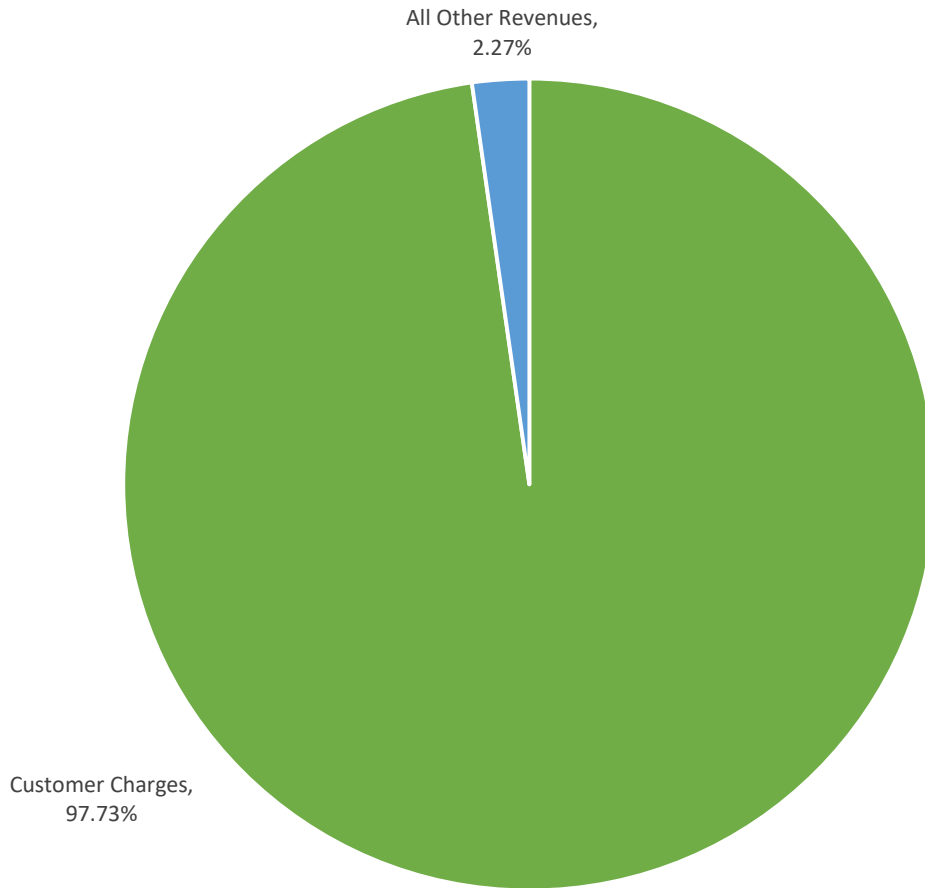
Sewer Fund

Department	Amount	Percent of Total
Sewer Maintenance	\$1,259,419	31.72%
Sewer Treatment	\$1,783,045	44.91%
Charges by General Fund	\$906,181	22.83%
Bad Debt Expense	\$21,355	0.54%
Total	\$3,970,000	100.00%



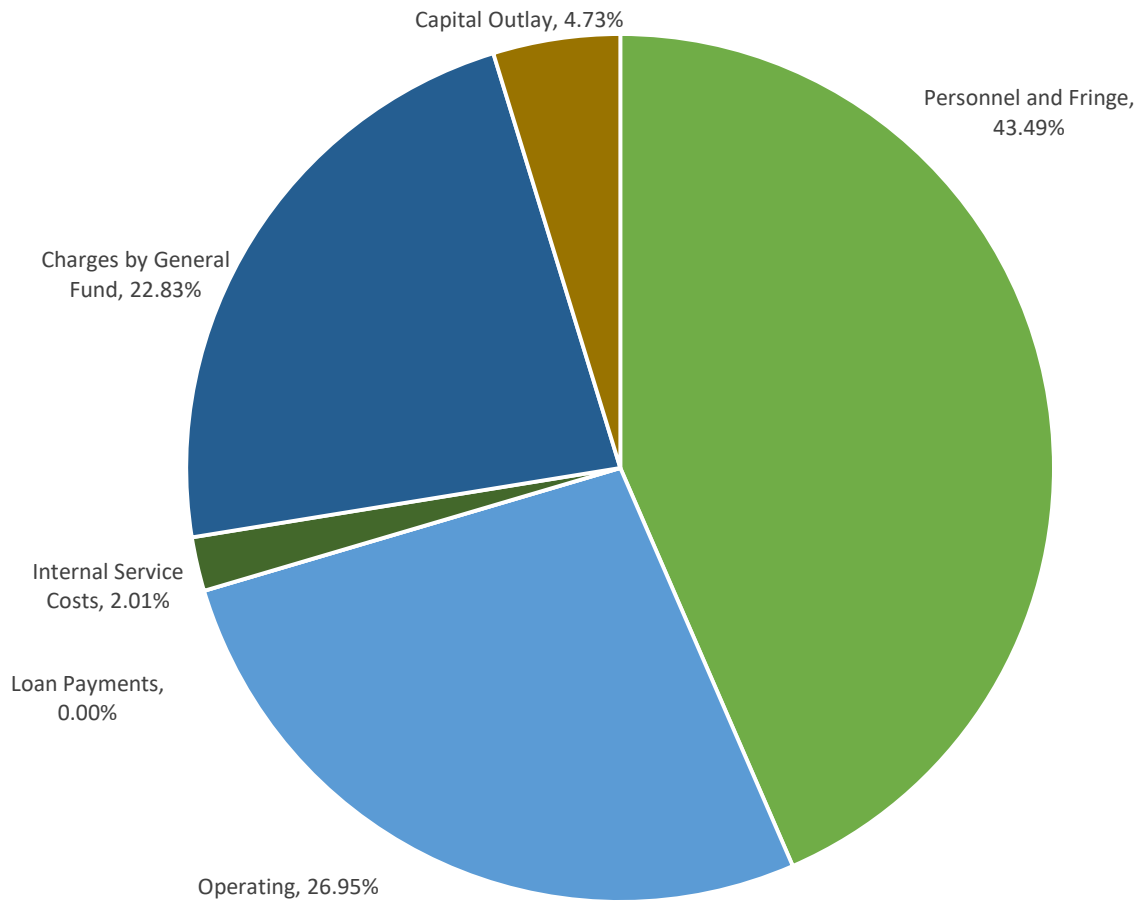
Sewer Fund Revenues

Revenues	Amount	Percent of Total
Customer Charges	\$3,880,000	97.73%
All Other Revenues	\$90,000	2.27%
Grand Total	\$3,970,000	100.00%



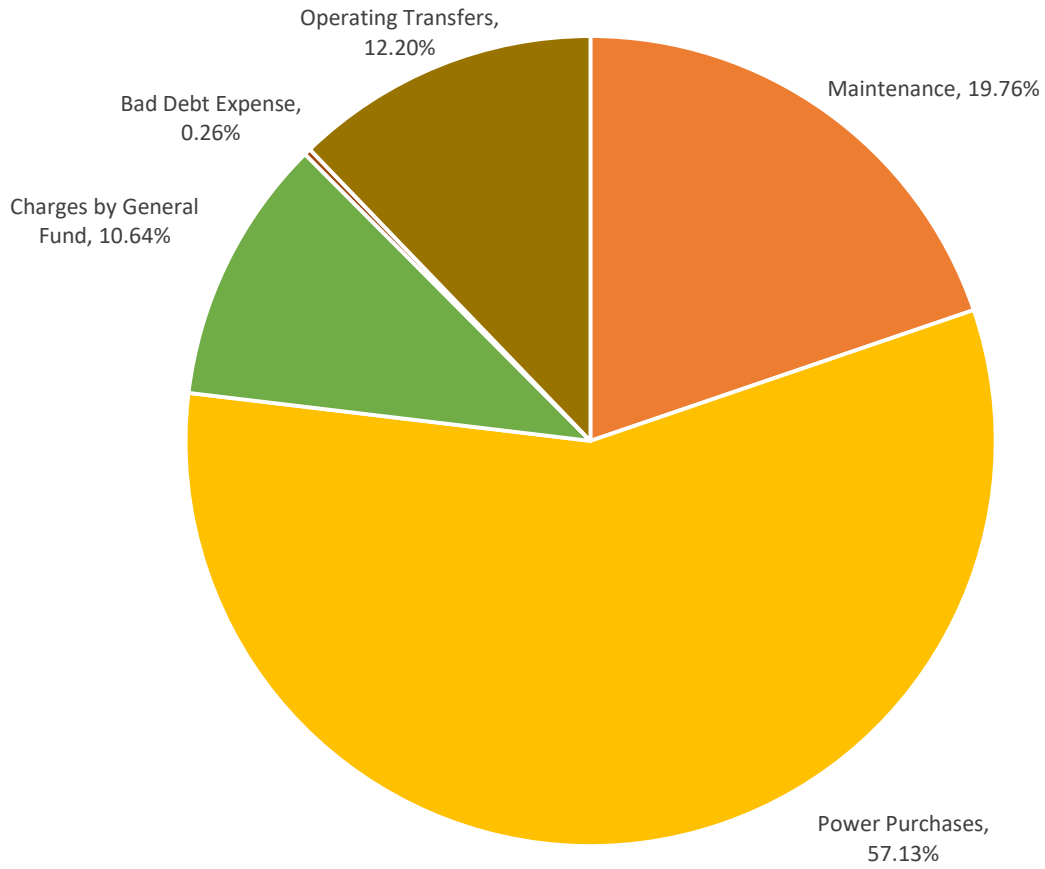
Sewer Fund Expenditures

Expenditure Type	Amount	Percent of Total
Personnel and Fringe	\$1,726,365	43.49%
Operating	\$1,069,755	26.95%
Loan Payments	\$0	0.00%
Internal Service Costs	\$79,960	2.01%
Charges by General Fund	\$906,181	22.83%
Capital Outlay	\$187,739	4.73%
Grand Total	\$3,970,000	100.00%



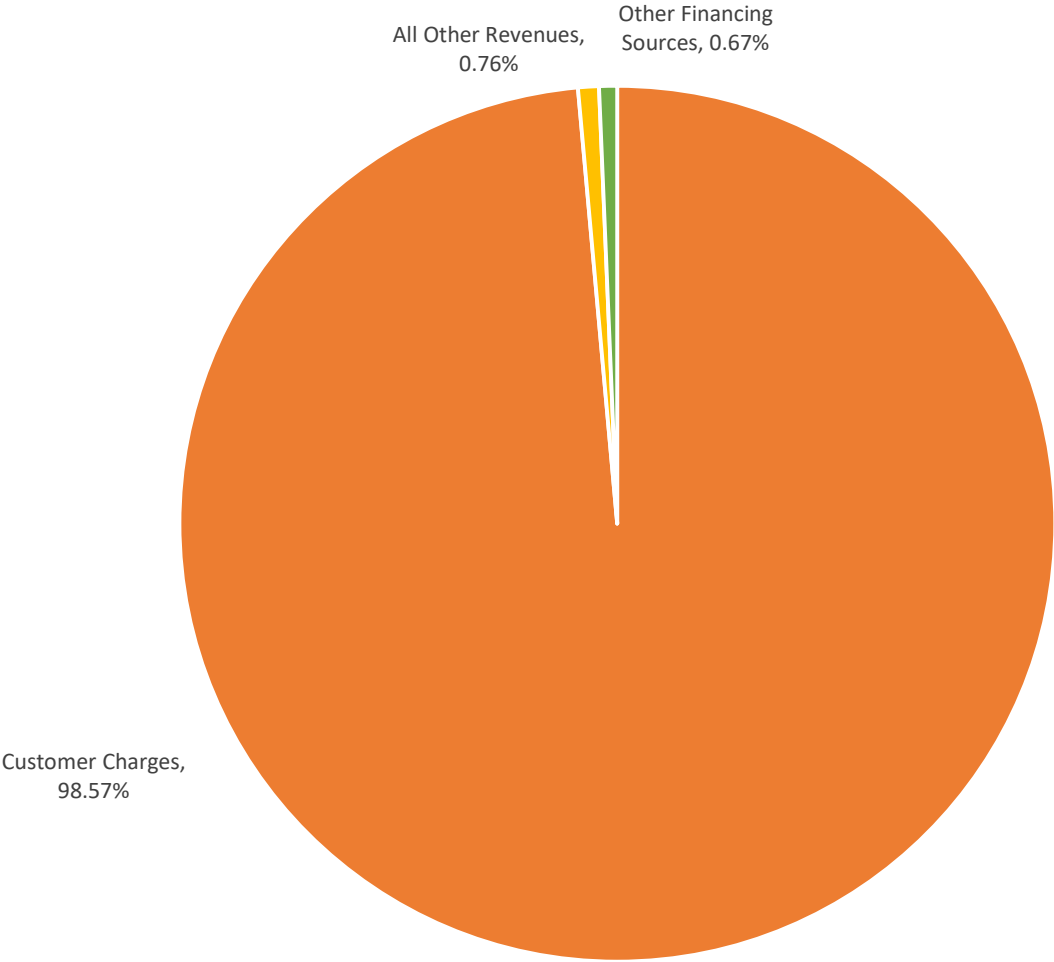
Electric Fund

Department	Amount	Percent of Total
Maintenance	\$2,238,050	19.76%
Power Purchases	\$6,470,000	57.13%
Charges by General Fund	\$1,205,128	10.64%
Bad Debt Expense	\$30,000	0.26%
Operating Transfers	\$1,381,430	12.20%
Total	\$11,324,608	100.00%



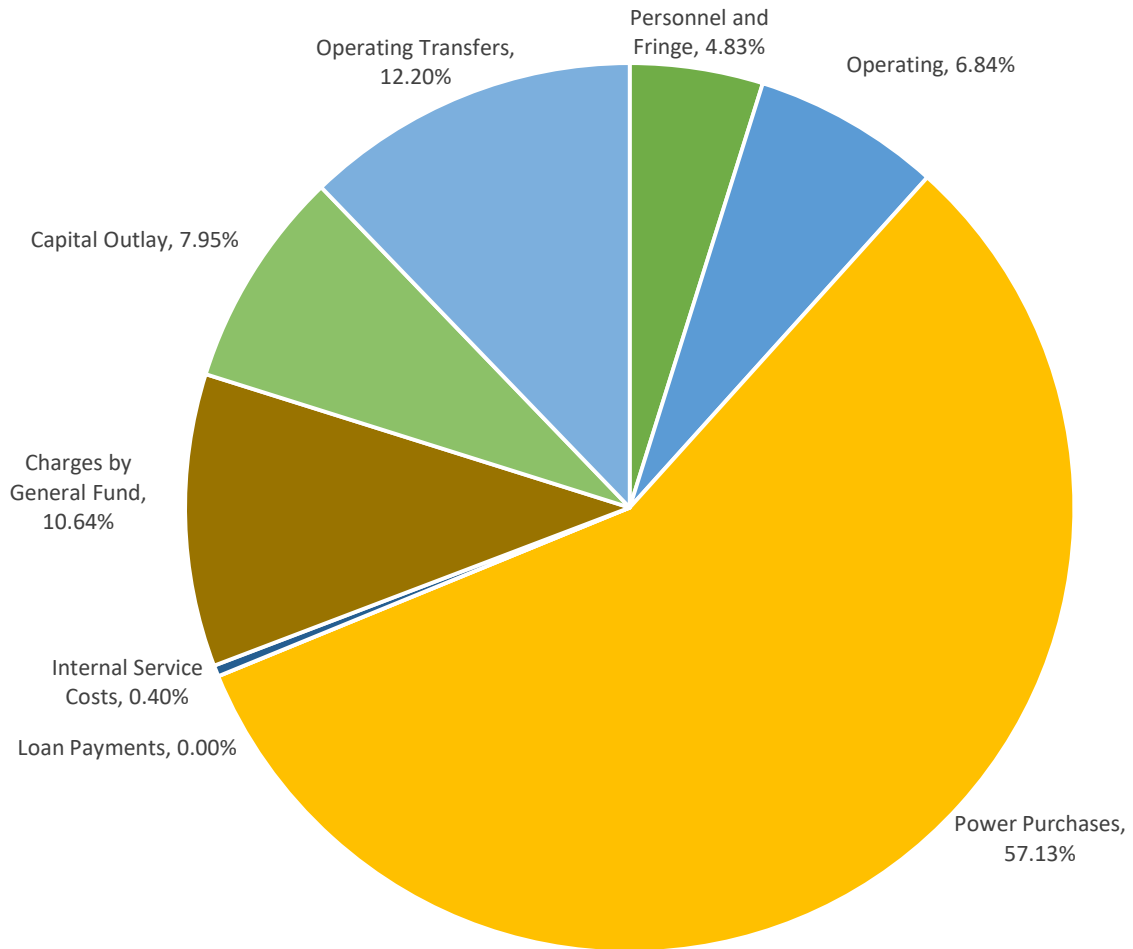
Electric Fund Revenues

Revenues	Amount	Percent of Total
Customer Charges	\$11,162,500	98.57%
All Other Revenues	\$86,000	0.76%
Other Financing Sources	\$76,108	0.67%
Grand Total	\$11,324,608	100.00%



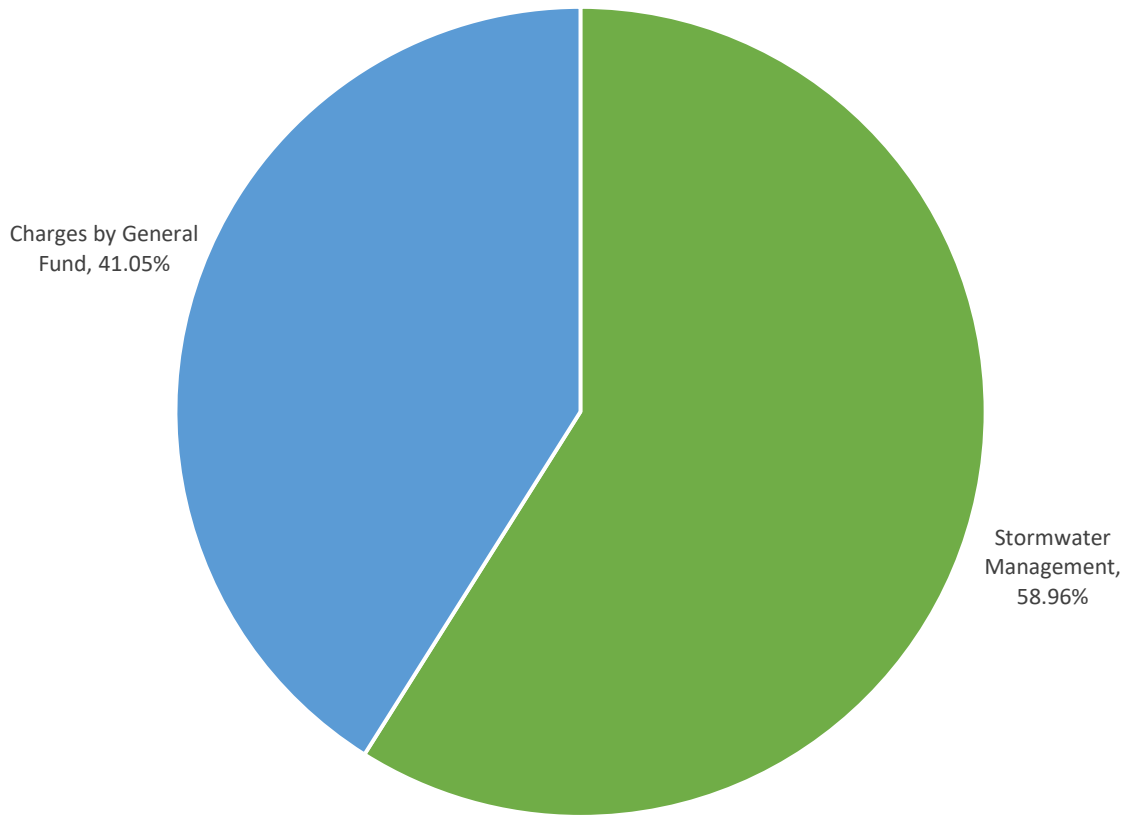
Electric Fund Expenditures

Expenditure Type	Amount	Percent of Total
Personnel and Fringe	\$547,510	4.83%
Operating	\$775,000	6.84%
Power Purchases	\$6,470,000	57.13%
Loan Payments	\$0	0.00%
Internal Service Costs	\$45,540	0.40%
Charges by General Fund	\$1,205,128	10.64%
Capital Outlay	\$900,000	7.95%
Operating Transfers	\$1,381,430	12.20%
Grand Total	\$11,324,608	100.00%



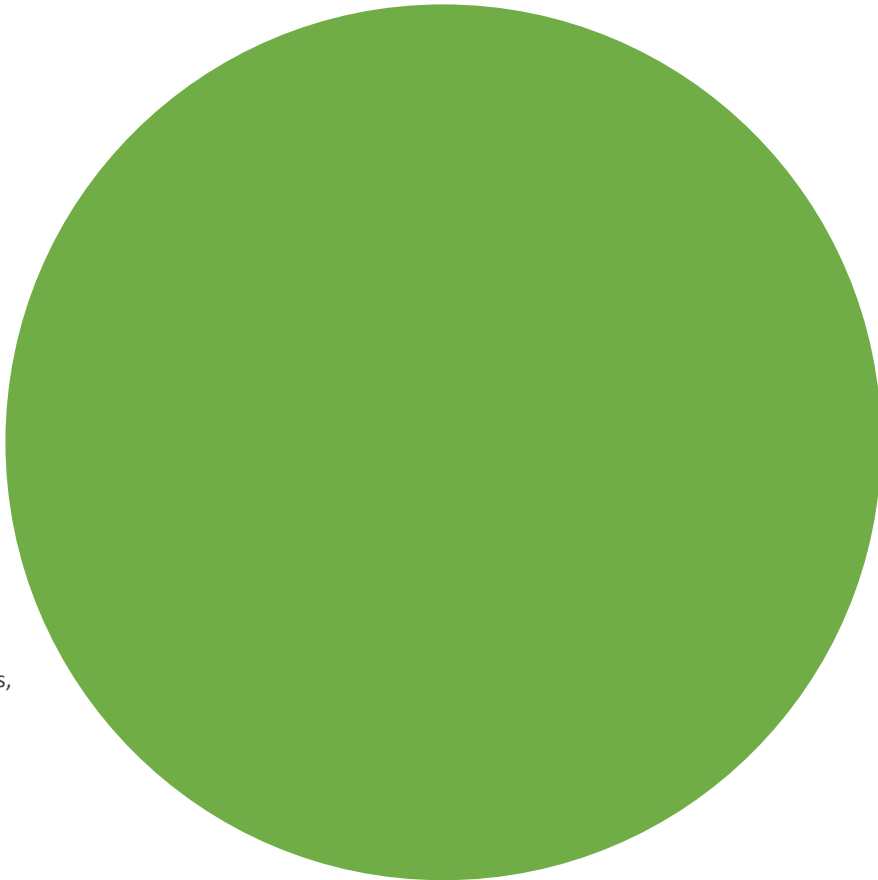
Stormwater Fund

Department	Amount	Percent of Total
Stormwater Management	\$117,910	58.96%
Charges by General Fund	\$82,090	41.05%
Total	\$200,000	100.00%



Stormwater Fund Revenues

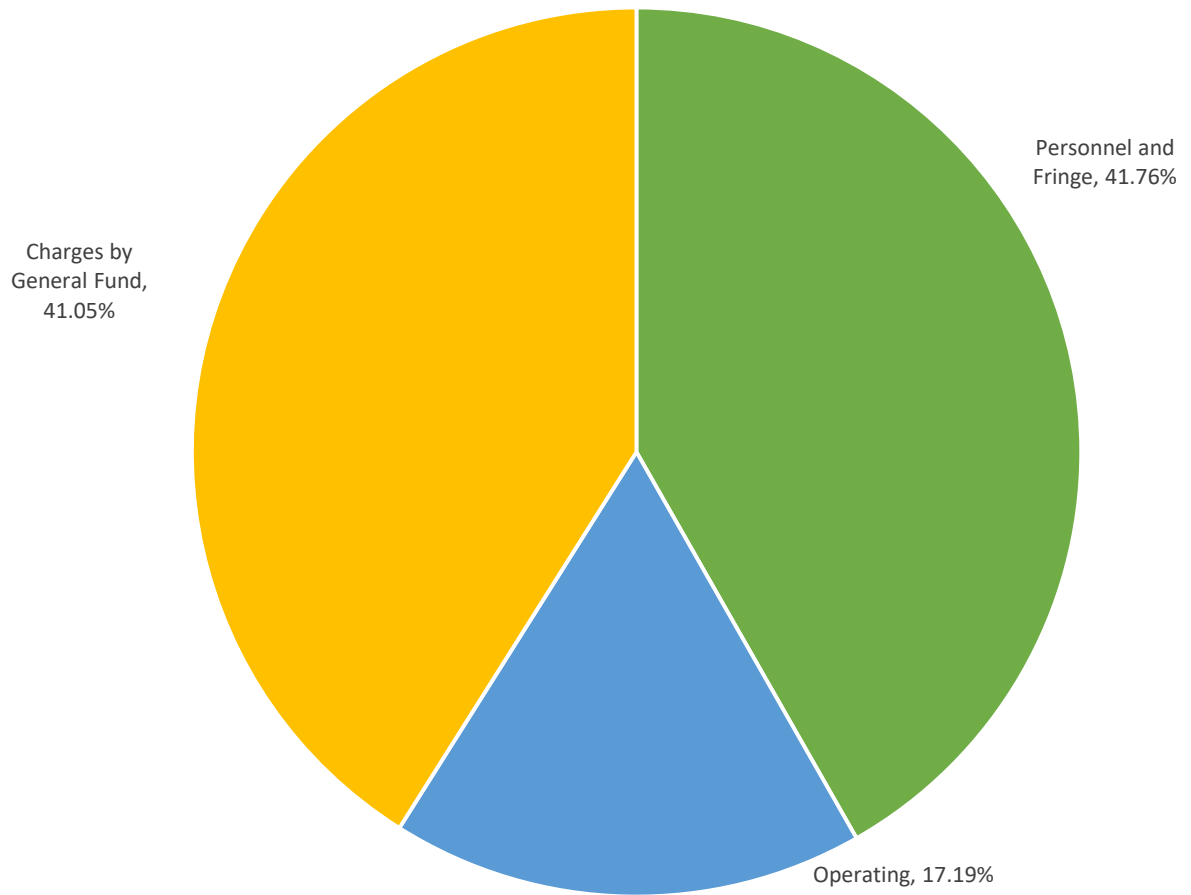
Revenues	Amount	Percent of Total
Customer Charges	\$200,000	100.00%
Grand Total	\$200,000	100.00%



Customer Charges,
100.00%

Stormwater Fund Expenditures

Expenditure Type	Amount	Percent of Total
Personnel and Fringe	\$83,525	41.76%
Operating	\$34,385	17.19%
Charges by General Fund	\$82,090	41.05%
Grand Total	\$200,000	100.00%



Line Item Budgets

General Fund - Revenues

Account Description	FY24 Budget	FY25 Recommended
AD VALOREM TAXES		
Ad Valorem Taxes	\$ 6,426,400	\$ 7,375,500
DWA Taxes	106,400	109,300
Motor Vehicle Tax	500,000	569,415
MV Rental Tax	20,000	25,000
Fire Tax	635,750	635,900
Ad Valorem Tax Refunds	(3,500)	(1,500)
Penalties And Interest	50,000	55,000
Advertising	1,500	1,500
Total	7,736,550	8,770,115
OTHER TAXES		
Sales Tax	4,500,000	4,680,000
Cable Television Tax	100,000	90,000
Business Registration	150	150
Total	4,600,150	4,770,150
UNRESTRICTED INTERGOVERNMENTAL		
Beer and Wine Tax	40,000	40,000
Court Facilities Fees	1,500	1,500
Franchise Tax	722,000	722,000
Total	763,500	763,500
RESTRICTED INTERGOVERNMENTAL		
Powell Bill Revenue	390,000	405,000
Solid Waste Disposal Tax Dist.	7,500	7,500
Investment Earnings-Powell Bill	1,000	1,000
Stormwater Grant	400,000	-
Total	798,500	413,500
PERMITS AND FEES		
Building Permits	175,000	175,000
Connect & Reconnect Fees	50,000	55,000
Late Payment Penalties	30,000	35,000
Sign Permits	4,000	4,000
Planning Fees	10,000	8,000
Occupancy Use Fees	3,000	3,000
Clean Up/Demolition Revenue	1,000	-
Rezoning Fees	1,000	2,000
ABC Inspection	750	750
Fire Inspections	300	300
Temporary Use - Food Trucks	500	300
Homeowners Recovery Fund	(400)	500
Total	275,150	283,850

SALES & SERVICES

Adult & Children Programs	115,000	125,000
Adult and Children - Armory	10,000	10,000
Cemetery After Hours Call Out	500	1,000
Cemetery Lot Sales	22,000	20,000
Columbarium Sales	2,000	2,000
Commercial Sanitation Fees	115,000	115,000
Cremation Open / Close	1,000	1,500
Cremation Space - In Ground	1,750	1,500
Daily Passes - Recreation Dept	70,000	75,000
DWC Revenue	30,000	35,000
Facility Rental-Armory	1,500	1,500
Police Contract Services	170,000	170,000
Rec - Resale - Vending & Other	1,500	250
Recreation - Commissions	500	500
Recreation Memberships	255,000	255,000
Recreation Rental	25,000	30,000
Residential Sanitation	575,000	575,000
Total	1,395,750	1,418,250

OTHER REVENUES

Bad Check Charges	2,000	2,500
Miscellaneous Revenue	30,000	27,200
Parking Tickets	100	100
Public Art Donations	5,000	5,000
Rents	80,000	80,000
Sale of Materials/Fixed Assets	25,000	25,000
Investment Income	200,000	300,000
Total	342,100	439,800

OTHER FINANCING SOURCES

ABC Distribution - General	100,000	150,000
ABC Distribution - Law Enf.	36,000	36,000
ABC Distribution - Rehab	30,000	30,000
Fund Balance App. Powell Bill	15,000	100,000
Fund Balance Appropriated	14,675	589,000
Transfer from Cemetery Fund	70,000	-
Transfer From Electric Fund	1,275,600	1,275,600
Total	1,541,275	2,180,600

General Fund Total	\$	17,452,975	\$	19,039,765
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General Fund - Expenditures

ACCOUNT ID	Description	FY24 Budget	FY25 Recommended
Governing Board			
10-4110-00-511210	Regular Pay	\$ 44,215	\$ 44,215
10-4110-00-511810	FICA	\$ 3,382	\$ 3,382
10-4110-00-511830	Hospital Expense	\$ 55,000	\$ 47,200
10-4110-00-511832	Life Insurance Expense	\$ 252	\$ 700
10-4110-00-511833	Dental Insurance	\$ 2,400	\$ 2,400
10-4110-00-511840	Health Reimburse Expense - Reg	\$ 6,800	\$ 7,300
10-4110-00-511850	Unemployment Ins. Expense	\$ 50	\$ 50
10-4110-00-511860	Workers Comp. Expense	\$ 1,000	\$ 1,000
10-4110-00-521920	Legal Fees	\$ 15,000	\$ 13,200
10-4110-00-521990	Prof. Services/Consultant Fees	\$ 1,500	\$ -
10-4110-00-532920	Materials And Supplies	\$ 8,000	\$ 8,000
10-4110-00-533180	Travel And Training	\$ 2,000	\$ 2,000
10-4110-00-533210	Telephone	\$ -	\$ -
10-4110-00-533990	Election Services Contract	\$ 15,000	\$ -
10-4110-00-534510	Property And Gen. Liab. Ins.	\$ 6,000	\$ 6,800
10-4110-00-534580	Other Insurance Costs	\$ -	\$ -
10-4110-00-534910	Dues Memberships And Subscript	\$ 26,000	\$ 25,000
10-4110-00-548000	Charges to Other Funds	\$ (139,950)	\$ (120,930)
10-4110-00-548100	Internal Service Costs	\$ -	\$ -
	Governing Board Total	\$ 46,649	\$ 40,317
Administration			
10-4120-00-511210	Regular Pay	\$ 440,400	\$ 463,750
10-4120-00-511220	Overtime Pay	\$ -	\$ -
10-4120-00-511230	Temporary And Part Time Pay	\$ 2,000	\$ 2,000
10-4120-00-511810	FICA	\$ 33,850	\$ 35,600
10-4120-00-511820	Retirement Expense	\$ 53,545	\$ 63,350
10-4120-00-511825	401k Expense - Administration	\$ 22,025	\$ 23,200
10-4120-00-511830	Hospital Expense	\$ 60,000	\$ 55,500
10-4120-00-511831	Retired Employee Ins. Exp	\$ 16,200	\$ -
10-4120-00-511832	Life Insurance Expense	\$ 750	\$ 700
10-4120-00-511833	Dental Insurance	\$ 2,500	\$ 2,500
10-4120-00-511840	Health Reimburs Expense - Reg	\$ 6,800	\$ 7,300
10-4120-00-511841	Health Reimburse Exp - Ret	\$ 2,725	\$ -
10-4120-00-511845	Health and Wellness	\$ 10,000	\$ 10,000
10-4120-00-511850	Unemployment Ins. Expense	\$ 500	\$ 500
10-4120-00-511860	Workers Comp. Expense	\$ 6,500	\$ 6,500
10-4120-00-521920	Legal Fees	\$ 30,000	\$ 15,000
10-4120-00-521930	Deductibles & Medical Fees	\$ 30,000	\$ 20,000
10-4120-00-521970	Preemployment Background/Drug	\$ -	\$ 10,000
10-4120-00-521990	Prof. Services/Consultant Fees	\$ 40,000	\$ 20,000
10-4120-00-532120	Uniform Expense	\$ 1,500	\$ 1,500
10-4120-00-532510	Gas	\$ 1,050	\$ 1,050
10-4120-00-532520	Tires	\$ 230	\$ 220
10-4120-00-532530	Vehicle Repairs/Maintenance	\$ 1,460	\$ 1,620
10-4120-00-532920	Materials And Supplies	\$ 15,000	\$ 15,000
10-4120-00-532930	Data Processing Supplies	\$ 15,000	\$ 15,000
10-4120-00-533180	Travel And Training	\$ 20,000	\$ 20,000
10-4120-00-533210	Telephone	\$ 14,500	\$ 14,500

10-4120-00-533250	Postage	\$ 55,000	\$ 55,000
10-4120-00-533520	Equipment Repairs/Maintenance	\$ 15,000	\$ 15,000
10-4120-00-533700	Other Advertising	\$ 5,000	\$ 5,500
10-4120-00-533910	Legal Notice	\$ 4,000	\$ 4,000
10-4120-00-534390	Equipment Rentals	\$ 1,600	\$ -
10-4120-00-534490	Other Contractual Service	\$ 25,000	\$ 10,000
10-4120-00-534510	Property And Gen. Liab. Ins.	\$ 5,000	\$ 5,000
10-4120-00-534520	Vehicle Insurance	\$ 500	\$ 500
10-4120-00-534910	Dues Memberships And Subscript	\$ 10,000	\$ 10,000
10-4120-00-534990	Miscellaneous	\$ 10,000	\$ 10,000
10-4120-00-545400	Vehicles	\$ -	\$ -
10-4120-00-545500	Equipment	\$ -	\$ -
10-4120-00-545900	Capital Improvements	\$ -	\$ -
10-4120-00-546000	Loan Payments	\$ -	\$ -
10-4120-00-548000	Charges to Other Funds	\$ (704,500)	\$ (689,860)
10-4120-00-548100	Internal Service Costs	\$ -	\$ -
	Administration Total	\$ 253,135	\$ 229,930
Downtown			
10-4125-00-511210	Regular Pay	\$ 55,000	\$ 56,270
10-4125-00-511230	Temporary And Part Time Pay	\$ 16,000	\$ 16,000
10-4125-00-511810	FICA	\$ 5,450	\$ 5,530
10-4125-00-511820	Retirement Expense	\$ 6,690	\$ 7,690
10-4125-00-511825	401K Expense	\$ 2,750	\$ 2,820
10-4125-00-511830	Hospital Expense	\$ 8,100	\$ 8,100
10-4125-00-511831	Retired Employee Ins. Exp	\$ -	\$ -
10-4125-00-511832	Life Insurance Expense	\$ 170	\$ 150
10-4125-00-511833	Dental Insurance	\$ 650	\$ 450
10-4125-00-511840	Health Reimburs Expense - Reg	\$ 1,400	\$ 1,460
10-4125-00-511841	Health Reimburse Exp - Ret	\$ -	\$ -
10-4125-00-511850	Unemployment Ins. Expense	\$ 100	\$ 50
10-4125-00-511860	Workers Comp. Expense	\$ 200	\$ 200
10-4125-00-521920	Legal Fees	\$ 1,500	\$ -
10-4125-00-521990	Prof. Services/Consultant Fees	\$ 27,000	\$ 25,000
10-4125-00-532120	Uniform Expense	\$ 400	\$ 400
10-4125-00-532920	Materials And Supplies	\$ 18,000	\$ 19,000
10-4125-00-533180	Travel And Training	\$ 10,000	\$ 10,000
10-4125-00-533210	Telephone	\$ 1,600	\$ 780
10-4125-00-533520	Equipment Repairs/Maintenance	\$ -	\$ -
10-4125-00-533700	Other Advertising	\$ 20,000	\$ 23,000
10-4125-00-534390	Equipment Rentals	\$ 8,000	\$ 8,500
10-4125-00-534490	Other Contractual Service	\$ 15,000	\$ 10,000
10-4125-00-534910	Dues Memberships And Subscript	\$ 2,000	\$ 2,000
10-4125-00-534990	Miscellaneous	\$ 1,000	\$ 1,000
10-4125-00-545400	Vehicles	\$ -	\$ -
10-4125-00-545500	Equipment	\$ -	\$ -
10-4125-00-545900	Capital Improvements	\$ -	\$ -
	Downtown Total	\$ 201,010	\$ 198,400
Finance			
10-4130-00-511210	Regular Pay	\$ 789,570	\$ 879,260
10-4130-00-511220	Overtime Pay	\$ 13,000	\$ 12,000
10-4130-00-511230	Temporary And Part Time Pay	\$ 33,000	\$ 34,000
10-4130-00-511810	FICA	\$ 63,925	\$ 70,790

10-4130-00-511820	Retirement Expense	\$ 96,010	\$ 120,110
10-4130-00-511825	401k Expense - Finance	\$ 39,480	\$ 43,970
10-4130-00-511830	Hospital Expense	\$ 170,000	\$ 148,000
10-4130-00-511831	Retired Employee Ins. Exp	\$ 16,200	\$ 32,400
10-4130-00-511832	Life Insurance Expense	\$ 1,500	\$ 2,250
10-4130-00-511833	Dental Insurance	\$ 5,200	\$ 8,000
10-4130-00-511840	Health Reimburs Expense - Reg	\$ 23,100	\$ 24,800
10-4130-00-511841	Health Reimburs Exp - Ret	\$ 2,725	\$ 4,375
10-4130-00-511850	Unemployment Ins. Expense	\$ 1,000	\$ 1,000
10-4130-00-511860	Workers Comp. Expense	\$ 14,000	\$ 12,000
10-4130-00-521910	Accounting	\$ 65,000	\$ 65,000
10-4130-00-521940	County Tax Collection Fees	\$ 18,000	\$ 25,000
10-4130-00-521990	Prof. Services/Consultant Fees	\$ 20,000	\$ 18,000
10-4130-00-532120	Uniform Expense	\$ 7,400	\$ 7,000
10-4130-00-532510	Gas	\$ 7,175	\$ 7,175
10-4130-00-532520	Tires	\$ 1,900	\$ 1,810
10-4130-00-532530	Vehicle Repairs/Maintenance	\$ 12,000	\$ 13,340
10-4130-00-532920	Materials And Supplies	\$ 44,700	\$ 46,000
10-4130-00-533180	Travel And Training	\$ 17,400	\$ 20,000
10-4130-00-533210	Telephone	\$ 8,600	\$ 8,600
10-4130-00-533310	Electricity	\$ 12,000	\$ 10,000
10-4130-00-533330	Propane Gas	\$ 10,000	\$ 5,000
10-4130-00-533340	Water	\$ 500	\$ 500
10-4130-00-533350	Sewer	\$ 600	\$ 500
10-4130-00-533410	Printing	\$ 30,000	\$ 30,000
10-4130-00-533510	Building Repairs & Maintenance	\$ 4,500	\$ 4,500
10-4130-00-533520	Equipment Repairs/Maintenance	\$ 127,500	\$ 50,000
10-4130-00-533700	Other Advertising	\$ 4,000	\$ 4,000
10-4130-00-534390	Equipment Rentals	\$ 1,500	\$ 1,500
10-4130-00-534510	Property And Gen. Liab. Ins.	\$ 16,200	\$ 20,000
10-4130-00-534520	Vehicle Insurance	\$ 1,811	\$ 1,500
10-4130-00-534530	Bonds	\$ 6,000	\$ 7,000
10-4130-00-534910	Dues Memberships And Subscript	\$ 1,000	\$ 1,500
10-4130-00-534911	Accounting Software Subscription	\$ -	\$ 130,000
10-4130-00-534920	Bad Debt Expense	\$ 5,000	\$ 5,000
10-4130-00-545400	Vehicles	\$ -	\$ -
10-4130-00-545500	Equipment	\$ -	\$ 19,000
10-4130-00-546000	Loan Payments	\$ -	\$ -
10-4130-00-548000	Charges to Other Funds	\$ (1,268,688)	\$ (1,421,160)
10-4130-00-548100	Internal Service Costs	\$ -	\$ -
	Finance Total	\$ 422,808	\$ 473,720
Public Works			
10-4260-00-511210	Regular Pay	\$ 411,700	\$ 425,900
10-4260-00-511220	Overtime Pay	\$ 3,500	\$ 3,500
10-4260-00-511230	Temporary And Part Time Pay	\$ 1,000	\$ 2,500
10-4260-00-511810	FICA	\$ 31,850	\$ 33,040
10-4260-00-511820	Retirement Expense	\$ 50,055	\$ 58,175
10-4260-00-511825	401k Expense Public Buildings	\$ 20,600	\$ 21,300
10-4260-00-511830	Hospital Expense	\$ 84,000	\$ 83,100
10-4260-00-511831	Retired Employee Ins. Exp	\$ 8,100	\$ 10,800
10-4260-00-511832	Life Insurance Expense	\$ 1,000	\$ 1,000
10-4260-00-511833	Dental Insurance	\$ 2,000	\$ 3,200

10-4260-00-511840	Health Reimburs Expense - Reg	\$ 9,500	\$ 10,150
10-4260-00-511841	Health Reimburse Exp - Ret	\$ 1,400	\$ 2,900
10-4260-00-511850	Unemployment Ins. Expense	\$ 750	\$ 500
10-4260-00-511860	Workers Comp. Expense	\$ 9,000	\$ 8,000
10-4260-00-521920	Legal Fees	\$ 5,000	\$ 5,000
10-4260-00-521990	Prof. Services/Consultant Fees	\$ 19,000	\$ 25,000
10-4260-00-532120	Uniform Expense	\$ 8,000	\$ 8,000
10-4260-00-532510	Gas	\$ 7,000	\$ 7,000
10-4260-00-532520	Tires	\$ 2,120	\$ 2,020
10-4260-00-532530	Vehicle Repairs/Maintenance	\$ 13,390	\$ 14,880
10-4260-00-532920	Materials And Supplies	\$ 70,000	\$ 80,000
10-4260-00-532920-10012	Public Art-Materials And Supplies	\$ -	\$ 2,500
10-4260-00-533180	Travel And Training	\$ 11,500	\$ 11,500
10-4260-00-533210	Telephone	\$ 12,000	\$ 12,000
10-4260-00-533310	Electricity	\$ 65,000	\$ 70,000
10-4260-00-533330	Propane Gas	\$ -	\$ 2,500
10-4260-00-533340	Water	\$ 1,000	\$ 1,500
10-4260-00-533350	SEWER	\$ 1,100	\$ 2,000
10-4260-00-533360	Commercial Fee/or Dumpster	\$ -	\$ 1,320
10-4260-00-533510	Building Repairs & Maintenance	\$ 35,000	\$ 40,000
10-4260-00-533520	Equipment Repairs/Maintenance	\$ 10,500	\$ 10,000
10-4260-00-534110	Lease Parking	\$ 26,000	\$ 35,000
10-4260-00-534120	Lease Bldg.	\$ -	\$ -
10-4260-00-534490	Other Contractual Service	\$ 335,000	\$ 352,000
10-4260-00-534510	Property And Gen. Liab. Ins.	\$ 5,000	\$ 6,000
10-4260-00-534520	Vehicle Insurance	\$ 2,500	\$ 2,500
10-4260-00-534910	Dues Memberships And Subscript	\$ 12,600	\$ 12,600
10-4260-00-545400	Vehicles	\$ -	\$ -
10-4260-00-545900	Capital Improvements	\$ 25,000	\$ -
10-4260-00-546000	Loan Payments	\$ 108,800	\$ 106,830
10-4260-00-548000	Charges to Other Funds	\$ (761,357)	\$ (796,076)
	Public Works Total	\$ 648,608	\$ 678,139
Police Dept			
10-4310-00-511210	Regular Pay	\$ 2,594,000	\$ 2,995,500
10-4310-00-511220	Overtime Pay	\$ 175,000	\$ 232,920
10-4310-00-511230	Temporary And Part Time Pay	\$ 125,000	\$ 105,000
10-4310-00-511280	Separation Pay - Police	\$ 97,000	\$ 103,600
10-4310-00-511290	Police Contract Service Exp.	\$ -	\$ -
10-4310-00-511810	FICA	\$ 228,800	\$ 260,870
10-4310-00-511820	Retirement Expense	\$ 338,260	\$ 455,180
10-4310-00-511825	401k Expense-Police	\$ 129,700	\$ 151,320
10-4310-00-511830	Hospital Expense	\$ 600,000	\$ 635,500
10-4310-00-511831	Retired Employee Ins. Exp	\$ 105,280	\$ 83,100
10-4310-00-511832	Life Insurance Expense	\$ 6,500	\$ 6,700
10-4310-00-511833	Dental Insurance	\$ 14,000	\$ 23,200
10-4310-00-511840	Health Reimburs Expense - Reg	\$ 67,800	\$ 73,800
10-4310-00-511841	Health Reimburse Exp - Ret	\$ 17,650	\$ 16,000
10-4310-00-511850	Unemployment Ins. Expense	\$ 3,500	\$ 3,500
10-4310-00-511860	Workers Comp. Expense	\$ 60,000	\$ 50,000
10-4310-00-513920	Laundry & Cleaning Allowance	\$ 14,500	\$ 14,500
10-4310-00-521990	Prof. Services/Consultant Fees	\$ 20,000	\$ 20,000
10-4310-00-532120	Uniform Expense	\$ 46,000	\$ 46,000

10-4310-00-532510	Gas	\$ 119,000	\$ 119,000
10-4310-00-532520	Tires	\$ 34,530	\$ 32,890
10-4310-00-532530	Vehicle Repairs/Maintenance	\$ 218,030	\$ 242,330
10-4310-00-532920	Materials And Supplies	\$ 130,000	\$ 130,000
10-4310-00-532940	PD Civilian Volunteers	\$ 4,000	\$ 4,000
10-4310-00-533180	Travel And Training	\$ 36,000	\$ 36,000
10-4310-00-533210	Telephone	\$ 34,000	\$ 34,000
10-4310-00-533310	Electricity	\$ 1,500	\$ 1,500
10-4310-00-533520	Equipment Repairs/Maintenance	\$ 60,000	\$ 60,000
10-4310-00-534390	Equipment Rentals	\$ 13,500	\$ 13,500
10-4310-00-534510	Property And Gen. Liab. Ins.	\$ 49,000	\$ 58,000
10-4310-00-534520	Vehicle Insurance	\$ 10,000	\$ 10,000
10-4310-00-534580	Other Insurance Costs	\$ 10,000	\$ 10,000
10-4310-00-534910	Dues Memberships And Subscript	\$ 26,000	\$ 91,550
10-4310-00-534995	Special Operations Expense	\$ 10,000	\$ 10,000
10-4310-00-545400	Vehicles	\$ -	\$ -
10-4310-00-545500	Equipment	\$ 7,175	\$ 22,000
10-4310-00-545900	Capital Improvements	\$ -	\$ -
10-4310-00-546000	Loan Payments	\$ -	\$ -
10-4310-00-548100	Internal Service Costs	\$ -	\$ -
10-4315-532920-10002	Donations-Materials & Supplies	\$ -	\$ 5,000
10-4315-532920-30006	NC Unauth Sub-Materials & Supplies	\$ -	\$ 3,000
10-4315-532920-50013	SWAT-Materials & Supplies	\$ -	\$ 4,000
104315-533180-30006	NC Unauth Sub-Training	\$ -	\$ 5,000
10-4315-533180-50002	Fed Forfeit-Training	\$ -	\$ -
10-4315-533180-50013	SWAT-Training	\$ -	\$ 2,000
10-4315-545500-50014	Equipment - K9 grant	\$ 10,000	\$ -
	Police Total	\$ 5,415,725	\$ 6,170,460
Fire Dept			
10-4340-00-511210	Regular Pay	\$ 961,870	\$ 1,124,645
10-4340-00-511220	Overtime Pay	\$ 10,000	\$ 12,500
10-4340-00-511230	Temporary And Part Time Pay	\$ 100,000	\$ 150,000
10-4340-00-511240	Volunteer Pay	\$ 20,000	\$ 20,000
10-4340-00-511810	FICA	\$ 83,530	\$ 100,010
10-4340-00-511820	Retirement Expense	\$ 116,970	\$ 153,640
10-4340-00-511825	401k Expense-Fire Department	\$ 48,100	\$ 56,240
10-4340-00-511830	Hospital Expense	\$ 250,000	\$ 272,495
10-4340-00-511831	Retired Employee Ins. Exp	\$ 8,100	\$ 8,100
10-4340-00-511832	Life Insurance Expense	\$ 2,500	\$ 2,500
10-4340-00-511833	Dental Insurance	\$ 7,200	\$ 8,646
10-4340-00-511840	Health Reimburse Expense - Reg	\$ 25,800	\$ 27,500
10-4340-00-511841	Health Reimburse Exp - Ret	\$ 1,360	\$ 1,450
10-4340-00-511850	Unemployment Ins. Expense	\$ 1,400	\$ 1,400
10-4340-00-511860	Workers Comp. Expense	\$ 30,000	\$ 25,000
10-4340-00-513920	Laundry & Cleaning Allowance	\$ 6,840	\$ 6,840
10-4340-00-521940	Tax Collection & Advertising Fees	\$ 1,500	\$ 2,000
10-4340-00-521990	Prof. Services/Consultant Fees	\$ 29,670	\$ 41,000
10-4340-00-532120	Uniform Expense	\$ 18,000	\$ 20,000
10-4340-00-532510	Gas	\$ 28,000	\$ 28,000
10-4340-00-532520	Tires	\$ 8,260	\$ 7,870
10-4340-00-532530	Vehicle Repairs/Maintenance	\$ 52,170	\$ 57,980
10-4340-00-532920	Materials And Supplies	\$ 99,500	\$ 132,000

10-4340-00-533180	Travel And Training	\$ 17,000	\$ 18,000
10-4340-00-533210	Telephone	\$ 12,500	\$ 12,500
10-4340-00-533310	Electricity	\$ 19,000	\$ 19,000
10-4340-00-533320	Fuel Oil	\$ 1,000	\$ 1,000
10-4340-00-533340	Water	\$ 500	\$ 500
10-4340-00-533350	Sewer	\$ 800	\$ 800
10-4340-00-533360	Dumpster Fee	\$ 2,800	\$ 1,320
10-4340-00-533510	Building Repairs & Maintenance	\$ 15,000	\$ 17,500
10-4340-00-533520	Equipment Repairs/Maintenance	\$ 51,000	\$ 53,000
10-4340-00-534390	Equipment Rentals	\$ 1,250	\$ 1,250
10-4340-00-534510	Property And Gen. Liab. Ins.	\$ 38,000	\$ 45,000
10-4340-00-534520	Vehicle Insurance	\$ 4,000	\$ 5,500
10-4340-00-534580	Other Insurance Costs	\$ 500	\$ 3,000
10-4340-00-534910	Dues Memberships And Subscript	\$ 8,500	\$ 9,000
10-4340-00-545100	Land Purchase	\$ -	\$ -
10-4340-00-545400	Vehicles	\$ -	\$ -
10-4340-00-545500	Equipment	\$ -	\$ -
10-4340-00-545900	Capital Improvements	\$ -	\$ 570,000
10-4340-00-546000	Loan Payments	\$ 152,000	\$ 151,759
10-4340-00-548100	Internal Service Costs	\$ -	\$ -
	Fire Total	\$ 2,234,620	\$ 3,168,945
Streets & Sanitation			
10-4510-00-511210	Regular Pay	\$ 955,000	\$ 977,710
10-4510-00-511220	Overtime Pay	\$ 30,000	\$ 35,000
10-4510-00-511230	Temporary And Part Time Pay	\$ 10,000	\$ 15,000
10-4510-00-511810	FICA	\$ 76,000	\$ 78,620
10-4510-00-511820	Retirement Expense	\$ 117,450	\$ 133,560
10-4510-00-511825	401k Expense-Streets and Sant	\$ 48,100	\$ 48,890
10-4510-00-511830	Hospital Expense	\$ 295,000	\$ 278,800
10-4510-00-511831	Retired Employee Ins. Exp	\$ 24,300	\$ 24,300
10-4510-00-511832	Life Insurance Expense	\$ 2,500	\$ 3,400
10-4510-00-511833	Dental Insurance	\$ 10,500	\$ 11,200
10-4510-00-511840	Health Reimburse Expense - Reg	\$ 33,900	\$ 36,500
10-4510-00-511841	Health Reimburse Exp - Ret	\$ 4,100	\$ 4,400
10-4510-00-511850	Unemployment Ins. Expense	\$ 1,000	\$ 1,000
10-4510-00-511860	Workers Comp. Expense	\$ 25,000	\$ 22,000
10-4510-00-521990	Prof. Services/Consultant Fees	\$ 50,000	\$ 60,000
10-4510-00-532120	Uniform Expense	\$ 25,000	\$ 25,000
10-4510-00-532510	Gas	\$ 112,000	\$ 112,000
10-4510-00-532520	Tires	\$ 34,340	\$ 32,700
10-4510-00-532530	Vehicle Repairs/Maintenance	\$ 216,770	\$ 240,930
10-4510-00-532920	Materials And Supplies	\$ 285,000	\$ 295,000
10-4510-00-532920-70097	SIDEWALKS UNDER 1500	\$ 25,000	\$ 25,000
10-4510-00-533180	Travel And Training	\$ 6,000	\$ 12,000
10-4510-00-533210	Telephone	\$ 2,500	\$ 2,500
10-4510-00-533310	Electricity	\$ 220,000	\$ 225,000
10-4510-00-533330	Propane Gas	\$ -	\$ -
10-4510-00-533515	Landfill Road Maintenance	\$ 7,500	\$ 7,500
10-4510-00-533520	Equipment Repairs/Maintenance	\$ 20,000	\$ 25,000
10-4510-00-534390	Equipment Rentals	\$ 3,500	\$ 3,500
10-4510-00-534430	Infrastructure/Paving/Improv.	\$ -	\$ -
10-4510-00-534440	Grinding	\$ 35,000	\$ 35,000

10-4510-00-534450	Tipping Fees	\$ 40,000	\$ 45,000
10-4510-00-534490	Other Contractual Service	\$ 3,000	\$ 3,000
10-4510-00-534510	Property And Gen. Liab. Ins.	\$ 28,000	\$ 32,000
10-4510-00-534520	Vehicle Insurance	\$ 5,000	\$ 5,000
10-4510-00-534580	Other Insurance Costs	\$ 5,000	\$ 5,000
10-4510-00-534910	Dues Memberships And Subscript	\$ 1,500	\$ 1,500
10-4510-00-545400	Vehicles	\$ -	\$ -
10-4510-00-545500	Equipment	\$ -	\$ 100,000
10-4510-00-545900	Capital Improvements	\$ -	\$ -
10-4510-00-546000	Loan Payments	\$ -	\$ -
10-4130-00-548000	Charges to Other Funds	\$ -	\$ (82,090)
10-4510-00-548100	Internal Service Costs	\$ -	\$ -
	Streets & Sanitation Total	\$ 2,757,960	\$ 2,880,920
Powell Bill			
10-4560-00-521990	Prof. Services/Consultant Fees	\$ 10,000	\$ 10,000
10-4560-00-522000	R/R Crossing W/Gate Annual Cos	\$ 5,000	\$ 5,000
10-4560-00-532920	Materials And Supplies	\$ 25,000	\$ 25,000
10-4560-00-534430	Infrastructure/Paving/Improv.	\$ 300,000	\$ 400,000
10-4560-00-534430-30008	Sidewalks - New	\$ 50,000	\$ 50,000
10-4560-00-534490	Other Contractual Service	\$ 15,000	\$ 15,000
10-4560-00-534520	Vehicle Insurance	\$ -	\$ -
10-4560-00-545400	Vehicles	\$ -	\$ -
10-4560-00-545500	Equipment	\$ -	\$ -
10-4560-00-545900	Capital Improvements	\$ -	\$ -
	Powell Bill Total	\$ 405,000	\$ 505,000
Cemetery			
10-4740-00-511210	Regular Pay	\$ 107,400	\$ 110,560
10-4740-00-511220	Overtime Pay	\$ 1,000	\$ 1,000
10-4740-00-511230	Temporary And Part Time Pay	\$ -	\$ 5,000
10-4740-00-511810	FICA	\$ 8,290	\$ 8,920
10-4740-00-511820	Retirement Expense	\$ 13,060	\$ 15,110
10-4740-00-511825	401k Expense-Cemetery	\$ 5,370	\$ 5,530
10-4740-00-511830	Hospital Expense	\$ 43,100	\$ 27,900
10-4740-00-511831	Retired Employee Ins. Exp	\$ -	\$ -
10-4740-00-511832	Life Insurance Expense	\$ 400	\$ 400
10-4740-00-511833	Dental Insurance	\$ 2,500	\$ 1,500
10-4740-00-511840	Health Reimburs Expense - Reg	\$ 4,100	\$ 4,400
10-4740-00-511841	Health Reimburse Exp - Ret	\$ -	\$ -
10-4740-00-511850	Unemployment Ins. Expense	\$ 150	\$ 150
10-4740-00-511860	Workers Comp. Expense	\$ 5,500	\$ 5,000
10-4740-00-521990	Prof. Services/Consultant Fees	\$ 45,000	\$ 45,000
10-4740-00-532120	Uniform Expense	\$ 3,000	\$ 3,000
10-4740-00-532510	Gas	\$ 3,150	\$ 3,150
10-4740-00-532520	Tires	\$ 890	\$ 850
10-4740-00-532530	Vehicle Repairs/Maintenance	\$ 5,630	\$ 6,260
10-4740-00-532920	Materials And Supplies	\$ 20,000	\$ 20,000
10-4740-00-533180	Travel And Training	\$ 1,000	\$ 1,500
10-4740-00-533210	Telephone	\$ 1,100	\$ 1,100
10-4740-00-533310	Electricity	\$ 2,000	\$ 2,000
10-4740-00-533520	Equipment Repairs/Maintenance	\$ 5,000	\$ 8,000
10-4740-00-534390	Equipment Rentals	\$ -	\$ -
10-4740-00-534490	Other Contractual Service	\$ 6,000	\$ 8,000

10-4740-00-534510	Property And Gen. Liab. Ins.	\$ 3,500	\$ 4,100
10-4740-00-534520	Vehicle Insurance	\$ 500	\$ 500
10-4740-00-534580	Other Insurance Costs	\$ 1,000	\$ 1,000
10-4740-00-545400	Vehicles	\$ -	\$ -
10-4740-00-545500	Equipment	\$ -	\$ -
10-4740-00-545900	Capital Improvements	\$ 30,000	\$ -
10-4740-00-548100	Internal Service Costs	\$ -	\$ -
	Cemetery Total	\$ 318,640	\$ 289,930
Development Services			
10-4910-00-511210	Regular Pay	\$ 520,600	\$ 516,210
10-4910-00-511220	Overtime Pay	\$ 500	\$ 500
10-4910-00-511230	Temporary And Part Time Pay	\$ 3,000	\$ 3,000
10-4910-00-511810	FICA	\$ 40,100	\$ 39,760
10-4910-00-511820	Retirement Expense	\$ 63,325	\$ 70,520
10-4910-00-511825	401k Expense-Planning	\$ 26,050	\$ 25,810
10-4910-00-511830	Hospital Expense	\$ 115,000	\$ 106,900
10-4910-00-511831	Retired Employee Ins. Exp	\$ 8,100	\$ -
10-4910-00-511832	Life Insurance Expense	\$ 1,500	\$ 1,500
10-4910-00-511833	Dental Insurance	\$ 5,000	\$ 4,500
10-4910-00-511840	Health Reimburse Expense - Reg	\$ 12,200	\$ 13,100
10-4910-00-511841	Health Reimburse Exp - Ret	\$ 1,400	\$ -
10-4910-00-511850	Unemployment Ins. Expense	\$ 500	\$ 500
10-4910-00-511860	Workers Comp. Expense	\$ 7,500	\$ 7,000
10-4910-00-521920	Legal Fees	\$ 25,000	\$ 30,000
10-4910-00-521950	Clean Up/Demolition Expense	\$ 30,000	\$ 45,000
10-4910-00-521990	Prof. Services/Consultant Fees	\$ 82,000	\$ 36,115
10-4910-00-521990-1023	Prof. Services/Consultant Fees	\$ 440,000	\$ 37,000
10-4910-00-532120	Uniform Expense	\$ 6,500	\$ 7,500
10-4910-00-532510	Gas	\$ 6,650	\$ 6,650
10-4910-00-532520	Tires	\$ 1,590	\$ 1,510
10-4910-00-532530	Vehicle Repairs/Maintenance	\$ 10,010	\$ 11,130
10-4910-00-532920	Materials And Supplies	\$ 14,000	\$ 17,000
10-4910-00-533180	Travel And Training	\$ 15,000	\$ 15,300
10-4910-00-533210	Telephone	\$ 6,000	\$ 6,000
10-4910-00-533520	Equipment Repairs/Maintenance	\$ 7,000	\$ 7,000
10-4910-00-534510	Property And Gen. Liab. Ins.	\$ 8,000	\$ 9,000
10-4910-00-534520	Vehicle Insurance	\$ 1,500	\$ 1,500
10-4910-00-534910	Dues Memberships And Subscript	\$ 4,000	\$ 5,000
10-4910-00-545400	Vehicles	\$ -	\$ -
10-4910-00-545500	Equipment	\$ -	\$ -
10-4910-00-545900	Capital Improvements	\$ -	\$ -
10-4910-00-548100	Internal Service Costs	\$ -	\$ -
	Development Services Total	\$ 1,462,025	\$ 1,025,005
Special Appropriations			
10-5300-00-536910	Donations & Contributions	\$ 30,000	\$ 30,000
10-5300-00-536915	R. Economic Development	\$ -	\$ 57,000
10-5300-00-536920	Transfer to Other Organization	\$ 5,000	\$ 7,500
10-5300-00-536960	Homeowners Recovery Fund Trans	\$ -	\$ -
10-5300-00-545900	Capital Improvements	\$ -	\$ -
	Special Appropriations Total	\$ 35,000	\$ 94,500
Parks & Recreation			
10-6120-00-511210	Regular Pay	\$ 1,036,000	\$ 1,092,450

10-6120-00-511220	Overtime Pay	\$ 15,000	\$ 18,000
10-6120-00-511230	Temporary And Part Time Pay	\$ 275,000	\$ 305,000
10-6120-00-511810	FICA	\$ 101,800	\$ 108,290
10-6120-00-511820	Retirement Expense	\$ 125,975	\$ 149,230
10-6120-00-511825	401k Expense-Parks & Rec	\$ 51,800	\$ 54,630
10-6120-00-511830	Hospital Expense	\$ 275,000	\$ 240,700
10-6120-00-511831	Retired Employee Ins. Exp	\$ 16,200	\$ 8,100
10-6120-00-511832	Life Insurance Expense	\$ 3,000	\$ 3,200
10-6120-00-511833	Dental Insurance	\$ 12,000	\$ 11,000
10-6120-00-511840	Health Reimburse Expense - Reg	\$ 30,000	\$ 34,800
10-6120-00-511841	Health Reimburse Exp - Ret	\$ 2,725	\$ 1,450
10-6120-00-511850	Unemployment Ins. Expense	\$ 1,000	\$ 1,000
10-6120-00-511860	Workers Comp. Expense	\$ 25,000	\$ 25,000
10-6120-00-521990	Prof. Services/Consultant Fees	\$ 35,000	\$ 35,000
10-6120-00-532120	Uniform Expense	\$ 10,000	\$ 9,000
10-6120-00-532510	Gas	\$ 8,750	\$ 8,750
10-6120-00-532520	Tires	\$ 2,390	\$ 2,280
10-6120-00-532530	Vehicle Repairs/Maintenance	\$ 15,110	\$ 16,800
10-6120-00-532700	Purchases For Resale	\$ -	\$ -
10-6120-00-532910	Treatment Chemicals	\$ 17,000	\$ 15,000
10-6120-00-532920	Materials And Supplies	\$ 135,000	\$ 145,206
10-6120-00-533180	Travel And Training	\$ 20,000	\$ 20,000
10-6120-00-533210	Telephone	\$ 10,000	\$ 13,000
10-6120-00-533310	Electricity	\$ 160,000	\$ 165,000
10-6120-00-533330	Propane Gas	\$ 80,000	\$ 50,000
10-6120-00-533340	Water	\$ 5,000	\$ 5,000
10-6120-00-533350	Sewer	\$ 7,000	\$ 7,000
10-6120-00-533360	Dumpster Fee	\$ 7,500	\$ 7,500
10-6120-00-533510	Building Repairs & Maintenance	\$ 60,000	\$ 70,000
10-6120-00-533520	Equipment Repairs/Maintenance	\$ 50,000	\$ 60,000
10-6120-00-533700	Other Advertising	\$ 8,000	\$ 20,000
10-6120-00-534390	Equipment Rentals	\$ 2,550	\$ 2,000
10-6120-00-534510	Property And Gen. Liab. Ins.	\$ 21,000	\$ 25,000
10-6120-00-534520	Vehicle Insurance	\$ 2,500	\$ 2,500
10-6120-00-534580	Other Insurance Costs	\$ 300	\$ 300
10-6120-00-534910	Dues Memberships And Subscript	\$ 6,030	\$ 8,000
10-6120-00-545400	Vehicles	\$ -	\$ -
10-6120-00-545500	Equipment	\$ -	\$ 50,000
10-6120-00-545820	Building Improvements	\$ -	\$ -
10-6120-00-545900	Capital Improvements	\$ 121,000	\$ -
10-6120-00-546000	Loan Payments	\$ 88,665	\$ 88,665
10-6120-00-548100	Internal Service Costs	\$ -	\$ -
10-6125-00-535000	Playground Maintenance	\$ 10,000	\$ 10,000
10-6125-00-536230	Adult And Childern Programs	\$ 15,000	\$ 15,000
10-6125-00-536310	Misc. Grants-Recreation	\$ -	\$ -
	Parks & Recreation Total	\$ 2,868,295	\$ 2,903,851
Debt Service			
10-9100-00-546000	LOAN PAYMENTS	\$ 383,500	\$ 380,648
General Fund Total		\$ 17,452,975	\$ 19,039,765

Water Fund - Revenues

Account Description	FY24 Budget	FY25 Recommended
Intergov Revenue - Federal	\$ -	\$ -
Water Charges	\$ 3,350,000	\$ 3,350,000
Water Taps And Connections	\$ 45,000	\$ 45,000
Capacity Fee	\$ 25,000	\$ 25,000
Miscellaneous Revenue	\$ 1,000	\$ 1,000
Rents	\$ -	\$ -
Sale of Materials/Fixed Assets	\$ 1,000	\$ 1,000
Investment Income	\$ 65,000	\$ 65,000
Proceeds From Capital Lease	\$ -	\$ -
Fund Balance Appropriated	\$ 375,497	\$ 48,417
Water Fund Total	\$ 3,862,497	\$ 3,535,417

Water Fund - Expenditures

ACCOUNT ID	Description	FY24 Budget	FY25 Recommended
Water Maintenance			
61-7121-00-511210	Regular Pay	\$ 388,650	\$ 402,780
61-7121-00-511220	Overtime Pay	\$ 5,000	\$ 10,000
61-7121-00-511230	Temporary And Part Time Pay	\$ -	\$ 5,000
61-7121-00-511810	FICA	\$ 32,025	\$ 31,950
61-7121-00-511820	Retirement Expense	\$ 47,260	\$ 54,990
61-7121-00-511825	401k Expense-Water Maint	\$ 19,440	\$ 20,130
61-7121-00-511830	Hospital Expense	\$ 90,000	\$ 88,000
61-7121-00-511831	Retired Employee Ins. Exp	\$ -	\$ -
61-7121-00-511832	Life Insurance Expense	\$ 1,200	\$ 1,200
61-7121-00-511833	Dental Insurance	\$ 4,500	\$ 4,000
61-7121-00-511840	Health Reimburse Expense - Reg	\$ 13,690	\$ 12,000
61-7121-00-511841	Health Reimburs Exp - Ret	\$ -	\$ -
61-7121-00-511850	Unemployment Ins. Expense	\$ 500	\$ 500
61-7121-00-511860	Workers Comp. Expense	\$ 9,500	\$ 7,500
61-7121-00-521920-70021	Legal Fees	\$ -	\$ -
61-7121-00-521990	Prof. Services/Consultant Fees	\$ 61,000	\$ 60,000
61-7121-00-532120	Uniform Expense	\$ 9,000	\$ 9,000
61-7121-00-532510	Gas	\$ 19,250	\$ 19,250
61-7121-00-532520	Tires	\$ 6,180	\$ 5,890
61-7121-00-532530	Vehicle Repairs/Maintenance	\$ 39,040	\$ 43,400
61-7121-00-532920	Materials And Supplies	\$ 350,000	\$ 350,000
61-7121-00-533180	Travel And Training	\$ 8,000	\$ 8,000
61-7121-00-533210	Telephone	\$ 7,000	\$ 7,000
61-7121-00-533310	Electricity	\$ 60,000	\$ 65,000
61-7121-00-533520	Equipment Repairs/Maintenance	\$ 20,000	\$ 20,000
61-7121-00-534390	Equipment Rentals	\$ 4,500	\$ 4,500
61-7121-00-534490	Other Contractual Service	\$ 18,000	\$ 18,000
61-7121-00-534510	Property And Gen. Liab. Ins.	\$ 11,000	\$ 15,500
61-7121-00-534520	Vehicle Insurance	\$ 1,500	\$ 1,500
61-7121-00-534580	Other Insurance Costs	\$ 3,500	\$ 3,000
61-7121-00-534910	Dues Memberships And Subscript	\$ 15,000	\$ 1,500
61-7121-00-545400	Vehicles	\$ -	\$ -
61-7121-00-545500	Equipment	\$ 38,000	\$ -
61-7121-00-545900	Capital Improvements	\$ 350,000	\$ -
61-7121-00-546000	Loan Payments	\$ 71,000	\$ 69,720
61-7121-00-548100	Internal Service Costs	\$ -	\$ -
	Water Maintenance Total	\$ 1,703,735	\$ 1,339,310
Water Treatment			
61-7122-00-511210	Regular Pay	\$ 402,600	\$ 432,630
61-7122-00-511220	Overtime Pay	\$ 30,000	\$ 35,000
61-7122-00-511230	Temporary And Part Time Pay	\$ -	\$ 2,000
61-7122-00-511810	FICA	\$ 31,200	\$ 35,930
61-7122-00-511820	Retirement Expense	\$ 49,000	\$ 59,100
61-7122-00-511825	401k Expense-Water Treatment	\$ 20,150	\$ 21,635
61-7122-00-511830	Hospital Expense	\$ 90,000	\$ 87,600

61-7122-00-511831	Retired Employee Ins. Exp	\$ 8,100	\$ -
61-7122-00-511832	Life Insurance Expense	\$ 1,400	\$ 1,200
61-7122-00-511833	Dental Insurance	\$ 4,500	\$ 4,000
61-7122-00-511840	Health Reimburs Expense - Reg	\$ 13,690	\$ 12,000
61-7122-00-511841	Health Reimburs Exp - Ret	\$ 1,375	\$ -
61-7122-00-511850	Unemployment Ins. Expense	\$ 500	\$ 500
61-7122-00-511860	Workers Comp. Expense	\$ 10,000	\$ 7,500
61-7122-00-521990	Prof. Services/Consultant Fees	\$ 60,000	\$ 65,000
61-7122-00-532120	Uniform Expense	\$ 7,000	\$ 7,500
61-7122-00-532510	Gas	\$ 3,675	\$ 3,675
61-7122-00-532520	Tires	\$ 1,110	\$ 1,060
61-7122-00-532530	Vehicle Repairs/Maintenance	\$ 7,030	\$ 7,810
61-7122-00-532910	Treatment Chemicals	\$ 185,000	\$ 220,000
61-7122-00-532920	Materials And Supplies	\$ 45,000	\$ 50,000
61-7122-00-533180	Travel And Training	\$ 3,000	\$ 4,000
61-7122-00-533210	Telephone	\$ 3,500	\$ 6,000
61-7122-00-533310	Electricity	\$ 23,000	\$ 25,000
61-7122-00-533320	Fuel Oil	\$ 1,500	\$ 2,000
61-7122-00-533510	Building Repairs & Maintenance	\$ 10,000	\$ 15,000
61-7122-00-533520	Equipment Repairs/Maintenance	\$ 23,000	\$ 25,000
61-7122-00-533540	Operating Plant Repairs/Maint.	\$ 20,000	\$ 25,000
61-7122-00-534390	Equipment Rentals	\$ -	\$ -
61-7122-00-534490	Other Contractual Service	\$ 50,000	\$ 60,000
61-7122-00-534510	Property And Gen. Liab. Ins.	\$ 9,000	\$ 11,000
61-7122-00-534520	Vehicle Insurance	\$ 1,000	\$ 1,000
61-7122-00-534580	Other Insurance Costs	\$ 200	\$ 250
61-7122-00-534910	Dues Memberships And Subscript	\$ 6,000	\$ 10,000
61-7122-00-545400	Vehicles	\$ -	\$ -
61-7122-00-545500	Equipment	\$ -	\$ -
61-7122-00-545900	Capital Improvements	\$ 142,000	\$ 25,000
61-7122-00-546000	Loan Payments	\$ -	\$ -
61-7122-00-548100	Internal Service Costs	\$ -	\$ -
	Water Treatment Total	\$ 1,263,530	\$ 1,263,390
Water Admin & Fin			
61-7125-00-554920	Bad Debt Expense	\$ 16,000	\$ 16,000
61-7125-00-554970	Charges By General Fund	\$ 879,232	\$ 916,717
61-9100-00-567100	Principal Payments	\$ -	\$ -
61-9100-00-567200	Interest Payments	\$ -	\$ -
	Water Admin & Fin Total	\$ 895,232	\$ 932,717

Water Fund Total	\$ 3,862,497	\$ 3,535,417
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Sewer Fund - Revenues

Account Description	FY24 Budget	FY25 Recommended
Intergov Revenue - Federal	\$ -	\$ -
Sewer Charges	\$ 3,825,000	\$ 3,825,000
Sewer Taps And Connections	\$ 30,000	\$ 30,000
Capacity Fee	\$ 25,000	\$ 25,000
Miscellaneous Revenue	\$ -	\$ -
Investment Income	\$ 90,000	\$ 90,000
Proceeds From Capital Lease	\$ -	\$ -
Fund Balance Appropriated	\$ 191,074	\$ -
Sewer Fund Total	\$ 4,161,074	\$ 3,970,000

Sewer Fund - Expenditures

ACCOUNT ID	Description	FY24 Budget	FY25 Recommended
Sewer Maintenance			
62-7121-00-511210	Regular Pay	\$ 415,200	\$ 422,890
62-7121-00-511220	Overtime Pay	\$ 25,000	\$ 35,000
62-7121-00-511230	Temporary And Part Time Pay	\$ -	\$ 5,000
62-7121-00-511810	FICA	\$ 33,675	\$ 35,420
62-7121-00-511820	Retirement Expense	\$ 50,490	\$ 57,770
62-7121-00-511825	401k Expense-Sewer Maint.	\$ 20,760	\$ 21,150
62-7121-00-511830	Hospital Expense	\$ 125,000	\$ 123,000
62-7121-00-511831	Retired Employee Ins. Exp	\$ 16,200	\$ 8,100
62-7121-00-511832	Life Insurance Expense	\$ 1,200	\$ 1,350
62-7121-00-511833	Dental Insurance	\$ 4,400	\$ 4,500
62-7121-00-511840	Health Reimburs Expense - Reg	\$ 13,575	\$ 14,600
62-7121-00-511841	Health Reimburs Exp - Ret	\$ 2,725	\$ 1,460
62-7121-00-511850	Unemployment Ins. Expense	\$ 500	\$ 500
62-7121-00-511860	Workers Comp. Expense	\$ 11,000	\$ 9,000
62-7121-00-521990	Prof. Services/Consultant Fees	\$ 75,000	\$ 100,000
62-7121-00-532120	Uniform Expense	\$ 7,000	\$ 8,000
62-7121-00-532510	Gas	\$ 19,250	\$ 19,250
62-7121-00-532520	Tires	\$ 6,320	\$ 6,020
62-7121-00-532530	Vehicle Repairs/Maintenance	\$ 39,920	\$ 44,370
62-7121-00-532920	Materials And Supplies	\$ 120,000	\$ 120,000
62-7121-00-533180	Travel And Training	\$ 4,200	\$ 6,000
62-7121-00-533210	Telephone	\$ 2,500	\$ 2,600
62-7121-00-533310	Electricity	\$ -	\$ -
62-7121-00-533520	Equipment Repairs/Maintenance	\$ 7,000	\$ 7,000
62-7121-00-534390	Equipment Rentals	\$ 5,000	\$ 7,500
62-7121-00-534490	Other Contractual Service	\$ 20,000	\$ 20,000
62-7121-00-534510	Property And Gen. Liab. Ins.	\$ 8,000	\$ 10,000
62-7121-00-534520	Vehicle Insurance	\$ 1,000	\$ 1,200
62-7121-00-534580	Other Insurance Costs	\$ 100	\$ -
62-7121-00-534910	Dues Memberships And Subscript	\$ 5,000	\$ 5,000
62-7121-00-545400	Vehicles	\$ 475,000	\$ -
62-7121-00-545500	Equipment	\$ -	\$ -
62-7121-00-545900	Capital Improvements	\$ 140,000	\$ 162,739
62-7121-00-546000	Loan Payments	\$ -	\$ -
62-7121-00-548100	Internal Service Costs	\$ -	\$ -
	Sewer Maintenance Total	\$ 1,655,015	\$ 1,259,419
Sewer Treatment			
62-7122-00-511210	Regular Pay	\$ 499,520	\$ 597,250
62-7122-00-511220	Overtime Pay	\$ 10,000	\$ 10,000
62-7122-00-511230	Temporary And Part Time Pay	\$ -	\$ 5,000
62-7122-00-511810	FICA	\$ 38,975	\$ 46,840
62-7122-00-511820	Retirement Expense	\$ 60,750	\$ 81,590

62-7122-00-511825	401k Expense-Sewer Treatment	\$ 24,975	\$ 29,870
62-7122-00-511830	Hospital Expense	\$ 130,000	\$ 150,300
62-7122-00-511831	Retired Employee Ins. Exp	\$ 24,300	\$ 24,300
62-7122-00-511832	Life Insurance Expense	\$ 1,400	\$ 1,600
62-7122-00-511833	Dental Insurance	\$ 6,200	\$ 5,500
62-7122-00-511840	Health Reimburse Expense - Reg	\$ 17,600	\$ 17,500
62-7122-00-511841	Health Reimburs Exp - Ret	\$ 4,100	\$ 4,375
62-7122-00-511850	Unemployment Ins. Expense	\$ 500	\$ 500
62-7122-00-511860	Workers Comp. Expense	\$ 12,500	\$ 12,000
62-7122-00-521990	Prof. Services/Consultant Fees	\$ 100,000	\$ 100,000
62-7122-00-532120	Uniform Expense	\$ 12,500	\$ 14,000
62-7122-00-532510	Gas	\$ 2,190	\$ 2,450
62-7122-00-532520	Tires	\$ 600	\$ 940
62-7122-00-532530	Vehicle Repairs/Maintenance	\$ 5,000	\$ 6,930
62-7122-00-532910	Treatment Chemicals	\$ 50,000	\$ 60,000
62-7122-00-532920	Materials And Supplies	\$ 70,000	\$ 75,000
62-7122-00-533180	Travel And Training	\$ 7,000	\$ 8,000
62-7122-00-533210	Telephone	\$ 3,700	\$ 3,800
62-7122-00-533310	Electricity	\$ 160,000	\$ 160,000
62-7122-00-533320	Fuel Oil	\$ 3,500	\$ 4,500
62-7122-00-533330	Propane Gas	\$ 2,000	\$ 1,500
62-7122-00-533340	Water	\$ 3,000	\$ 3,500
62-7122-00-533360	Commercial Fee/or Dumpster	\$ 3,300	\$ 3,300
62-7122-00-533510	Building Repairs & Maintenance	\$ 20,000	\$ 25,000
62-7122-00-533520	Equipment Repairs/Maintenance	\$ 55,000	\$ 65,000
62-7122-00-533540	Operating Plant Repairs/Maint.	\$ 100,000	\$ 100,000
62-7122-00-534390	Equipment Rentals	\$ -	\$ -
62-7122-00-534450	Tipping Fees	\$ 40,000	\$ 75,000
62-7122-00-534490	Other Contractual Service	\$ -	\$ -
62-7122-00-534510	Property And Gen. Liab. Ins.	\$ 12,000	\$ 15,000
62-7122-00-534520	Vehicle Insurance	\$ 1,000	\$ 1,000
62-7122-00-534580	Other Insurance Costs	\$ 1,500	\$ 1,500
62-7122-00-534910	Dues Memberships And Subscript	\$ 35,000	\$ 45,000
62-7122-00-545400	Vehicles	\$ -	\$ -
62-7122-00-545500	Equipment	\$ 25,000	\$ -
62-7122-00-545900	Capital Improvements	\$ 50,000	\$ 25,000
62-7122-00-546000	Loan Payments	\$ -	\$ -
62-7122-00-548100	Internal Service Costs	\$ -	\$ -
	Sewer Treatment Total	\$ 1,593,110	\$ 1,783,045
Admin & Finance			
62-7125-00-554920	Bad Debt Expense	\$ 20,000	\$ 21,355
62-7125-00-554970	Charges By General Fund	\$ 867,949	\$ 906,181
	Admin & Finance Total	\$ 887,949	\$ 927,536
Debt Service			
62-9100-00-567100	Principal Payments	\$ -	\$ -
62-9100-00-567200	Interest Payments	\$ -	\$ -
	Debt Service Total	\$ -	\$ -

Contingency			
62-9200-00-574600	Depreciation	\$ -	\$ -
62-9200-00-579910	Contingency Appropriated	\$ -	\$ -
	Transfer to WWTP Project	\$ 25,000	\$ -
	Contingency Total	\$ 25,000	\$ -

Sewer Fund Total		\$ 4,161,074	\$ 3,970,000
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Electric Fund - Revenues

Account Description	FY24 Budget	FY25 Recommended
Electric Charges	\$ 9,916,800	\$ 10,325,500
Security Lights	\$ 52,000	\$ 56,000
Street Lights	\$ 115,000	\$ 115,000
Underground Service Install	\$ 1,000	\$ 15,000
Renewable Energy Portf. Stand.	\$ 55,000	\$ 59,000
Electric Pole Rent	\$ 22,000	\$ 82,000
Sales Tax Charges	\$ 460,000	\$ 510,000
Miscellaneous Revenue	\$ 15,000	\$ 20,000
Sale of Materials/Fixed Assets	\$ 500	\$ 1,000
Investment Income	\$ 50,000	\$ 65,000
Proceeds From Capital Lease	\$ -	\$ -
Fund Balance Appropriated	\$ 714,759	\$ 76,108
Electric Fund Total	\$ 11,402,059	\$ 11,324,608

Electric Fund - Expenditures

ACCOUNT ID	Description	FY24 Budget	FY25 Recommended
Electric Maintenance			
63-7121-00-511210	Regular Pay	\$ 352,850	\$ 323,770
63-7121-00-511220	Overtime Pay	\$ 15,000	\$ 15,000
63-7121-00-511230	Temporary And Part Time Pay	\$ -	\$ -
63-7121-00-511810	FICA	\$ 28,150	\$ 25,920
63-7121-00-511820	Retirement Expense	\$ 42,910	\$ 44,230
63-7121-00-511825	401K Expense-ELECTRIC MAINT.	\$ 17,650	\$ 16,190
63-7121-00-511830	Hospital Expense	\$ 90,000	\$ 83,300
63-7121-00-511831	Retired Employee Ins. Exp	\$ 16,200	\$ 16,200
63-7121-00-511832	Life Insurance Expense	\$ 1,000	\$ 1,000
63-7121-00-511833	Dental Insurance	\$ 2,000	\$ 2,700
63-7121-00-511840	HEALTH REIMBURS EXPENSE - REG	\$ 8,150	\$ 8,750
63-7121-00-511841	HEALTH REIMBURS EXP - RET	\$ 2,725	\$ 2,950
63-7121-00-511850	Unemployment Ins. Expense	\$ 500	\$ 500
63-7121-00-511860	Workers Comp. Expense	\$ 7,000	\$ 7,000
63-7121-00-521990	Prof. Services/Consultant Fees	\$ 140,000	\$ 190,000
63-7121-00-532120	Uniform Expense	\$ 20,000	\$ 25,000
63-7121-00-532510	Gas	\$ 12,600	\$ 12,600
63-7121-00-532520	Tires	\$ 4,150	\$ 3,940
63-7121-00-532530	Vehicle Repairs/Maintenance	\$ 26,110	\$ 29,000
63-7121-00-532920	Materials And Supplies	\$ 225,000	\$ 250,000
63-7121-00-532950	Transformers	\$ 80,000	\$ 100,000
63-7121-00-533180	Travel And Training	\$ 5,000	\$ 5,000
63-7121-00-533210	Telephone	\$ 3,000	\$ 3,000
63-7121-00-533310	Electricity	\$ -	\$ 1,000
63-7121-00-533360	COMMERCIAL FEE/OR DUMPSTE	\$ 1,500	\$ 1,500
63-7121-00-533520	Equipment Repairs/Maintenance	\$ 30,000	\$ 30,000
63-7121-00-534390	Equipment Rentals	\$ 5,000	\$ 10,000
63-7121-00-534490	Other Contractual Service	\$ 90,000	\$ 90,000
63-7121-00-534510	Property And Gen. Liab. Ins.	\$ 7,500	\$ 8,500
63-7121-00-534520	Vehicle Insurance	\$ 2,150	\$ 2,000
63-7121-00-534580	Other Insurance Costs	\$ 3,000	\$ 4,000
63-7121-00-534910	Dues Memberships And Subscript	\$ 20,000	\$ 25,000
63-7121-00-545400	Vehicles	\$ -	\$ -
63-7121-00-545500	Equipment	\$ -	\$ -
63-7121-00-545900	Capital Improvements	\$ 400,000	\$ 900,000
63-7121-00-546000	LOAN PAYMENTS	\$ -	\$ -
63-7121-00-548100	Internal Service Costs	\$ -	\$ -
	Electric Maintenance Total	\$ 1,659,145	\$ 2,238,050
Power Purchases			
63-7123-00-582700	Wholesale Purchased Power	\$ 6,000,000	\$ 5,750,000
63-7123-00-582710	REPS - Renewable Energy Charge	\$ 210,000	\$ 210,000
63-7123-00-582750	Sales Tax Paid-Purchased Power	\$ 500,000	\$ 510,000

	Power Purchases Total	\$ 6,710,000	\$ 6,470,000
Admin & Finance			
63-7125-00-554920	Bad Debt Expense	\$ 30,000	\$ 30,000
63-7125-00-554970	Charges By General Fund	\$ 1,127,314	\$ 1,205,128
	Admin & Finance Total	\$ 1,157,314	\$ 1,235,128
Operating Transfers			
63-9800-00-599100	Transfer To General Fund	\$ 1,275,600	\$ 1,275,600
	Transfer to Russ/Walnut Project	\$ 600,000	\$ 105,830
	Operating Transfers Total	\$1,875,600	\$1,381,430
Electric Fund Total		\$ 11,402,059	\$ 11,324,608

Stormwater Fund - Revenues

Account Description	FY24 Budget	FY25 Recommended
Stormwater Charges	\$ -	\$ 200,000
Stormwater Fund Total	\$ -	\$ 200,000

Stormwater Fund - Expenditures

ACCOUNT ID	Description	FY24 Budget	FY25 Recommended
Stormwater Management			
64-4910-00-511210	Regular Pay	\$ -	\$ 58,350
64-4910-00-511810	FICA	\$ -	\$ 4,465
64-4910-00-511820	Retirement Expense	\$ -	\$ 7,970
64-4910-00-511825	401K Expense	\$ -	\$ 2,920
64-4910-00-511830	Hospital Expense	\$ -	\$ 8,100
64-4910-00-511832	Life Insurance Expense	\$ -	\$ 113
64-4910-00-511833	Dental Insurance	\$ -	\$ 338
64-4910-00-511840	Health Reimburs Expense - Reg	\$ -	\$ 1,095
64-4910-00-511850	Unemployment Ins. Expense	\$ -	\$ 50
64-4910-00-511860	Workers Comp. Expense	\$ -	\$ 125
64-4910-00-521990	Prof. Services/Consultant Fees	\$ -	\$ 23,885
64-4910-00-532120	Uniform Expense	\$ -	\$ 500
64-4910-00-532920	Materials And Supplies	\$ -	\$ 6,400
64-4910-00-533180	Travel And Training	\$ -	\$ 2,500
64-4910-00-533210	Telephone	\$ -	\$ 600
64-4910-00-534910	Dues Memberships And Subscript	\$ -	\$ 500
	Stormwater Management Total	\$ -	\$ 117,910
Admin & Finance			
64-4910-00-554970	Charges by General Fund	\$ -	\$ 82,090
	Admin & Finance Total	\$ -	\$ 82,090
Stormwater Fund Total		\$ -	\$ 200,000

Garage Fund - Revenues

ACCOUNT ID	Description	FY24 Budget	FY25 Recommended
82-3650-00-453610	Charges To General Fund	\$ 923,595.00	\$ 980,195.00
82-3650-00-453661	Charges To Water Fund	\$ 76,285.00	\$ 81,085.00
82-3650-00-453662	Charges To Sewer Fund	\$ 75,160.00	\$ 79,960.00
82-3650-00-453663	Charges To Electric Fund	\$ 42,860.00	\$ 45,540.00
82-3650-00-453681	Charges to Asset Management	\$ -	\$ -
82-3800-00-463830	Miscellaneous Revenue	\$ -	\$ -
82-3800-00-463835	Sale of Materials/Fixed Assets	\$ -	\$ -
82-3850-00-473831	Investment Income	\$ -	\$ -
Total		\$ 1,117,900	\$ 1,186,780

Garage Fund - Expenditures

ACCOUNT ID	Description	FY24 Budget	FY25 Recommended
82-8200-00-511210	Regular Pay	\$ 181,200	\$ 202,350
82-8200-00-511220	Overtime Pay	\$ 2,500	\$ 5,000
82-8200-00-511230	Temporary And Part Time Pay	\$ -	\$ -
82-8200-00-511810	FICA	\$ 14,600	\$ 15,870
82-8200-00-511820	Retirement Expense	\$ 22,900	\$ 27,640
82-8200-00-511825	401K Expense-GARAGE	\$ 9,400	\$ 10,120
82-8200-00-511830	Hospital Expense	\$ 43,000	\$ 63,125
82-8200-00-511831	Retired Employee Ins. Exp	\$ -	\$ -
82-8200-00-511832	Life Insurance Expense	\$ 500	\$ 500
82-8200-00-511833	Dental Insurance	\$ 3,000	\$ 1,500
82-8200-00-511840	Health Reimburs Expense - Reg	\$ 7,000	\$ 4,375
82-8200-00-511841	Health Reimburse Exp - Ret	\$ -	\$ -
82-8200-00-511850	Unemployment Ins. Expense	\$ 200	\$ 200
82-8200-00-511860	Workers Comp. Expense	\$ 3,000	\$ 3,000
82-8200-00-521990	Prof. Services/Consultant Fees	\$ -	\$ -
82-8200-00-532120	Uniform Expense	\$ 5,400	\$ 5,500
82-8200-00-532500	OIL	\$ 15,000	\$ 15,000
82-8200-00-532510	Gas	\$ 350,000	\$ 350,000
82-8200-00-532520	Tires	\$ 105,000	\$ 100,000
82-8200-00-532920	Materials And Supplies	\$ 250,000	\$ 300,000
82-8200-00-533180	Travel And Training	\$ 4,000	\$ 8,000
82-8200-00-533210	Telephone	\$ 2,100	\$ 2,000
82-8200-00-533330	Propane Gas	\$ 25,000	\$ 20,000
82-8200-00-533520	Equipment Repairs/Maintenance	\$ 39,000	\$ 45,000
82-8200-00-534390	Equipment Rentals	\$ -	\$ -
82-8200-00-534490	Other Contractual Service	\$ -	\$ -
82-8200-00-534510	Property And Gen. Liab. Ins.	\$ 3,500	\$ 4,000
82-8200-00-534520	Vehicle Insurance	\$ 400	\$ 400
82-8200-00-534580	Other Insurance Costs	\$ 200	\$ 200

82-8200-00-534910	Dues Memberships And Subscript	\$ 1,000	\$ 3,000
82-8200-00-545400	Vehicles	\$ 20,000	\$ -
82-8200-00-545500	Equipment	\$ -	\$ -
82-8200-00-545900	Capital Improvements	\$ -	\$ -
82-8200-00-548100	Internal Service Costs	\$ 10,000	\$ -
Total		\$ 1,117,900	\$ 1,186,780

General Fund - Capital Budget

Capital Outlay	FY25-Dept Requests	FY25 Recommended
Administration		
Total Administration:	\$ -	\$ -
Finance Department		
2- Meter Reading Data Collectors	\$ 19,000	\$ 19,000
Time & Attendance System Add-On for Munis	\$ 50,000	\$ 50,000
Total Finance Department:	\$ 69,000	\$ 69,000
Public Works		
HVAC Replacements	\$ 35,000	\$ -
Public Works Gate Upgrades	\$ 10,000	\$ -
Public Works Roof Replacement	\$ 225,000	\$ -
Salt Spreader for Gator(Parking Lots-Battery Power)	\$ 8,000	\$ -
Public Works Total:	\$ 278,000	\$ -
Police Department		
3 Patrol Vehicles and Outfitting	\$ 155,000	\$ -
Bldg. Expansion SRT Room	\$ 105,000	\$ -
Falcon License Plate Readers (LPR'S)	\$ 22,000	\$ -
Hydraulic Door Ram System for schools (The Saint)	\$ 12,000	\$ -
Replace Ballistic Vests Carrier Level III Plates for Officers	\$ 10,000	\$ 10,000
Ballistic Vest (New & Replacements)	\$ 12,000	\$ 12,000
Reburbished Bearcat G2 (Armored Rescue Vehicle)	\$ 200,000	\$ -
Total Police Department:	\$ 516,000	\$ 22,000
Fire Department		
Ladder Truck 15	\$ 2,300,000	\$ -
Engine 2	\$ 1,000,000	\$ -
Ford Pickup	\$ 75,000	\$ -
New Building Station 2	\$ 6,000,000	\$ 570,000
Addition Station 1	\$ 1,500,000	\$ -
Total Fire Department:	\$ 10,875,000	\$ 570,000
Streets and Sanitation		
1998 ODB Leaf Collector	\$ 100,000	\$ 100,000
2004 F-450 Dump Truck	\$ 100,000	\$ -
Boyd Ave RR	\$ 75,000	\$ -
Scates st RR	\$ 75,000	\$ -
Total Street and Sanitation:	\$ 350,000	\$ 100,000
Powell Bill		
Paving	\$ 400,000	\$ 400,000
Oakdale Rd Bridge	\$ 300,000	\$ -

Total Powell Bill:	\$ 700,000	\$ 400,000
Cemetery		
Mini Track Hoe	\$ 62,000	\$ -
Bobcat Zero Turn Mower	\$ 26,000	\$ -
Total Cemetery:	\$ 88,000	\$ -
Development Services		
Vehicle Replacement	\$ 45,000	\$ -
Greenways	\$ 130,000	\$ -
Total Development Services:	\$ 175,000	\$ -
Parks And Recreation		
Cardio Equipment Replacement	\$ 175,000	\$ 50,000
New Pavilion at Skate Park	\$ 85,000	\$ -
Total Parks And Recreation:	\$ 260,000	\$ 50,000
Downtown		
Miller Street Mini Park	\$ 25,000	\$ -
Replace Main Street Planters & Garbage Containers	\$ 49,500	\$ -
Town Square Topographic Survey	\$ 15,000	\$ -
Total Downtown:	\$ 89,500	\$ -
Total General Fund Capital:	\$ 12,700,500	\$ 811,000

Water, Sewer, Electric, and Garage Fund - Capital Budgets

Department	Capital Outlay	FY25-Dept Requests	FY25 Recommended
Garage	Garage		
	Outside Shed for Column Lifts	\$ 80,000	\$ -
	Diagnostic Scan Tool mdmax5	\$ 12,000	\$ -
	Tire Changer & Balancer	\$ 34,000	\$ -
	Total Garage:	\$ 126,000	\$ -
Electric Fund	Electric Fund		
	Back Yard Machine - Setting Poles	\$ 260,000	\$ -
	Equipment Trailer	\$ 15,000	\$ -
	Allison Acres	\$ 400,000	\$ 400,000
	Sunnyside Development	\$ 500,000	\$ 500,000
	Russ-Walnut Project	\$ 105,830	\$ 105,830
	Chipper Truck - No Electric Option	\$ 120,000	\$ -
	Pole Rental Inventory	\$ -	\$ 50,000
	Electric Fund Total:	\$ 1,400,830	\$ 1,055,830
Water Fund	Water Fund		
Maint	Hy-Trak Skid Steer	\$ 70,000	\$ -
Maint	Meter Truck	\$ 75,000	\$ -
Maint	Water Meters to Replace Manual Read Meters	\$ 1,152,000	\$ -
Maint	Repeater Station	\$ 50,000	\$ -
Maint	SCADA System Upgrade	\$ 30,000	\$ -
Treatment	Filter/Process Turbidimeters	\$ 36,000	\$ -
Treatment	Filter Valve Actuators (Spares)	\$ 45,000	\$ -
Treatment	John Deere Excavator	\$ 100,000	\$ -
Treatment	Sludge Feasibility Study	\$ 25,000	\$ 25,000
	Water Fund Total:	\$ 1,583,000	\$ 25,000
Sewer Fund	Sewer Fund		
Maint	Sewer Truck Building	\$ 100,000	\$ -
Maint	Jack Hammer Split with Streets	\$ 5,400	\$ -
Maint	Lake Junaluska Sewer Rehab	\$ 250,000	\$ 162,739
Maint	Misc. Line Replacements	\$ 150,000	\$ -
Treatment	John Deere Excavator	\$ 60,000	\$ -
Treatment	Lab Equipment Upgrade	\$ 25,000	\$ 25,000
Treatment	Secondary Sludge Buliding Roof	\$ 50,000	\$ -
Treatment	Diesel Pump	\$ 100,000	\$ -
	Sewer Fund Total:	\$ 740,400	\$ 187,739

ARP FUNDS

Project Description	Appropriation of ARP Funds	Status
Law Enforcement for Police Department Vehicles	\$ 247,815	Complete
Fire Service for Fire Vehicles	\$ 81,119	Complete
Sanitation Service Garbage Cans	\$ 304,953	Complete
Storm Sewer on Kentucky Avenue	\$ 54,367	Complete
Greenway & Pedestrian Bridge	\$ 209,392	In Process - PO Issued
Water Project Pigeon Street	\$ 419,213	Complete
I&I Mitigation/Slip Lining	\$ 51,958	Complete
Column Lifts for Garage	\$ 43,745	Complete
F350 for Garage	\$ 58,858	Complete
Small Excavator	\$ 29,300	Complete
Tractor with Snow Removal Equipment	\$ 34,505	Complete
Dispatch Center Upgrade	\$ 112,189	Complete
Finance Dept SUV	\$ 39,042	Complete
Hazelwood Offices/FD Bunks	\$ 150,000	In Process - PO Issued
Police Sedan & Equipment	\$ 49,194	Complete
Police Fire Arms	\$ 8,221	Complete
Axon Car and Body Worn Camera System	\$ 84,769	Complete
Trash Truck	\$ 360,000	Ordered - PO Issued
Parks & Rec Maint. Truck	\$ 56,243	Complete
Obama King Park Bathroom	\$ 119,130	In Process - PO Issued
Repair of Tennis Courts	\$ 53,000	In Process - PO Issued
Electric Mower for Parks	\$ 22,000	Complete
Sewer Bypass Pump	\$ 50,804	In Process - PO Issued
Water Plant Support Beams for Basin	\$ 31,823	In Process - PO Issued
Water Plant Turbine Pumps	\$ 103,500	In Process - PO Issued
Water Plant Mushroom Tank (HFS & Caustic)	\$ 80,000	Waiting on Quotes
Water Plant Lab Instrumentation	\$ 15,000	Complete
Water Maint Browning Branch Pump Upgrade	\$ 55,000	Waiting on Quotes
Street Sweeper	\$ 280,522	Complete
HVAC for New DWC Office	\$ 26,249	In Process - PO Issued
Total	\$ 3,231,911	
Future Capital	\$ -	
TOTAL RECEIVED	\$ 3,231,911	

Debt Payments

Description	Amount
Fire	
New Fire Truck	\$ 76,502
Land/Truck	\$ 75,257
Parks and Recreation	
Dectron Dehumidification Unit	\$ 88,665
Public Works	
Public Services Additions and Improvements	\$ 106,829
General Debt Service (Public Buildings & Parking)	
Fire Station	\$ 169,310
Police Station	\$ 211,337
TOTAL GENERAL FUND	\$ 727,900
Water Maintenance	
Water Meters	\$ 16,447
Various Water Lines	\$ 53,271
TOTAL WATER FUND	\$ 69,718
GRAND TOTAL	\$ 797,618

Town of Waynesville 24-25 Fee Schedule

Effective July 1, 2024 - June 30, 2025

GENERAL FUND	
Utility Accounts	
New Account Fee	\$25.00
Reconnection Fee	\$50.00
After Hours	\$100.00
Return Check Fee (Insufficient Funds)	\$25.00
Theft investigation charge (meter tampering)	\$ 75.00 per occurrence
Miscellaneous	
Copies - Black and White, per page	\$0.10
Copies - Color, per page	\$0.20
Copies- 24"-48" plot map copy - Black and White, per page	\$3.00
Copies- 24"-48" plot map - Color, per page	\$10.00
Weed, Brush Removal, or Mowing	\$150.00 for the first hour
Each Additional Hour	\$100.00/hour
SANITATION & SOLID WASTE COLLECTION (monthly fees)	
Residential Garbage (1 weekly pickup)	\$11.00
Commercial Garbage (1 weekly pickup)	\$24.00
CEMETERY	
Administrative Fee-Research Graves	\$50.00
Administrative Fee-Deed Transfer	\$100.00
Call Out (weekends, holidays, outside normal operating hours)	\$300.00
John Taylor and Shook Survey Sections	
Traditional Burial Space	\$2,000.00
(\$1,250 to perpetual care fund/\$750 to General Fund)	
Opening/Closing-Cremation	\$300.00
Columbarium Area	
Columbarium Niche	\$1,500.00
(\$1,000 to perpetual care fund/\$500 to General Fund, includes partial engraving of door.)	
Opening/Closing of Columbarium Area	\$300.00
(Includes completion of engraving of granite door, Town staff removing & replacing door.)	
In Ground Space for Cremations (Urn Garden)	\$1,500.00
(\$750 to perpetual care fund/\$550 to General Fund/ \$200 for flat granite stone)	
Urn Garden (in-ground inurnment) includes excavating and filling burial space by Town personnel, placement and engraving of granite marker to include the addition of date of death.	
POLICE DEPARTMENT	
Police Reports (per report)	\$2.00
Off Duty Security (4 hour minimum)	\$25.00 per hour
Parking Violations	
Overtime Parking	\$5.00
Parking in Restricted Area	\$10.00
Double Parking	\$10.00

Parking in Handicapped Space	\$100.00
Parking in Prohibited Area	\$10.00
Parking Too Close to Intersection	\$10.00
Parking in Wrong Direction	\$10.00
Parking in Alley Way	\$10.00
Obstructing Traffic Lane	\$10.00
Improper Parking	\$10.00
Parking in Loading Area	\$10.00
Parking in No Parking Zone	\$10.00
Parking in Fire Zone	\$50.00
Parking Too Close to Fire Hydrant	\$10.00
Parking Too Close to Stop Sign	\$10.00
Parking Across Lines	\$10.00
Parking in Crosswalk	\$10.00
Blocking Private Driveway	\$10.00

Persons violating parking regulations shall be subject to the above schedule of civil penalties to be recovered by the Town of Waynesville in civil action.

DOWNTOWN MSD

Festival Vendor Fees

Booth Space	\$175.00
Double Booth Space	\$290.00
Commercial Food Vendor Booth Space	\$185.00
Commercial Food Vendor Double Booth Space	\$295.00
Non-profit Food Vendor Booth Space	\$125.00
Non-profit Food Vendor Double Booth Space	\$190.00

Parade Entry Fees

Parade Entry Fee (per space)	\$40.00
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Business Licenses

Schedule B (State Regulated)	
Beer License - On Premises	\$15.00
Beer License - Off Premises	\$5.00
Wine License - On Premises	\$15.00
Wine License - Off Premises	\$10.00

Maximum penalty is 25% of the privilege license tax due
 Penalties are automatic, and may be recovered using the same collection methods available for the collection of privilege license taxes.

PLANNING DEPARTMENT

Planning & Zoning Permits

Stand alone Land Dev Permit or Zoning Verification Letter	\$25.00
Certificate of LDS Compliance Zoning Verification/Zoning Letter	\$25.00

Temporary Use Permit other than mobile food vendors	\$20.00
Temporary Use Permit for mobile food vendors	\$50.00
Local Land Disturbing Permit (1000 sf < 1 acre)	\$75.00
Floodplain Development Permit	\$25.00
Operating Without Permit (Land Disturbance, Zoning, Occupancy, Signage, or Building Permit)	\$200.00
Minor Site Plan Review	
Single family or duplex residence	\$25.00
Multi-family with less than 8 units	\$100.00
Non-residential development or expansion up to 1,000 sq ft	\$100.00
Bed and Breakfast or Inns	\$100.00
Major Site Plan Review	
Multi-family residential	\$100.00 for up to 8 units and \$20/unit greater than 8
Non-residential development or expansion over 1,000 sq ft	\$200.00
Hotel/Motel	\$400.00
Subdivision (Minor)	\$50 + \$10/lot
Subdivision (Major)	\$350 + \$10/lot
Monopole Wireless Communications Tower	\$1,000.00
First Layer Parking Increase	\$500.00
All Others, in addition to site plan review fees	\$200.00
Special Use Permits	
General Commercial - Greater than 100,000SF	\$750.00
Monopole Wireless Communications Tower	\$1,000.00
First Layer Parking Increase	\$500.00
All Others, in Addition to site plan review fees	\$200.00
Stormwater Review Fee	
≤ 3 acres	\$750 + engineering review fee minimum \$200
> 3 acres	\$1200 + engineering review fee minimum \$200
Historic Preservation Commission	
Local Landmark Designation	\$200.00
Designation of Historic District	No charge
Certificate of Appropriateness (Minor)	\$25.00
Certificate of Appropriateness (Major)	\$50.00
Board of Adjustment	
Appeal of Administrative Decision	\$300.00
Variance Request	\$300.00
Text Amendment	
	\$500.00

Map Amendment (Rezoning)	
1 acre or less	\$500.00
Each additional acre	\$50.00
Conditional District - 1 acre or less	\$500.00
Each additional acre	\$100.00
Sign Permits	\$4.00 per sq. ft. - \$40 min.
Voluntary Annexation	\$250.00
Unopened right-of-way or platted street closure	\$250.00

Inspections	
New Single Family Dwelling/Single Family Additions (Crawl Space or Slab on Grade)	
0 to 1,000 square feet	\$.40 per sq. ft.
1,001 to 1,500 square feet	\$.45 per sq. ft.
1,501 to 2,000 square feet	\$.50 per sq. ft.
Over 2,000 square feet	\$.50 per sq. ft. and \$50.00 for each increase of 500 sq. ft.
Minimum	\$75.00 per trade
Unfinished Basement	\$100.00
Attached Garage	\$75.00
Homeowners Recovery Fund (per G.S. 87-15.6)	\$10.00
Single Family Alterations	
SQUARE FOOTAGE	
0-1000	\$.25 per sq. ft. - minimum \$75.00
1001 - 1500	\$.25 per sq. ft.
1501 - 2000	\$.25 per sq. ft.
2001 - 2500	\$.25 per sq. ft.
2501 - 3000	\$.25 per sq. ft.
3001-up	\$.25 per sq. ft. and \$50.00 for each increase of 500 sq. ft.
Deck Permit	
Uncovered Deck	\$100.00
	additional trades are \$75 per trade
Covered Deck	\$150.00
	additional trades are \$75 per trade
Modular Home	\$400.00
Manufactured Homes	
Single wide	\$200.00
Double wide	\$300.00
Triple wide	\$400.00
(Deck permit required over 35 sq. ft. of deck)	

Accessory Building (does not include trades)	
Includes Electric, Plumbing and A/C	\$75.00 each and \$.40 per sq. ft.
Miscellaneous Residential & Commercial	
Electric Service Change	\$75.00
Demolition permit	\$100.00
HVAC changeout	\$75.00
Gas Line	\$75.00
Water/Sewer line Replacement	\$75.00
Retaining wall	\$100.00
Swimming Pool	\$150.00
Permit renewal fee	\$50.00
Plumbing, electric, and mechanical not covered elsewhere (\$75.00 minimum charge per trade)	\$75.00 per trade
Other Permits and Fees	
Day Care & Home Care	\$75.00
ABC Inspection	\$200.00
Driveway Permit	\$150.00
Solar Panel	\$150.00
Starting construction without permit	Double the Permit Fee
Residential Re-roof	\$0.00
Commercial Re-roof of 20,000 s.f. or less	\$100.00
Commercial Re-roof greater than 20,000 s.f.	\$200.00
Occupancy Use	\$75.00
Plan Review - Commercial	\$.05 per sq ft
Fire Sprinkler and Fire Alarm Plan Review	\$150.00
Fire Sprinkler and Fire Alarm Permit Fee - no permit fee if submitted at time of application and part of the approved plans	\$150.00
Special Events Permit	\$50.00
Tent Inspection	\$50.00
Additional / Re-Inspection (each) after first fail	\$50.00
Pre-permit inspection (walk through commercial)	\$50.00
Commercial Building	
	\$.50/sq. ft.
Minimum	\$75.00 per trade

RECREATION DEPARTMENT										
Recreation Center Category	Admission				Memberships					
	Daily	6 Visits	1 Month		3 Months		6 Months		Yearly	
			Res	N-Res	Res	N-Res	Res	N-Res	Res	N-Res
Family of 4**	\$ 25.00	\$ 125.00	\$ 83.00	\$ 90.00	\$ 205.00	\$ 215.00	\$393.30	\$414	\$763.80	\$804
(Additional family members are \$14.00 per month)										
Family of 2**	\$ 15.00	\$ 75.00	\$ 69.00	\$ 72.00	\$ 165.00	\$ 172.00	\$307.80	\$325	\$592.80	\$624
Individual Adult (18 - 59 yrs)	\$ 10.00	\$ 52.00	\$ 55.00	\$ 57.00	\$ 122.00	\$ 128.00	\$228	\$240	\$421.80	\$444
Individual Child (5 - 11 yrs)	\$ 5.00	\$ 25.00	\$ 35.00	\$ 37.00	\$ 67.00	\$ 70.00	\$114	\$120	\$205.20	\$216
Individual Youth (12 - 17 yrs)	\$ 8.00	\$ 40.00	\$ 41.00	\$ 43.00	\$ 79.80	\$ 84.00	\$142.50	\$150	\$262.20	\$276
OR Full-Time Student (College or High School) with valid ID) OR Special (Senior Citizen (60 + yrs) OR Handicapped)										
Individual Spectator (5-99 yrs)	\$ 4.00									
Children (0 - 4 yrs)	\$ 2.00									
Pickleball Punch Pass 10 visits	\$ 40.00									
Corporate Membership Rate (available to businesses with five (5) or more employees as members)										
If total Corporate Membership drops below the 5 employee minimum, a 30 day grace period is allowed to obtain a 5th member. Proof of business may be required to obtain this rate.										
Category	Daily	6 Visits	1 Month	3 Months	6 Months	Yearly				
Family of 4	N/A		\$ 70.00	\$ 172.00	\$55 mo.	\$52.91 mo.	\$330	\$635		
(Additional family members are \$11.00 per month)										
Family of 2	N/A		\$ 57.00	\$136.00	\$43.33 mo.	\$41.25 mo.	\$260	\$495		
Individual Adult (18 - 59 yrs)	N/A		\$ 46.00	\$ 92.00	\$32 mo.	\$29.58 mo.	\$190	\$355		
Individual Youth (12 - 17 yrs)	N/A		\$ 34.00	\$ 68.00	\$20 mo.	\$17.91 mo.	\$120	\$215		
OR Full-Time Student (College or High School) with valid ID) OR Special (Senior Citizen (60 + yrs) OR Handicapped)										
Individual Spectator (5-99 yrs)	\$ 4.00									
Children (0 - 4 yrs)									FREE	
Memberships (Regular and Corporate)										
1 Month memberships expire one month from date of purchase.										
1 and 3 Month memberships must be paid in full.										
Consecutive monthly payment options are available for 6 Month and 12 Month Memberships. If a member fails to make the required payments, any future memberships must be paid in full or pay 1 month in full then can go back to regular payments.										
Childcare: Drop in										
Members: Free										
Non-members: \$6										
Admission Passes										
Daily, 6 Visit and 12 Visit passes are not considered memberships.										
6 visit passes expire 6 months from date of purchase.										
Family: an individual, spouse, or dependent children that can be claimed on taxes. Step-children and adopted children qualify. Court documentation is required to include foster children on a family membership. Anyone age 25 or over (other than parents), engaged couples, couples living together, older siblings, aunts, cousins, or grandchildren DO NOT qualify for the family rate.										
Group Rate (Daily visit for groups of 15 or more non-members. Available only with advance notice.)										
Individual Adult (18 - 59 yrs)										\$9.00
Individual Child (5 - 11 yrs)										\$5.00
Individual Youth (12 - 17 yrs)										\$7.00

Recreation Center Rental Rates			
Multi-purpose Rooms			
<i>*Rates are Based on Two Hour Minimum</i>			
		Res	N-Res
	1 Room	\$75.00	\$90.00
	Kitchen + 1 Room	\$150.00	\$175.00
	Kitchen + 2 Rooms	\$220.00	\$250.00
If utilizing for more than two hours (i.e. 3 hours or more) will be charged for an additional block of time.			
Pool Parties			
<i>*rates applicable for 2 hour time blocks (Saturdays 11:30-1:30, 1:30-3:30, 3:30-5:30)</i>			
	<i>Headcount</i>	Res	N-Res
	up to 20	\$75.00	\$85.00
	21-30	\$85.00	\$95.00
	31-40	\$100.00	\$115.00
	41-50	\$120.00	\$140.00
Private Pool Parties	*Saturdays 5:30-7:30	up to 50	\$225.00
		51-75	\$275.00
		76+	\$350.00
Kayak Roll Session *winter season per person		\$12.00	\$15.00
Gymnasium (Capacity 709) (10 am - 12 noon; 1 - 3 pm; 4 - 6 pm) - applicable to operating hours			
	Entire Gym	\$150.00	\$200.00
	1/2 of the Gym	\$100.00	\$125.00
	Custom Rental Per Estimate	\$250.00	\$300.00
	Table Rental	\$7 per table	
	Volleyball/Pickleball Setup	No Extra Charge	
	Pickleball Tournaments Held Only at the Armory		
Athletic Programs			
Softball Field Rental			
		Res	N-Res
	All day	8:00am-10:00pm	\$200.00
	Night only	5:00pm-10:00pm	\$100.00
		\$125.00	\$125.00
Other Fees and Charges			
		Res	N-Res
Bleacher Rental (1-2 sets, 5 row, for 24 hours)		\$125.00	\$250.00
(3-4 sets, 5 row, for 24 hours)		\$225.00	\$250.00
Shelter Rental (8 am - 12 noon; 1 - 5 pm)		\$80.00	\$100.00
Rental of greenspace - no shelter			
		Res	N-Res
Contract rental priced by activity	0-50	\$ 125.00	\$ 150.00
	51-100	\$ 200.00	\$ 225.00
	101+	\$ 250.00	\$ 275.00
Old Armory			
Daily Admission			
		Res	N-Res
		\$4.00	\$6.00
	Current Recreation Center members		No Charge
	Individuals ages 17 and under, 60 and above, special needs, or involved with a program at the Armory		No Charge
Old Armory Rental Rates (2 hour blocks)			
24 hour max, 8 hours per day plus \$7 per table rental		Res	N-Res
Gymnasium - applicable to operating hours		\$220.00	\$250.00
Cafeteria		\$100.00	\$150.00
Camp Fees (per week per child)			
		Res	N-Res
Summer Camp		\$160.00	\$175.00
After School (\$10 additional child fee)		\$50.00	\$50.00
Home School (\$10 additional child fee)		\$5.00	\$10.00
American Red Cross Course Fees			
		Res	N-Res
Lifeguard Course		\$300.00	\$350.00
CPR/First Aid/AED Course		\$75.00	\$100.00

Swim Lessons Fees			
		Res	N-Res
Private Lessons *appointment only	Single session	\$40.00	\$50.00
	Five sessions	\$150.00	\$175.00
	Ten sessions	\$250.00	\$350.00
Group Lessons *sessions per month	Four sessions	\$80.00	\$100.00
	Eight sessions	\$120.00	\$150.00
Base Camp on the Go Festival Fees (2 hour minimum)			
Up to 50 participants			\$125 per hour
51 to 100 participants			\$225 per hour
101 plus participants			\$275 per hour
Refundable damage deposit			\$275.00
* Renter responsible for additional fees if crowd exceeds the anticipated number			

Water Fund		
Water Rates		
	Inside	Outside
Bulk Sales (contract)	\$1.68/100 cf.	\$2.88/100 cf.
Industrial Sales	\$1.74/100 cf.	\$3.02/100 cf.
Retail Sales (Residential and Commercial)		
(Base Charge) 0-275 cubic foot	\$17.83	\$32.14
> 275 cubic foot	\$1.95/100 cf.	\$3.47/100 cf.
Irrigation Only Meter		
(Base Charge) 0-275 cubic foot	\$17.83	\$32.14
> 275 cubic foot	\$2.93/100 cf.	\$4.31/100 cf.
Pump Fee (per pump)	\$8.39	\$12.54
Sales From Fire Hydrant		\$.02569/gallon
Illegal Hydrant Connection/Use		\$500 plus any damages
Maggie Valley Sanitary District		
0 - 10,000 gallons		\$3,076.19
All over 10,000 gallons (per 1,000 gal.)		\$12.57/1,000 gal.
Fire Line Connection (monthly)		
<2 inch	\$3.12	\$7.03
<4 inch	\$12.48	\$28.08
<6 inch	\$25.03	\$56.29
>6 inch	\$43.82	\$97.48
	Inside	Outside
Deposits (tenant-occupied accounts only)	\$60.00	\$100.00
Refund, transfer and application of deposit policies are the same as for electric deposits.		
Late Payment Penalty (applied to any arrears balance)		2% per month
Reconnection Fee		\$50.00
Reconnection Fee After 4 PM or on Weekends		\$100.00
Tampering Fee		
First offense		\$200.00
Second offense (or if service is disconnected)		\$500.00
Third offense (meter will be removed)		Full cost of tap and connection fee
Meter Testing Fee (reimbursable if beyond 2.5% off)		\$75.00
At-fault damage to fire hydrant		\$100 per hour plus cost of equipment
Meter Relocation Fee		\$200.00 plus cost of specialized equipment, if necessary
Water Tap		
Residential (5/8" x 3/4")		\$1,450.00
Special (3/4" x 3/4")		\$1,500.00
1"		\$1,750.00
1 1/2"		\$2,250.00
2"		\$3,250.00
Greater than 2"		\$1,500 + Costs
Water Capacity Fees - effective July 1, 2018		
Per gallon per day		\$2.62
Residential Water and Sewer Capacity Fees are capped at \$150,000 combined		
It is the policy of the Town of Waynesville to establish a schedule of "System Development Fees in accordance with Article 8 of Chapter 162 of the North Carolina General Statutes. The fees are intended to defray the cost of the water and sewer infrastructure as calculated in a report by McGill Associates dated March, 2018 and titled "Cost-Justified Water and Wastewater System Development Fees Report".		
Sewer Fund		
Sewer Rates (Based on water consumption unless separately metered)		
Late Payment Penalty (applied to any arrears balance)		2% per month
	Inside	Outside

Bulk Sales (Industrial, min. 5,000 gpd)	\$2.9294/100 cf.	\$4.9892/100 cf.
Industrial Waste Surcharges		
	BOD	\$151.98/1,000 lbs.
	COD	\$80.98/1,000 lbs.
	TSS	\$80.98/1,000 lbs.
Retail Sales (Residential and Commercial)		
	Inside	Outside
(Base Charge) 0-275 cubic foot	\$25.94	\$46.88
>275 cubic foot	\$3.76/100 cf.	\$6.89/100 cf.
Flat Rate Sewer Only		\$60.00
Connection Fee		\$25.00
After Hours Connection Fee		\$75.00

Industrial User Permits	Inside	Outside
Annual Fee	\$1,000.00	\$2,000.00
Application Fee	\$200.00	\$400.00

Hauled Wastewater		
	Septic Tank (domestic only)	\$0.0414/gallon \$54.23 minimum
	Industrial Waste (non-domestic)	\$0.0414/gallon \$108.92 minimum
	Industrial Waste (out of county)	\$0.0835/gallon \$163.66 minimum

All unit prices are applied to tanker capacity without regard to fill percentage

Grease Blockage	\$250.00/minimum on callout
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Sewer Tap		
	4"	\$1,450.00
	6" and larger	\$1,700.00

Sewer Capacity Fee - effective July 1, 2018		
	Per Gallon per Day	\$3.05

Residential Water and Sewer Capacity Fees are capped at \$150,000 combined

In addition to the tap fee, new connections to the sewage system of the Town of Waynesville shall pay a sewer capacity fee based on wastewater design flow rate determined from the table of minimum allowable design daily flow in 15A NCAC, 02T.0114 of the Environmental Management regulations contained in the North Carolina Administrative Code.

For the tributary sewer systems of Junaluska Sanitary District, Town of Clyde or Maggie Valley, wastewater flow allocation letters will be charged the sewer capacity fee at the outside rate. Lake Junaluska Assembly will be charged the sewer capacity fee for flow allocation letters at the inside rate (in consideration of their participation between 1942 and 1990 in the costs of sewer trunk and treatment plant facilities). The minimum flow rate is 240 GPD.

*It is the policy of the Town of Waynesville to establish a schedule of "System Development Fees in accordance with Article 8 of Chapter 162 of the North Carolina General Statutes. The fees are intended to defray the cost of the water and sewer infrastructure as calculated in a report by McGill Associates dated March, 2018 and titled "Cost-Justified Water and Wastewater System Development Fees Report". *Equivalent flow rates will be per the North Carolina Administrative Code 15A: NCAC 18C.0409 and NCAC 02T.0114 (Authority NCGS 130A-315; 103A-317)*

Electric Fund
Electric Rates

Waynesville's electric rates are reviewed and adjusted monthly based on power costs billed by town's supplier for wholesale rates. Monthly reviews will determine fuel adjustments to be added to base rates shown below.

All electric sales are subject to a 7% sales tax imposed by the State of North Carolina, with the exception of electric sales to the State of North Carolina or United States government, which are exempt from the sales tax.

Residential & Commercial fuel adjustment added to base rate as of January 1, 2018 is \$ 0.00000 per kWh.

Late Payment Penalty (applied to any arrears balance)	2% per month
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Residential	Base Charge	\$15.57
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	All kWh(s)	\$0.14047/kWh
Residential Solar (Accounts established prior to 4/26/22)		
	Base Charge	\$42.94
	All kWh(s)	0.0780285/kWh
Net Meter Residential Solar Rate Rider (20kW Max. Sized to Existing Consumption)		
	Base Charge in addition to residential base rate	\$11.24
	Residential Rate	\$0.14047/kWh
	Solar Power Credit	\$.0125 less than residential rate
Commercial, Single Phase (No Demand)		
	Base Charge	\$16.50
	1 - 700 kWh	\$0.16569/kWh
	701 - 4,000 kWh	\$0.13304/kWh
	All over 4,000 kWh	\$0.12711/kWh
Commercial, Three Phase (No Demand)		
	Base Charge	\$25.43
	1 - 700 kWh	\$0.16569/kWh
	701 - 4,000 kWh	\$0.13304/kWh
	All over 4,000 kWh	\$0.12473/kWh
Net Metering Commercial Solar Rate Rider (150 kW max. Sized to Existing Consumption)		
	Base Charge in addition to commercial base rate	\$11.91
	1 - 700 kWh	\$0.16568/kWh
	701 - 4,000 kWh	\$0.13304/kWh
	All over 4,000 kWh	\$0.12711/kWh
	Solar Power Credit	\$0.09
Net Metering Governmental Solar Rate Rider (150 kW max. Sized to Existing Consumption)		
	Base Charge in addition to commercial base rate	\$11.91
	1 - 700 kWh	\$0.16568/kWh
	701 - 4,000 kWh	\$0.13304/kWh
	All over 4,000 kWh	\$0.12711/kWh
	Solar Power Credit	\$0.09
Demand Accounts		
Demand meters are placed on all commercial accounts with an actual or anticipated 12 month average consumption of at least 5,000 kWh per month.		
Accounts will be removed from demand service rates when the calendar year average declines below a 5,000 kWh per month average or the nature of the operation is changed to the extent that the average consumption will be less than 5,000 kWh per month.		
Three Phase		
	Base Charge	\$18.94
	Usage	\$0.097428/kWh
Single Phase		
	Base Charge	\$16.50
	Usage	\$0.097428/kWh
In addition to the kilowatt hours charges, peak metered demand is billed at \$8.3073 per kilowatt of peak demand per month.		
Industrial Accounts		
Industrial rates are used on all industrial accounts with an actual or anticipated 12 month average consumption of at least 1,500,000 kWh per month.		
Industrial fuel adjustment added to base rate as of January 1, 2018 is \$ 0.00000 per kWh.		
Three Phase		
	Base Charge	\$18.94
	Usage	\$0.071605/kWh
In addition to the kilowatt hours charges, peak metered demand is billed at \$17.72 per kilowatt of peak demand per month.		
Renewable Energy and Efficiency Portfolio Standards (REPS)		
In 2007, the North Carolina General Assembly passed legislation that requires utility companies to develop an increasing supply of alternative energy resources, with 3% of their total supply coming from renewable by 2013 and 12% from renewable by 2021. Utility companies are charging their customers to recover the cost of the renewable energy they purchase. In turn the Town is passing along these costs to its customers. These charges (REPS) are set each December by our power supplier.		

	Residential	\$0.66
	Commercial	\$5.36
	Industrial	\$41.69
Deposits (tenant-occupied accounts only)		
	Residential	\$170.00
	Commercial	\$200.00
Deposits may be refunded at customer request if the most recent twelve months of billings have been paid before a late-payment penalty has been added. Deposits available at termination of service are applied to unpaid utility balances and any excess deposit is refunded to customer.		
Deposits may be transferred to a new account when customer is moving if the current account is paid in full. The final bill at the current location will be transferred to the new location if not paid in full within thirty (30) days of billing.		
Area Lighting Fixture		
	30 to 140 LED/Sodium Vapor, 100w/ 9,500 lumen Semi-Enclosed	\$15.00
	150 to 215 LED/Sodium Vapor, 400w/50,000 lumen Enclosed	\$30.00
	220 to 280 LED/Metal Halide, 400w/40,000 lumen Flood	\$45.00
Lighting Fixtures (no longer available to new customers)		
	Sodium Vapor, 150w/16,000 lumen Semi-Enclosed	\$19.00
	Sodium Vapor, 400w/50,000 lumen Flood	\$33.00
	Mercury, 175w/ 7,000 lumen Semi-Enclosed	\$13.00
Special Area Lighting Pole		
	If other than distribution pole, add monthly charge per pole	
	Wood	\$7.00
	Or, a one-time pole charge	\$250.00
Underground service for area lighting		
	Monthly	\$5.00
	Or a one-time charge	\$200.00
Underground Service for New Homes (Up to 4/0 wire)		
	0 - 100 feet of wire from pole to house	\$250.00
	All wire over 100 feet	\$3.00/ft
Underground Service for Existing Homes That Change from Overhead (Up to 4/0 wire)		
	Opening and Closing of Ditch	\$100.00/hr
	All wire	\$3.00/ft
3 Phase Underground Service		
	4/0 wire	\$3.00/ft
	350 mcm	\$4.00/ft
	500 mcm	\$5.50/ft
	Opening and Closing of Ditch	\$100.00/hr
If a customer digs his own ditch, the ditch must meet electrical code before the Town will put wire into the ditch.		
Reconnection Fee		\$50.00
Reconnection Fee After 4 PM or on Weekends		\$100.00
Demand Account Reconnection Fee		\$100 per hour plus cost of supplies/equipment
Broken Seal on Electric Meter		\$100.00
Tampering Fee		
	First offense	\$400.00
	Second offense (or if service is disconnected)	\$1,000.00
	Third offense (meter will be removed)	Full cost of tap and connection fee
Meter Testing Fee (reimbursable if beyond 2.5% off)		\$100.00
Meter Relocation Fee		\$200.00 plus cost of specialized equipment, if nec
At Fault damage to power pole/equipment		\$100 per hour plus cost of equipment
Pole Co-Location Fees		
Cable Attachment Rate		\$25.00 per pole
Remove Stub Pole		\$250 per pole

Transfer Tangent Telephone Attachment	\$50 per attachment
Electric Cooperative Installation of Underground Ground Lead	\$100 per ground lead
Electric Cooperative Installation of Overhead Pole Ground	\$175 per ground

Storm Water Fund

The Storm Water Fund is established to provide revenue to administer the EPA Storm Water Program. The Fund creates five Residential and five Commercial fee tiers determined by parcel acreage. Fees are applied in multiples of an "Equivalent Residential Unit" (ERU) determined by the average impervious surface of parcels throughout Town with the associated fee of a single ERU being \$2.86. For example, such impervious surfaces would include building footprints as well as paved and unpaved driveways. Larger properties are categorized into higher tiers in order to consider the increased potential impact of those properties on the Town's stormwater management system so that the burden of managing those effects is better distributed proportionately.

Storm Water Rates

Residential

ERA Range	ERU	Monthly Fee	Annual Fee
Tier 1: 0.0001 - 0.7001	0.5	\$ 1.43	\$ 17.15
Tier 2: 0.7002 - 1.4002	1.0	\$ 2.86	\$ 34.30
Tier 3: 1.4003 - 2.1003	2.0	\$ 5.72	\$ 68.59
Tier 4: 2.1004 - 2.8004	3.0	\$ 8.57	\$ 102.89
Tier 5: 2.8005 - and up	4.0	\$ 11.43	\$ 137.19

Commercial

ERA Range	ERU	Monthly Fee	Annual Fee
Tier 1: 0.0001 - 0.7001	1.0	\$ 2.86	\$ 34.30
Tier 2: 0.7002 - 1.4002	2.0	\$ 5.72	\$ 68.59
Tier 3: 1.4003 - 2.1003	3.0	\$ 8.57	\$ 102.89
Tier 4: 2.1004 - 2.8004	6.0	\$ 14.15	\$ 205.78
Tier 5: 2.8005 - and up	9.0	\$ 25.72	\$ 308.67

ORDINANCE NO. O-26-24
BUDGET ORDINANCE 2024-2025

SECTION 1: The following amounts are hereby appropriated for the operation of the Town of Waynesville and its activities for the fiscal year beginning July 1, 2024 and ending June 30, 2025 according to the following summary and schedules.

SUMMARY	Estimated Revenues	Appropriations
General Fund	\$ 19,039,765	\$ 19,039,765
Water Fund	\$ 3,535,417	\$ 3,535,417
Sewer Fund	\$ 3,970,000	\$ 3,970,000
Electric Fund	\$ 11,324,608	\$ 11,324,608
Stormwater Fund	\$ 200,000	\$ 200,000
TOTAL BUDGET	\$ 38,069,790	\$ 38,069,790

SECTION 2: That for the said fiscal year there is hereby appropriated out of the General Fund the following:

Estimated Expenditures	Amount
Town Council	\$ 40,317
Administration	\$ 229,930
Downtown	\$ 198,400
Finance	\$ 473,720
Public Works	\$ 678,139
Police	\$ 6,170,460
Fire	\$ 3,168,945
Street and Sanitation	\$ 2,880,920
Powell Bill	\$ 505,000
Cemetery	\$ 289,930
Development Services	\$ 1,025,005
Special Appropriations	\$ 94,500
Parks and Recreation	\$ 2,903,851
Debt Service	\$ 380,648
Total	\$ 19,039,765

SECTION 3: It is estimated that the following General Fund Revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025 to meet the foregoing General Fund Appropriations:

Estimated Revenues	Amount
Ad Valorem Taxes-Current and Previous years	\$ 8,134,215
Fire Tax	\$ 635,900
Sales Tax	\$ 4,680,000
Utilities Franchise Tax	\$ 812,000
Wine and Beer	\$ 40,000
Other Taxes	\$ 7,650
Court Costs and Fees	\$ 1,500
Powell Bill	\$ 405,000
DWC Event Fees	\$ 35,000
Building Permits and Fees	\$ 193,850
Reconnect and Late Fees	\$ 90,000
Cemetery Revenues	\$ 26,000
Recreation Department Revenues	\$ 497,250
Police Contract Services	\$ 170,000
Garbage Sanitation Fees	\$ 690,000
Investment Income	\$ 300,000
Miscellaneous Income	\$ 115,800
Sale of Fixed Assets and Materials	\$ 25,000
Operating Transfer from Other Funds	\$ 1,275,600
A B C Revenues	\$ 216,000
Fund Balance Appropriated – Powell Bill	\$ 100,000
Fund Balance Appropriated	<u>\$ 589,000</u>

Total \$ **19,039,765**

SECTION 4: That for said fiscal year there is hereby appropriated out of the Water Fund the following:

Estimated Expenditures

Water Maintenance	\$	1,339,310
Water Treatment	\$	1,263,390
Charges by General Fund	\$	932,717
Total	\$	3,535,417

SECTION 5: It is estimated that the following Water Fund Revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025 to meet the foregoing Water Fund Appropriations:

Estimated Revenues

Water Charges	\$	3,350,000
Water Taps And Connections	\$	45,000
Capacity Fee	\$	25,000
Miscellaneous Revenue	\$	2,000
Investment Income	\$	65,000
Fund Balance Appropriated	\$	48,417
Total	\$	3,535,417

SECTION 6: That for said fiscal year there is hereby appropriated out of Sewer Fund the following:

Estimated Expenditures

Sewer Maintenance	\$	1,259,419
Sewer Treatment	\$	1,783,045
Charges by General Fund	\$	927,536
Operating Transfer	\$	-
Total	\$	3,970,000

SECTION 7: It is estimated that the following Sewer Fund Revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025 to meet the foregoing Sewer Fund Appropriations:

Estimated Revenues

Sewer Charges	\$	3,825,000
Sewer Taps And Connections	\$	30,000
Capacity Fee	\$	25,000
Investment Income	\$	90,000
Fund Balance Appropriated	\$	-
Total	\$	3,970,000

SECTION 8: That for said fiscal year there is hereby appropriated out of the Electric Fund the following:

Estimated Expenditures

Maintenance	\$	2,238,050
Power Purchases	\$	6,470,000
Charges by General Fund	\$	1,235,128
Operating Transfers	\$	1,381,430
Total	\$	11,324,608

SECTION 9: It is estimated that the following Electric Fund Revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025 to meet the foregoing Electric Fund Appropriations:

Estimated Revenues

Electric Charges	\$	10,325,500
Security Lights	\$	56,000
Street Lights	\$	115,000
Underground Service Install	\$	15,000
Renewable Energy Portf. Stand.	\$	59,000

Electric Pole Rent	\$	82,000
Sales Tax Charges	\$	510,000
Miscellaneous Revenue	\$	20,000
Sale of Materials/Fixed Assets	\$	1,000
Investment Income	\$	65,000
Fund Balance Appropriated	\$	76,108
Total	\$	11,324,608

SECTION 10: That for said fiscal year there is hereby appropriated out of the Stormwater Fund the following:

Estimated Expenditures

Stormwater Management	\$	117,910
Charges by General Fund	\$	82,090
Total	\$	200,000

SECTION 11: It is estimated that the following Stormwater Fund Revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025 to meet the foregoing Stormwater Fund Appropriations:

Estimated Revenues

Stormwater Charges	\$	200,000
Total	\$	200,000

SECTION 12: Tax Rate Established

An Ad Valorem tax rate of 47.70 cents per \$100 on real and personal property billed by the town is hereby established for the Town of Waynesville. The total real and personal property valuation is \$1,546,111,001 as of January 1, 2024 with an estimated rate of collection of 99.19 percent and on motor vehicles billed by the North Carolina Department of Motor Vehicles with a value of \$120,014,187 with an estimated rate of collection of 99.99 percent for motor vehicles collected by the state. A tax rate of 19 cents per \$100 is hereby established for the Downtown Waynesville MSD with a valuation of \$57,234,400 as of January 1, 2024, with an estimated rate of collection of 99.19 percent.

SECTION 13: Rates effective for the fiscal year beginning July 1, 2024 are contained in the accompanying Town of Waynesville 2024-2025 Fee Schedule.

SECTION 14: Special Authorization

- A. The Budget Officer may transfer amounts between objects of expenditure within a department without limitations.
- B. The Budget Officer may make interfund loans as deemed necessary.

SECTION 15: Restrictions - Budget Officer

- A. The transfer of monies between funds, except as noted in this document, shall be accomplished by Town Council authorization only.
- B. The utilization of any reserve or contingency appropriation shall be accomplished only with Council authorization.

SECTION 16: Encumbrances at Year End

Funds encumbered by the Town of Waynesville as of June 30, 2024 are hereby appropriated to this budget.

SECTION 17: Utilization of Budget and Budget Ordinance

This Ordinance and the Budget Document shall be the basis of the financial plan for the Waynesville Municipal Government during the 2024-2025 fiscal year.

The Budget Officer shall administer the budget and ensure that departments are provided guidance and sufficient information to implement their appropriate portion of the budget. The Finance Department shall establish records which are in consonance with the budget and this ordinance and the appropriate statutes of the State of North Carolina.

Adopted this 11th day of June 2024.

TOWN OF WAYNESVILLE:

ATTEST:

Candace Poolton, Town Clerk

J. Gary Caldwell, Mayor

APPROVED AS TO FORM:

Martha Sharpe Bradley, Town Attorney

RESOLUTION NO. R-14-24

Resolution on Financial Operating Plan for the Garage Internal Service Fund

WHEREAS, the Town Council of the Town of Waynesville, wishes to establish a financial operating plan for the Garage Internal Service Fund.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Waynesville to adopt a financial operating plan for the 2024-2025 year for the Garage Internal Service Fund as follows:

Garage Operations:	
Estimated Revenues:	
Charges to User Departments	\$ 1,186,780
Total	\$ 1,186,780
Appropriations:	
Operations	\$ 1,186,780
Total	\$ 1,186,780

Adopted this 11th day of June 2024.

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Sharpe Bradley, Town Attorney

TOWN OF WAYNESVILLE:

J. Gary Caldwell, Mayor

**TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: June 11, 2024**

SUBJECT: A Public Hearing to consider a text amendment related to general corrections and updates, including protest petitions, tree preservation, and definition of townhomes.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact: Olga Grooman
Presenter: Olga Grooman

BRIEF SUMMARY:

The proposed text amendments are a series of corrections and updates to the Land Development Standards. They include revisions to the outdated sections and clarifications per recommendations of our Town Attorney Martha Bradley pertaining to 160D, revision to the definition of a “townhome” to align with the current North Carolina Building Code, and updated definition of a tree caliper to be more precise and useful.

Staff keeps a running list of grammatical and outdated reference errors that come up periodically as they are noticed in the course of planning and zoning applications, Municode officials, or the public. These have also been included in our continual pursuit of ordinance improvement.

Finally, staff recommends enhancing the tree protection ordinance that seeks to preserve existing trees within new developments. Section 8.3 of the Land development Standards provides a landscape credit to preserve existing trees and states that “the preservation of existing trees is strongly encouraged,” but does not provide a specific requirement or threshold. The proposed ordinance would specify that 5% of existing trees must be preserved and can count towards existing buffer and/or landscaping requirements for major subdivisions and major site plans. This would force preservation of existing trees as a part of compliance with Chapter 8 “Tree protection, Landscaping and Screening.”

MOTIONS FOR CONSIDERATION:

1. Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.
2. Motion to adopt the Ordinance as presented (or as amended).

FUNDING SOURCE/IMPACT:

N/A

ATTACHMENTS:

1. Staff Report
2. Draft Ordinance with Text Amendment
3. Planning Board Report
4. Consistency Statement Worksheet
5. Power Point on Existing and Suggested Tree Protections
6. Newspaper Notice

MANAGER’S COMMENTS AND RECOMMENDATIONS:

Town Council Staff Report

Subject: Text amendment related to general corrections and updates, including protest petitions, tree preservation, and definition of townhomes
Ordinance Section: Multiple sections of Land Development Standards (LDS)
Applicant: Staff initiated text amendment; Development Services Department
Meeting Date: May 14, 2024

Background

The proposed text amendments include additions and revisions to several outdated sections of the LDS per recommendations of our Town Attorney Martha Bradley. The amendments related to enhanced tree protection are based on ongoing citizens' feedback. Finally, staff keeps a running list of grammatical and outdated reference errors that are also included.

On April 15, 2024, the Planning Board held a public hearing and unanimously recommended these text amendments with a few modifications to the Town Council, as specified in the attached Planning Board report. The Planning Board also requested a review of the proposed landscaping changes by a professional, such as an arborist or landscape architect, before the amendment is presented to the Council. Per Board's request, staff consulted the following professionals:

1. Bill Skelton- Horticulture Specialist with the Town of Waynesville
2. Christine O'Brien- Program Manager with Haywood Waterways
3. Duane Vanhook- District Director with Haywood Soil and Water Conservation District
4. Emily Clark- Principal/Owner of the Clark Lanning Architects

Their suggestions included:

- Clarification that tree preservation areas will consist of native species
- Native species should show no obvious signs of damage/decline
- Use "tree preservation areas" instead of "tree save areas"
- Increase the preservation requirements in the future and involve arborists in the process

Staff Recommended Text Changes:

The proposed text amendments include:

- Revised definition of townhomes to align more closely with the definition from the 2018 NC Residential Building Code
- Add a definition of a tree caliper, as defined by the NC Forest Service
- Several provisions to enhance tree preservation efforts for new developments
- Eliminate references to protest petitions that were abolished in NC in 2015
- Clarification of map/text amendment process following a negative recommendation from the Planning Board

The proposed changes to the current Land Development Standards **are in red**.

Consistency with the 2035 Comprehensive Land Use Plan

Staff submits that the proposed text amendments to the LDS are consistent with the first goal of the 2035 Comprehensive Plan:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage in-fill, mixed use, and context-sensitive development.
- Promote conservation design to preserve important natural resources.
- Reinforce the unique character of Waynesville.

Goal 3: Protect and enhance natural resources.

- Protect and enhance water quality and forests.
- Protect rural lands, iconic views and mountain vistas.

The Town will also maintain adequate legal authority through the most up-to-date ordinance.

Attachments

1. Cover Sheet
2. Draft Ordinance with Text Amendment
3. Planning Board Report
4. Consistency Statement Worksheet
5. Power Point on Existing and Suggested Tree Protections
6. Newspaper Notice

Recommended Motions

1. Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.
2. Motion to adopt the Ordinance as presented (or as amended).

DRAFT ORDINANCE FOR COUNCIL CONSIDERATION

ORDINANCE NO. O-22-24

AN ORDINANCE AMENDING THE TEXT OF THE TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed text amendments to the Land Development Standards (LDS) and recommends that they are consistent with the 2035 Comprehensive Plan and that they are reasonable and in the public interest because:

- The Town of Waynesville will continue to “promote smart growth in land use planning and zoning” (Goal #1);
- The proposed text amendment will “promote conservation design to preserve important natural resources” (Goal #1);
- The proposed text amendment will “reinforce the unique character of Waynesville” (Goal #1);
- The amendment will “protect and enhance water quality and forests” (Goal #3);
- The text amendment will help to “protect rural lands, iconic views, and mountain vistas” (Goal #3);
- The Town will maintain adequate legal authority through the most up-to-date ordinance.

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendments for enactment by the Town Council; and

WHEREAS, the Town Council find this Ordinance is consistent with the Town’s 2035 Comprehensive Plan and that it is reasonable and in the public interest to “make decisions about resources and land use in accordance with North Carolina General Statutes.” and

WHEREAS, after notice duly given, a public hearing was held on April 15, 2024 at the regularly scheduled meeting of the Waynesville Planning Board, and on May 14, 2024 at the regularly scheduled meeting of the Waynesville Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE WAYNESVILLE TOWN COUNCIL, MEETING IN REGULAR SESSION ON MAY 14, 2024 AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows:

1. Amend Section 2.4 Dimensional Standards by District as follows:

2.4.1 Table of Dimensional Standards by Residential District.

*Table of Dimensional Standards by Residential District and Table of Dimensional Standards by Mixed-Use/Non-Residential District. Line 5c in both tables- Accessory Structure Setback, Other Standards. See Section 4.5.3 needs to be **See Section 4.5.***

2. Amend Section 8.3.1 Existing Vegetation as follows:

B. **Protection of Vegetation During Design:** The Town expects new development, through the protection of trees and existing vegetation, to be creative in design and placement of buildings, structures, parking and other impervious surfaces as to preserve natural features and to complement the existing topography ~~when practical~~. **Additionally, Major Subdivisions and Major Site Plans shall preserve 5% of the existing trees on site. Tree preservation areas (native species with no obvious damage/decline) with adequate protection measures from construction activities shall be shown on the landscape plan. Tree preservation can be counted towards the required buffers, screens, and/or street trees as specified in 8.3.1. C.**

C. **Landscape Credits:** The preservation of existing trees, where possible is strongly encouraged. In order to encourage such preservation, preserved trees may be credited towards compliance with the requirements of this section at the rate of:

- 2"—6" caliper tree = ~~1 tree~~ **2 trees**
- 7"—12" caliper tree = ~~2 trees~~ **4 trees**
- 13"—18" caliper tree = ~~3 trees~~ **5 trees**
- 19"—24" caliper tree = ~~4 trees~~ **6 trees**
- 25" + caliper tree = ~~5 trees~~ **7 trees**

3. Amend Section 8.4.1 Buffer Yards as follows:

B. **Additional Buffer Yard Requirements:** A type B Buffer Yard is required along the side and rear lot lines, not including road frontage, of new major subdivisions of ~~34~~ **15** or more units and special use permits in all districts, except where the above table has a stricter requirement or as part of a conservation subdivision.

4. Amend table in the LDS Section 9.8.3. D. Driveway Spacing (table) as follows:

*District Category column, Neighborhood Residential (~~UR~~) needs to be Neighborhood Residential (**NR**).*

5. Amend LDS Section 12.3.3 E. Variance Procedures as follows:

(b) Functionally dependent facilities if determined to meet the definition as stated in Section ~~17.4~~ **17.5**, provided provisions ...

(e) The necessity to the facility of a waterfront location as defined under Section ~~17.4~~ **17.5** as a functionally...

6. Amend LDS Section 15.14 Map and Text Amendments as follows:

15.14.2 Review By Planning Board.

- A. **Public Notification (Prior to Planning Board):** Level 1, 2, 3 and 4.
- B. **Neighborhood Meeting (15.3.7):** Optional.
- C. **Additional Public Notification for Large Scale Amendments:** If the land development map amendment directly affects more than fifty (50) properties, owned by at least fifty (50) different property owners the Town may elect to utilize a Level 6 notification. When this occurs, the town may use the expanded published notice provisions found in the North Carolina General Statutes at Section 160D-601 and ~~160D-602~~.
- D. **Review by Planning Board:** The Planning Board shall conduct a public hearing and receive public input on the proposed amendment and shall make recommendations to the ~~Board of Aldermen~~ **Town Council** regarding whether to approve or deny each proposed amendment within sixty-four (64) days of its first consideration on the matter.
 - 1. ~~Recommendation for Approval: If the Planning Board makes a favorable recommendation, the matter shall be scheduled a public hearing before the Board of Aldermen.~~
 - 2. ~~Recommendation for Denial: If the Planning Board makes a negative recommendation, the petitioner may, within thirty (30) days after written notification from the town clerk, request that a public hearing be held by the Board of Aldermen on the matter. This appeal process does not apply to amendments initiated by the Board of Aldermen or planning department. These amendments go immediately to the Board following a recommendation by the Planning Board.~~
- E. **Review by Town Council:** The Town Council shall conduct a public hearing and receive public input on the proposed amendment within a reasonable time following the public hearing before the Planning Board. If the Planning Board makes a negative recommendation, the petitioner may, within thirty (30) days after written notification of the Planning Board's decision and no less than twenty-four (24) hours prior to the public hearing scheduled before the Town Council, request a continuance of the Town Council hearing to revise the application to address matters raised by the Planning Board.

15.14.5 Plan Consistency.

In accordance with G.S. 160D-604(d); **160D-605(a)**; **160D-701**, all such amendments shall be made in accordance with the Comprehensive Land Use Plan

- 7. Amend Section 15.15 Conditional Districts (CD) as follows:

Conditional Districts (~~Section 2.6~~ **Section 2.7**) are districts with conditions voluntarily added ...

15.15.2 Formal Review.

~~C~~ **Decisions:** Decisions by the Board of Commissioners shall be by majority vote, unless a valid Protest Petition in accordance with Section 15.14.3 has been filed, in which case, a three-fourths majority vote of eligible members shall be required for approval.

C Decisions: Decisions by the Town Council shall be by majority vote.

- 8. Amend Section 17.3 Definitions, Use Type as follows:

~~**Dwelling Townhome.** Three or more attached dwelling units in which each unit has its own front and rear access to the outside, no unit is located over another unit, each unit is separated from any other unit by one (1) or more vertical common fire resistant walls, and the land underneath each unit is titled to the unit.~~

Dwelling- Townhome. A single-family dwelling unit constructed in a group of two or more attached units separated by property lines in which each unit extends from foundation to roof and with a yard or public way on not less than two sides.

9. Add definition to Section 17.4 Definitions, General as follows:

~~**Caliper.** A standard trunk diameter measurement for nursery grown trees taken 6 inches above the ground for up to and including 4 inch Caliper size, and 12 inches above the ground for larger sizes.~~

Caliper. The diameter measurement of a tree’s trunk taken six (6) inches above the ground for trees up to and including four (4) inches caliper size, and twelve (12) inches above the ground for trees exceeding four (4) inches caliper size.

ADOPTED this _____ Day of _____, 2024.

TOWN OF WAYNESVILLE

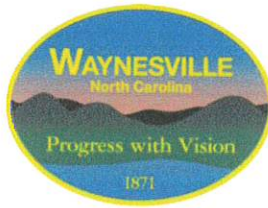
J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney



To: Waynesville Town Council
 From: Olga Grooman, Assistant Development Services Director
 Date: May 14, 2024
 Subject: Planning Board Report and Statement of Consistency
 Description: Text amendments related to general corrections and updates, including protest petitions, tree preservation, and definition of townhomes, various sections of the Land Development Standards (LDS)
 Applicant: Development Services Initiated Text Amendment

The Planning Board hereby adopts and recommends to the Town Council the following statement(s):

1. Board member Michael Blackburn made a motion which was seconded by board member Stuart Bass **to recommend the proposed text amendment to the Town Council** with the following modifications:
 - Lower the requirement for a type B Buffer along the side and rear lot lines and require it for major subdivisions of 15 units (LDS 8.4.1).
 - Strike out the phrase "when practical" from the *Protection of Vegetation During Design* section (LDS 8.3.1. B).
 - Amend the proposed definition of townhomes from 3 to 2 units (LDS 17.3).

Additionally, the Board requested the review of the proposed changes by a professional, such as an arborist or landscape architect, before the amendment goes to the Council.

The motion passed with a unanimous vote.

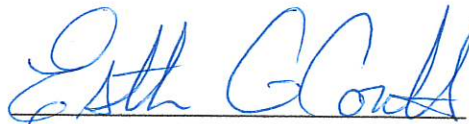
2. A motion was made by board Chair Susan Teas Smith and seconded by board member Jan Grossman that the proposed text amendment is **consistent with the Town's Comprehensive Land Use Plan and is reasonable and in the public interest** because it is consistent with:

Goal # 1: Continue to promote smart growth principles in land use planning and zoning.

Goal # 3: Protect and enhance Waynesville's natural resources.

The motion carried unanimously.


 Susan Teas Smith, Planning Board Chair Date 4/18/24


 Esther Coulter, Administrative Assistant Date 4-18-24



To: Waynesville Town Council
From: Olga Grooman, Assistant Development Services Director
Date: May 14, 2024
Subject: Text Amendment Statement of Consistency
Description: Text amendment related to general corrections and updates

The Town Council hereby finds that:

The zoning text amendment is **approved and consistent with the Town’s Comprehensive Land Use Plan** because: _____

The zoning amendment and is **reasonable and in the public interest** because:

The zoning amendment is **rejected because it is inconsistent with the Town’s Comprehensive Land Plan and is not reasonable and in the public interest** because: _____

In addition to approving this zoning amendment, this approval is **also deemed an amendment to the Town’s Comprehensive Land Use Plan**. The change in conditions taken into account in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: _____

Existing Tree Protections in LDS

Chapter 9- Parking and Driveways

9.2.2 Exemptions and Adjustments

D. Tree Preservation: *The minimum number of parking spaces required may be adjusted by the Administrator when it has been determined that the reductions are necessary to preserve a healthy tree or trees (with a 12-inch or greater diameter at breast height) from being damaged or removed, and where the site plan provides for the retention of said tree or trees.*

Existing Tree Protections in LDS

Chapter 7- Civic Space

7.2.1 Required Civic Space Types

B. Green: *An open space available for unstructured recreation. A Green may be spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be .16 acre.*

D. Square: *An open space available for unstructured recreation and civic purposes. A Square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed.*

H. Dog Park: *... The dog park shall also have a designated waste disposal facility, signage with applicable rules, a shade area (with either a structure or mature shade trees).*

Existing Tree Protections in LDS

Chapter 8- Tree Protection, Landscaping, and Screening

8.3.1 Existing Vegetation

- A. Existing Vegetation, Fences, Walls, and Berms:** *The use of existing trees or shrubs to satisfy the landscaping requirements of this Chapter is expected. Significant existing vegetation within landscaped areas shall be preserved and credited toward required landscaping.*
- B. Protection of Vegetation During Design:** *The Town expects new development, through the protection of trees and existing vegetation, to be creative in design and placement of buildings, structures, parking and other impervious surfaces as to preserve natural features and to complement the existing topography when practical.*

Existing Tree Protections in LDS

Chapter 8- Tree Protection, Landscaping, and Screening

8.3.1 Existing Vegetation

C. Landscape Credits: *The preservation of existing trees, where possible is strongly encouraged. In order to encourage such preservation, preserved trees may be credited towards compliance with the requirements of this section at the rate of:*

2"—6" caliper tree = 1 tree

7"—12" caliper tree = 2 trees

13"—18" caliper tree = 3 trees

19"—24" caliper tree = 4 trees

25" + caliper tree = 5 trees

In order to receive credit, preserved vegetation must be in good health and condition. Trees designated for preservation must be indicated on the landscape and grading plans and protected (with barriers) during grading and construction.

Existing Tree Protections in LDS

Chapter 8- Tree Protection, Landscaping, and Screening

8.3.1 Existing Vegetation

D. *Replacement of Preserved Trees*: *If a preserved tree dies within twenty-four (24) months of completion of the project, it must be replaced with the total number of trees which were credited to the existing tree.*

Existing Tree Protections in LDS

Chapter 8- Tree Protection, Landscaping, and Screening

8.3.3 Tree Trimming and Removal

C. Tree Topping: *Tree topping and/or shearing shall be prohibited on all trees on public property, designated rights-of-way, required tree save areas, landscaping, and buffer yards unless otherwise approved by the Administrator.*

F. Protection during Surveying: *No tree greater than 12 inches in diameter at breast height (DBH) located on public property or within a required tree protection area shall be removed for the purpose of surveying without an approval from the Administrator.*

Existing Tree Protections in LDS

Chapter 8- Tree Protection, Landscaping, and Screening

8.8.4 Protection of Existing Trees During Construction

- *Barricades installation*
- *Limitations on land disturbance within a tree dripline*

Suggested Additions

Chapter 8- Tree Protection, Landscaping, and Screening

8.3.1 Existing Vegetation

- B. *Protection of Vegetation During Design:*** *The Town expects new development, through the protection of trees and existing vegetation, to be creative in design and placement of buildings, structures, parking and other impervious surfaces as to preserve natural features and to complement the existing topography when practical. Additionally, Major Subdivisions and Major Site Plans shall preserve 5% of the existing trees on site. Tree preservation areas (native species with no obvious damage/decline) with adequate protection measures from construction activities shall be shown on the landscape plan. Tree preservation can be counted towards the required buffers, screens, and/or street trees as specified in 8.3.1. C.*



Suggested Additions

Chapter 8- Tree Protection, Landscaping, and Screening

8.3.1 Existing Vegetation

C. Landscape Credits: *The preservation of existing trees, where possible is strongly encouraged. In order to encourage such preservation, preserved trees may be credited towards compliance with the requirements of this section at the rate of:*

2"—6" caliper tree = ~~1 tree~~ 2 trees

7"—12" caliper tree = ~~2 trees~~ 4 trees

13"—18" caliper tree = ~~3 trees~~ 5 trees

19"—24" caliper tree = ~~4 trees~~ 6 trees

25" + caliper tree = ~~5 trees~~ 7 trees



Suggested Additions

Chapter 8- Tree Protection, Landscaping, and Screening

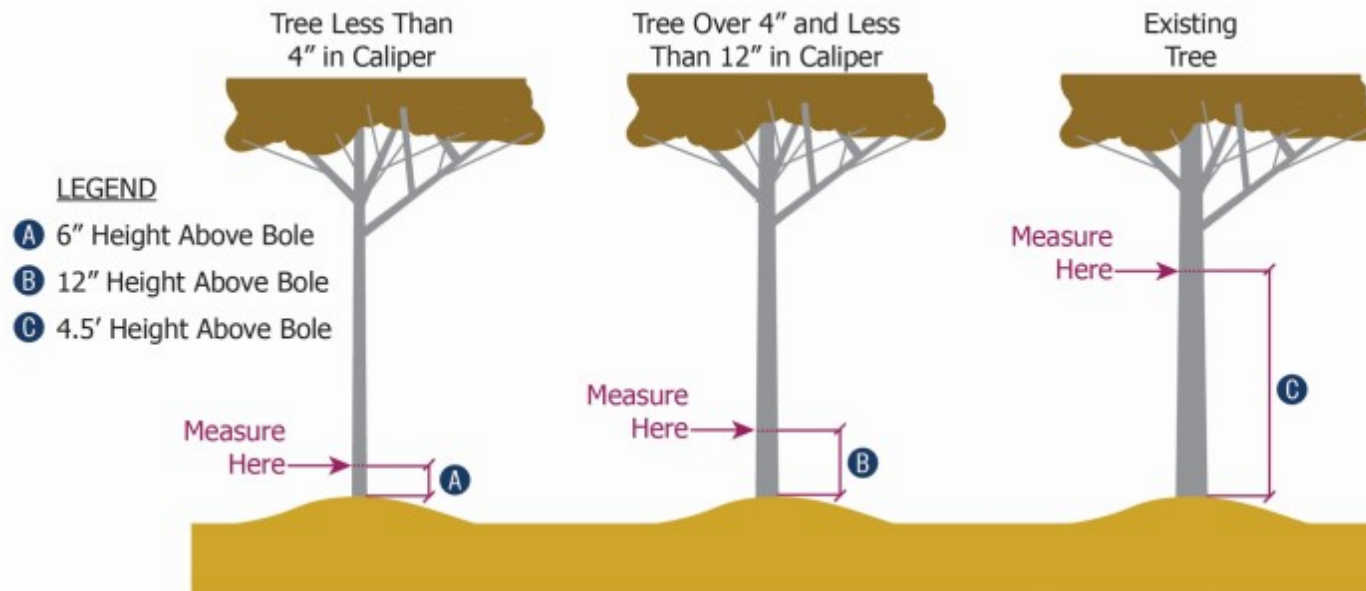
8.4.1 Required Buffer Yards

B. Additional Buffer Yard Requirements: *A type B Buffer Yard is required along the side and rear lot lines, not including road frontage, of new major subdivisions of ~~31~~ 15 or more units and special use permits in all districts, except where the above table has a stricter requirement or as part of a conservation subdivision.*

Suggested Additions

Section 17.4 Definitions, General

Caliper. *The diameter measurement of a tree's trunk taken six (6) inches above the ground for trees up to and including four (4) inches caliper size, and twelve (12) inches above the ground for trees exceeding four (4) inches caliper size.*



Developing Tree Protection Ordinances in North Carolina

A Guide to Local Ordinance Creation



Developed by the Nicholas Institute for Environmental Policy Solutions for (and with guidance from) the Urban & Community Forestry Program of the North Carolina Forest Service and the North Carolina Wildlife Resources Commission. 2017 edits and revision by Edward Macie USDA Forest Service (Ret.), and Consulting Urban Forester.



Funding for this project was provided in part through the Urban & Community Forestry Program of the North Carolina Forest Service, Department of Agriculture and Consumer Services, in cooperation with the USDA Forest Service, Southern Region.



The North Carolina Forest Service is an equal opportunity employer. Its programs, activities and employment practices are available to all people regardless of race, color, religion, sex, age, national origin, disabilities, or political affiliation.





TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

www.waynesvillenc.gov

FOR PUBLICATION IN THE MOUNTAINEER: May 1st and May 8th (Wednesday) editions

Date: April 23, 2024

Contact: Olga Grooman, (828) 356-1172

Notice of Public Hearing Town of Waynesville Council

The Town of Waynesville Council will hold a public hearing on Tuesday, May 14th, 2024 at 6:00 p.m. or as closely thereafter as possible, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider a text amendment related to LDS corrections and updates, including protest petitions, tree preservation, and definition of townhomes, multiple sections of LDS.

For more information contact the Development Services Department at: (828) 356-1172, email: ogrooman@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: June 11, 2024**

SUBJECT: Revisions to Charter & Code of Ordinances to reflect change in governing body's name

AGENDA INFORMATION:

Agenda Location: Public Hearings
Item Number:
Department: Legal
Contact: Martha Sharpe Bradley
Presenter: Martha Sharpe Bradley

BRIEF SUMMARY: On April 11, 2023, the governing body for the Town of Waynesville changed the style of its name from "Board of Aldermen" to "Town Council." There were several hundred references to variations of "Board of Aldermen," "Aldermen," or "Board" which must be revised.

MOTION FOR CONSIDERATION:

1. To adopt the proposed ordinance amending the Town's Charter and Code of Ordinance to reflect the governing body's correct title.

FUNDING SOURCE/IMPACT:

ATTACHMENTS:

COMMENTS AND RECOMMENDATIONS: None.

Date: June 4, 2024

Martha Sharpe Bradley
Town Attorney

DRAFT FOR COUNCIL CONSIDERATION

ORDINANCE NO. O-28-24

AN ORDINANCE AMENDING THE CHARTER OF THE TOWN OF WAYNESVILLE TO REVISE REFERENCES TO REFLECT THE CURRENT NAME OF ITS GOVERNING BOARD

WHEREAS, the Town of Waynesville is an incorporated political subdivision of the State of North Carolina; and

WHEREAS, on April 11, 2023 the name of the governing board of the Town of Waynesville was changed by unanimous vote to Town Council in accordance with General Statute 160A-101(3); and

WHEREAS, numerous references continued to exist throughout the Charter and Code of Ordinances to the former name of the governing board – the “Board of Aldermen” or the “Board” – creating for the potential of confusion or misinterpretation of those same sections of the Charter and Code of Ordinances; and

WHEREAS, the Town Council deem it to be in the best interest of the public for its current name to be accurately reflected throughout the Charter and Code of Ordinances; and

WHEREAS, a public hearing was held on the above-mentioned charter amendments on June 11, 2024 at 6:00 PM or shortly thereafter in the Town of Waynesville Board Room located at 9 South Main Street, Waynesville, NC.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON JUNE 11, 2024 AND WITH A MAJORITY OF THE COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

Section 1. Pursuant to General Statute Chapter 160A, Article 5, Part 4, the Charter of the Town of Waynesville is hereby amended as follows:

ARTICLE II. MAYOR AND ~~BOARD OF ALDERMEN~~ TOWN COUNCIL

Sec. 2.1. Governing body.

The mayor and ~~board of aldermen~~ **Town Council**, elected and constituted as herein set forth, shall be the governing body of the town. On behalf of the town, and in conformity with applicable laws, the mayor and ~~board~~ **council** may provide for the exercise of all municipal powers, and shall be charged with the general government of the town.

Sec. 2.2. Mayor; terms of office; duties.

The mayor shall be elected by and from the qualified voters of the town for a term of four years, in the manner provided by article III of this Charter; provided, the mayor shall serve until his successor is elected and qualified. The mayor shall be the official head of the town government, shall preside at all meetings of the ~~board of aldermen~~ **Town Council**, and shall have the powers and duties of mayor as prescribed by this Charter and the General Statutes. The mayor shall have the right to vote on all matters before the ~~board~~ **council**.

Sec. 2.3. ~~Board of aldermen~~ **Town Council; terms of office.**

The ~~board of aldermen~~ **Town Council** shall be composed of four members, each of whom shall be elected for terms of four years, in the manner provided by article III of this Charter; provided, ~~board~~ **council** members shall serve until their successors are elected and qualified.

Sec. 2.4. Mayor pro tempore.

In accordance with applicable state laws, the ~~board of aldermen~~ **Town Council** shall appoint one of its members to act as mayor pro tempore to perform the duties of the mayor in the mayor's absence or disability. The mayor pro tempore as such shall have no fixed term of office, but shall serve in such capacity at the pleasure of the remaining members of the ~~board~~ **council**.

State law reference(s)—Mayor pro tempore; disability of mayor, G.S. 160A-70.

Sec. 2.5. Meetings of the ~~board~~ **Town Council.**

In accordance with applicable State laws, the ~~board~~ **Town Council** shall establish a suitable time and place for its regular meetings. Special meetings may be held according to applicable provisions of the General Statutes.

State law reference(s)—Regular and special meetings, G.S. 160A-71.

Sec. 2.6. Ordinances and resolutions.

The adoption, amendment, repeal, pleading, or proving of town ordinances and resolutions shall be in accordance with applicable provisions of the General Statutes of North Carolina not inconsistent with this Charter. Except as otherwise provided by law, all ordinances shall become effective upon adoption; provided, an ordinance may, by its own terms, specify some other time upon which it shall take effect. The enacting clause of all town ordinances shall be: "Be it ordained by the ~~Board of Aldermen~~ **Town Council** of the Town of Waynesville."

State law reference(s)—Code of ordinances, G.S. 160A-77; franchises and technical ordinances, G.S. 160A-76.

Sec. 2.7. Voting requirements; quorum.

Official action of the ~~board~~ **council** shall, except as otherwise provided by law, be by majority vote, provided that a quorum, consisting of a majority of

the actual membership of the ~~board~~ **council**, is present. Vacant seats are to be subtracted from the normal ~~board~~ **council** membership to determine actual membership.

(Ord. No. 8-95, § 2.7, 3-14-1995)

State law reference(s)—Quorum, G.S. 160A-74.

Sec. 2.8. Qualifications for office; vacancies; compensation.

The compensation of ~~board~~ **council** members, the filling of vacancies of the ~~board~~ **council**, and the qualifications of ~~board~~ **council** members shall be in accordance with applicable provisions of the General Statutes.

State law reference(s)—Vacancies on the governing body, G.S. 160A-63; compensation of members, G.S. 160A-64.

Sec. 3.1. Regular municipal elections; conduct.

Regular municipal elections shall be held in the town every four years in odd-numbered years, and shall be conducted in accordance with the uniform municipal election laws of North Carolina. The mayor and members of the ~~board~~ **council** shall be elected according to the nonpartisan election method.

Sec. 4.2. Town manager.

The ~~Board of Aldermen~~ **Town Council** shall appoint a town manager who shall be the administrative head of town government, and who shall be responsible to the ~~board~~ **council** for the proper administration of the affairs of the town. The town manager shall hold office at the pleasure of the ~~board of aldermen~~ **Town Council**, and shall receive such compensation as the ~~board~~ **council** shall determine. In exercising his duties as chief administrator, the manager shall:

- (1) Appoint and suspend or remove all town officers and employees not elected by the people, except the town attorney and those whose appointment or removal is otherwise provided by law, in accordance with such general personnel rules, regulations, policies or ordinances as the ~~board~~ **council** shall adopt.
- (2) Report to the ~~board of aldermen~~ **Town Council** each appointment or removal of an officer or employee at the next ~~board~~ **council** meeting following such appointment or removal.
- (3) Direct and supervise the administration of all departments, offices, and agencies of the town, subject to the general direction and control of the ~~board~~ **council**, except as otherwise provided by law.
- (4) Attend all meetings of the ~~board~~ **council**, unless excused therefrom, and recommend any measures that he deems expedient.
- (5) Prepare and submit the annual budget and capital program to the ~~board~~ **council**.

- (6) Keep the ~~board~~ **council** fully advised as to the financial condition of the town and annually submit to the ~~board~~ **council**, and make available to the public, a complete report on the finances and administrative activities of the town at the end of the fiscal year.
- (7) Make any other reports that the ~~board~~ **council** may require concerning the operation of the town departments, offices and agencies subject to his direction and control.
- (8) Perform any other duties that may be required or authorized by the ~~board~~ **council**, or as required by law.

State law reference(s)—Powers and duties of manager, G.S. 160A-148 et seq.

Sec. 4.3. Town attorney.

The ~~board of aldermen~~ **Town Council** shall appoint a town attorney who shall be licensed to engage in the practice of law in the State of North Carolina. Upon request of the ~~board of aldermen~~ **Town Council**, it shall be the duty of the town attorney:

- (1) To defend suits against the town;
- (2) To advise the mayor, ~~board of aldermen~~ **Town Council** and other town officials with respect to the affairs of the town;
- (3) To draft legal documents relating to the affairs of the town;
- (4) To inspect and pass upon agreements, contracts, franchises and other instruments with which the town may be concerned;
- (5) To attend meetings of the ~~board of aldermen~~ **Town Council**; and
- (6) To perform other duties as the ~~board~~ **council** may direct.

State law reference(s)—Municipal attorney, G.S. 160A-173.

Sec. 4.4. Town clerk.

The town manager shall appoint a town clerk to keep a journal of the proceedings of the ~~board~~ **council**, to maintain in a safe place all records and documents pertaining to the affairs of the town, and to perform such other duties as may be required by law or as the ~~board of aldermen~~ **Town Council** may direct.

State law reference(s)—Municipal clerk, G.S. 160A-171 et seq.

Sec. 4.7. Consolidation of functions.

The ~~board of aldermen~~ **Town Council** may provide for the consolidation of any two or more positions of town manager, town clerk, town tax collector and town finance officer, or may assign the functions of any one or more of these positions to the holder or holders of any other of these positions, subject to the Local Government Budget and Fiscal Control Act [G.S. 159-7 et seq.]. The

duties of town tax collector and town finance officer shall not be conferred on the same person.

(Ord. No. 6-95, § 4.7, 2-14-1995)

Sec. 4.8. Other administrative officers and employees.

Consistent with applicable state laws, the ~~board of aldermen~~ **Town Council** may establish other positions, provide for the appointment of other administrative officers and employees, and generally organize the town government in order to promote the orderly and efficient administration of the affairs of the town.

Sec. 5.1. Assessments for street and sidewalk improvements: petition unnecessary.

- (a) In addition to any authority which is now or hereafter may be granted by general law to the town for making street improvements, the ~~board of aldermen~~ **Town Council** is hereby authorized to make street improvements and to assess the cost thereof against abutting property owners in accordance with the provisions of this section.
- (b) The ~~board of aldermen~~ **Town Council** may order street improvements and assess the cost thereof against the abutting property owners, exclusive of the costs incurred at street intersections, according to one or more of the assessment bases set forth in G.S. 160A-216 et seq. without the necessity of a petition, upon the finding by the ~~board~~ **council** as a fact:
 - (1) That the street improvement project does not exceed 2,000 linear feet; and
 - (2) That such street or part thereof is unsafe for vehicular traffic, and it is in the public interest to make such improvements; or
 - (3) That it is in the public interest to connect two streets, or portions of a street already improved; or
 - (4) That it is in the public interest to widen a street, or part thereof, which is already improved, provided, that assessments for widening any street or portion of street without a petition shall be limited to the cost of widening and otherwise improving such streets in accordance with the street classification and improvement standards established by the town's thoroughfare or major street plan for the particular street or part thereof to be widened and improved under the authority granted by this article.
- (c) For the purpose of this article, the term "street improvement" shall include grading, regrading, surfacing, resurfacing, widening, paving, repaving, the acquisition of right-of-way, and the construction or reconstruction of curbs, gutters and street drainage facilities.

- (d) In addition to any authority which is now or may hereafter be granted by general law to the town for making sidewalk improvements, the ~~board~~ **council** is hereby authorized without the necessity of a petition, to make or to order to be made sidewalk improvements or repairs according to standards and specifications of the town, and to assess the total costs thereof against abutting property owners, according to one or more of the assessment bases set forth in G.S. 160A-216 et seq.; provided however, that regardless of the assessment bases or bases employed, the ~~board of aldermen~~ **Town Council** may order the cost of sidewalk improvements made only on one side of a street to be assessed against property owners abutting both sides of such street.
- (e) In ordering street and sidewalk improvements without a petition and assessing the cost thereof under authority of this article, the ~~board~~ **council** shall comply with the procedure provided by G.S. 160A-216 et seq., except those provisions relating to the petition of property owners and the sufficiency thereof.
- (f) The effect of the act of levying assessments under the authority of this article shall for all purposes be the same as if the assessments were levied under authority of G.S. 160A-216 et seq.

Section 2. Pursuant to General Statute Chapter 160A, Article 5, Part 4, the Code of Ordinances of the Town of Waynesville is hereby amended as follows:

CHAPTER 1 – GENERAL PROVISIONS

Sec. 1-2. Definitions and rules of construction.

For the purpose of this Code, unless otherwise specifically provided, the following definitions and rules of construction shall apply and the following words and phrases shall have the following meanings:

And, or. Either conjunction shall include the other as if written “and/or,” if the sense requires it.

~~Board of Aldermen~~ **Town Council.** The term “~~board of aldermen~~ **Town Council**” means the governing body of the Town of Waynesville, North Carolina.

Charter. The term “Charter” shall mean the Charter of the Town of Waynesville as printed in part I of this volume.

Code. The term “Code” shall mean the Code of Ordinances, Town of Waynesville, North Carolina, as designated in section 1-1.

Computation of time. The time within which an act is to be done shall be computed by excluding the first and including the last day; and if the last day is a Saturday, Sunday or legal holiday, it shall be excluded.

County. The term “county” means Haywood County, North Carolina.

Gender. Words importing the masculine gender shall include the feminine and neuter.

Joint authority. All words giving a joint authority to three or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.

Month. The term “month” means a calendar month.

Nontechnical and technical words. Words and phrases shall be construed according to the common and approved usage of the language. However, technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to that meaning.

Number. Words used in the singular include the plural, and the plural includes the singular.

Oath. The term “oath” shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath; and in such cases the words “swear” and “sworn” shall be equivalent to the words “affirm” and “affirmed.”

Official time standard. Whenever certain hours are named in this Code, they shall mean standard time or daylight saving time, as may be in current use in this town.

Officials, boards, commissions, departments. Whenever reference is made to officials, boards, commissions and departments by title only, they shall be deemed to refer to the officials, boards, commissions and departments of the Town of Waynesville, North Carolina.

Owner. The term “owner,” when applied to any property, shall include any part owner, joint owner, tenant in common, joint tenant, or tenant by the entirety of the whole or part of the property.

Person. The term “person” means a corporation, firm, partnership, association, organization and any other group acting as a unit, as well as an individual.

Personal property. The term “personal property” means every species of property, except real property.

Preceding, following. The terms “preceding” and “following” mean next before and next after, respectively.

Property. The term “property” means real and personal property.

Real property. The term “real property” means lands, tenements and hereditaments.

Shall, may. The term “shall” is mandatory, and the term “may” is permissive.

State. The term “state” means the State of North Carolina.

Statute references. The term “General Statutes” or “G.S.” shall refer to the latest edition of the General Statutes of North Carolina, as amended.

Street. The word “street” shall mean and include any public way, road, highway, street, avenue, boulevard, parkway, alley, lane, viaduct, bridge and their approaches within the town and shall mean the entire width of the right-of-way between abutting property lines.

Tenant and occupant The terms “tenant” and “occupant,” when applied to a building or land, shall include any person who occupies the whole or a part of the building or land, whether alone or with others.

Tense. Words used in the past or present tense include the future as well as the past and present.

Town. The term “town” means the Town of Waynesville, Haywood County, North Carolina.

Year. The term “year” means a calendar year.

(Code 1987, §§ 10.04, 10.05)

Sec. 1-5. Severability.

It is declared to be the intention of the ~~board of aldermen~~ **Town Council** that the sections, paragraphs, sentences, clauses and phrases of this Code are severable; and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code, since they would have been enacted by the ~~board of aldermen~~ **Town Council** without the incorporation in this Code of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

(Code 1987, § 10.07)

Sec. 1-9. Amendments to Code; effect of new ordinances; amendatory language.

- (a) All ordinances passed subsequent to this Code which amend, repeal or in any way affect this Code may be numbered in accordance with the numbering system of this Code and printed for inclusion in this Code. When subsequent ordinances repeal any chapter, section or subsection or any portion of this Code, such repealed portions may be excluded from

this Code by omission from reprinted pages. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances until such time that this Code and subsequent ordinances numbered or omitted are readopted as a new Code by the ~~board of aldermen~~ **Town Council**.

- (b) Amendments to any of the provisions of this Code shall be made by amending such provisions by specific reference to the section number of this Code in the following language: "That section ____ of the Code of Ordinances, Town of Waynesville, North Carolina, is hereby amended to read as follows:...." The new provisions shall then be set out in full as desired.
- © If a new section not heretofore existing in the Code is to be added, the following language shall be used: "That the Code of Ordinances, Town of Waynesville, North Carolina, is hereby amended by adding a section, to be numbered ____, which section reads as follows:...." The new section shall then be set out in full as desired.
- (d) All sections, articles, chapters or provisions desired to be repealed must be specifically repealed by section, article or chapter number, as the case may be.

(Code 1987, § 10.17)

Sec. 1-10. Supplementation of Code.

- (a) By contract or by town personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the town. A supplement to the Code shall include all substantive, permanent and general parts of ordinances passed by the ~~board of aldermen~~ **Town Council** during the period covered by the supplement and all changes made by the supplement in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages that have become obsolete or partially obsolete; and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.
- (b) In preparing a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by their omission from reprinted pages.
- © When preparing a supplement to this Code, the codifier (meaning the person authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified code. For example, the codifier may:
 - (1) Organize the ordinance material into appropriate subdivisions.

- (2) Provide appropriate catchlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles.
- (3) Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers.
- (4) Change the words “this ordinance” or words of the same meaning to “this chapter,” “this article,” “this division,” etc., as the case may be, or to “sections ____ to ____” (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code).
- (5) Make other nonsubstantive changes necessary to preserve the original meanings of ordinance sections inserted into the Code, but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

CHAPTER 2 – ADMINISTRATION

ARTICLE II. MAYOR AND ~~BOARD OF ALDERMEN~~ TOWN COUNCIL

DIVISION 2. MEETINGS

Sec. 2-51. Regular and special meetings; recessed and adjourned meetings.

- (a) *Regular meetings.* There shall be a regular bimonthly meeting of the ~~board of aldermen~~ **Town Council** at the municipal building at such time as prescribed by the ~~board of aldermen~~ **Town Council** after public notice of the date and time has been advertised.
- (b) *Special meetings.*
 - (1) The mayor, the mayor pro tempore, or any two members of the ~~board of aldermen~~ **Town Council** may at any time call a special meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. The notice shall be delivered to the mayor and each **councilor** or left at his usual dwelling place at least 48 hours before the meeting. Only those items of business specified in the notice may be transacted at a special meeting, unless all members are present or have signed a written waiver of notice. In addition to the procedures set out in

this section or in the Charter, a person calling a special meeting of the ~~board of aldermen~~ **Town Council** shall comply with the notice requirements of G.S. 143-318.9 et seq.

- (2) Special meetings may be held at any time when the mayor and all members of the ~~board of aldermen~~ **Town Council** are present and consent to such meeting, or when those not present have signed a written waiver of notice.
 - (3) During any regular meeting, or any duly called special meeting, the ~~board of aldermen~~ **Town Council** may call or schedule a special meeting, provided that the motion or resolution calling or scheduling any special meeting shall specify the time, place and purpose of the meeting and shall be adopted during an open session.
- (c) *Recessed, adjourned meetings.* Any regular or duly called special meeting may be recessed to reconvene at a time and place certain, or may be adjourned to reconvene at a time and place certain, by the ~~board of aldermen~~ **Town Council**.

(Code 1987, § 30.01)

State law reference(s)—Regular and special meetings, G.S. 160A-71.

Sec. 2-52. Mayor to be presiding officer.

The mayor shall preside at all ~~board of aldermen~~ **Town Council** meetings.

(Code 1987, § 31.10)

Charter reference(s)—Mayor's duties and term of office, § 2.2.

State law reference(s)—Mayor to preside over council, G.S. 160A-69.

Sec. 2-53. Order of business.

- (a) When a regular meeting of the ~~board of aldermen~~ **Town Council** shall be organized, the order of business shall be as follows:
 - (1) Reading the proceedings of the last regular meeting and all special meetings held since the last regular meeting, if any.
 - (2) Correction of the minutes, if necessary, and their approval. All minutes shall be approved by the ~~board of aldermen~~ **Town Council** and signed by the mayor and town clerk.
 - (3) Published agenda of ~~board of aldermen~~ **Town Council**.
 - (4) New business.
- (b) If the ~~board~~ **council** shall direct any matter to be the special business of a future meeting that matter shall have precedence over any other business at such meeting. No proposition shall be entertained by the

mayor until it has been seconded, and every motion shall, when required by the mayor or any ~~alderman~~ **councilor**, be reduced to writing.

(Code 1987, § 30.02)

Sec. 2-54. Rules of procedure.

- (a) The procedure of the ~~board of aldermen~~ **Town Council** and other boards, commissions, and committees of the town shall be consistent with Robert's Rules of Order, Newly Revised.
- (b) The ~~board of aldermen~~ **Town Council** shall adopt rules of procedure, not inconsistent with the city charter, general law, or generally accepted principles of parliamentary procedure which may apply to all boards, commissions, or committees of the town.
- (c) Any rules of procedure adopted pursuant to this section shall be published on the town's website, if any, and copies shall be available to the public in the office of the town clerk and at each meeting of the ~~board of aldermen~~ **Town Council** or any other board, commission, or committee or the town.

(Code 1987, § 30.03; Ord. No. O-27-22 , 6-14-2022)

State law reference(s)—Council to adopt rules of procedure, G.S. 160A-71.

Sec. 2-55. Preservation of order.

The mayor or the presiding officer of the ~~board of aldermen~~ **Town Council** shall preserve order and decorum during the meetings of the ~~board~~ **council**.

(Code 1987, § 30.04)

Sec. 2-56. Meetings to be public; exception.

- (a) All meetings of the ~~board of aldermen~~ **Town Council** shall be open to the general public, except those meetings designated as closed sessions. No person other than a member of the ~~board of aldermen~~ **Town Council** shall occupy the seat of any member of the ~~board~~ **council** during the sessions of the ~~board~~ **council**. The ~~board~~ **council** or mayor shall have the right to invite to the floor such persons as they may deem deserving of the privilege, but the right of admission under such invitation shall not extend beyond the meeting at which the invitation shall be given. After the ~~board~~ **council** is called to order by the mayor or the presiding officer, all conversation between those present shall cease, and the mayor or the presiding officer only shall be addressed.
- (b) No person, except town officers or their deputies or clerks, in the exercise of their official duty, and such reporters as the ~~board of aldermen~~ **Town Council** may designate, shall be admitted during a closed session of the ~~board~~ **council** unless by a permit from the mayor.

(Code 1987, § 30.05)

Charter reference(s)—Meetings of the town council, § 2.5.

State law reference(s)—Meetings of public bodies, G.S. 143-318.9 et seq.; conduct of public hearings, G.S. 160A-81.

Sec. 2-91. Director of public works/town engineer.

- (a) The town manager shall appoint and supervise the director of public works/town engineer. The director of public works/town engineer shall receive a salary as set by the ~~board of aldermen~~ **Town Council**.
- (b) The director of public works/town engineer shall supervise all employees of the department of public works/town engineer, including the water plant superintendent, wastewater plant superintendent, street/sanitation superintendent, water/sewer maintenance superintendent, electric superintendent and assistant public works director.

(Code 1987, § 31.11)

Sec. 2-92. Chief of police.

The chief of police shall be appointed by and shall serve under the supervision of the town manager. He shall receive a salary as set by the ~~board of aldermen~~ **Town Council**.

(Code 1987, § 31.12)

State law reference(s)—Authority to appoint a chief of police, G.S. 160A-281.

Sec. 2-94. Recreation director.

The recreation director shall be appointed by and shall serve under the supervision of the town manager. He shall receive a salary as set by the ~~board of aldermen~~ **Town Council**.

(Code 1987, § 31.14)

ARTICLE IV. BOARDS, COMMISSIONS AND COMMITTEES

DIVISION 1. GENERALLY

Sec. 2-126. Membership (number of members).

The number of members for the various boards, commissions and committees appointed by the ~~board of aldermen~~ **Town Council** may from time to time be updated. The number of members for each board, commission or committee will be indicated in the most current version of the Town of Waynesville Boards and Commissions Manual which is maintained by the town clerk. Revisions to the number of members on the various boards, commissions and committees shall not require the update of the Code of Ordinances unless required by

federal, state or local legislation. This does not apply to the membership requirements related to residency, professional status or other requisite qualification, only to the number of members on the board, commission or committee.

(Ord. No. 04-14 , 5-27-2014)

Sec. 2-127. Meetings.

Board, commissions and committee meetings shall be held on the date, time and frequency as referenced in the Town of Waynesville Boards and Commissions Manual which may from time to time be updated or amended. Changes in meeting dates, times or frequency will be based on actions by individual boards, commissions and committees and reported to the ~~board of aldermen~~ **Town Council**. Changes to the meeting date, time or frequency shall not require the update of the Code of Ordinances unless required by federal, state or local legislation.

(Ord. No. 04-14 , 5-27-2014)

Sec. 2-128. Conduct of meetings.

All boards, commissions and committees will conduct meetings in accordance with G.S. 143-318.10.

(Ord. No. 04-14 , 5-27-2014)

DIVISION 2. ALCOHOLIC BEVERAGE CONTROL BOARD

Sec. 2-146. Establishment; members.

- (a) There is established an alcoholic beverage control board for the town.
- (b) The alcoholic beverage control board shall consist of the number of members referenced and indicated in the most current version of the Town of Waynesville Boards and Commissions Manual which may from time to time be updated or amended. A quorum of members shall be necessary to transact business. Members are appointed for three-year terms. The initial members of the alcoholic beverage control board shall serve staggered terms, thereafter their successors shall each be appointed for three-year terms. The ~~board of aldermen~~ **Town Council** shall designate one member of the alcoholic beverage control board as chairperson.
- (c) Members of the alcoholic beverage control board shall be appointed by the ~~board of aldermen~~ **Town Council**.
- (d) The ~~board of aldermen~~ **Town Council** shall appoint members of the alcoholic beverage control board on the basis of the appointees' interest

in public affairs, good judgment, knowledge, ability and good moral character.

- (e) A vacancy on the alcoholic beverage control board shall be filled by the ~~board of aldermen~~ **Town Council** for the remainder of the unexpired term. If the chairman's seat becomes vacant, the ~~board of aldermen~~ **Town Council** may designate either the new member or an existing member of the alcoholic beverage control board to complete the chairman's term.
- (f) A member of the alcoholic beverage control board may be removed for cause at any time by the ~~board of aldermen~~ **Town Council**. Alcoholic beverage control board members are subject to the removal provisions of G.S. 18B-202.
- (g) An alcoholic beverage control board member may be compensated as determined by the ~~board of aldermen~~ **Town Council**.
- (h) The provisions of G.S. 18B-201 shall apply to alcoholic beverage control board members and employees.
- (i) Each alcoholic beverage control board member shall be bonded in an amount not less than \$5,000.00, secured by a corporate surety, for the faithful performance of his duties. A public employee's blanket position bond in the required amount satisfies the requirements of this division. The bond shall be payable to the alcoholic beverage control board and shall be approved by the ~~board of aldermen~~ **Town Council** for the alcoholic beverage control board. The ~~board of aldermen~~ **Town Council** may exempt from this bond requirement any board member who does not handle board funds, and it may also increase the amount of the bond for any member who does handle board funds.
- (j) Meetings shall be held on the date and time as referenced in the Town of Waynesville Boards and Commissions Manual and may from time to time be updated or amended.

(Code 1987, §§ 32.001, 32.010; Ord. No. 04-14 , 5-27-2014)

DIVISION 3. RECREATION AND PARKS ADVISORY COMMISSION

Sec. 2-166. Establishment.

There shall be a recreation and parks advisory commission established under rules and regulations adopted by the ~~board of aldermen~~ **Town Council**. The recreation and parks advisory commission shall consist of the number of members referenced and indicated in the most current version of the Town of Waynesville Boards and Commissions Manual which may from time to time be updated or amended. A quorum of the members shall be necessary to transact business.

(Code 1987, § 32.100; Ord. No. 04-14 , 5-27-2014)

DIVISION 5. PUBLIC ART COMMISSION

Sec. 2-226. Establishment.

There shall be a public art commission established under rules and regulations adopted by the ~~board of aldermen~~ **Town Council**. The public art commission shall consist of the number of members referenced and indicated in the most current version of the Town of Waynesville Boards and Commissions Manual which may from time to time be updated or amended. A quorum of members shall be necessary to transact business.

(Ord. No. 04-14 , 5-27-2014)

Sec. 2-246. Organization.

The department of public works/town engineer shall consist of a director of public works/town engineer and as many employees as authorized by the ~~board of aldermen~~ **Town Council**.

(Code 1987, § 32.020)

ARTICLE V. DEPARTMENTS

DIVISION 2. DEPARTMENT OF PUBLIC WORKS/TOWN ENGINEER

Sec. 2-247. Duties.

The department of public works/town engineer shall be responsible for:

- (1) Street construction and maintenance;
- (2) Water, sewer and electrical system construction and operation;
- (3) General maintenance of town property and equipment;
- (4) Solid waste collection and disposal; and
- (5) Other duties as assigned by the ~~board of aldermen~~ **Town Council** and the town manager.

(Code 1987, § 32.021)

DIVISION 3. PARKS AND RECREATION DEPARTMENT

Sec. 2-271. Established.

There is a parks and recreation department consisting of a director and other employees as authorized by the ~~board of aldermen~~ **Town Council**.

CHAPTER 6 – ANIMALS

Sec. 6-6. Animals at street fairs, festivals or parades.

Animals under restraint will be allowed at street fairs, festivals and parades on leashes six feet in length or less, in carriers or if carried by their owners.

Pursuant to section 91-01 of the Haywood County Code of Ordinances definition of restraint, which requires animal owners to ensure animals are:

- (1) Controlled by means of a chain, leash, or other like device; and
- (2) To be under the physical control of the owner or animal handler and is obedient to that person's commands;
 - a. Prohibited. It shall be unlawful for any person that owns or possesses any animal, including dogs or cats:
 1. To allow such animal to run at large within 150 feet of any street fair, festival or parade sanctioned or permitted by the town.
 2. Animals designated under section 91-01 of the Haywood County Code and defined by G.S. § 67-4.1(a)(1) and (2), subject to the exceptions of G.S. § 67-4.1(b) as “fierce, dangerous, or vicious” are not permitted within the boundaries of the festival.
 - b. Exceptions. This section shall not apply to licensed or permitted kennels or to animals legitimately a part of a parade, sanctioned street fair or festival, animals in a petting zoo or animal rides if the otherwise prohibited animals are part of an authorized exhibit, activity or display.
 - c. Approval. For the purposes of this section, a sanctioned or permitted street fair, festival or parade is an event approved or permitted by the ~~board of aldermen~~ **Town Council** by action taken and recorded in the official minutes of the ~~board of aldermen~~ **Town Council**. The geographical limitations of the street fair, festival or parade shall be delineated by the approval or permitting of the event.
 - d. Violations. Violations of subsection a. of this section shall be misdemeanors, punishable upon conviction in accordance with section 1-8.

(Ord. No. 12-02, 7-23-2002; Ord. No. O-5-19 , 2-12-2019)

Ord. No. O-5-19 , adopted Feb. 12, 2019, changed the title of § 6-6 from “Animals prohibited at street fairs, festivals or parades” to read as herein set out.

CHAPTER 10 – BUILDINGS AND BUILDING REGULATIONS

ARTICLE III. PERMITS

Sec. 10-79. Fees.

Fees for permits shall be based upon the total estimated cost of the proposed work, including all subcontracts, if any; but in no case shall the total estimated cost be less than the market value of similar completed work in the town, as determined by the planning and zoning manager or other authorized inspector. Permit fees shall be as established by the ~~board of aldermen~~ **Town Council**. Schedules of such fees shall be maintained on file in the office of the planning and zoning manager or other authorized inspectors.

(Code 1987, § 150.23)

ARTICLE IV. INSPECTION DEPARTMENT

Sec. 10-116. Organization.

- (a) The inspection department shall consist of the codes administrator and such other inspectors or deputy or assistant inspectors as may be authorized by the ~~board of aldermen~~ **Town Council**.
- (b) The Town of Waynesville shall not employ an inspector to enforce the state building code as a member of the town inspection department who does not have one of the following types of certificates issued by the state code officials qualification board attesting to his qualifications to hold such position:
 - (1) A probationary certificate, valid for one year only;
 - (2) A standard certificate; or
 - (3) A limited certificate, which shall be valid only as an authorization for him to continue in the position held on the date specified in G.S. 143-151.13(c) and which shall become invalid if he does not successfully complete in-service training specified by the qualification board within the period specified in G.S. 143-151.13(c).
- (c) An inspector holding one of the certificates specified in subsection (b) of this section can be promoted to a position requiring a higher level certificate only upon issuance by the qualification board of a standard certificate or probationary certificate appropriate for such new position.

(Code 1987, § 150.50; Ord. No. O-12-21 , § 3, 6-8-2021)

Sec. 10-117. Duties and powers.

- (a) It shall be the duty of the inspection department to enforce all of the provisions of this chapter and of the regulatory codes adopted in this chapter, and to make all inspections necessary to determine whether or not the provisions of this chapter and such codes are being met.
- (b) Other duties and responsibilities of the inspection department and of the inspectors in the department shall be to enforce within the town, state and local laws relating to:
 - (1) The construction of buildings and other structures;
 - (2) The installation of such facilities as plumbing systems, electrical systems, heating systems, refrigeration systems and air conditioning systems;
 - (3) The maintenance of buildings and other structures in a safe, sanitary and healthful condition; and
 - (4) Other matters that may be specified by the ~~board of aldermen~~ **Town Council**.

These duties shall include the receipt of applications for permits and the issuance or denial of permits, the making of any necessary inspections, the issuance or denial of certificates of compliance, the issuance of orders to correct violations, the bringing of judicial actions against actual or threatened violations, the keeping of adequate records, and any other actions that may be required in order adequately to enforce those laws. The ~~board of aldermen~~ **Town Council** shall have the authority to enact reasonable and appropriate provisions governing the enforcement of those laws.

- (c) Inspectors are also authorized, empowered and directed to enforce all the provisions of this chapter and the regulatory codes adopted in this chapter.
- (d) Inspectors shall have the right of entry on any premises within the jurisdiction of the inspection department, at all reasonable hours, for the purpose of inspection or other enforcement action, upon presentation of proper credentials.
- (e) Whenever any building or structure or part is being demolished, constructed, reconstructed, altered or repaired in a hazardous manner or in substantial violation of any state or town building law, or in a manner that endangers life or property, the codes administrator or other authorized inspector may order the specific part of the work that is in violation or presents such a hazard to be immediately stopped. The stop order shall be in writing, directed to the person doing the work, and shall state the specific work to be stopped, the specific reasons and the conditions under which the work may be resumed.

- (1) The owner or builder may appeal from a stop order involving alleged violation of the state building code or any approved local modification to the state commissioner of insurance or his designee within five days after the order is issued. The owner or builder shall give to the commissioner of insurance or his designee written notice of appeal, with a copy to the codes administrator or other authorized inspector. The commissioner of insurance or his designee shall promptly conduct an investigation and the appellant, and the inspector shall be permitted to submit relevant evidence. The commissioner or his designee shall as expeditiously as possible provide a written statement of the decision setting forth the facts found, the decision reached and the reason for the decision. Pending the ruling by the commissioner of insurance or his designee on an appeal, no further work shall take place in violation of a stop order.
- (2) In the event of dissatisfaction with the decision, the person affected shall have the options of appealing to the state building code council, or appealing to the superior court as provided in G.S. 143-141.

(Code 1987, § 150.51)

Sec. 10-119. Records and reports.

The inspection department shall keep complete and accurate records in convenient form of all applications received, permits issued, inspections and reinspections made, defects found, certificates of compliance granted, and all other work and activities of the inspection department. These records shall be kept in the manner and for the periods prescribed by the state department of cultural resources. Periodic reports shall be submitted to the ~~board of aldermen~~ **Town Council** and to the state commissioner of insurance as they shall by ordinance, rule or regulation require.

(Code 1987, § 150.53)

Sec. 10-120. Inspection procedure.

- (a) Inspections of work in process. The codes administrator or other authorized inspector shall inspect all buildings and structures and work for which a permit of any kind has been issued as often as necessary in order to determine whether the work complies with this chapter and the appropriate codes. When deemed necessary by the codes administrator or other authorized inspector, materials and assemblies may be inspected at the point of manufacture or fabrication, or inspections may be made by approved and recognized inspection organizations. However, no approval shall be based upon reports of such organizations, unless they are in writing and certified by a responsible officer of such organization. All holders of permits, or their agents, shall notify the

inspection department at each of the following stages of construction, so that approval may be given before work is continued:

- (1) Foundation inspection, to be made after trenches are excavated and the necessary reinforcement and forms are in place, and before concrete is placed. Drilled footings, piles and similar types of foundations shall be inspected as installed.
 - (2) Framing inspection, to be made after all structural framing is in place and all roughing-in of plumbing and electrical and heating has been installed, after all fire blocking, chimneys, bracing and vents are installed, but before any of the structure is enclosed or covered. Poured-in-place concrete structural elements shall be inspected before each pour of any structural member.
 - (3) Fireproofing inspection, to be made after all areas required to be protected by fireproofing are lathed, but before the plastering or other fireproofing is applied.
 - (4) Final inspection, to be made after the building or structure has all doors hung and fixtures set and is ready for occupancy, but before the building is occupied.
- (b) Calls for inspection. Request for inspections may be made to the office of the inspection department. The inspection department shall make inspections as soon as practicable after requests are made, provided such work is ready for inspection at the time the request is made.
- (1) Reinspections may be at the convenience of the codes administrator or other authorized inspector. No work shall be inspected until it is in proper and completed condition ready for inspection. All work which has been concealed before the inspection and approval shall be uncovered at the request of the codes administrator or other authorized inspector and placed in condition for proper inspection. Approval or rejection of the work shall be furnished by the codes administrator or other authorized inspector in the form of a notice posted on the building or given to the permit holder or his agent.
 - (2) Failure to call for inspections or proceeding without approval at each stage of construction shall be deemed a violation of this chapter.
- (c) Street or alley lines. Where the applicant for a permit proposes to erect any building or structure on the line of any street, alley or other public place, he shall secure a survey of the line of the street, alley or other public place adjacent to the property upon which the building or structure is to be erected, before proceeding with construction of the building or structure. It shall be the duty of the codes administrator to

see that the building does not encroach upon the street, alley or other public place.

- (d) Certificates of compliance. At the conclusion of all work done under a permit, the codes administrator or other authorized inspector shall make a final inspection; and if he finds that the completed work complies with all applicable state and local laws and with the terms of the permit, he shall issue a certificate of compliance. No new building or part may be occupied, no addition or enlargement of an existing building may be occupied, and no existing building that has been altered or moved may be occupied until the codes administrator or other authorized inspector has issued a certificate of compliance. A temporary certificate of compliance may be issued permitting occupancy for a stated period of specified portions of the building that the codes administrator or other authorized inspector finds may safely be occupied prior to final completion of the entire building. Violation of this section shall constitute a misdemeanor.
- (e) Periodic inspections. The inspection department shall make periodic inspections, subject to the ~~board of aldermen~~ **Town Council**'s directions, for unsafe, unsanitary, or otherwise hazardous and unlawful conditions in structures within its territorial jurisdiction. In addition, it shall make inspections when it has reason to believe that such conditions may exist in a particular structure. In exercising this power, members of the department shall have a right to enter on any premises within the jurisdiction of the department at all reasonable hours for the purposes of inspection or other enforcement action, upon presentation of proper credentials.

(Code 1987, § 150.54)

Sec. 10-159. Appeal by owner.

Any owner who has received an order under subsection 10-158(c) may appeal from the order to the ~~board of aldermen~~ **Town Council** by giving notice of appeal in writing to the codes administrator or other authorized inspector and to the town clerk within ten days following issuance of the order. In the absence of an appeal, the order of the codes administrator or other authorized inspector shall be final. The ~~board of aldermen~~ **Town Council** shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.

(Code 1987, § 150.38)

State law reference(s)—Similar provisions, G.S. 160D-1123.

Sec. 10-160. Enforcement procedures against owner.

If the owner of a building or structure fails to comply with an order issued pursuant to subsection 10-158(c) from which no appeal has been taken, or fails to comply with an order of the ~~board of aldermen~~ **Town Council** following an

appeal, he shall be guilty of a misdemeanor and shall be punished in the discretion of the court.

(Code 1987, § 150.39)

State law reference(s)—Similar provisions, G.S. 160D-1124.

CHAPTER 14 – BUSINESSES

ARTICLE II. PRIVILEGE LICENSES

Sec. 14-34. Application; issuance.

- (a) Every application for a license required by this article shall be made to the tax collector. The tax collector shall prepare a form with all information needed to determine the amount of the license, and the applicant or his agent shall sign and date this form.
- (b) The tax collector shall not issue any license until the applicant has complied with every provision of this article, including the execution and delivery of any bond required and complied with the appropriate building, fire and zoning regulations of the town.
- (c) Every license issued under the provisions of this article shall show on the face of the license the name of the licensee, the nature of the business and its location (provided the business has a fixed location), the time for which issued, and the amount of the tax and penalty, if any, paid. Any license requiring the approval of the ~~board of aldermen~~ **Town Council** or of any board, commission or official shall show such approval on the face of the license. The tax collector shall keep an exact copy of each license issued, including the approval of any board, commission, or official endorsed on the face of the license.

(Code 1987, § 111.04)

Sec. 14-37. Revocation.

Any license issued under the provisions of this article by the tax collector may be revoked by the ~~board of aldermen~~ **Town Council** upon the finding by the ~~board of aldermen~~ **Town Council** that the licensee has persistently violated any applicable section of this chapter, town ordinance, or any federal or state law, or that the licensee is conducting his business in a fraudulent or unlawful manner.

(Code 1987, § 111.07)

Sec. 14-38. Appeal.

Any person aggrieved by the action of the tax collector in the denial of or in the revocation of a privilege license shall have the right to appeal to the ~~board of~~

~~aldermen~~ **Town Council**. The appeal shall be taken by filing with the ~~board of aldermen~~ **Town Council**, within 14 days after notice of the action complained of has been mailed to the person's last known address, a written statement setting forth fully the grounds for the appeal. The ~~board of aldermen~~ **Town Council** shall set a time and place for a hearing on the appeal, and notice of the hearing shall be given to the applicant in the same manner as provided for notice of hearing on revocation. The decision of the ~~board of aldermen~~ **Town Council** on the appeal shall be final and conclusive.

(Code 1987, § 111.08)

Sec. 14-41. License tax schedule.

- (a) The privilege license tax schedule shall be set from time to time by the ~~board of aldermen~~ **Town Council**, and a schedule of such taxes is on file and available in the town offices.
- (b) It shall be unlawful for any person to carry on or perform any business or do any act enumerated in this chapter without first having paid the license tax and procured a license as set forth in this article.

(Code 1987, § 111.11)

ARTICLE IV. TAXICABS AND PEDICABS

Sec. 14-105.8. Fees.

Fees, as established by the ~~board of aldermen~~ **Town Council** and listed in the annual schedule of fees and charges, to cover the administrative costs of a certificate and certification of drivers shall be made to the taxicab inspector at the time of the applications.

(Ord. No. O-09-18 , 6-12-2018)

ARTICLE VI. STREET PERFORMERS

Sec. 14-127. License required; procedure for issuance.

- (a) A license issued by the town shall be required of all street performers working within the town. Licenses are valid from July 1 to June 30. The fee shall be set from time to time by the ~~board of aldermen~~ **Town Council**, and is nonrefundable. Every performer within a single group is required to meet the licensing requirements of this article.
- (b) Application for a license to become a street performer in the town shall include, at a minimum, the following information and requirements:
 - (1) The name, permanent address, phone number, and proof of the identity of the applicant. Acceptable forms of identification shall

include, but not be limited to, a driver's license, student identification card, or passport;

- (2) A detailed description of the nature of the act to be performed;
 - (3) A detailed description of any instrument(s) or prop(s) which will be used by the performer;
 - (4) Two, two-inch by two-inch head shot color photos of the applicant. One shall be kept with the application, and the other included on the final license.
- (c) Before any license shall be issued under this section, the applicant shall submit to a criminal background history check which shall be reviewed by the chief of police or his designee to determine eligibility of the applicant. No applicant shall be eligible for issuance or renewal of a license under this section if the applicant has been convicted of two or more offenses within a period of five years preceding the application where each offense involved an assault, sex offense, communicating a threat, illegal use of a weapon or other act of violence or attempted violence.
- (d) Upon receipt of a signed complete application for a performance license, the town manager or his designee shall approve the permit within five business days, unless one of the following findings is made:
- (1) The applicant knowingly made a false, misleading or fraudulent statement of fact to the town in the application process;
 - (2) The application does not contain the information required by this article;
 - (3) The applicant has not satisfied the requirements of this article.
- (e) A street performer license is not assignable or transferable.
- (f) Licenses must be displayed at all times during performances.

(Ord. No. O-08-13 , 8-27-2013)

Sec. 14-128. Locations where street performers are allowed.

- (a) Street performers may only perform at specified areas of public property within Waynesville which the town manager or his designee determines to be reasonably suitable to conduct street performances without adversely impacting the community as described herein.
- (b) Public areas for street performance are available on a first-come, first-serve basis each day. No street performer shall claim a greater right to perform at any location over a street performer who arrives first at the same location.

- (c) The town manager or his designee may solicit opinions from any party concerning the suitability of allowing street performances at any area of public property in Waynesville. The town manager shall assess such information thereby developed and may exclude or include additional sites for good cause related to public safety, public health, public peace, or the peaceful enjoyment of nearby premises. Any party may petition the ~~board of aldermen~~ **Town Council** for inclusion or exclusion of a particular public area from the list of areas where street performances are permitted.
- (d) No street performer may perform within 50 feet of another street performer; however, this provision shall not preclude street performers who are performing together from performing in close proximity to one another.
- (e) Excluded areas. Performances are not permitted within 50 feet of any structure which is used as a school, library, hospital, church, funeral home, or courthouse. No performance may occur within 50 feet of the property line of a cemetery. No performance shall occur within an encroachment area for dining on a public sidewalk. No performance activity shall interfere with or impede the flow of pedestrian traffic at a crosswalk, building entrance, private patio, or curb cut, or entrance into an encroachment area for dining. No performance may occur within 100 feet of any special event authorized by the town unless the performer has been approved by the event organizer. Street performers shall not perform on private property without written permission of the property owner. Street performers are required to keep the writing granting such permission on their person during any performance on private property. Notwithstanding, street performers shall not conduct any performances on property used for any residential purpose.

(Ord. No. O-08-13 , 8-27-2013)

CHAPTER 18 - CEMETERIES

Sec. 18-4. Sale of cemetery spaces and columbarium niches.

- (a) The town shall sell easements for cemetery spaces and for columbarium niches to those persons desiring spaces and niches at such price as may be determined by the ~~board of aldermen~~ **Town Council**; however, one person may not purchase more than ten individual spaces and ten niches in a columbarium, except upon special permission from the ~~board of aldermen~~ **Town Council**. Columbarium niches and burial spaces cannot be purchased for commercial resale, and will not be sold to funeral homes, churches, or corporations.

- (b) Upon purchase of a burial space, the owner will be conveyed an easement deed that shall identify the purchaser and contain a description of the easement purchased. Cemetery easement deeds shall be recorded at the Haywood County Register of Deeds Office by the town. The town will pay for the initial recording of the deed.
- (c) Upon purchase of a columbarium niche, the purchaser will be issued a certificate granting them the right to use the niche for the inurnment of human remains.

(Ord. No. O-03-20 , 3-10-2020)

CHAPTER 22 – CIVIL EMERGENCIES

ARTICLE II. STATE OF EMERGENCY

Sec. 22-32. When state of emergency deemed to exist.

A state of emergency within the Town of Waynesville exists upon a finding and declaration of an emergency by the ~~board of aldermen~~ **Town Council** or the mayor, acting under authority of G.S. 166A-19.22.

(Ord. No. O-26-20 , 12-8-2020)

Sec. 22-33. Declaration of emergency.

- (a) In the event of a state of emergency the mayor is authorized and empowered to issue a public declaration determining and imposing those prohibitions or restrictions that the mayor deems necessary or suitable to a particular state of emergency.
- (b) In the event of the mayor's absence or disability, the ~~board of aldermen~~ **Town Council** is authorized to confer upon the mayor pro tempore the mayor's authority and power to issue a public declaration determining and imposing those prohibitions or restrictions that the mayor pro tempore deems necessary or suitable to a particular state of emergency.
- (c) In the event of both the mayor and mayor pro tempore's absence or disability, the ~~board of aldermen~~ **Town Council** is authorized and empowered to issue a public declaration determining and imposing those prohibitions or restrictions that the ~~board of aldermen~~ **Town Council** deems necessary or suitable to a particular state of emergency.

(Ord. No. O-26-20 , 12-8-2020)

CHAPTER 30 – FIRE PREVENTION AND PROTECTION

ARTICLE I. IN GENERAL

Sec. 30-5. Burning of leaves prohibited.

- (a) It shall be unlawful for any person or persons to burn leaves, either openly or in any form of container, within the town.
- (b) A violation of this section shall subject the offender to a civil penalty in the amount as set forth in the official schedule of fees and charges as set by the ~~board of aldermen~~ **Town Council** and maintained by the town clerk.

(Ord. No. 27-03, 10-28-2003)

ARTICLE II. FIRE CODE

Sec. 30-66. Adopted.

- (a) Volume V and in particular chapters 4 and 5 of volume V North Carolina Fire Prevention Code of the North Carolina State Building Code is adopted by the ~~board of aldermen~~ **Town Council** as its fire code by reference, with the exception of such portions as are deleted, modified or amended in this article, of which one copy will be filed by the town under the supervision of the town clerk; and the provisions are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this section shall take effect, the provisions thereof shall be controlling within the incorporated limits of the town.
- (b) The fire code shall be enforced by the codes administrator and the development services department.
- (c) Any person who shall violate any of the provisions of the fire code adopted in this section, fail to comply with such code, or who shall violate or fail to comply with any orders made under such code, or who shall build in violation of any detailed statement of specifications or plans submitted and approved under such code, or any certificate or permit issued under such code, and from which no appeal had been taken, or who shall fail to comply with such an order as affirmed or modified by the codes administrator or by a court of competent jurisdiction, within the time fixed in this section, shall severally, for each and every such violation and noncompliance respectively, be guilty of a misdemeanor punishable as provided in section 1-8. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within reasonable time; and when not otherwise specified, each ten days that prohibited conditions continue shall constitute a separate offense.

- (d) If any violation under the provisions of this section shall fail to have been promptly corrected, the codes administrator shall mail, by certified mail or registered mail to the violator at his last known address, or by personal service give, written notice that:
- (1) Fire hazards noted on the inspection form constitute a safety hazard or are dangerous to the life, health or welfare of the occupants;
 - (2) A hearing will be held before the codes administrator at a designated place and time, not later than ten days after the date of the notice, at which time the owner is entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
 - (3) Following the hearing, the codes administrator may issue any order to correct the fire code discrepancies that appears appropriate.
- (e) If the name or whereabouts of the owner cannot after due diligence be discovered, the notice shall be considered properly and adequately served if a copy is posted on the outside of the building in question at least ten days before the day of the hearing and a notice of the hearing is published at least once, not later than one week before the hearing.

(Code 1987, § 95.05; Ord. No. O-01-13, 1-22-2013)

State law reference(s)—North Carolina State Building Code applicable throughout the state, G.S. 143-138; authority to adopt technical codes by reference, G.S. 160A-76.

ARTICLE IV. FIREMEN'S RELIEF FUND BOARD

Sec. 30-101. Establishment; members.

There shall be appointed a board of trustees to be known as the firemen's relief fund board. The board shall be composed of five members, two of whom shall be appointed by the members of the fire department who are qualified as beneficiaries of the fund, two of whom shall be elected by the mayor and ~~board of aldermen~~ **Town Council**, and one of whom shall be named by the state commissioner of insurance. Their selection and term of office shall be as provided in G.S. 58-84-30.

(Code 1987, § 32.050)

CHAPTER 28 - HOUSING

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

Sec. 38-38. Enforcement procedure.

- (a) Preliminary investigation; notice; hearing. Whenever a petition is filed with the codes administrator by a public authority or by at least five residents of the town, charging that any dwelling or dwelling unit is unfit for human habitation, or whenever it appears to the codes administrator, upon inspection, that any dwelling or dwelling unit is unfit for human habitation, he shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such dwelling or dwelling unit a complaint stating the charges and containing a notice that a hearing will be held before the codes administrator at a place fixed in the notice, not less than ten nor more than 30 days after the serving of the complaint. The owner or any party in interest shall have the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint. Notice of the hearing shall also be given to at least one of the persons signing a petition relating to the dwelling. Any person desiring to do so may attend the hearing and give evidence. Evidence relevant in courts of law or equity shall not be controlling in hearings before the codes administrator.
- (b) Procedure after hearing. After the notice and hearing prescribed in subsection (a) of this section, the codes administrator shall state in writing his determination whether the dwelling or dwelling unit is unfit for human habitation, and if so, whether it is deteriorated or dilapidated.
 - (1) Deteriorated dwelling, dwelling unit. If the codes administrator determines that the dwelling or dwelling unit is deteriorated, he shall state in writing his findings of fact in support of that determination, and shall issue and cause to be served upon the owner an order directing and requiring the owner to repair, alter or improve the dwelling or dwelling unit to comply with the minimum standards of fitness established by this chapter within a specified period of time, not to exceed 90 days. The order may also direct and require the owner to vacate and close the dwelling or dwelling unit until the repairs, alterations and improvements have been made.
 - (2) Dilapidated dwelling. If the codes administrator determines that the dwelling is dilapidated, he shall state in writing his findings of fact to support that determination, and shall issue and cause to be served upon the owner an order directing and requiring the owner either to repair, alter or improve the dwelling or dwelling

unit to comply with the minimum standards of fitness established by this chapter, or else to vacate and remove or demolish them within a specified period of time not to exceed 90 days.

(3) Vacated and closed dwellings.

- a. If the ~~board of aldermen~~ **Town Council** shall have adopted an ordinance, or the codes administrator shall have issued an order, ordering a dwelling to be repaired, altered or improved in subsection (b)(1) or (2) or subsection (c), and if the owner has vacated and closed such dwelling and kept such dwelling vacated and closed for a period of one year pursuant to the ordinance or order, if the ~~board of aldermen~~ **Town Council** shall find that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling in order to render it fit for human habitation and that the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of the city in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause and contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this state, in such circumstances, the ~~board of aldermen~~ **Town Council**, may, after the expiration of such one-year period, enact an ordinance and serve such ordinance on the owner, setting forth the following:
 1. If it is determined that the repair of the dwelling to render it fit for human habitation can be made at a cost not exceeding 50 percent of the then current value of the dwelling, the ordinance shall require that the owner either repair or demolish the dwelling within 90 days; or
 2. If it is determined that the repair of the dwelling to render it fit for human habitation cannot be made at a cost not exceeding 50 percent of the then current value of the dwelling, the ordinance shall require the owner to demolish and remove the dwelling within 90 days.
- b. An ordinance adopted pursuant to this subsection shall be recorded in the office of the county register of deeds and

shall be indexed in the name of the property owner in the grantor index. If the owner fails to comply with this section, the codes administrator shall effectuate the purpose of the ordinance. The cost to repair or demolish and remove the dwelling shall be a lien against the real property upon which such cost was incurred. Such lien shall be filed, have priority and be collected in the same manner as the lien for special assessments established by G.S. 160A-216 et seq.

- c. For the purpose of this subsection, the “current value” of a dwelling or structure shall be defined as the fair market value as determined by a certified appraiser or the current tax value on record with the county tax office, whichever is less.

(c) Failure to comply with order.

- (1) In personam remedy. If the owner of any deteriorated dwelling or dwelling unit shall fail to comply with an order of the codes administrator to repair, alter or improve, or to vacate and close the dwelling or dwelling unit within the time specified, or if the owner of a dilapidated dwelling or dwelling unit shall fail to comply with an order of the codes administrator to repair, alter or improve, or to vacate and close and remove or demolish the dwelling or dwelling unit within the time specified, the codes administrator shall submit to the ~~board of aldermen~~ **Town Council** at its next regular meeting a resolution directing the town attorney to petition the superior court for an order directing that owner comply with the order of the codes administrator, as authorized by G.S. 160D-1208(e).
- (2) In rem remedy. After failure of an owner of a deteriorated or dilapidated dwelling or dwelling unit to comply with an order of the codes administrator within the time specified, if injunctive relief has not been sought or has not been granted as provided in subsection (c)(1), the codes administrator shall submit to the ~~board of aldermen~~ **Town Council** an ordinance ordering the codes administrator to cause that dwelling or dwelling unit to be repaired, altered, improved, vacated, closed, removed or demolished, as provided in the original order of the codes administrator, and pending removal or demolition, to place a placard on that dwelling as provided by G.S. 160D-1203 and section 38-40.

(d) Appeals from orders of the codes administrator.

- (1) An appeal from any decision or order of the codes administrator may be taken by any aggrieved person. Any appeal from the codes

administrator shall be taken within ten days from the rendering of the decision or service of the order and shall be taken by filing with the codes administrator and with the housing appeals board a notice of appeal which shall specify the grounds upon which the appeal is based. The board of adjustment shall sit as the housing appeals board. Upon the filing of any notice of appeal, the codes administrator shall forthwith transmit to the board all the papers constituting the record upon which the decision appealed from was made. When an appeal is from a decision of the codes administrator refusing to allow the aggrieved person to do any act, his decision shall remain in force until modified or reversed. When an appeal is from a decision of the codes administrator requiring the aggrieved person to do any act, the appeal shall have the effect of suspending the requirement until the hearing by the board unless the codes administrator certifies to the board, after the notice of appeal is filed with him, that by reason of the facts stated in the certificate, a copy of which shall be furnished the appellant, a suspension of this requirement would cause imminent peril to life or property, in which case the requirement shall not be suspended except for due cause shown upon not less than one day's written notice to the codes administrator, by the board, or by a court of record upon petition made pursuant to G.S. 160D-1208(d) and subsection (e) of this section.

- (2) The board shall fix a reasonable time for the hearing of all appeals, shall give due notice to all the parties, and shall render its decision within a reasonable time. Any party may appear in person or by agent or attorney. The board may reverse or affirm, wholly or partly, or may modify the decision or order appealed from, and may make such decision and order as in its opinion ought to be made in the matter, and to that end shall have all the powers of the codes administrator; but the concurring vote of four members of the board shall be necessary to reverse or modify any decision or order of the codes administrator. The board shall have power also in passing upon appeals, in any case where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this chapter, to adapt the application of this chapter to the necessities of the case to the end that the spirit of this chapter shall be observed, public safety and welfare secured, and substantial justice done.
- (3) Every decision of the board shall be subject to review by proceedings in the nature of certiorari instituted within 15 days of the decision of the board, but not otherwise.

- (e) Petition to superior court by owner. Any person aggrieved by an order issued by the codes administrator or a decision rendered by the board shall have the right, within 30 days after issuance of the order or rendering of the decision, to petition the superior court for a temporary injunction restraining the codes administrator pending a final disposition of the cause, as provided by G.S. 160D-1208(d).

(Code 1987, § 152.37; Ord. No. 26-98, 8-25-1998; Ord. No. O-12-21 , § 6, 6-8-2021)

State law reference(s)—Similar Provisions, G.S. 160D-1203.

Sec. 38-40. In rem action by codes administrator; placarding.

- (a) After failure of an owner of a dwelling or dwelling unit to comply with an order of the codes administrator issued pursuant to the provisions of this chapter, and upon adoption by the ~~board of aldermen~~ **Town Council** of an ordinance authorizing and directing him to do so, as provided by G.S. 160D-1203 and 152.37(C), the codes administrator shall proceed to cause such dwelling or dwelling unit to be repaired, altered or improved to comply with the minimum standards of fitness established by this chapter, or to be vacated and closed and removed or demolished, as directed by the ordinance of the ~~board of aldermen~~ **Town Council**, and shall cause to be posted on the main entrance of the dwelling or dwelling unit a placard with the following words: “This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful.” Occupation of a building so posted shall constitute a misdemeanor.
- (b) Each ordinance shall be recorded in the office of the register of deeds in the county wherein the property is located and shall be indexed in the name of the property owner in the grantor index, as provided by G.S. 160D-1203.

(Code 1987, § 152.39; Ord. No. O-12-21 , § 6, 6-8-2021)

CHAPTER 42 – OFFENSES AND MISCELLANEOUS PROVISIONS

ARTICLE I. IN GENERAL

Sec. 42-4. Consumption or possession of alcohol on the public streets and sidewalks of the town.

- (a) It shall be unlawful for a person to consume a malt beverage or unfortified wine on the public streets or sidewalks owned, occupied or controlled by the town.

- (b) It shall be unlawful for a person to possess an open container of malt beverage or unfortified wine on the public streets or sidewalks owned, occupied or controlled by the town.
- (c) It shall be unlawful for any person to possess or consume malt beverages or unfortified wine on public streets, sidewalks, alleys or parking lots which are closed to regular traffic for special events.
- (d) For the purpose of this section, the term “open container” means a container with a seal that has been broken or a container other than the manufacturer's unopened original container. The terms “malt beverages” and “unfortified wine” are defined in G.S. 18B-101.
- (e) The ~~board of aldermen~~ **Town Council** may adopt a resolution making other provisions for the possession and consumption of malt beverages and/or unfortified wine at special events of the town or at special community festivals. Any resolutions that may be adopted shall provide for the specific times, dates and geographical limitations of the special event or festival.
- (f) Violations of subsections (a), (b) and (c) of this section shall be misdemeanors, punishable upon conviction in accordance with section 1-8.

(Ord. No. 14-02, 8-13-2002)

Cross reference(s)—Streets, sidewalks and other public places, ch. 46.

ARTICLE IV. SMOKING AND THE USE OF E-CIGARETTES AND TOBACCO PRODUCTS ON CERTAIN TOWN PROPERTY

Sec. 42-126. Definition of terms.

The following definitions are applicable to this section:

E-cigarette means any electronic oral device, such as one composed of a heating element, battery, and/or electronic circuit, which provides a vapor of nicotine or any other substances, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under any other product name or descriptor. An e-cigarette does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

Employee means a person who is employed by the Town of Waynesville, or who contracts with the town or a third person to perform services for the town, or who otherwise performs services for the town with or without compensation.

Enclosed area means an area with a roof or other overhead covering of any kind and walls or side coverings of any kind regardless of the presences of openings for ingress and egress, on all sides or on all sides but one.

Sidewalk means a sidewalk that is owned, leased, or occupied by the Town of Waynesville, including those that are controlled and maintained by the Town of Waynesville.

Smoking means the use or possession of a lighted cigarette, lighted cigar, lighted pipe, or any other lighted tobacco product.

Temporary special event or activity means any indoor or outdoor public gathering or celebration sponsored by the Town of Waynesville, including dance, music, and dramatic productions, entertainment, amusements, festivals, carnivals, parades, bicycle rides, walks, and runs and any event that will not comply with usual traffic regulations or controls, requiring temporary closure of streets, sidewalks or alleyways and for which permission is granted by the Town of Waynesville ~~Board of Aldermen~~ **Town Council**.

Tobacco product means any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component part or accessory of a tobacco product, including but not limited to: cigarettes; cigars, little cigars, chewing tobacco, snus, and snuff. A tobacco product excludes any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

Town building means a building owned, leased as lessor, or the area leased as lessee and occupied by the town and includes, but is not limited to, offices, restrooms, indoor walkways, stairwells, entrances, passageways, break rooms, lobbies, and work areas.

Town grounds means an unenclosed area owned, leased, or occupied by the Town of Waynesville.

Town park system means any tract of land or body of water comprising part of the Town of Waynesville's parks, playgrounds, recreational areas, trails, and greenways, including but not limited to the 39 acres of parks identified as: Waynesville Recreation Center, Waynesville State Park, Waynesville Disc Golf Course, Old Armory Recreation Center, East Street Park, Recreation Park, Vance Street Park, Sulphur Springs Park, Hazelwood Park, Pepsi Dog Park and any areas designated as parks or greenways in the future.

Town vehicle means a passenger-carrying vehicle owned, leased, or otherwise controlled by the Town of Waynesville and assigned permanently or temporarily by the Town of Waynesville to town employees, agencies, institutions, or facilities for official town business.

Universal “no smoking” symbol means symbol consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it.

Universal “no smoking and use of tobacco products prohibited” symbol means symbol consisting of a pictorial representation of a burning cigarette and a tobacco product enclosed in a red circle with a red bar across it.

(Ord. of 5-12-2015 , § 42.6)

CHAPTER 44 – SOLID WASTE AND WEED MANAGEMENT

ARTICLE II. COLLECTION AND DISPOSAL

Sec. 44-48. Frequency of collection; fees.

- (a) Garbage and refuse set out for collection as provided in this article shall be collected by the town or its contractor at such times as may be provided by the public services director.
- (b) All refuse accumulated in the town shall be collected, conveyed, and disposed of by the town or its contractor. No person shall collect or convey refuse over any of the streets or alleys of the town, or dispose of any refuse accumulated in the town, except as follows:
 - (1) Actual producers. This section shall not prohibit the actual producers of refuse, or the owners of premises upon which refuse has accumulated, from personally collecting, conveying, and disposing of such refuse, provided such producers or owners comply with the provisions of this chapter and with any other applicable provisions of law.
 - (2) Outside collectors. Nonresidential establishments, shall contract with private refuse collection firms for providing dumpsters and collecting, conveying, and disposing of such refuse and recyclables provided such private firms comply with the provisions of this chapter and with any other applicable provisions of law.
 - (3) Transporting through town. This section shall not prohibit collectors of refuse from outside the town from hauling such refuse over town streets, provided such collectors comply with the provisions of this chapter and with any other applicable provisions of the law.
 - (4) Volunteers/cleanup operations. This section shall not prohibit volunteers or those who are assigned cleanup duty by the courts or in the course of their work from collecting, conveying, and disposing of such refuse, provided such collectors comply with the

provisions of this chapter and with any other applicable provisions of the law.

- (c) The schedule of fees for collecting residential and commercial refuse shall be determined from time to time by the ~~board of aldermen~~ **Town Council** and set forth in the official schedule of fees as a part of the budget ordinance.

(Ord. No. 31-03, § 96.08, 12-9-2003; Ord. No. O-03-22 , 1-11-2022)

Editor's note(s)—In order to avoid duplicate section numbering, § 44-47 has been redesignated as § 44-48 at the discretion of the editor.

Sec. 44-50. Penalties and remedies.

- (a) A violation of any of the provisions of this chapter shall constitute a misdemeanor, punishable as provided in G.S. 14-4.
- (b) A violation of any of the provisions of this chapter shall also subject the offender to civil penalties in the follow amounts:
 - (1) Beginning 31 days after the notice of violation, \$25.00 per day.
 - (2) Beginning 60 days after the notice of violation, \$50.00 per day
 - (3) Beginning 90 days after the notice of violation, \$75.00 per day and every day thereafter.

Civil penalties shall be assessed by the code administrator and such other inspectors or deputy or assistant inspectors as authorized by the ~~board of aldermen~~ **Town Council**.

- (c) The town may seek to enforce this chapter through any appropriate equitable action.
- (d) Each day that a violation continues after the offender has been notified of the violation shall constitute a separate offense.
- (e) The town may seek to enforce this chapter by using any one or any combination of the remedies in subsections (a) through (d) of this section.

(Ord. No. O-03-22 , 1-11-2022)

Ord. No. O-03-22 , adopted Jan. 11, 2022, enacted provisions designated as § 44-49. In order to avoid duplication of section numbers, said provisions have been redesignated as § 44-50 at the discretion of the editor.

CHAPTER 46 – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

ARTICLE I. IN GENERAL

Sec. 46-1. Approval of cost estimate; supervision of work on streets, public ways.

- (a) Whenever any work on or concerning the streets, alleys, sidewalks or other public ways of the town is proposed to be done, a detailed estimate of the cost shall be first submitted to the director of public works/town engineer for his approval.
- (b) No amount of work in or upon the streets, alleys or other public ways in the town done by contract shall be allowed until the work so contracted for shall be examined by the director of public works/town engineer, who shall certify to the ~~board of aldermen~~ **Town Council** whether the work is done as prescribed in the proposals.

(Code 1987, § 98.01)

ARTICLE II. NAMING ROADS

Sec. 46-66. Road naming procedures for public roads.

The planning officer, in consultation with the emergency operations coordinator, fire departments, the county addressing office, and any other office or agency it deems necessary, is authorized to recommend new road names and name changes to the ~~board of aldermen~~ **Town Council** of the town for public roads inside the corporate limits of the town. The ~~board of aldermen~~ **Town Council** shall not name or rename a public road until they have held a public hearing on the matter. At least ten days before the day of the hearing, the ~~board of aldermen~~ **Town Council** shall cause notice of the time, place and subject matter of the hearing to be prominently posted at the town hall and the county courthouse, and shall publish a notice of hearing in at least one newspaper of general circulation published in the county.

(Ord. No. 8-94, § 301, 3-22-1994)

Sec. 46-68. Notice of action for all roads.

- (a) A road name shall be assigned to any public road, or roadway which provides access to two or more residences, businesses, industries, or combination, regardless of the length of the road.
- (b) The planning officer is authorized to determine the need for road names and name changes and to recommend such additions or changes to the ~~board of aldermen~~ **Town Council** for both private and public roads inside the corporate limits of the town.
- (c) In addition, citizens may request the ~~board of aldermen~~ **Town Council** to change the name of a road as described in this section. Property owners who want to have the name of a road changed must submit a petition (form to be provided by the planning officer) to the planning

officer for verification. The planning officer will make recommendations to the ~~board of aldermen~~ **Town Council** after the following criteria have been met:

- (1) The currently required petition filing fee for each road name change shall be paid to the town clerk to cover legal advertisement and shall accompany any petition requesting that an existing road name be changed.
- (2) The petition should include the existing road name, the proposed road name, the names, addresses and phone numbers of 100 percent of the persons owning property adjacent to the road and the signatures of at least 65 percent of those persons owning property adjacent to the road.
- (3) The planning officer shall cause the request to be advertised pursuant to section 46-43.
- (4) If the planning officer and the ~~board of aldermen~~ **Town Council** approve the request, the petitioners shall be required, prior to installation, to pay the town for the cost of purchasing new signs, erecting them, and the costs of the public hearing.
- (d) After naming or renaming a road, the planning officer shall cause notice of its action to be given to the postmaster with jurisdiction over the road, to the state department of transportation (in the case of public roads), and to the following agencies: county sheriff's department, town police department, county 911 director, fire department with jurisdiction over the road, land record office, and the school board.

(Ord. No. 8-94, § 303, 3-22-1994)

Sec. 46-70. Prohibited road names.

The planning officer may disapprove newly proposed street names which fall under the following categories:

- (1) Road names that are duplicated or deceptively similar to the name of any other public or private road in the town, including a phonetic similarity. This shall include road names that have a different suffix.
- (2) Road names which have numbers as part of the name.
- (3) Road names which are over 15 characters in total length, including spaces, but not including suffixes.
- (4) Road names that are similar to the name of an existing subdivision unless the road lies within that same subdivision.
- (5) Any other road names that the ~~board of aldermen~~ **Town Council** may find offensive, disrespectful or otherwise inappropriate.

(Ord. No. 8-94, § 305, 3-22-1994)

CHAPTER 54 – TRAFFIC AND VEHICLES

ARTICLE I. IN GENERAL

Sec. 54-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ambulance means a vehicle equipped for transporting wounded, injured or sick persons.

Authorized emergency vehicle means a vehicle of the fire department, police vehicles, or rescue squad emergency vehicles or vehicles as authorized by the chief of police.

Block means the length of that portion of any street which is located between two adjacent street intersections.

Business district means the territory contiguous to a highway when 50 percent or more of frontage on the highway for a distance of 300 feet or more is occupied by buildings which are in use for business purposes.

Commercial motor vehicle means any of the following motor vehicles that are designed or used to transport passengers or property:

- (1) A Class A motor vehicle that has a combined GVWR of at least 26,001 pounds and includes as part of the combination a towed unit that has a GVWR of at least 10,001 pounds.
- (2) A Class B motor vehicle.
- (3) A Class C motor vehicle that meets either of the following descriptions:
 - a. Is designed to transport 16 or more passengers, including the driver.
 - b. Is transporting hazardous materials and is required to be placarded in accordance with 49 CFR Part 172, Subpart F.
- (4) Any other motor vehicle included by federal regulation in the definition of commercial motor vehicle pursuant to 49 USC Appdx. chapter 2716.
- (5) Class A motor vehicle, Class B motor vehicle, Class C motor vehicle and GVWR (Gross Vehicle Weight Rating) are all defined in G.S. 20-4.01, and the definitions are incorporated and adopted by reference as if fully set out herein.

Crosswalk means that portion of a roadway which lies between the prolongations of the lateral sidewalk or boundary lines over an intersection; any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Driver and operator mean the operator of a vehicle. The term “operator” shall mean any person in actual physical control of a vehicle which is in motion or which has the engine running. The terms “driver” and “operator” and their cognates are synonymous.

Engine compression brakes means a device primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes (commonly referred to as a “jake” brake, “jacob's” brake, engine brake or dynamic braking device).

Highway and street mean the entire width between property or right-of-way lines of every way or place of whatever nature, when any part is open to the use of the public as a matter of right for the purposes of vehicular traffic. The terms “highway” and “street” and their cognates are synonymous.

House trailer means any trailer or semitrailer designed and equipped to provide living and sleeping facilities and drawn by a motor vehicle.

Intersection means the area embraced within the prolongation of the lateral curblines or, if none, the lateral edge of the roadway lines of two or more highways which join one another at any angle, whether or not one such highway crosses the other. Where a highway includes two roadways 30 feet or more apart, every crossing of each roadway of such a divided highway by an intersecting highway shall be regarded as a separate intersection. If such an intersecting highway also includes two roadways 30 feet or more apart, every crossing of two roadways of such highways shall be regarded as a separate intersection.

Moped means a vehicle having two or three wheels and operable pedals and equipped with a motor which does not exceed 50 cubic centimeters piston displacement and cannot propel the vehicle at a speed greater than 20 miles per hour on a level surface.

Motor vehicle means every vehicle which is self-propelled and every vehicle designed to run upon the highways which is pulled by a self-propelled vehicle. This shall not include mopeds.

Motorcycle means a vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and motor-driven bicycles, but excluding tractors and utility vehicles equipped with an additional form of device designed to transport property, three-wheeled vehicles while being used by law enforcement agencies and mopeds.

Official traffic control devices means all signs, signals, markings and devices not inconsistent with this chapter, placed or erected by authority of the ~~board of aldermen~~ **Town Council** or an official having jurisdiction for the purpose of regulating, warning or guiding traffic.

Official traffic signals means any device, whether manually or automatically operated, by which traffic is alternately directed to stop and to proceed.

Operator means the same as “driver.”

Owner means a person holding the legal title to a vehicle. However, if a vehicle is the subject of a chattel mortgage or an agreement for conditional sale or lease or other like agreement, with the right of purchase upon performance of the conditions stated in the agreement and with the immediate right of possession vested in the mortgagor, conditional vendee or lessee, the mortgagor, conditional vendee, or lessee shall be deemed the owner for the purpose of this chapter. For the purposes of this chapter, the lessee of a vehicle owned by the government of the United States shall be considered the owner of that vehicle.

Park means the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of loading or unloading.

Pedestrian means any person afoot.

Police officer means every officer of the police department or any officer authorized to direct traffic or to make arrests for violations of traffic regulations.

Private road or driveway means every road or driveway not open to the use of the public as a matter of right for the purpose of vehicular traffic.

Public conveyance means any vehicle which is engaged in the business of transporting persons for fare.

Railroad means a carrier, other than streetcars, of persons or property, with cars operated on stationary rails.

Railroad train means a steam engine, electric or other locomotor, with or without cars coupled, operated upon rails, not including streetcars.

Residence district means the territory contiguous to a highway not comprising a business district, when the frontage on the highway for a distance of 300 feet or more is mainly occupied by residential dwellings, but also by dwellings or buildings which are in use for business purposes.

Right-of-way means the privilege of the immediate use of the roadway, not inconsistent with regulations and conditions imposed by this Code, other town ordinances, or state law.

Road tractors means vehicles designed and used for drawing other vehicles upon the highway and not so constructed as to carry any part of the load, either independently or as a part of the weight of the vehicle so drawn.

Roadway means that portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the shoulder. If a highway includes two or more separate roadways, the term “roadway” shall refer to any such roadway separately but not to all such roadways collectively.

Safety zone means a traffic island or other space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.

Semitrailers means vehicles without motive power designed for carrying property or persons and for being drawn by a motor vehicle, and so constructed that part of their weight or their load rests upon or is carried by the pulling vehicle.

Sidewalk means that portion of a street between the curblines or the lateral lines of a roadway and the adjacent property lines, exclusively intended for use of pedestrians.

Signs means the same as “traffic signs.”

Standing means any stopping of a vehicle, whether occupied or not.

Stop, when required, means complete cessation of movement.

Stop or stopping, when prohibited, means any stopping of a vehicle, except when conflict with other traffic is imminent or when otherwise directed by a police officer.

Street means the same as “highway.”

Traffic means pedestrians, ridden or herded animals, vehicles, streetcars, and other conveyances, either singly or together, while using any street for purposes of travel.

Traffic control devices means authorized signs or markers which are assumed to be permanently or temporarily placed or erected or installed at certain places and which purport to give notice of direction or to convey a prohibition or warning. The presence of such signs, though not compulsory, is generally dictated by necessity or common sense, with a view to furtherance of public safety.

Trailers means vehicles without motive power designed for carrying property or persons wholly on their own structure and to be drawn by a motor vehicle, including pole trailers or a pair of wheels used primarily to balance a load rather than for purposes of transportation.

Truck tractors means vehicles designed and used primarily for drawing other vehicles and not so constructed as to carry any load independent of the vehicle so drawn.

Vehicle means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon fixed rails or tracks. For the purposes of this chapter, bicycles shall be deemed vehicles; and every rider of a bicycle upon a highway shall be subject to the provisions of this chapter applicable to the driver of a vehicle except those which by their nature can have no application. This term shall not include a device which is designed for and intended to be used as a means of transportation for a person with a mobility impairment, is suitable for both inside and outside a building and whose maximum speed does not exceed 12 miles per hour when the device is operated by a person with a mobility impairment.

(Code 1987, § 70.01; Ord. No. 22-06, 7-25-2006)

Cross reference(s)—Definitions generally, § 1-2.

State law reference(s)—Similar definitions, G.S. 20-4.01.

Sec. 54-7. Motor vehicle tax.

(a) Definitions:

- (1) Motor vehicle. Each and every vehicle designed to run upon the highways, which is self-propelled or designed to be self-propelled, excluding:
 - a. Vehicles exempted from registration by G.S. 20-51;
 - b. Non-motorized vehicles pulled by self-propelled vehicles such as trailers, campers, mobile homes, trailers and tractor trailers; and
 - c. Vehicles listed in the inventory of car dealers.
- (2) Resident motor vehicles. Any motor vehicle which would, for the purposes of taxability under the provisions of the North Carolina Machinery Act, have its sites within the Town of Waynesville.
- (3) General motor vehicle tax imposed; scope. Each motor vehicle which is sited within the Town of Waynesville on January 1, the required registration renewal date, or its first registration date, beginning with a tag renewal date of July 1, 2018, shall be subject to an annual general motor vehicle tax of \$15.00. The tax shall continue until rescinded in writing by the ~~board of aldermen~~ **Town Council** of the Town of Waynesville.

(b) Administration; enforcement. The Town of Waynesville may delegate to the Haywood County Tax Supervisor and to the North Carolina

Department of Motor Vehicles the authority to issue all or part of the tax bills for the tax imposed herein, and may delegate to the Haywood County Tax Collector the authority to collect all or part of the tax imposed herein, and if so appointed, the tax supervisor, the tax collector and the Haywood County Board of Equalization and Review shall each respectively have the powers of listing, assessing, discovery, collection, levy, attachment, garnishment, release, and rebate of any taxes authorized under the Machinery Act on behalf of the Town of Waynesville.

(Ord. No. O-08-18 , 6-26-2018)

ARTICLE II. TRAFFIC CONTROL DEVICES

Sec. 54-41. Installation and maintenance.

The ~~board of aldermen~~ **Town Council** is authorized to designate those intersections at which traffic shall be controlled by official traffic control signals and shall install such signals as shall be necessary. The director of public works/town engineer shall also install and maintain such other traffic control devices as are necessary to carry out the provisions of this chapter.

(Code 1987, § 70.30)

Sec. 54-43. Crosswalks; safety zones.

- (a) The ~~board of aldermen~~ **Town Council** is authorized to designate and shall thereafter maintain or cause to be maintained, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where, in their opinion, there is particular danger to pedestrians crossing the roadway, and at such other places as they may deem necessary.
- (b) The ~~board of aldermen~~ **Town Council** is authorized to establish safety zones of such kind and character and at such places as they may deem necessary for the protection of pedestrians.

(Code 1987, § 70.34)

Sec. 54-47. No parking zones.

The ~~board of aldermen~~ **Town Council** is authorized to designate streets and alleys, or portions of streets and alleys, where the parking of vehicles shall be prohibited, limited or restricted, and to erect signs or markings indicating such prohibition, limitation or restriction. It shall be unlawful for any person to park a vehicle in violation of any such sign or marking.

(Code 1987, § 70.38)

Sec. 54-48. Stop intersections.

- (a) The ~~board of aldermen~~ **Town Council** is authorized to erect stop signs at the entrances of intersections designated by them, which signs shall be located so as to indicate which vehicles approaching the intersection are required to stop.
- (b) The driver of a vehicle approaching such a sign shall stop at the entrance to the intersection and shall yield the right-of-way to other vehicles which have entered the intersection or which are approaching so closely as to constitute an immediate hazard; but the driver, having so yielded, may proceed; and the drivers of all other vehicles approaching the intersection shall yield the right-of-way to the vehicle so proceeding into or across the intersection.

(Code 1987, § 70.39)

ARTICLE III. OPERATION OF VEHICLES

DIVISION 2. SPEED LIMITS

Sec. 54-111. Conformity with state law; exceptions.

Except in those cases in which speed limits differing from those provided by state law have been adopted by ordinance, and made effective by the adoption of a concurring ordinance by the state board of transportation, where required by state law, and by the erection within the town of signs giving notice of the authorized speed limits, the speed limits established by G.S. 20-141 shall apply within the town. A schedule of all authorized variations from such limits, together with copies of ordinances of the ~~board of aldermen~~ **Town Council**, and of the state board of transportation where required by state law, authorizing such variations shall be maintained on file in the office of the town clerk and are also listed in section 54-113.

(Code 1987, § 71.20)

ARTICLE IV. STOPPING, STANDING AND PARKING

Sec. 54-144. Passenger and freight loading zones; freight loading permit.

- (a) The ~~board of aldermen~~ **Town Council** shall have authority from time to time to determine, designate and locate passenger loading zones and freight loading zones on the highways, streets and roadways within the town and shall direct and maintain, or cause to be maintained, appropriate signs indicating such zones.
- (b) It shall be unlawful for the driver of any vehicle to stop, stand or park a vehicle for any period of time longer than is necessary for the expeditious

loading or unloading of passengers or freight in any place marked as a passenger loading zone; and it shall also be unlawful for the driver of any vehicle to stop, stand or park a vehicle for a period of time longer than is necessary for the expeditious loading or unloading of passengers or material in any place marked as a freight loading zone; and in no case shall a stop for loading and unloading of materials exceed the space of 30 minutes unless specially permitted by a permit issued by the director of public works/town engineer.

- (c) The chief of police is authorized to issue, in special cases where he deems it necessary, a permit for any vehicle used to transport merchandise or material to park the vehicle back to the curb for the purpose of loading or unloading freight. The permit shall definitely specify the time to be permitted, and the driver of the vehicle shall have the permit in his possession at the time and place of loading or unloading.
- (d) In unloading of freight on Main Street, when trucks would use parking spaces intended for shoppers or inhibit the flow of motor vehicles on the street, freight deliveries should be made prior to 9:00 a.m. or after 5:00 p.m.
- (e) In no case shall the loading or unloading of freight result in the blocking of any sidewalk with any device used for the loading or unloading of freight or with the freight itself, so as to impede the flow of pedestrian traffic or to endanger the safety of pedestrians or motor vehicles.
- (f) The following are designated as passenger loading zones:
 - (1) In a northerly direction 22 feet from the unnamed alley that formally was the first two spaces on the east side of North Main Street, opposite where Depot Street intersects with Main Street, shall be designated as a passenger loading zone for the Haywood Shuttle program. The next 22-foot parking space shall be designated as a handicapped parking space. Both the designated passenger loading zone and the handicapped parking shall be appropriately marked.
 - (2) Beginning at Main Street and going in a northwesterly direction on Depot Street, the two parking spaces on the north side of Depot Street closest to Branner Avenue, shall be designated as passenger/freight loading zones. The passenger/freight loading zones shall have a 15-minute time limit and shall be appropriately marked.

(Code 1987, § 72.10; Ord. No. 24-98, 7-28-1998; Ord. No. 19-01, § 72.10, 8-14-2001; Ord. No. 7-03, § 72.10, 3-25-2003; Ord. No. 11-05, 3-22-2005; Ord. No. 2-10, 2-15-2010)

Sec. 54-145. Regulating stopping, standing or parking on private parking lots and driveways open to the public.

- (a) Authority. Upon the written request of the owner or other person in general charge of the operation and control of any parking areas or driveways of privately owned real property, including but not limited to shopping centers, commercial office complexes, or other privately owned public vehicular areas lying within the corporate limits of the town, the ~~board of aldermen~~ **Town Council** may enter into an agreement to regulate or prohibit during specified hours the stopping, standing or parking of motor vehicles.
- (b) Request required; contents.
 - (1) The owner or person in charge of the operation and control of the property must submit the request for regulation in writing, including at a minimum the following:
 - a. Name, home and business address;
 - b. Name, location and nature of facility or operation for which regulation is required;
 - c. Name of the owner of the property, and if the applicant is not the owner the position or authority which entitles the applicant to request regulations;
 - d. Type of parking regulations requested; and
 - e. A description of the specific area on the property which is to be regulated, including, if necessary, a map or drawing.
 - (2) Application shall be submitted to the town clerk and shall be on approved forms if such forms are provided.
- (c) Cost. The cost of erecting, placing or installing all necessary signs as determined by the chief of police shall be paid by the person requesting regulations.
- (d) Prohibitions. No person shall stop, leave standing or park a motor vehicle in any of the areas specified and described in section 54-146, in violation of posted signs where signs are placed, erected or installed, giving notice that stopping, standing or parking of motor vehicles is regulated or prohibited during certain hours in that space or area.
- (e) Storage of violating vehicles. The owner of a vehicle parked in violation of this section shall be deemed to have appointed any member of the police department as his agent for the purpose of arranging for the transportation and safe storage of any motor vehicles stopped, left standing or parked in any of the areas specified in section 54-146, in violation of such posted notice.

- (f) Penalty. Any person violating any provision of this section shall be charged with an infraction and be liable for a fine not to exceed \$50.00.

(Code 1987, § 72.11)

Sec. 54-149. No parking zones established.

In accordance with section 54-47, the ~~board of aldermen~~ **Town Council** is authorized to designate streets and alleys, or portions of streets and alleys, where the parking of vehicles shall be prohibited, limited or restricted. Signs shall be erected and the following areas shall be designating such areas as no parking zones:

Epson Street from where that street intersects with Ninevah Road and extending eastward for 53 feet on the north side and 193 feet on the south side.

Beginning at the intersection of Hazelwood Avenue and Morgan Street, the area along both sides of Morgan Street, 100 feet from the intersection of Morgan Street and Hazelwood Avenue, shall be designated as a no parking zone and shall be appropriately marked.

On Branner Avenue, the space closest to Depot Street and adjoining the driveway on the side of the building at 166 Branner Avenue.

(Ord. No. 3-02, 4-9-2002; Ord. No. 10-06, 3-14-2006; Ord. No. 2-10, 2-15-2010)

Sec. 54-150. Handicapped parking.

- (a) It shall be prohibited for any person to park or leave standing any vehicle in a space designated for handicapped persons or visually impaired persons when the vehicle does not display the distinguishing license plate, placard, or identification card or a disabled veteran registration plate as provided by state law.
- (b) It shall be prohibited for any person not qualifying for the rights and privileges extended to handicapped or visually impaired persons to exercise or attempt to exercise such rights or privileges by the unauthorized use of a distinguishing license plate, placard or identification card.
- (c) A violation of this section shall subject the offender to a civil penalty in the amount as set forth in the official schedule of fees and charges as set by the mayor and ~~board of aldermen~~ **Town Council** and maintained by the town clerk. The civil penalty shall be collected in the same manner as other violations of the parking ordinances of the town are collected.

(Ord. No. 25-99, 10-12-1999)

Sec. 54-153. Civil enforcement of parking violations.

All such persons as may be designated by the town manager to enforce the various provisions of this article shall attach to any vehicle violating the provisions thereof a notice to the owner or operator thereof that such a vehicle

has been parked in violation of the provisions of the ordinances of the town and that such violation subjects the offender to a civil penalty as shown in the official schedule of fees and charges as set by the mayor and ~~board of aldermen~~ **Town Council** and maintained by the town clerk.

Absent designation by the town manager of any person or persons as set forth herein, the enforcement of the various provisions of this article shall be under the authority of the Police Department of the Town of Waynesville. To this end, said police department shall have the authority to create a civilian unit for the purpose of enforcement of the provisions of this article, with the specific exception of the enforcement of those provisions which pursuant to the North Carolina General Statutes are exclusively the responsibility of said police department. Said police department shall be responsible for the training and supervision of said civilian unit.

(Ord. No. 26-99, § 72.22, 10-12-1999; Ord. No. 13-05, 4-26-2005)

CHAPTER 58 – UTILITIES

ARTICLE II. ELECTRIC SERVICE

Sec. 58-31. Policy.

The ~~board of aldermen~~ **Town Council** declares that it is in the public interest that the town fairly and indiscriminately administer a reasonable policy with regard to the termination of electric service by written regulation. The regulations established in this article shall be applied in an equitable and nondiscriminatory manner to all customers for electric service throughout the service area of the town, without any different application in any part of the town.

(Code 1987, § 51.01)

Sec. 58-33. Discontinuance of service.

- (a) The town shall have the right to discontinue utility service to its customers for the following reasons:
- (1) Failure of a customer to pay any bill for utility service within the time allowed by section 58-32.
 - (2) Failure of a customer to make a deposit to guarantee payment of charges for utility service, or to increase his deposit when required to do so by this article or other town ordinances.
 - (3) Refusal of legitimate access to premises or damage to or loss of town property on the customer's premises for which the customer is liable.

- (b) If payment for utility service is not received by the date specified in the delinquent notice delivered to the customer pursuant to section 58-32(b), the customer's utility service shall be terminated until such time the delinquent account is paid and the other costs required in this article are received by the town.
- (c) When it becomes necessary for the town to discontinue utility service to a customer for any of the reasons stated in subsections (a) or (b) of this section, service will be reinstated only after all bills for service have been paid in full, any deposit required has been made, and the current reconnection fee has been paid to reimburse the town for expenses involved in disconnecting and reconnecting the utility service.
- (d) The ~~board of aldermen~~ **Town Council** acknowledges that while under a declaration of a state of emergency that adjustments to this disconnect policy may be required. When such conditions are present, the ~~board of aldermen~~ **Town Council** may adopt measures to suspend disconnections or waive associated fees. These actions shall be conducted in open session and any suspension or change to fees shall not exceed a period of 60 days. All actions will be recorded via resolution and included in the permanent records of the Town of Waynesville.

(Code 1987, § 51.03; Ord. No. O-05-20 , 3-24-2020)

ARTICLE IV. SEWER SERVICE

DIVISION 3. FEES

Sec. 58-159. Purpose.

It is the purpose of this chapter to provide for the recovery of costs from users of the wastewater disposal system of the town for the implementation of the program established herein. The applicable charges or fees shall be set forth in a schedule of sewer use charges and fees by the POTW director and approved by the ~~board of aldermen~~ **Town Council**. A copy of these charges and fees will be made available from the POTW director.

(Ord. No. 13-07, § 3.1, 5-10-2007)

DIVISION 11. MISCELLANEOUS PROVISIONS

Sec. 58-277. Requests for connections to, extension of sewer lines outside town limits.

- (a) All requests for connection to or extensions of sewer lines from the present sewer system of the town outside the corporate limits of the

town shall be writing and shall be addressed to the ~~board of aldermen~~ **Town Council**.

- (b) A written petition for voluntary annexation which meets the requirements of G.S. ch. 160A art. 4A for the particular piece of property in question shall accompany all written requests for connections to or extensions of sewer lines outside the corporate limits of the town. The petition shall be addressed to the ~~board of aldermen~~ **Town Council** and shall comply in all respects with the then-existing annexation laws of the state.
- (c) The ~~board of aldermen~~ **Town Council** shall have 180 days from the date of submission of the voluntary petition for annexation to the ~~board of aldermen~~ **Town Council** within which to commence the annexation process.
- (d) The ~~board of aldermen~~ **Town Council** may accept or reject a written request for extension of sewer lines outside the corporate limits of the town without regard to whether or not it accepts the property in question for annexation; however, if the ~~board of aldermen~~ **Town Council** rejects the written request for connection to or extension of the town sewer lines outside the corporate limits of the town, the ~~board of aldermen~~ **Town Council** shall also automatically reject the petition for annexation.

(Ord. No. 13-07, § 11.2, 5-10-2007)

CHAPTER 62 – VEGETATION

ARTICLE II. TREES AND SHRUBS

DIVISION 2. COMMUNITY APPEARANCE COMMISSION

Sec. 62-71. Established; membership and terms.

- (a) There is hereby established a community appearance commission (referred to in this division as the “commission”) under the authority of G.S. 160D-304.
- (b) The commission shall consist of nine members appointed by the ~~board of aldermen~~ **Town Council**. All members shall reside within the planning and zoning jurisdiction of the town. A majority of the members of the commission shall have had special training or experience in a design field, such as architecture, landscape design, horticulture, city planning, or a closely related field. The commission shall serve without compensation. The commission may appoint advisory bodies and committees as appropriate. Members of the commission shall serve

terms of four years. Terms shall be staggered. A member may be reappointed for consecutive terms.

(Ord. No. 19-99, § 154.249, 8-24-1999; Ord. No. 24-00, § 154-249, 9-26-2000; Ord. No. O-12-21 , § 8, 6-8-2021)

Sec. 62-76. Powers and duties.

The commission is authorized and empowered to undertake such actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in this division and G.S. 160D-960. Including but not limited to the following, the commission is authorized and empowered to:

- (1) Initiate, promote and assist in the implementation of programs of general community beautification in the town;
- (2) Seek to coordinate the activities of individuals, agencies, and organizations, public and private, whose plans, activities and programs bear upon the appearance of the town;
- (3) Provide leadership and guidance in matters of area or community design and appearance to individuals, and to public and private organizations and agencies;
- (4) Make studies of visual characteristics and problems of the town, including surveys and inventories of an appropriate nature, and to recommend standards and policies of design for the entire area, any portion of the community thereof, or any project to be undertaken.
- (5) Prepare both general and specific plans for the improved appearance of the town. The plans may include the entire area or any part thereof, and may include private as well as public property. The plans shall set forth desirable standards and goals for the aesthetic enhancement of the town or any part thereof, including public ways and areas, open spaces, and public and private buildings and projects;
- (6) Participate, in any way deemed appropriate by the ~~board of aldermen~~ **Town Council**, and, specified in the ordinance from which this division is derived, in the implementation of its plans. To this end, the ~~board of aldermen~~ **Town Council** authorizes the commission to:
 - a. Request from the proper officials of any public agency or body, including agencies of the state and its political subdivisions, its plans for public buildings, facilities, or projects located within the town.
 - b. Review these plans and make recommendations regarding their aesthetic suitability to the appropriate agency, or to the appropriate town authority. All plans shall be reviewed by the commission in a prompt and expeditious manner, and all recommendations of the commission with regard to any public

project within the town shall be made in writing. Copies of the recommendations shall be transmitted promptly to the town planning department and to the appropriate agency.

- c. Formulate and recommend to the planning board and the ~~board of aldermen~~ **Town Council** the adoption or amendment of ordinances (including the zoning ordinance, subdivision regulations, and other local ordinances regulating the use of property) that will, in the opinion of the commission, serve to enhance the appearance of the town.
- d. Direct the attention of the town officials to needed enforcement of any ordinance that may in any way affect the appearance of the town.
- e. Seek voluntary adherence to the standards and policies of the commission's plans.
- f. Enter, in the performance of its official duties at reasonable times, upon private lands and make examinations or surveys.
- g. Promote public interest in and an understanding of its recommendations, studies, and plans, and to that end to prepare, publish and distribute to the public such studies and reports as will, in the opinion of the commission, advance the cause of improved town appearance.
- h. Conduct public meetings and hearings, giving reasonable notice to the public thereof.

(Ord. No. 19-99, § 154.254, 8-24-1999; Ord. No. O-12-21, § 8, 6-8-2021)

Sec. 62-77. Staff services; advisory council.

The commission may recommend to the ~~board of aldermen~~ **Town Council** suitable arrangements for the procurement or provision of staff or technical services for the commission. The commission may establish an advisory council or other committees.

(Ord. No. 19-99, § 154.255, 8-24-1999)

Sec. 62-78. Annual report.

The commission shall, no later than February 15 of each year, submit to the ~~board of aldermen~~ **Town Council** a written report of its activities and its requested budget for the next fiscal year.

(Ord. No. 19-99, § 154.256, 8-24-1999)

APPENDIX A - LAND DEVELOPMENT STANDARDS

CHAPTER 1. PURPOSE AND APPLICABILITY

Sec. 1.5 Consistency with All Adopted Plans.

In accordance with G.S. 160D, all development plans shall be in conformance with all adopted plans (including comprehensive plans, transportation plans, small area plans, open space and greenway plans, or any other plan adopted by the Waynesville ~~Board of Aldermen~~ **Town Council**).

CHAPTER 2. DISTRICT PROVISIONS

2.1 Official Land Development Map.

2.1.1 Official Land Development Map.

In accordance with 160D-105, the adopted zoning district boundaries and zoning overlays shall be shown on a map of the Town of Waynesville which shall be known as the Official Land Development Map, and such map is hereby incorporated into these Land Development Standards for the Town of Waynesville.

Zoning district maps and a copy of the currently effective version of any incorporated map shall be maintained for public inspection in the Waynesville Development Services Department.

The Official Land Development Map shall be maintained in the Waynesville Development Services Department and a copy shall be kept on file with the Town Clerk. Copies of the Official Land Development Map shall be provided upon request and, when certified by the town clerk in accordance with G.S. 160A-79 or G.S. 153A-50, shall be admissible into evidence and shall have the same force and effect as would the original map.

Zoning district boundaries are automatically amended to remain consistent with the incorporated map upon ~~Board of Aldermen~~ **Town Council** approval of zoning map amendments.

2.7 Conditional Districts (CD).

Conditional Districts are districts with conditions voluntarily added by the applicant and approved in a legislative procedure by the ~~Board of Aldermen~~ **Town Council** in accordance with G.S. 160D. Conditional Districts provide for orderly and flexible development under the general policies of this Ordinance without the constraints of some of the prescribed standards guiding by-right development. Because Conditional District developments are constructed in a comprehensive manner, they establish their own building, street, block, and lot pattern which may be unique from other surrounding blocks or neighborhoods. This Conditional District may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure.

2.7.1 Standards for Conditional Districts.

Within a Conditional District (CD), petitioners may place additional requirements or standards onto themselves and their property or ask that certain uses identified in the specific zoning category or provisions in Chapters 2-12 be decreased. It shall be the ~~Board of Aldermen~~ **Town Council's** final decision to grant approval or denial of the CD zoning amendment in light of the revised development standards presented in accordance with the procedures of Section 15.15. If no specific request is made by the petitioner to the change in the development standards or if the petition is silent on the point, it shall be understood that the underlying zoning district guidelines and standards shall apply.

[REMAINING PORTIONS OF THIS SECTION INTENTIONALLY OMITTED FROM AND UNAMENDED BY THIS ORDINANCE.]

(Ord. No. O-11-21 , § 5, 6-22-2021; Ord. No. O-06-22 , § 6, 3-22-2022)

CHAPTER 3 – SUPPLEMENTAL USE PROVISIONS

3.3 Supplemental Use Standards—Lodging.

3.3.3 Inn (Up to 30 Rooms).

- A. Development Standards: Inns shall be buffered from any adjoining residentially zoned property in accordance with Section 8.4.
- B. Owners/Employee: An owner/manager of an inn shall reside on the property.
- C. Parcel Size: Each inn constructed in a residential district shall be on a lot which is no less than five (5) acres in size. The size limit is waived if the principal building is on the National Register of Historic Places either individually or as a contributing building within a district, is designated as a Local Historic Landmark by the ~~Board of Aldermen~~ **Town Council**, or is on the inventory of historic properties maintained by the Historic Preservation Commission.
- D. Number of Rooms: Inns shall provide no more than thirty (30) rooms for lodging; however, inns on properties of less than five (5) acres shall provide no more than twenty (20) rooms for lodging.
- E. Activities:
 - 1. Special Events: Inns may have parties, receptions, or other similar contracted activity provided that these take place on no more than twelve (12) days within a one (1) year period; and that such events take place on no more than three (3) consecutive days. A temporary use permit (see Section 15.4) must be obtained for each such event.

2. Meals Open to non-Overnight Guests: In addition to the special events above, the inn may also have up to one (1) meal per month open to non-overnight guests.
 3. Personal, non-commercial use of the inn by the resident owner or manager is not subject to the limitations of this section.
- F. Open Space: Every inn located in a residential district must maintain at least fifty percent (50%) of the development for common open space.
- G. Building Setbacks: All buildings shall be located no closer than fifty (50) feet from the rear and side property lines.

3.5 Supplemental Use Standards—Commercial.

3.5.1 Adult Establishment.

A. Purpose:

1. The ~~Board of Aldermen~~ **Town Council** of the Town of Waynesville finds that it is necessary to set forth the appropriate special requirements by which adult establishments may be established within the Town's zoning jurisdiction.
2. Adult establishments, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when they are located near residential areas or educational, religious or recreational uses.
3. Studies have shown that lower property values and increased crime rates tend to accompany and are brought about by the concentration of adult establishments.
4. The ~~Board of Aldermen~~ **Town Council** finds that the regulation of these uses is necessary to ensure that these adverse effects do not contribute to the blighting of surrounding neighborhoods and to protect the quality of life in the Town of Waynesville.
5. It is not the intent of the ~~Board of Aldermen~~ **Town Council** in adopting this section to suppress any activities protected by the First Amendment, but rather to enact a content neutral standard that addresses the secondary effects that adult establishments have on the Town.

B. Location:

1. No adult establishment shall be located within one thousand three hundred and twenty feet (1,320) of another adult establishment.
2. No adult establishment shall be located within one thousand three hundred and twenty (1,320) feet of: a church, synagogue or regular place of worship; a public or private elementary or

secondary school; a public library; a public park or playground; a licensed child care center; or an entertainment business that is oriented primarily toward children.

3. No adult establishment shall be located within one hundred (100) feet of Russ Avenue, from Frazier Street to Walnut Street, measured from the right-of-way.
 4. For the purposes of this section, measurement shall be made in a straight line, from the nearest property line on which an adult establishment is located to the nearest property line of the premises of any use listed above.
- C. Signs and Displays: No sexually oriented printed material, slide, video, photograph, written text, live show, or other sexually oriented visual display shall be visible from outside the walls of the establishment, nor shall any live or recorded voices, music or sounds be heard from outside the walls of the establishment.
- D. Hours of Operation: No adult establishment, except an adult motel, may remain open at any time between the hours of one o'clock (1:00) a.m. and eight o'clock (8:00) a.m. on weekdays and Saturdays, and one o'clock (1:00) a.m. and twelve (12:00) p.m. on Sundays.

CHAPTER 6 – INFRASTRUCTURE STANDARDS

6.4 Connectivity.

6.4.1 Street Network.

- A. Streets to be Interconnected: Except where determined not feasible by the Administrator, all streets shall be designed to form part of an interconnected street pattern. Streets must connect with adjacent street networks to the extent possible. Street designs will be assessed, in terms of meeting this interconnectivity standard, on their ability to: permit multiple routes between origin/destination points; diffuse traffic; and, shorten walking distances. [154.309(B)(2)]
- B. Block Lengths: Low speed, low volume streets shall be designed with short block lengths of between two hundred and fifty (250) and five hundred (500) feet. The Administrator may approve alternative block length designs based on topography, the existence of environmentally sensitive lands, the need to preserve cultural resources and similar considerations. [154.309(B)(2)]

- C. Compliance with Adopted Plans: Streets shall be planned with due regard to the designated corridors shown on the adopted Thoroughfare Plan.
- D. Reserve Strips Prohibited: Reserve strips and non-access easements adjoining street rights-of-way for the purpose of preventing access to or from adjacent property (except those required by the ~~Board of Aldermen~~ **Town Council** to prevent access to thoroughfares), and half-streets shall not be permitted.
- E. Street Stubs:
1. Connection to Street Stubs Required: New developments shall connect to any existing street stubs from adjacent properties.
 2. Street Stub Prioritization: New development shall stub to all adjacent properties where practical. The location of new required street stubs shall be prioritized as follows:
 - a. Adjacent parcels 20 acres or greater
 - b. Adjacent parcels that abut or are traversed by existing or proposed thoroughfares or collector streets.
 - c. Where any adopted transportation or land use plan recommends a street connection.
 3. Exemptions: Street stubs shall not be required where the conditions listed below would prevent connections:
 - Topographical conditions (where pre-development slopes are 18 percent or greater)
 - Environmental conditions (e.g., jurisdictional wetlands)
 - Property shape
 - Property accessibility (e.g., existing platted subdivision with no stubs)
 - Land use relationships (e.g., incompatible land use)
 4. Stub Street Details: Stub streets and streets intended for extension during future phases shall be constructed to extend to the property line or as close to the line as practical. It shall be the responsibility of the second development to construct the connection to an existing stub street. Stub (or dead head) streets shall not exceed 150 feet in length without a paved turnaround (permanent or temporary). A clearly visible street sign shall be erected at the end of the stub street stating that the street is planned to connect to a future street.

6.10 Transportation Impact Analysis.

6.10.7 Payments-in-Lieu of Improvements.

The ~~Board of Aldermen~~ **Town Council** may, at its discretion, accept either mitigation measures to be completed by the developer or a fee paid to the Town in lieu of mitigation. The fee shall be equal to the costs of the required mitigation measures, as determined by the Administrator. A combination of mitigation measures and payments-in-lieu of dedication may be permitted. Payments-in-lieu of dedication shall be approved as part of the Development Plan.

6.11 Utilities.

6.11.3 Water Systems.

- A. All development applications must be accompanied by satisfactory evidence as to the proposed method and system of water supply.
- B. In no case shall water lines be extended beyond the Urban Services Boundary line established in the Town of Waynesville Land Development Plan unless approved by the ~~Board of Aldermen~~ **Town Council**.
- C. The installation of all water systems (except for individual wells) shall be required prior to final plat approval or the issuance of a certificate of occupancy unless otherwise permitted in this chapter.
- D. Public Water Systems:
 1. Where connection is proposed to the public sewer system and dedicated to the Town of Waynesville, the proposed system shall be installed according to the specifications of the Town's Public Services Department and designed by a registered engineer. Plans shall be reviewed and approved by the Public Works Department for the Town of Waynesville and any applicable state agency. A letter of approval from the Public Works Department and appropriate state agency must accompany the development application.
 2. Connection to the public water system shall be required as set forth below depending on the number of dwelling units proposed in a development and the distance the development is located from existing public water supply systems.
 - a. One unit - connection required if development is within two hundred (200) feet of a public system.
 - b. Two units - connection required if development is within four hundred (400) feet of a public system.
 - c. Three units - connection required if development is within six hundred (600) feet of a public system.

- d. Four units - connection required if development is within eight hundred (800) feet of a public system.
 - e. Five units or more - connection required if development is within one thousand (1,000) feet of a public system.
3. Where a water line six (6) inches or greater in diameter is required in a public water system, fire hydrants shall be installed on the line. The hydrants shall be spaced so that coverage to all building sites along the line may be provided with not more than five hundred (500) feet of hose and shall be located to facilitate access, hose laying and drainage.
- E. Private Systems: Where private individual systems are proposed for a development, a written statement or letter of approval from the Haywood County Health Department shall be submitted with the development application indicating that each lot has adequate land area and soil conditions suitable to accommodate the proposed methods of water supply.

6.11.4 Sanitary Sewer Systems.

- A. All development applications must be accompanied by satisfactory evidence as to the proposed method and system of sanitary sewer.
- B. In no case shall sanitary sewer lines be extended beyond the Urban Services Boundary line established in the Town of Waynesville Land Development Plan unless approved by the ~~Board of Aldermen~~ **Town Council**.
- C. The installation of all sanitary sewer systems (except for individual septic systems) shall be required prior to final plan approval or the issuance of a certificate of occupancy unless otherwise permitted in this ordinance.
- D. Public Sewer Systems:
 - 1. Where connection is proposed to the public sewer system and dedicated to the Town of Waynesville, the proposed system shall be installed according to the specifications of the Town's Public Services Department and designed by a registered engineer. Plans shall be reviewed and approved by the Public Works Department for the Town of Waynesville and any applicable state agency. A letter of approval from the Public Works Department and appropriate state agency must accompany the development application.
 - 2. Connection to the public sewer system shall not be required for developments on slopes exceeding 30% average.

3. Installation of sewer lines requiring the Town of Waynesville to pump sewage is not permitted.
4. Connection to the public sewer system shall be required as set forth below depending on the number of dwelling units proposed in a development and the distance the development is located from existing public sewer system.
 - a. One unit - connection required if development is within two hundred (200) feet of a public system.
 - b. Two units - connection required if development is within four hundred (400) feet of a public system.
 - c. Three units - connection required if development is within six hundred (600) feet of a public system.
 - d. Four units - connection required if development is within eight hundred (800) feet of a public system.
 - e. Five units or more - connection required if development is within one thousand (1,000) feet of a public system.

E. Private Systems:

1. Private sanitary systems are not permitted.
2. Private treatment systems resulting in discharges to surface waters are not permitted.
3. Individual on-site systems are permitted.
4. Where individual systems are proposed for a development, a written statement or letter of approval from the Haywood County Health Department shall be submitted with the development application. Such approval must indicate that each lot in the development has adequate land area and soil conditions suitable to accommodate the proposed methods of water supply and sewage disposal.
5. When individual, on-lot systems are approved, each lot so served shall be of a size and shape to accommodate the necessary length of a leach field at a safe distance from and at a lower elevation than the proposed building(s). Such lot size and shape shall conform to the requirements of the land development district in which they are located.

6.12 Improvement Guarantees.

6.12.3 Relevant Provisions:

A. Default by Developer:

1. Upon default, meaning failure on the part of the developer or surety to make timely completion of the required improvements, the ~~Board of Aldermen~~ **Town Council** may required the developer, the surety, or the financial institution holding the escrow account to pay all or any portion of the bond or escrow account fund to the town.
2. Upon payment, the ~~Board of Aldermen~~ **Town Council**, in its discretion, may expend such portion of the funds as it deems necessary to complete all or any portion of the required improvements.

B. Release of Guarantee:

1. The Town Manager may release a portion of any security posted as the improvements are completed and recommended for approval by the Administrator.
2. Within thirty-two (32) days after approval of all improvements by the Administrator, the Town Manager may release the security guarantee.

C. Warranty Against Defects.

1. Prior to the approval of the Final Plat or acceptance by the Town of any improvements in any subdivision or site development project, the developer shall furnish to the Town a written warranty against defects which shall guarantee the material and workmanship of required improvements for a period of not less than one year from the date of such acceptance. Such warranty shall be accompanied by a financial guarantee payable to the Town equal to at least 10 percent of the cost of the installation of such improvements as determined by the Town Manager. Such financial guarantee shall be in the form of financial guarantee as provided for in A or B above.
2. Release of Warrantee: Upon successful performance of the improvements, as determined by the Town Manager, the financial guarantee shall be returned to the developer. Upon the failure of an improvement to perform within the generally accepted standards for the type improvement as determined by the Town Manager, the developer shall be notified and given a reasonable period of time to correct the defects. Should the developer fail to act, fail to act in a timely manner, or otherwise fail to correct the defect(s), the Town Manager shall find the developer in default and proceed in the same manner as provided for in Subsection C above. Although other town owned/managed utilities and services as are required in this ordinance (e.g., electric, natural gas) are not included in this warranty against

defects, any grading, boring, cutting or other disturbances in public easements or rights-of-way associated with the installation or such facilities shall be restored prior to the release of this financial guarantee.

- D. Coverage: The performance guarantee shall be used only for the completion of the required improvements. It shall not be used for repairs or maintenance after initial completion (160D-804.1(4)). If the project has common areas that require maintenance, the developer or the entity to which the property has been officially transferred is responsible for maintaining these common areas.
- E. Exclusion: Performance guarantees associated with erosion control and stormwater control are not subject to the provisions of this section.

CHAPTER 7 – CIVIC SPACE

7.2 Civic Space Standards.

7.2.8 Ownership and Maintenance.

Ownership: Dedicated civic space land shall be separately deeded to either a homeowner's association, a non-profit land trust or conservancy, Haywood County, to the Town of Waynesville (upon approval by the ~~Board of Aldermen~~ **Town Council**), or may be held in private ownership with conservation easements recorded in the Haywood County Register of Deeds in a form approved by the Town. A metes and bounds description of the space to be preserved and limits on its use shall be recorded on the development plan, in homeowner covenants, and on individual deeds when open space lands are not held entirely in common. Alternative means of permanent open space preservation may include acceptance by a land conservation trust or a unit of government. Private management alternatives will also be permitted.

Maintenance: The owner or lessee of the property designated for civic space is responsible for its maintenance. Landscaped areas shall be maintained in good condition and the entire area shall be kept clear of debris. All civic space shall require documentation recorded with the final plat that outlines the ongoing maintenance plans. Documents such as covenants for a homeowners' association, bylaws, charter for a non-profit entity, or similar agreements and guarantees shall be filed with the final plat.

Dedication to the Town or other public entity is subject to acceptance by and at the sole discretion of the Town or other public entity. If the civic space land is dedicated to the Town and accepted for public use, this land will be maintained by the Town.

7.4 Payment in Lieu of Civic Space Dedication.

Any person developing and/or subdividing property subject to this Chapter, and upon approval of the ~~Board of Aldermen~~ **Town Council**, may make a payment in lieu of any required dedication of public recreational space.

7.4.2 Payment-in-lieu Required.

- A. The ~~Board of Aldermen~~ **Town Council** may, at its discretion, accept either an equitable amount of land in another location or a fee paid to the Town in lieu of dedication. A combination of park, recreation, and open space land dedication and payments-in-lieu of dedication may be permitted.
- B. All payments made in lieu of dedication shall be made at the time of Final Plat approval or prior to the issuance of the first Certificate of Occupancy (whichever comes first as appropriate). Failure to submit the required fee along with such applications will delay approval of such submissions until payment is rendered. All funds received for payment in lieu of dedication shall be deposited in a special fund or line item to be used only for the acquisition, development, or redevelopment of public recreation space by the Town.
- C. Reasons for payments in lieu of dedication may include, but are not limited to, proximity to existing public parks and/or existing topographic or geographic conditions.

CHAPTER 14 – ADMINISTRATIVE AGENCIES

14.1 The Administrator.

The various provisions of this ordinance shall be administered under the general direction of the Town Manager and under the specific direction of the Town of Waynesville Development Services, Public Services and Utility Departments. For the purposes of this ordinance, the directors of these departments and their subordinate staffs are collectively referred to as the Administrator. The Development Services Department will serve as the “gatekeeper” for all development applications and will advise applicants on appropriate personnel to contact.

14.1.1 Duties and Responsibilities.

The Administrator shall have the following powers and duties, to be carried out in accordance with the terms of this ordinance:

- A. To maintain a record of all permits and approvals on file and to make available copies to interested parties.
- B. To review all applications for land development for compliance with the terms of this ordinance.

- C. To provide the Waynesville ~~Board of Aldermen~~ **Town Council**, the Waynesville Planning Board, the Board of Adjustment of Waynesville, and the Historic Preservation Commission of Waynesville with reports and recommendations regarding matters before these bodies, either as required by this ordinance, other laws or regulations or at the request of the body.
- D. To enforce compliance with the terms of this ordinance, unless otherwise specified.
- E. To administer the floodplain management program for the town.
- F. To administer the stormwater management program for the town.
- G. To administer the sedimentation and erosion control program for the town.
- H. To issue driveway access permits.
- I. To review all development plans for compliance with street and utility requirements of the Town of Waynesville.
- J. Such additional powers and duties as may be set forth for the Administrator elsewhere in this ordinance and other laws and regulations of the town.

(Ord. of 5-27-2014(1))

14.2 ~~Board of Aldermen~~ **Town Council.**

14.2.1 Powers and Duties.

The Town of Waynesville's ~~Board of Aldermen~~ **Town Council** shall have the following powers and duties to be carried out in accordance with the terms of this ordinance.

- A. To conduct any and all business in accordance with their Charter and North Carolina General Statutes.
- B. To amend the Land Development Plan and other plans as necessary.
- C. LDS Decisions: The ~~Board of Aldermen~~ **Town Council** shall render final decisions regarding the following permits types (see also Chapter 15):
 - 1. Designation of Historic Landmarks/Districts (15.11.1)
 - 2. Text Amendments (15.14)
 - 3. Map Amendments/Rezoning (15.14)
 - 4. Conditional District (15.15)
 - 5. Vested Right (15.16)

14.3 Planning Board.

14.3.1 Powers and Duties.

The Town of Waynesville's Planning Board shall have the following powers and duties to be carried out in accordance with the terms of this ordinance.

- A. To perform studies and surveys of the present conditions and probable future development of the town and its environs, including but not limited to, studies and surveys of land uses, population, traffic, parking, expansions of extraterritorial jurisdiction, etc.
- B. To formulate and recommend to the ~~Board of Aldermen~~ **Town Council** the adoption and amendment of a Land Development Plan and other plans as necessary.
- C. To conduct annexation feasibility studies and recommend suitable areas of annexation to the ~~Board of Aldermen~~ **Town Council**.
- D. LDS Review: The Planning Board shall review and make recommendations regarding the following permits types (see also Chapter 15):
 - 1. Text Amendments (15.14)
 - 2. Map Amendments/Rezoning (15.14)
 - 3. Conditional District (15.15)
 - 4. Vested Right (15.16)
- E. LDS Decisions: The Planning [Board] shall render final decisions regarding the following permits types (see also Chapter 15):
 - 1. Site Plans/Design Review (Major) (15.8.2)
 - 2. Subdivision (Major) - Preliminary Plat (15.9.2)
 - 3. Special Use Permits (15.11.1)
- F. The Planning Board shall also have any additional powers and duties as may be set forth for in other laws and regulations or at the direction of the ~~Board of Aldermen~~ **Town Council**.

14.3.2 Membership and Quorum.

- A. The Planning Board shall consist of the number of members referenced and indicated in the most current version of the Town of Waynesville Boards and Commissions Manual which may from time to time be updated or amended. A quorum, consisting of a simple majority of members shall be necessary to transact business.
- B. The Waynesville ~~Board of Aldermen~~ **Town Council** shall appoint members from within the Town limits and, if the Town is exercising Extraterritorial Jurisdiction, one (1) or more members shall be appointed by the Haywood County Commissioners as set forth in G.S. 160D-307 to provide for proportional representation of residents within the Extraterritorial Jurisdiction. As vacancies occur the Administrator

shall advise the appropriate governing board to make appointments or reappointments as necessary to maintain this proportional representation based on best available estimates of current population of the Town and the Extraterritorial Jurisdiction. The representatives of the Extraterritorial Jurisdiction shall have equal rights, privileges and duties with the other members of the Planning Board.

- C. All members shall serve three (3) year terms and may succeed themselves.
- D. Officers shall be elected in accordance with the adopted rules of procedure.
- E. Meetings shall be held on the date and time as referenced in the Town of Waynesville Boards and Commission Manual and may from time to time be updated or amended.

(Ord. of 5-27-2014(1) ; Ord. No. O-11-21 , § 6, 6-22-2021)

14.4 Board of Adjustment.

14.4.1 Powers and Duties.

The Board of Adjustment of Waynesville shall have the following powers and duties to be carried out in accordance with the terms of this ordinance:

- A. To hear and decide appeals from any order, requirement, permit, decision or determination issued by an administrative officer of the town in enforcing any provision of the Town of Waynesville Minimum Housing Codes.
- B. LDS Decisions: The Board of Adjustment shall render final decisions regarding the following permits types (see also Chapter 15):
 - 1. Appeal of any Administrative decisions (15.6-7, 15.8.1, 15.9.1,3, 15.12)
 - 2. Appeals of Planning Board Decision regarding Subdivision (Major) - Preliminary Plats (15.11.1)
 - 3. Appeals of Historic Preservation Commission Decision regarding Certificate of Appropriateness (Major) (15.11.3)
 - 4. Variances (15.13)
- C. The Board of Adjustment shall also have any additional powers and duties as may be set forth for in other laws and regulations or at the direction of the ~~Board of Aldermen~~ **Town Council**.

14.4.2 Membership and Quorum.

- A. The Waynesville Board of Adjustment shall consist of the number of members referenced and indicated in the most current version of the Town of Waynesville Boards and Commissions Manual which may from

time to time be updated or amended. A quorum of four-fifths (4/5) of the membership shall be necessary to transact business.

- B. The Board shall not pass upon any question relating to an appeal from a decision, order, requirement or determination of town officials or an application for a variance when there are less than four-fifths (4/5) of the board members with jurisdictional authority present.
- C. The Waynesville ~~Board of Aldermen~~ **Town Council** shall appoint members from within the Town limits and, if the Town is exercising Extraterritorial Jurisdiction, one (1) or more members shall be appointed by the Haywood County Commissioners as set forth in G.S. 160A-362 to provide for proportional representation of residents within the Extraterritorial Jurisdiction. As vacancies occur the Administrator shall advise the appropriate governing board to make appointments or reappointments as necessary to maintain this proportional representation based on best available estimates of current population of the Town and the Extraterritorial Jurisdiction. The representatives of the Extraterritorial Jurisdiction shall have equal rights, privileges and duties with the other members of the Board of Adjustment.
- D. All members shall serve three (3) year terms and may succeed themselves.
- E. Officers shall be elected in accordance with the adopted rules of procedure.
- F. Meetings shall be held on the date and time as referenced in the Town of Waynesville Boards and Commission Manual and may from time to time be updated or amended.

(Ord. of 5-27-2014(1) ; Ord. No. O-01-15 , § 10, 1-27-2015; Ord. No. O-11-21 , § 7, 6-22-2021; Ord. No. O-06-22 , § 14, 3-22-2022)

14.5 Historic Preservation Commission.

14.5.1 Powers and Duties.

The Historic Preservation Commission of Waynesville shall have the following powers and duties to be carried out in accordance with the terms of this ordinance of G.S. Chapter 160D, Article 9, Part 4:

- A. To undertake and inventory of properties of historical, prehistorical, archaeological, architectural and/or cultural significance.
- B. To conduct an educational program with respect to historic districts and landmarks within its jurisdiction.
- C. To cooperate with the state, federal and local government in pursuance of the purposes of the tasks assigned to them; to offer or request assistance, aid, guidance or advice concerning matters under its purview

or of mutual interest. The ~~Board of Aldermen~~ **Town Council**, or the commission, when authorized by the ~~Board of Aldermen~~ **Town Council**, may contract with the state or the United States, or any agency of either, or with any other organization provided the terms are not inconsistent with state or federal law.

- D. To enter, solely in performance of its official duties and only at reasonable times, upon private lands for examination or survey thereof. However, no member, employee or agent of the commission may enter any private building or structure without the express consent of the owner or occupant thereof.
- E. To prepare and recommend the official adoption of a preservation element as part of the town's Land Development Plan.
- F. To recommend to the ~~Board of Aldermen~~ **Town Council** the acquisition by any lawful means of the fee or any lesser interest, including options to purchase, of properties within established districts or of any such properties designated as landmarks. The commission may recommend to the board to hold, manage, preserve, restore and improve the same, and to exchange or dispose of the property by public or private sale, lease or otherwise, subject to covenants or other legally binding restrictions which will secure appropriate rights of public access and promote the preservation of the property.
- G. To recommend the restoration, preservation and operation of historic properties.
- H. To negotiate at any time with the owner of a building, structure, site, area or object for its acquisition or its preservation, when such action is reasonably necessary and is authorized by the ~~Board of Aldermen~~ **Town Council**.
- I. LDS Review: The Planning Board shall review and make recommendations regarding the following permits types (see also Chapter 15):
 - 1. Designation of Historic Landmarks/Districts (15.11.1)
- J. LDS Decisions: The Historic Preservation Commission shall render final decisions regarding the following permits types (see also Chapter 15):
 - 1. To Hear Appeals of Administrative Decisions regarding Certificates of Appropriateness (Minor) (15.11.2)
 - 2. Certificates of Appropriateness (Major) (15.11.3)
- K. The Historic Preservation Commission shall also have any additional powers and duties as may be set forth for in other laws and regulations or at the direction of the ~~Board of Aldermen~~ **Town Council**.

14.5.2 Membership and Quorum.

- A. The Waynesville Historic Preservation Commission shall consist of the number of members referenced in the most current version of the Town of Waynesville Boards and Commissions Manual which may from time to time be updated or amended. A quorum, consisting of a simple majority of the membership shall be necessary to transact business.
- B. The Waynesville ~~Board of Aldermen~~ **Town Council** shall appoint all members. Vacancies shall be filled by the Waynesville ~~Board of Aldermen~~ **Town Council** as they occur.
- C. All members shall serve three (3) year terms and may succeed themselves.
- D. Officers shall be elected in accordance with the adopted rules of procedure.
- E. Meetings shall be held on the date and time as referenced in the Town of Waynesville Boards and Commission Manual and may from time to time be updated or amended.

(Ord. of 5-27-2014(1) ; Ord. No. O-11-21 , § 8, 6-22-2021)

14.6 Meetings and General Procedures.

14.6.1 All Meetings to be Open.

All meetings of bodies under this ordinance shall be open to the public in accordance with G.S. 143-318 (Meetings of Public Bodies) and shall be conducted in accordance with the procedures set forth in these regulations and rules of procedure adopted by the respective bodies and approved by the ~~Board of Aldermen~~ **Town Council**.

14.6.6 Attendance Policy.

All members shall attend board/commission meetings on a regular basis. If any member misses more than three (3) consecutive meetings, or does not attend at least 75% of the meetings in one calendar year, he/she may be replaced at the discretion of the ~~Board of Aldermen~~ **Town Council**.

14.6.7 Conflict of Interest Policy.

- A. Governing ~~Board~~ **Body**. A governing ~~board~~ **body** member shall not vote on any legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A governing ~~board~~ **body** member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

- B. Appointed Boards. Members of appointed boards shall not vote on any advisory or legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.
- C. Administrative Staff. No staff member shall make a final decision on an administrative decision required by this Chapter if the outcome of that decision would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship. If a staff member has a conflict of interest under this section, the decision shall be assigned to the supervisor of the staff person or such other staff person as may be designated by the development regulation or other ordinance.
- D. No staff member shall be financially interested or employed by a business that is financially interested in a development subject to regulation under this Chapter unless the staff member is the owner of the land or building involved. No staff member or other individual or an employee of a company contracting with a local government to provide staff support shall engage in any work that is inconsistent with his or her duties or with the interest of the local government, as determined by the local government.
- E. Quasi-Judicial Decisions. A member of any board exercising quasi-judicial functions pursuant to this Chapter shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.
- F. Resolution of Objection. If an objection is raised to a board member's participation at or prior to the hearing or vote on a particular matter and that member does not recuse himself or herself, the remaining members of the board shall by majority vote rule on the objection.
- G. Familial Relationship. For purposes of this section, a "close familial relationship" means a spouse, parent, child, brother, sister,

grandparent, or grandchild. The term includes the step, half, and in-law relationships. (2019-111, s. 2.4.)

CHAPTER 15 - ADMINISTRATION

15.1 Purpose and Intent.

In order to establish an orderly process to develop land within the jurisdiction of the Town of Waynesville consistent with standard development practices and terminology it is the purpose of this Chapter to provide a clear and comprehensible development process that is fair and equitable to all interests including the petitioners, affected neighbors, Town staff and related agencies, and the **Town Council**.

15.2 General Provisions and Applicability.

15.2.3 Permit/Process Type.

Permit/Process Type	Section	Permit/Process Type	Reviewing Agency	Public Notification (15.3)	Approving Agency	Appeal Process	Permit Period	Permit Extension
Certificate of LDS Compliance	15.6.1	Administrative	Admin.	None	Admin.	BOA	12 months	Re-submit
Temporary Use Permit	15.6.2	Administrative	Admin.	None	Admin.	BOA	See 4.6	n/a
Certificate of Occupancy	15.6.3	Administrative	Admin.	None	Admin.	BOA	n/a	n/a
Modification of Dimensional Standards	15.6.4	Administrative	Admin.	None	Admin.	BOA	n/a	n/a
Grading Permit	15.7.1	Administrative	Admin.	None	Admin.	BOA	12 months	Re-submit
Floodplain Development Permit	15.7.2	Administrative	Admin.	None	Admin.	BOA	12 months	Re-submit
Stormwater Permit	15.7.3	Administrative	Admin.	None	Admin.	BOA	12 months	Re-submit
Site Plan/Design Review (Minor)	15.8.1	Administrative	Admin.	None	Admin.	BOA	2 years	Up to 3 years max.*
Site Plan/Design Review (Major)	15.8.2	Administrative	Admin.	1,2,4	Planning Board	Superior Court	2 years	Up to 3 years max.*
Subdivision (Minor)	15.9.1	Administrative	Admin.	None	Admin.	Superior Court**	30 days to file plat	Re-submit
Subdivision (Major)	See 15.9.2, 15.9.3, and 15.9.4							
Subdivision (Major)—Preliminary Plat	15.9.3	Administrative	Admin.	1,2,4	Planning Board	Superior Court**	2 years to final plat	Up to 3 years max.*
Subdivision (Major)—Final Plat	15.9.4	Administrative	Admin.	Non	Admin.	Superior Court**	30 days to file plat	Re-submit
Special Use Permit	15.10	Quasi-Judicial	Planning Board	1,2,3,5	Planning Board	Superior Court	2 years	Up to 3 years max.*

Designation of Historic Landmarks/Districts	15.11.1	Legislative	HPC	1,2,3	Board of Aldermen Town Council	Superior Court	n/a	n/a
Certificate of Appropriateness (Minor)	15.11.2	Administrative	Admin.	None	Admin.	HPC	12 months	Re-submit
Certificate of Appropriateness (Major)	15.11.3	Quasi-Judicial	Admin.	1,2,3,4	HPC	BOA	12 months	Re-submit
Appeal of Administrative Decision	15.12	Quasi-Judicial	BOA	1,3,4	BOA	Superior Court	30 days to Appeal	n/a
Variance	15.13	Quasi-Judicial	BOA	1,3,4	BOA	Superior Court	30 days to Appeal	n/a
Text Amendment	15.14	Legislative	Planning Board	1,2,3	Board of Aldermen Town Council	Superior Court	n/a	n/a
Map Amendment (Rezoning)	15.14	Legislative	Planning Board	1,2,3,4	Board of Aldermen Town Council	Superior Court	n/a	n/a
Conditional District	15.15	Legislative	Planning Board	1,2,5	Board of Aldermen Town Council	Superior Court	2 years	Up to 3 years max.*

* See Section 15.16.3

** 160D-1403(b)

Admin—Administrator (14.1) / Town Council (14.2) / BOA—Board of Adjustment (14.4) / HPC—Historic Preservation Commission (14.5) / Superior Court of North Carolina

15.2.5 Administrative Modifications and Substantial Changes.

- A. General. The Administrator can approve administrative minor modifications for conditional districts (160D-703(b)), special use permits (160D-705(c)), and administrative development approvals (160D-403(d)).
- B. Minor Modification: A minor administrative modification is a non-substantial change to the approved plan that may include but is not limited to: relocation of a bus stop, moving landscaping around, reduction in the number of parking spaces, reduction in the number of units/lots, building elevation changes, increasing vegetative buffer or the number of trees, etc.
- C. Unique Property Attributes. A minor modification may also be allowed to provide relief from a unique physical attribute of the property not known at the time of initial approval. The applicant will need to provide evidence of why relief is needed.

- D. Substantial Changes. Any substantial change to a Master Plan or Plat as noted below shall be reviewed by the Planning Board and approved or denied by the ~~Board of Aldermen~~ **Town Council**:
- An increase in impervious surface.
 - A change in land use or development type beyond that permitted by the approved Master Plan or Plat.
 - The introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access.
 - Change in density: when there is an increase in the total number of residential dwelling units originally authorized by the approved Master Plan or Plat.
 - An increase of the total floor area of a commercial or industrial classification by more than 10 percent beyond the total floor area last approved by ~~Board of Aldermen~~ **Town Council**.
 - Any decrease in the setbacks greater than 10% from the originally approved Master Plan or Plat.
- E. Variance. Minor and major modifications require the project to stay in compliance with the Land Development Standards and any other applicable laws. Some modifications may require a variance procedure as found in Section 15.13 Variances.

15.3 Public Notification.

The following procedures have been established for development applications/petitions that require notification of the public prior to consideration and/or approval.

15.3.3 Level 3—Notification to Affected Property Owners.

The applicant and owners of all property affected by a pending action (e.g., new overlay district) shall be notified of the hearing/meeting by first class mail. Such notification shall be deposited in the mail at least 10 but not more than 25 days prior to the date to the meeting at which the matter is to be heard. In addition, a sign shall be prominently posted on the subject property(ies) or on an adjacent public street or highway right-of-way with a notice of the pending action and a phone number and email address to contact for additional information. Except for a town-initiated zoning map amendment, when an application is filed to request a zoning map amendment and that application is not made by the owner of the parcel of land to which the amendment would apply, the applicant shall certify to the ~~Board of Aldermen~~ **Town Council** that the owner of the parcel of land as shown on the county tax listing has received actual notice of the proposed amendment and a copy of the notice of public hearing. The applicant shall certify to the ~~Board of Aldermen~~ **Town Council** that proper notice has been provided in fact, and such certificate shall be

deemed conclusive in the absence of fraud. (For Third Party Rezoning: If notice cannot with due diligence be achieved by personal delivery, registered or certified mail, or by a designated delivery service authorized pursuant to 26 U.S.C. § 7502(f)(2), notice may be given by publication consistent with G.S. 1A-1, Rule 4(j1). This applies only to an application to request a zoning map amendment where the application is not made by the owner of the parcel of land to which the amendment would apply.)

15.3.4 Level 4—Notification to Adjacent Property Owners.

The applicant and owners of property within one hundred (100) feet on all sides of the subject property (not including street rights-of-way that are less than 100 feet in width) shall be notified of the hearing/meeting by first class mail. Such notification shall be deposited in the mail at least 10 but not more than 25 days prior to the date to the meeting at which the matter is to be heard.

15.3.5 Level 5—Notification to Property Owners in Close Proximity.

The applicant and owners of property within five hundred (500) feet on all sides of the subject property shall be notified of the hearing/meeting by first class mail. Such notification shall be deposited in the mail at least 10 but not more than 25 days prior to the date to the meeting at which the matter is to be heard.

15.3.6 Level 6—Full Community Notification.

The town may elect to either make a Level 3 notification or as an alternative elect to publish notice of the hearing/meeting provided that each advertisement shall not be less than one-half of a newspaper page in size. The advertisement shall only be effective for property owners who reside in the area of general circulation of the newspaper which publishes the notice. Property owners who reside outside of the newspaper circulation area, according to the address listed on the most recent property tax listing for the affected property, shall be notified by first class mail.

15.3.7 Neighborhood Meeting.

A neighborhood meeting is mandatory for development projects of 8 or more lots/units or where required prior to any public hearing or review by a board or commission. This meeting will allow the applicant to explain the proposed project and to be informed of the concerns of the neighborhood. When an applicant is required to conduct a neighborhood meeting, a summary of the meeting in the form of meeting notes or minutes along with a list and contact information for all attendees shall be submitted to the Planning Board for their review.

(Ord. of 5-27-2014(2) ; Ord. No. O-01-15 , § 11, 1-27-2015; Ord. No. O-06-22 , § 18, 3-22-2022)

15.5 General Requirements for Evidentiary Hearings and Quasi-Judicial Decisions.

15.5.3 Record of Decision.

- A. The following shall become part of the official record of decision:
- Documents and exhibits submitted to the ~~Board~~ **decision-making board**.
 - Meeting minutes.
- B. Transcript of Audio/Video of Meetings: Any party may request, at their expense, a transcript of the proceedings from any recorded audio/video.
- C. The ~~Board~~ **decision-making board** shall determine contested facts and make its decision within a reasonable time. Every quasi-judicial decision shall be based on competent, material, and substantial evidence in the record. Each quasi-judicial decision shall be reduced to writing and reflect the board's determination of contested facts and their application to the applicable standards. The written decision shall be signed by the ~~Chair~~ **chair** or other duly authorized member of the ~~Board~~ **decision-making board**. A quasi-judicial decision is effective upon filing the written decision with the ~~Clerk~~ **clerk** to the ~~Board~~ **decision-making board**. The decision of the ~~Board~~ **decision-making board** shall be delivered by personal delivery, electronic mail, or by first-class mail to the applicant, property owner, and to any person who has submitted a written request for a copy, prior to the date the decision become effective. The Administrator shall certify that proper notice has been made.

15.9 Subdivisions.

15.9.4. Final Plat for Major Subdivision:

- A. Process Types: Administrative.
- B. Improvements to Be Installed or Guaranteed: All required infrastructure improvements shall be either installed or financially guaranteed in accordance with Section 6.12.
- C. As-Builts Required: Upon completion of a project, and before a Final Plat shall be granted (unless financially guaranteed), the applicant shall certify that the completed project is in accordance with the approved plans and designs, and shall submit actual "as built" plans (15.4.6) for all public infrastructure after final construction is completed. No certificate of occupancy shall be granted without completed as-built plans.
- D. Required Application Information: Final Plat (15.4.6) by a registered land surveyor.
- E. Determination of Conformity: The Final Plat of a major subdivision shall be reviewed by the Administrator for compliance with the requirements of this chapter and for conformity with the approved Preliminary Plat. Provided the application is complete, applications shall be reviewed and

acted upon by the staff and notice given the applicant within ten (10) days of receipt of the Final Plat. If the Administrator has not completed review in this time period, the applicant may seek final approval from the ~~Board of Aldermen~~ **Town Council** at their next meeting.

- F. Public Notification: None required.
 - G. Appeals: An appeal of the decision to approve or deny a Final Plat or to approve or deny a substantial change to an approved Preliminary Plat may be made by an aggrieved party to the Superior Court of Haywood County no later than thirty (30) days after the applicant receives the written copy of the decision.
 - H. Effect of Approval: The approval of a Final Plat does not constitute acceptance for maintenance or other purposes of improvements in rights-of-way, such as utility lines, street paving, drainage facilities or sidewalks. Such improvements, when located within the corporate limits of the Town of Waynesville, may be accepted only by action of the town following inspection and approval. Land designated as public open space or a park on a plat shall be considered to be offered for dedication, but not accepted until the ~~Board of Aldermen~~ **Town Council** has by expressed action done so.
 - I. Phasing: Final plats for phased subdivisions shall be recorded in accordance with the schedule presented by the applicant during the Major Subdivision Plan/Preliminary Plat approval.
 - J. Permit Validity: Final plats for major subdivisions must be recorded within thirty (30) days following approval or the approval becomes invalid. No lots shall be sold prior to approval by the town and recording of the Final Plat for the subdivision.
 - K. Permit Extension: Re-submit.
- (Ord. No. O-11-21 , §§ 18—21, 6-22-2021; Ord. No. O-06-22 , § 26, 3-22-2022; Ord. No. O-16-22 , §§ 10, 11, 5-10-2022)

15.11 Historic Preservation.

15.11.1 Designation of Historic Landmarks/Historic Districts.

Upon complying with the required landmark designation procedures set forth herein, the ~~Board of Aldermen~~ **Town Council** may adopt and from time to time amend or repeal an ordinance designating one or more historic landmarks. No property shall be recommended for designation as a landmark unless it is deemed and found by the Historic Preservation Commission to be of special significance in terms of its historical, pre-historical, architectural or cultural importance, and to possess integrity of design, setting, workmanship, materials, feeling and/or association.

- A. Process Type: Legislative.

- B. Inventory of Possible Landmarks: As a guide for the identification and evaluation of landmarks, the Historic Preservation Commission shall maintain an inventory of properties of historical, architectural, pre-historical and cultural significance within the land development jurisdiction of the town.
- C. Creation of Ordinance for Designation:
1. Once a potential landmark has been identified, the Administrator shall draft an ordinance for the designation of said property as an official historic landmark.
 2. The ordinance shall describe the property designated in the ordinance, the name or names of the owner or owners of the property, those elements of the property that are integral to its historical, architectural or pre-historical value, including the land area of the property so designated and any other information the governing body deems necessary.
 3. For each building, structure, site, area or object so designated as a landmark, the ordinance shall require that the waiting period set forth in this ordinance be observed prior to its demolition.
- D. Opportunity for Comment from the State of North Carolina:
1. Once the ordinance is drafted, the Historic Preservation Commission shall make or cause to be made an investigation and report on the historic, architectural, pre-historical, educational or cultural significance of each building, structure, site, area or object proposed for designation or acquisition. Such report shall be forwarded to the Division of Archives and History, North Carolina Department of Cultural Resources.
 2. The Department of Cultural Resources, acting through the State Historic Preservation Officer, or his or her designee, shall either upon request of the Department or at the initiative of the commission be given an opportunity to review and comment upon the substance and effect of the designation of any landmark. All comments will be provided in writing. If the department does not submit its comments to the Historic Preservation Commission within thirty (30) days following receipt by the department of the report, the commission and the ~~Board of Aldermen~~ **Town Council** shall be relieved of any responsibility to consider such comments.
- E. Public Notification: Level 1, 2 and 3.
- F. Neighborhood Meeting (15.3.7): Optional.
- G. Public Hearing and Decision by the ~~Board of Aldermen~~ **Town Council**:
The Historic Preservation Commission and the ~~Board of Aldermen~~ **Town**

Council shall hold a joint public hearing (or separate public hearings) on the proposed ordinance. Following the public hearing(s), the ~~Board of Aldermen~~ **Town Council** may adopt the ordinance as proposed, adopt the ordinance with any amendments it deems necessary, or reject the proposed ordinance.

H. Post-Adoption Procedures:

1. Upon adoption of the ordinance the owners and occupants of each landmark shall be given written notification of such designation insofar as reasonable diligence permits.
2. One copy of the ordinance and all amendments thereto shall be filed by the Administrator in the office of the Register of Deeds of Haywood County.
3. Each landmark shall be indexed according to the name of the owner of the property in the grantor and grantee indexes in the Register of Deeds office and the commission shall pay a reasonable fee for filing and indexing.
4. A second copy of the ordinance and all amendments thereto shall be kept on file in the office of the Town Clerk and be made available for public inspection at any reasonable time.
5. A third copy of the ordinance and any amendments thereto shall be given to the building inspector for the Town.
6. The fact that a building, structure, site or area has been designated a landmark shall be clearly indicated on all tax maps maintained by Haywood County for such period as the designation remains in effect.
7. Upon the adoption of the landmark ordinance or any amendments thereto, it is the duty of the Historic Preservation Commission to give notice thereof to the tax supervisor of Haywood County.
8. The designation and any recorded restrictions upon the property limiting its use for preservation purposes shall be considered by the tax supervisor in appraising it for tax purposes.
9. A suitable sign for each property designated as a landmark may be placed on the property at the owner's consent; otherwise, a sign may be placed on a nearby right-of-way.

15.11.3 Certification of Appropriateness—Major Works for Local Landmarks and Local Historic Districts.

- A. Process Type: Quasi-Judicial (See also 15.4).
- B. Pre-Application Meeting: It shall be the policy of the Historic Preservation Commission, in regard to applications involving new

construction or extensive alterations and/or additions to existing structures, that a sub-committee of the commission shall be available to meet with persons involved in planned or pending applications in order to advise them informally, at an early stage in the development process. This advice shall be on the commission's Design Review Guidelines or other standards that may apply, the nature of the area where the proposed project will take place, and other relevant factors. In giving such advice, the members of the sub-committee, collectively and individually, shall refrain from any indication of approval or disapproval. Advice or opinions given by any member of the sub-committee at such an informal meeting shall not be considered official or binding upon the commission.

- C. Required Application Information: Each application for a certificate of appropriateness shall contain all information required on the application. Other information necessary to show that the use or structure complies with the standards set forth in this ordinance shall also be provided.
- D. Determination of Completeness: The Administrator shall review the application to ensure that it is complete, prepare a report and recommendation on the application, and schedule the matter for a public hearing before the Historic Preservation Commission.
- E. Public Notification: Level 1, 2 and 4.
- F. Public Hearing: The Historic Preservation Commission shall hold a hearing on the proposal. The applicant and other property owners likely to be materially affected by the application shall be given an opportunity to be heard.
- G. Commission Review: Following the public hearing the commission may approve, deny or approve with conditions the application for a Certificate of Appropriateness. No Certificate of Appropriateness shall be granted unless the commission finds that the application complies with the principles of the Design Review Guidelines adopted by the commission for review of changes and new construction.
- H. Findings of Fact: The action on an application must be supported by specific findings of fact indicating the extent to which the application is or is not congruous with the special character of the historic district or landmark.
- I. Delay in Demolition of Local Landmarks and Buildings within Local Historic Districts: An application for a certificate of appropriateness authorizing the demolition, removal or destruction of a designated local landmark or a building, structure or site within a local historic district may not be denied except as provided below:

1. The effective date of such a certificate may be delayed for up to three hundred and sixty-five (365) days from the date of approval. The period of delay should be reduced by the Historic Preservation Commission if it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return from such property by virtue of the delay.
2. During the delay period the commission shall negotiate with the owner in an effort to find a means of preserving the building, structure or site.
3. If the Historic Preservation Commission finds that a building, structure or site has no special significance or value toward maintaining the character of a district, it shall waive all or part of such period of delay and authorize earlier demolition or removal.
4. If the Historic Preservation Commission has voted to recommend the designation of a landmark or the designation of an area as a historic district, and final designation has not been made by the ~~Board of Aldermen~~ **Town Council**, the demolition or destruction of any building, structure or site in the proposed district or of the designated landmark may be delayed by the commission for up to one hundred and eighty (180) days or until the ~~Board of Aldermen~~ **Town Council** takes final action on the designation, whichever occurs first.
5. The ~~Board of Aldermen~~ **Town Council** may enact an ordinance to prevent the demolition by neglect of any designated landmark or any structure or building within the established historic district. Such ordinance shall provide appropriate safeguards to protect property owners from undue hardship.
6. An application for a certificate of appropriateness authorizing the demolition of a building, structure or site determined by the State of North Carolina's Historic Preservation Officer as having statewide significance as defined in the criteria of the National Register of Historic Places may be denied except where the Historic Preservation Commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.
- J. Review Period by Commission: Applications for Certificates of Appropriateness shall be acted upon within ninety (90) days after filing, otherwise the application shall be deemed approved and a certificate shall be issued. An extension of time may be granted by mutual consent of the commission and the applicant.

K. Appeals: Appeals of the decisions of the Administrator shall be heard by the Board of Adjustment (15.12).

L. Permit Validity: one (1) year.

M. Permit Extension: Re-submit.

(Ord. No. O-11-21 , §§ 23, 24, 6-22-2021)

15.14 Map and Text Amendments.

The ~~Board of Aldermen~~ **Town Council** may from time to time amend any part of the text of this ordinance or amend the Land Development Map of the town.

15.14.1 Application Procedures.

A. Process Types: Legislative.

B. Applicants: Map or text amendments may be submitted by any of the following:

- The ~~Board of Aldermen~~ **Town Council**.
- The Planning Board.
- The Board of Adjustment.
- The Planning Department.
- Any owner of property within the land use jurisdiction of the town.

C. Pre-Application Procedure: Before filing a petition of an amendment, an applicant (if an owner requesting a map amendment) shall meet with the Administrator to discuss the proposed amendment or request and to become more familiar with the applicable requirements and approval procedures of the town.

D. Content of Application: A petition for an amendment to the town's official land development map or text shall be filed on a form provided by the Administrator. Such a petition shall contain all the information required on the form and must be determined to be complete by the Administrator prior to advancing it through the review process.

E. Determination of Completeness: Staff shall review an application for amendment to determine if it is complete. If an application is complete, the Administrator shall schedule the matter for consideration at a meeting of the Planning Board. The Administrator shall prepare a staff report and recommendation on the matter.

15.14.2 Review By Planning Board.

A. Public Notification (Prior to Planning Board): Level 1, 2, 3 and 4.

B. Neighborhood Meeting (15.3.7): Optional.

- C. Additional Public Notification for Large Scale Amendments: If the land development map amendment directly affects more than fifty (50) properties, owned by at least fifty (50) different property owners the Town may elect to utilize a Level 6 notification. When this occurs, the town may use the expanded published notice provisions found in the North Carolina General Statutes at Section 160D-601.
- D. Review by Planning Board: The Planning Board shall conduct a public hearing and receive public input on the proposed amendment and shall make recommendations to the ~~Board of Aldermen~~ **Town Council** regarding whether to approve or deny each proposed amendment within sixty-four (64) days of its first consideration on the matter.
 - 1. Recommendation for Approval: If the Planning Board makes a favorable recommendation, the matter shall be scheduled a public hearing before the ~~Board of Aldermen~~ **Town Council**.
 - 2. Recommendation for Denial: If the Planning Board makes a negative recommendation, the petitioner may, within thirty (30) days after written notification from the town clerk, request that a public hearing be held by the ~~Board of Aldermen~~ **Town Council** on the matter. This appeal process does not apply to amendments initiated by the ~~Board of Aldermen~~ **Town Council** or planning department. These amendments go immediately to the Board following a recommendation by the Planning Board.

15.14.3. Public Comment

Zoning regulations may from time to time be amended, supplemented, changed, modified, or repealed. If any resident or property owner in the local government submits a written statement regarding a proposed amendment, modification, or repeal to a zoning regulation, including a text or map amendment that has been properly initiated as provided in G.S. 160D-601, to the clerk to the board at least two business days prior to the proposed vote on such change, the clerk to the board shall deliver such written statement to the governing ~~board~~ **body**. If the proposed change is the subject of a quasi-judicial proceeding under G.S. 160D-705 or any other statute, the clerk shall provide only the names and addresses of the individuals providing written comment, and the provision of such names and addresses to all members of the board shall not disqualify any member of the board from voting (160D-603).

15.14.4 Consideration by ~~Board of Aldermen~~ **Town Council**.

- A. Public Notification (Prior to Planning Board): Level 1, 2, 3 and 4.
- B. Additional Public Notification for Large Scale Amendments: If the land development map amendment directly affects more than fifty (50) properties, owned by at least fifty (50) different property owners the Town may elect to utilize a Level 6 notification. When this occurs, the

town may use the expanded published notice provisions found in the North Carolina General Statutes at Section 160D-601.

- C. Consideration by the ~~Board of Aldermen~~ **Town Council**: Following receipt of a recommendation or appeal of a proposed amendment, the ~~Board of Aldermen~~ **Town Council** shall conduct a public hearing on the matter. Upon reviewing all of the pertinent information, the ~~Board of Aldermen~~ **Town Council** may:
1. Adopt the proposed amendment.
 2. Adopt the proposed amendment with modifications.
 3. Reject the proposed amendment.
 4. Refer the proposed amendment back to the Planning Board for further consideration.

15.14.5 Plan Consistency.

In accordance with G.S. 160D-604(d); 160D-605(a); 160D-701, all such amendments shall be made in accordance with the Comprehensive Land Use Plan and any other officially adopted development plan. The Planning Board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. Prior to adopting or rejecting any zoning amendment, the ~~Board of Aldermen~~ **Town Council** shall adopt a statement describing whether its action is consistent with the adopted comprehensive plan and explaining why the ~~Board of Aldermen~~ **Town Council** considers the action taken to be reasonable and in the public interest.

15.14.6 Waiting Period for Subsequent Applications.

- A. When an application for an amendment has been approved or denied by the ~~Board of Aldermen~~ **Town Council**, no application shall be considered on the same issue within the next twelve (12) months after approval or denial.
- B. This waiting period may be waived by the ~~Board of Aldermen~~ **Town Council** (three-fourths vote required) if it determines that there have been substantial changes in conditions or circumstances which may relate to the request.

(Ord. No. O-11-21 , §§ 27—30, 6-22-2021)

15.15 Conditional Districts (CD).

Conditional Districts (Section 2.6) are districts with conditions voluntarily added by the applicant and approved in a legislative procedure by the ~~Board of Aldermen~~ **Town Council** in accordance with G.S. 160D. Conditional Districts provide for orderly and flexible development under the general policies of this Ordinance without the constraints of some of the prescribed standards guiding

by-right development. This Conditional District may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure.

15.15.1 Application Procedures.

- A. Applicant and Property: Conditional District classification shall only be considered upon the request of the owners and/or their representatives of all the property to be included. A CD shall consist of land under unified control which may be planned and developed as a single development or as an approved programmed series of development phases by multiple developers. “Unified control” means that all land to be included within a CD shall be owned or otherwise under the legal control of the person or legal entity which has applied for a Conditional District. Such person or entity shall be legally capable of providing a commitment to the town that the CD development will comply with all documents, plans, standards and conditions ultimately approved by the town.
- B. Standards of District to be Met: Within an approved Conditional District, no use shall be permitted except pursuant to the conditions imposed by the applicant on the Conditional District in the approval of the rezoning. The ~~Board of Aldermen~~ **Town Council** may impose additional reasonable and appropriate conditions or safeguards to serve the purpose and intent of this Section, and to preserve public welfare, and justice.
- C. Content of Application: A Conditional District shall consist of the Environmental Survey (15.4.1) and Master Plan (15.4.3); as well as any other plans, drawings, renderings, elevations, maps and documents specifically included as development documents for approval by the ~~Board of Aldermen~~ **Town Council**. The Master Plan, as a site specific Conditional Zoning Plan, is itself a condition of the Conditional District rezoning. The Master Plan shall, at a minimum consist of the following:
 - 1. The overall boundary and area of the district, including underlying zoning districts;
 - 2. The general location, orientation and size of principal structures and associated parking areas; landscape and buffer areas; open space areas; the location, size and general treatment of environmentally sensitive areas; the general location and size of existing and proposed water mains and sewer trunk lines required to service the development; and general traffic routes (external and internal) to and from the development with major access points identified;
 - 3. Tabular data, including the range and scope of proposed land uses, proposed densities, floor area ratios or impervious surface

ratios as applicable to development type; and land areas devoted to each type of general land use and phase of development;

4. Full list of proposed uses consistent in character with the underlying zoning district. Such use classifications may be selected from any of the uses, whether permitted, by right or conditional, allowed in the general zoning district upon which the Conditional District is based. Uses not otherwise permitted within the general zoning district shall not be permitted within the Conditional District;
5. A proposed development schedule if the project is to be phased.

15.15.2 Formal Review.

- A. Procedure: The procedure for approval shall follow the procedure outlined in Section 15.14, Text and Map Amendments (Rezoning).
- B. Reviewing Agency: The Planning Board shall review the Conditional District application and shall make a recommendation relevant to the following: Uses proposed, compatibility with surrounding property, area impacts and adequate facilities, infrastructure, etc., building and site design, immediate context and compatibility, etc.
- C. Decisions: Decisions by the Board of Commissioners shall be by majority vote, unless a valid Protest Petition in accordance with Section 15.14.3 has been filed, in which case, a three-fourths majority vote of eligible members shall be required for approval.
- D. Fair and Reasonable Conditions: The provisions of the CD Master Plan shall replace all conflicting development regulations set forth in this Ordinance which would otherwise apply to the development site. The Planning Board may recommend and the ~~Board of Aldermen~~ **Town Council** (with mutual approval of the applicant) may attach reasonable and appropriate conditions including, but not limited to, the location, nature, hours of operation, and extent of the proposed use(s). Conditions and site-specific standards shall be limited to those that address conformance of the development and use of the site to this Ordinance and officially adopted plans and those standards and conditions that address the impacts reasonably expected to be generated by the development and use of the site. The applicant will have a reasonable opportunity to consider and respond to any conditions and site-specific standards proposed by either the Planning Board or the ~~Board of Aldermen~~ **Town Council** prior to final action. In accordance with G.S. 160D.
- E. Additional Review: Site Plans and Subdivisions that implement approved CD Master Plans shall be approved by the Administrator and are not subject to the procedures of Section 15.8.2 or 15.9.2.

15.15.3 Effect of Approval/Changes.

- A. For modifications to an approved Master Plan see Section 15.2.5.
- B. Rescission of Conditional Districts: The Applicant shall secure a valid building or construction permit(s) within two (2) years from date of approval of the Conditional District unless otherwise specified. If such project is not complete or a valid building or construction permit is not in place at the end of the two (2) year period, the Administrator shall notify the applicant of either such finding. Within 60 calendar days of notification, the Administrator shall make a recommendation concerning the rescission of the Conditional District to the ~~Board of Aldermen~~ **Town Council**. The ~~Board of Aldermen~~ **Town Council** may then rescind the Conditional District, or extend the life of the Conditional District for a specified period of time. The rescission of a Conditional District shall follow the same procedure as was needed for approval.

(Ord. No. O-11-21 , §§ 31, 32, 6-22-2021; Ord. No. O-06-22 , § 27, 3-22-2022)

15.16 Permit Choice and Vested Rights.

15.16.5 Relevant provisions.

- A. Run with the Property: A zoning vested right is not a personal right but shall attach to and run with the applicable property. All successors to the original landowner may exercise such right under the same conditions and for the same time that the original applicant could have exercised such right.
- B. Town May Terminate Vested Rights Early: The town may terminate the zoning vested rights upon payment to the affected landowner of compensation for all costs, expenses and other losses incurred by the landowner, including, but not limited to, all fees paid in consideration of all financing and all architectural, legal and other fees incurred after approval by the town.
- C. Not Exclusive: Nothing in this section shall prohibit the revocation of the original approval or other remedies for failure to comply with applicable terms and conditions of the approval or this chapter.
- D. Hazard: The town may terminate the zoning vested right if it determines after a public hearing that natural or man-made hazards are on or in the immediate vicinity of the property, and if not corrected, these hazards would pose a serious threat to the public health, safety, and welfare.
- E. State or Federal Regulation Not Bound by Vested Right: The zoning vested right may be terminated upon the enactment or promulgation of a state or federal law or regulation that precludes development as

contemplated in the site-specific vesting plan. In such a case the ~~Board of Aldermen~~ **Town Council** may, by ordinance, after notice and a hearing, modify the affected provisions upon a finding that the change in state or federal law has a fundamental effect on the plan.

(Ord. No. O-11-21 , § 33, 6-22-2021; Ord. No. O-16-22 , § 12, 5-10-2022)

16.2 Penalties for Violation and Enforcement Mechanisms.

16.2.2 Civil Penalties.

- A. General: Violations of this ordinance, except violations of Chapter 12 as noted below, shall subject the offender to a civil penalty in the amount of \$200.00 per day for each day the violation continues, to be recovered by the town in a civil action in the nature of debt if the offender does not pay the penalty within the prescribed period of time after he or she has been cited for the violation.
- B. Grading and Filling Activities.
1. Any person who violates any of the provisions of Chapter 12 of this ordinance and/or who initiates land-disturbing activity for which an erosion control plan is required except in accordance with the terms, conditions and provisions of an approved plan, shall be subject to a civil penalty of not more than \$500.00 except as otherwise set forth below.
 2. Each day of a continuing violation shall constitute a separate violation.
 3. The amount of penalty shall be determined by the ~~Board of Aldermen~~ **Town Council**. In determining the amount of the penalty, the board shall consider the degree and extent of harm caused by the violation and the cost of rectifying the damage, the amount of money the violator saved by noncompliance, whether the violation was committed willfully and the prior record of the violator in compliance or failing to comply with grading and filling control standards.
 4. Any person who fails to submit an erosion control plan for approval in accordance with Chapter 12 of this ordinance shall be subject to a single, noncontinuing civil penalty of not more than \$1,000.00.
 5. Anyone who violates a stop work order regarding grading and filling control shall be subject to a civil penalty of not more than \$5,000.00.
 6. Any civil penalty assessed against a person who violates any of the provisions of Chapter 12 of this ordinance shall be recovered by the town in a civil action in the nature of debt, to be brought

in Haywood County Superior Court, if the offender does not pay the penalty within the prescribed period of time after he or she has been cited for the violation.

C. Enforcement and Violations of the Stormwater Ordinance.

The following remedies and penalties provided for violations of the Chapter 12.5- Stormwater Ordinance, shall be cumulative and in addition to any other remedy provided by law, Town Ordinance, and may be exercised in any order.

1. Authority to enforce. The provisions of the Stormwater Ordinance shall be enforced by the Stormwater Administrator, his or her designee, or any authorized agent of the Town. Whenever this section refers to the Stormwater Administrator, it includes his or her designee as well as any authorized agent of the Town.
2. Violation unlawful. Any failure to comply with applicable requirements, prohibitions, standards, or limitations imposed by the Stormwater Ordinance, or the terms or conditions of any permit, maintenance agreement, or other development or redevelopment approval or authorization granted pursuant to this ordinance, is unlawful and shall constitute a violation of this ordinance and is subject to a civil penalty of not more than \$500 per day. Each day that a violation continues shall constitute a separate and distinct violation or offense.
3. Responsible persons/entities. Any person who erects, constructs, reconstructs, alters (whether actively or passively), or fails to erect, construct, reconstruct, alter, repair, or maintain any structure, BMP, practice, or condition in violation of the ordinance shall be subject to the remedies, penalties, and/or enforcement actions in accordance with this section. Persons subject to the remedies and penalties set forth herein may include any architect, engineer, builder, contractor, developer, agency, or any other person who participates in, assists, directs, creates, causes, or maintains a condition that results in or constitutes a violation of this ordinance, or fails to take an appropriate action, so that a violation of this ordinance results or persists; or an owner, any tenant or occupant, or any other person, who has control over, or responsibility for, the use or development of the property on which the violation occurs.

For the purposes of this article, responsible person(s) shall include but not be limited to: Person maintaining condition resulting in or constituting a violation. An architect, engineer, builder, contractor, developer, agency, the owner of the land on which a violation occurs, any tenant or occupant of the property,

any person responsible for stormwater controls pursuant to a private or public document, or any other person who participates in, assists, directs, creates, causes, or maintains a condition that constitutes a violation of this ordinance, or fails to take an appropriate action, so that a violation of this ordinance results or persists.

4. Notice of Violation and Order to Correct. When the Stormwater Administrator finds that any building, structure, or land is in violation of the ordinance, the Stormwater Administrator shall notify, in writing, the property owner or other person violating the ordinance. The notification shall indicate the nature of the violation, contain the address or other description of the site upon which the violation is occurring, order the necessary action to abate the violation, and give a deadline for correcting the violation.

The Stormwater Administrator may deliver the notice of violation and correction order personally, by the law enforcement, or by certified or registered mail, return receipt requested.

A person who receives a notice of violation and correction order, or the owner of the land on which the violation occurs, may submit to the Stormwater Administrator a written request for an extension of time for correction of the violation.

5. Withholding of Certificate of Occupancy. The Stormwater Administrator or other authorized agent may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site and served by the stormwater practices in question until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
6. Disapproval of subsequent permits and development approval. As long as a violation of the ordinance continues and remains uncorrected, the Stormwater Administrator or other authorized agent may withhold, and the approving body may disapprove, any request for permit or development approval or authorization provided for by this ordinance or the zoning, and/or subdivision regulations, as appropriate for the land on which the violation occurs.
7. Injunction, abatements, etc. The stormwater administrator may institute an action in a court of competent jurisdiction for a mandatory or prohibitory injunction and order of abatement to correct a violation of the ordinance. Any person violating the ordinance shall be subject to the full range of equitable remedies provided in the General Statutes or at common law.

8. Correction as public health nuisance, costs as lien, etc. If the violation is deemed dangerous to the public health or public safety and is within the geographic limits prescribed by G.S. 160D, the Stormwater Administrator may cause the action to be corrected and the costs to be assessed as a lien against the property.

Adopted this the ____ day of June, 2024.

ATTEST:

Gary Caldwell, Mayor

Candace Poolton, Town Clerk

**TOWN OF WAYNESVILLE COUNCIL MEETING
REQUEST FOR COUNCIL ACTION
Meeting Date: June 11, 2024**

SUBJECT: Access Road Sewer

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Public Services
Contact: Jeff Stines, Director of Public Services
Rob Hites, Town Manager
Presenter: Jeff Stines, Director of Public Services

BRIEF SUMMARY: There's a small section of pressure sewer line on Access Road that has failed and has been deemed an emergency repair. This is a line that was never entirely located when we implemented our system to GIS. This section of line has recently ruptured and has caused a series of SSO's that NCDEQ is aware of. This repair along with other tasks being performed in-house will help to alleviate this issue. We have received two quotes for the project and will present the third at the Council meeting.

MOTION FOR CONSIDERATION: To approve T.P. Howard for replacement of the Access Road sewer line and to approve a budget amendment in the amount of \$235,000.00 for replacement of the Access Road sewer line.

FUNDING SOURCE/IMPACT: Budget Amendment

ATTACHMENTS:

- T.P Howard quote
- Chonzie, Inc.

Finance Director Approval:



MANAGER'S COMMENTS AND RECOMMENDATIONS:



35 Mitchs Way • Fairview, NC 28730 • Phone: 828-222-2217

Wayne - Waynesville
Cell: +18284005591

Job Address:
699 Access Road
Waynesville, NC 28786

Print Date: 6-3-2024

Proposal for Town of Waynesville Sewer Repair

Price listed includes the use of 24" restraint joint gaskets. This line item is optional and can be removed (effectively lowering cost by \$35,000.00). Removing this item will be replaced with the use of regular slip joints.

Items	Description	Qty/Unit	Unit Price	Price
24" DIP Pipe Installation	Installation of 24" DIP pipe. Price includes material and labor.	400	\$567.00	\$226,800.00
Tie-in	Two tie-ins. Price includes material and labor. Upstream tie-in will include installation of a 24" valve with dead man.	2	\$30,000.00	\$60,000.00
Trucking and Asphalt Demo	Asphalt demolition and removal. Includes labor and disposal.	1 Job	\$10,000.00	\$10,000.00
24" Restraint Joint Gasket	24" restraint joint gaskets. Price includes materials and labor.	1	\$35,000.00	\$35,000.00

Total Price: \$331,800.00

This proposal is an approximation and is not guaranteed. The proposal is based on information provided by the client regarding project requirements. Actual costs may change once all project elements are finalized or negotiated. This proposal is good for 5 days.

Deposit/Scheduling: The deposit will be job dependent, based on the total cost of materials and scope of work. Material deposit value will be determined and required before scheduling work and on the acceptance of the proposal.

Payment Schedule Requirements: Chonzie, Inc. will invoice progress payments weekly for any work performed during the duration of the project. All remaining balances will be due at time of completion of the project.

Payments are due net 10 days.

Special Conditions:

Rock Clause: In the event, Chonzie, Inc. encounters rock during construction, any rock unremovable by an excavator will initiate a Rock Clause. Rock removal will be charged at \$300.00 per CY.

Unsuitable Soils Clause: In the event, Chonzie, Inc. encounters unsuitable soils during construction, any unsuitable soils will initiate an Unsuitable Soils Clause. Removal and replacement of unsuitable soil will be charged at \$40.00 per YD.

I confirm that my action here represents my electronic signature and is binding.

Signature: _____

Date: _____

Print Name: _____



Town of Waynesville

June 1, 2024

PROPOSAL

Job: 699 Access Rd, Waynesville NC

We will furnish all labor, material and equipment to complete the plumbing according to this proposal.

DESCRIPTION:

Road closure permits by the Town of Waynesville.
SSO the responsibility of the Town of Waynesville.
TPH not responsible for any overflow.
Paving by the Town of Waynesville.
Pump around included.
Road closure included.
Remove and dispose of the existing piping in the ground.
Provide and install and estimated 400' of 24" SDR26 encased in stone.

TOTAL: \$228,000.00

Full payment is due at completion of job.

Price is good for 10 days from date on proposal.

Any extra work not listed on this proposal will be billed as time and material, but discussed with owner before completed.

If payment is completed with a credit card there will be an additional charge of 3%.

In the event T.P. Howard's Plumbing Co., Inc. institutes an action to collect the amount billed for labor, material and equipment, T.P. Howard's Plumbing Co., Inc. shall be entitled to recover suit costs, including reasonable attorney's fees, from the other party.

Proposal Accepted: _____

Date: _____

Josh Howard

A handwritten signature in black ink that reads 'Josh Howard'.

T. P. Howard's Plumbing Co., Inc.
NC License # 10470
JoshH@tphowardsplumbing.com

Ordinance No. O-29-24

Amendment No. 26 to the 2023-2024 Budget Ordinance

WHEREAS, the Town Council of the Town of Waynesville, wishes to amend the 2023-2024 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Waynesville that the 2023-2024 Budget Ordinance be amended as follows:

Sewer Fund:

Increase the following revenues:

Fund Balance Appropriated	235,000
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Increase the following appropriations:

Sewer Maintenance	235,000
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Adopted this 11th day of June 2024.

Town of Waynesville

Gary Caldwell
Mayor

Attest:

Candace Poolton
Town Clerk

Approved As To Form:

Martha Sharpe Bradley
Town Attorney

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: June 11, 2024**

SUBJECT: Annual renewal of terms for Board and Commissions Members

AGENDA INFORMATION

Agenda Location: New Business
Item Number:
Department: Administration
Contact: Jesse Fowler, Assistant Town Manager
Presenter: Jesse Fowler, Assistant Town Manager

BRIEF SUMMARY

Several advisory board and commission members have terms ending on June 30th. For those that are eligible, the Town Council must approve the reappointment of individuals interested in serving another term on their respective boards and commissions. Council voted last year to re-interview renewing applicants for the following statutory advisory boards: Planning Board, Zoning Board of Adjustment, ABC Board, and Waynesville Housing Authority.

MOTIONS FOR CONSIDERATION

1. Motion to re-interview (or not to re-interview) Planning Board, Zoning Board of Adjustment, ABC Board, and Waynesville Housing Authority members who applied to serve another term.

If Town Council votes to re-interview advisory board and commission's renewing members, then:

2. Motion to appoint all other applicants to serve another term on their respective boards.

If Town Council votes not to re-interview advisory board and commission's renewing members, then:

1. Motion to appoint all renewing applicants to serve another term on their respective boards.

ATTACHMENTS:

MANAGER'S COMMENTS AND RECCOMENDATIONS