

Town of Spring Lake

BOARD OF COMMISSIONERS

Soña L. Cooper, Mayor Pro Tem
Robyn Chadwick, Commissioner
Marvin Lackman, Commissioner
Raul Palacios, Commissioner
Adrian Thompson, Commissioner



CHARTERED IN 1951

OFFICE OF THE MAYOR

Kia Anthony, Mayor

ADMINISTRATION

Jon Rorie, Town Manager
Carly Autry, Town Clerk
Michael R. Porter, Town Attorney

Board of Commissioners Regular Meeting Agenda Monday, August 12, 2024 6:00 PM Grady Howard Conference Room

The public may view the live Board of Commissioners Meeting on the Town's YouTube Channel:
www.townofspringlake.com

1. **CALL TO ORDER**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Bishop Biggers
3. **ADDITIONS AND DELETIONS**
4. **APPROVAL OF AGENDA**
5. **APPROVAL OF CONSENT ITEMS**
 - a. Draft Minutes of May 15, 2024, Special Meeting
 - b. Military and Veterans Affairs Advisory Committee Application – Appoint Jesse Underwood
 - c. Board of Adjustment Application – Appoint Mary Jackson
 - d. BA-3 FY 2025. Donations Police Department
 - e. Ordinance No. 25-03. Ordinance Amending the 2024-25 Fee Schedule
6. **PUBLIC COMMENT (Limit 3 minutes per speaker)**
7. **PRESENTATIONS**
 - a. National Night Out Proclamation – Mayor Kia Anthony
 - b. Cumberland County Animal Services – Elaine Smith, Director, Animal Services
 - c. August 2024 “Yard of the Month” – Commissioner Raul Palacios
8. **NEW BUSINESS**
 - a. Approve Ordinance No. 25-01. Ordinance Adopting the GoldenLEAF Foundation Grant – Grant ID-202403-09225/Spring Lake Flash Flood Mitigation Grant Project Ordinance (Fund 40) – Town Manager Jon Rorie

- b. Approve Ordinance No. 25-02. Ordinance Amending the 2024-25 Stormwater Fund Budget – Town Manager Jon Rorie
- c. Approve the Grant Project Ordinance Office of State Budget and Management Grant for the Spring Lake Computer Hardware and Software Project – Town Manager Jon Rorie
- d. Approve Ordinance No. 25-04. Ordinance Adopting the Office of State Budget and Management Grant – ID 11544 Spring Lake Parks Grant. Grant Project Ordinance (Fund 41) – Town Manager Jon Rorie
- e. Discussion Regarding Code Enforcement and Ordinance Updates – Police Chief Errol Jarman
- f. Mayor’s Report – Mayor Kia Anthony
- g. Board of Commissioners Report – Spring Lake Board of Commissioners
- h. Manager’s Report – Town Manager Jon Rorie
- i. Town Attorney Report – Town Attorney Michael Porter

9. ADJOURNMENT

Town of Spring Lake
Special Meeting of the Board of Aldermen
Municipal Building
300 Ruth Street
Spring Lake, NC 28390

May 15, 2024

MINUTES

5:30 pm

The Spring Lake Board of Aldermen held a Special Meeting in the Grady Howard Conference Room of the Spring Lake Municipal Building with Mayor Kia Anthony presiding.

Board Members Present:

Mayor Pro Tem Soña L. Cooper
Aldерwoman Robyn Chadwick
Alderman Marvin Lackman
Alderman Raul Palacios
Aldерwoman Adrian Thompson

Others Present:

Carly Autry, Town Clerk
Banard Lemon, Audio Visual Coordinator
Jon Rorie, Town Manager

1. Call to order

Mayor Anthony declared a quorum and called the meeting to order.

2. Invocation and Pledge of Allegiance

Aldерwoman Thompson gave the Invocation and led the Pledge of Allegiance.

3. Open Session – Discuss Town of Spring Lake policy updates with the Policy Committee

Mr. Rorie stated the Fiscal Accountability Agreement requires the Town to establish, create, and adopt a financial policy, of which there are two (2) key components. Mr. Rorie stated one of them is to have a Fund Balance policy and the second part internal controls such as a finance policy, credit cards, and all the things associated with that. Mr. Rorie presented the Board with an almost 99% complete revision to Article IV. Finance and Revenue; Taxation. Mr. Rorie stated the Town Clerk, Carly Autry, also has a supplemental document that will be referred to as the Finance policy. Mr. Rorie stated there is an Ordinance, a Finance policy, and NCGS 159-181C, which the Local Government Commission (LGC) takes over and they adopt the Budget, levy taxes, and all other financial matters, and that is where it gets vague and stretchy about what the powers are. Mr. Rorie stated there is nothing in GS159-181C that empowers the LGC to take away the Board's powers as a Local Elected Official or to adopt Ordinances, however, the Board may not be able to adopt a Budget Ordinance or take in levy taxes because that is a financial matter but other financial matters does not mean the LGC can restrict the Board from adopting a financial Ordinance as

that is still the Board's power. Mr. Rorie stated this Ordinance has been put before the Attorney, however, it has not been completely vetted so there are things that still need to be cleaned up, which is on purpose. Mr. Rorie stated it was advised that the Board can talk about financial policies but cannot adopt one unless it was approved by the LGC so a Zoom meeting was held last week and this policy was discussed, however, the LGC has not approved this Ordinance but they have reviewed it. Mr. Rorie stated he does not think the LGC would approve an Ordinance with this much detail, but thinks the LGC does not have the authority to approve the Ordinance that rests with the Board, but if they want to discuss that, then the Attorneys can determine that. Mr. Rorie stated he hopes the focus can be on two (2) separate paths, the Ordinance that would repeal what is currently on the books and replace it, and the policy. Mr. Rorie stated that all of this relates to and references GS159. Mr. Rorie suggested the Board review all those details and strike out and if there are any questions, he and Ms. Autry will review, edit, and run it back through legal for review and clarification, and will bring it back to the Board for ultimately an adoption as an Ordinance not as a policy. Mr. Rorie stated the one thing that would be missing in an Ordinance would be a Fund Balance policy, as that is a different path that the Board needs to be thinking about and how to establish that policy. Mr. Rorie stated he previously mentioned that there is a moving target on what the actual Fund Balance is, and the financial statements will show \$12 million cash, and what is cash, restricted, and unrestricted, and spoke specifically about undesignated Fund Balance. Mr. Rorie stated the Town needs to get to that by getting through the Audit, however, until then, it is just a guesstimate guess because the books from 2021 are unauditable and are waving and moving to 2022. Mr. Rorie stated the gist of his proposal is to look through this Ordinance in detail and let him know what to change or not change, but keep in mind that this is driven by General Statute, but some things are added as best practices from other locations that you cannot deny. Mr. Rorie stated there are some things that just simply were not changed like the cosigning of checks, which a discussion and debate took place with the LGC about who signs checks, which is a continuing battle but not in a bad way. Mr. Rorie stated he thinks it is very important for the Town to have these collaborative conversations with the LGC, staff, and the Board to focus on what these policies mean. Mr. Rorie stated what the Board is doing by adopting this Ordinance is cooking this into the law.

Alderman Palacios asked what the timeframe is regarding the policies that have not been established that are listed on the Fiscal Accountability Agreement and the policies the Audit Committee was working on. Alderwoman Chadwick, Alderman Lackman, and Alderwoman Thompson stated they worked on these policies and submitted changes to Ms. Autry. Ms. Autry stated she drafted new updated policies per the recommended changes submitted to her, however, the LGC questioned her on why she was drafting these policies and told her to back off as she was overstepping. Mr. Rorie recommended the Audit Committee should draft the policies, submit them to the Clerk to type up, and present them to the rest of the Board for review and consideration at a Board meeting. Mr. Rorie stated to Alderman Palacios that it is of complete importance to get all the policies done in a timely fashion, but should present them one at a time.

Mr. Rorie stated he is biased when it comes to personnel policies, but the Executive Leadership Team (ELT) combed through a personnel policy today and will continue again next week.

4. Adjournment

Action: There being no further business to come before the Board, Mayor Anthony adjourned the meeting at 6:34 pm.

ATTEST:

Carly Autry
Town Clerk

Kia Anthony
Mayor

DRAFT



All information provided on this application is public information and may be shared with others upon request

The Town of Spring Lake

APPLICATION FOR COMMITTEE OR BOARD

- Appearance and Sustainability Committee
 Military and Veterans Affairs Committee Special Events Advisory Committee

Last Name	First	Middle	Date
Underwood	Jesse	Anthony	11 July 2024
Street Address			County
[REDACTED]			Cumb.
City, State, Zip Code			
Spring Lake, North Carolina, 28390			
E-mail			
Jesse2008underwood@gmail.com			
Home Phone			
[REDACTED]			
Cell Phone			
[REDACTED]			
Attending School			
University of management and technology			
Do you live inside the town limits of Spring Lake? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Are you currently serving on a Board/Committee of the Town of Spring Lake? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If so, what is the name(s) of the Board(s)/Committee(s).			
<p>Please describe your education, training, and military background (both work and/or real world) that relates to your interest in serving in this capacity.</p> <p>With 12 years of dedicated service in the army, I bring a wealth of military experience and leadership training to my current role as a government security guard at Fort Liberty Army base. Throughout my career, I deployed three times, gaining invaluable operational experience in diverse environments. As a qualified airborne and air assault soldier, I underwent rigorous training and demonstrated proficiency in specialized military operations. Complementing my military service, I pursued further professional development by attending the Army Senior Leaders Course and the Advanced Leaders Course, which equipped me with advanced leadership skills. Additionally, my Associate's degree in Business Administration underscores my commitment to personal and professional growth, providing a solid foundation in business principles applicable to both military and civilian settings.</p>			

Are you currently employed? Yes No

Employer

Department of Defense

Employer's Address

Fort Liberty, NC 28307

Job Title

GS-6 Security guard

Description of Job duties

Supervision: Supervising and leading a team of arm gate guards to ensure adherence to security protocols and procedures. Access Control: Monitoring entry and exit points to ensure only authorized personnel and vehicles enter the base. Identification Verification: Checking IDs, badges, or passes of individuals seeking entry to confirm their identity and clearance level. Patrolling: Conducting regular patrols around the gate area to maintain security and deter unauthorized access. Emergency Response: Responding to security alarms, incidents, or emergencies promptly and effectively. Communication: Maintaining communication with base security personnel and coordinating with them as necessary. Documentation: Keeping records of all vehicles and personnel entering or leaving the base. Customer Service: Providing assistance and information to visitors and personnel entering the base. Policy Implementation: Ensuring that all arm gate guards understand and follow base security policies and procedures. Communication: Serving as a point of contact between gate guards, base security personnel, and higher command to relay information and address security concerns.

List/describe any anticipated conflicts of interest or scheduling challenges you may encounter if appointed

None

Civic Involvement: Please list the names of all civic organizations in which you are currently involved

None at the moment


Signature of Applicant

11 July 2024
Date

Board of Aldermen Appointment Yes No

Date: _____

Term of Appointment: _____

Signature of Town Clerk: _____

All information provided on this application is public information and may be shared with others upon request



The Town of Spring Lake

APPLICATION FOR COMMITTEE OR BOARD

- Appearance and Sustainability Committee
 Minimum Housing Appeals Board
 Military and Veterans Affairs Committee
 Board of Adjustments

Last Name	First	Middle	Date
JACKSON	MARY	C	JULY 28 2024
Street Address			County
[REDACTED]			CUMBERLAND
City, State, Zip Code			
SPRING LAKE NC 28390			
E-mail			
BROKERJACKSON1@GMAIL.COM			
Home Phone			
NONE			
Cell Phone			
[REDACTED]			
Attending School			
NO			
Do you live inside the town limits of Spring Lake? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Are you currently serving on a Board/Committee of the Town of Spring Lake? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If so, what is the name(s) of the Board(s)/Committee(s):			
N/A			
Please describe your education, training, and military background (both work and/or real world) that relates to your interest in serving in this capacity.			
NC Real Estate License 2017; Pre-License (75 Hours) Kaplan Real Estate School (Formerly JY Monk) 2017; MS Eastern University Non-profit Management 2007; AD Accounting Sumter Technical College '87; BS Morris College '81. Information Technology Specialist for the Dept of Army 25+ years. Being a part of this board would allow me to participate in matters of zoning and land use issues. It will allow me to learn more about zoning and land uses in the town.			

Are you currently employed? Yes No

Employer

Self-employed

Employer's Address

639 Executive Pl Ste 100, Fayetteville NC 28305

Job Title

REALTOR/RETIREE

Description of Job duties

Main responsibilities include:

Assisting Clients: Helping buyers find properties that meet their needs and budget, and assisting sellers in listing and marketing their properties.

Negotiating Deals: Negotiating purchase agreements, contracts, and closing documents.

Market Knowledge: Staying informed about market conditions, property values, and legal requirements.

Guiding Transactions: Coordinating with other professionals such as inspectors, appraisers, and mortgage brokers to ensure smooth transactions.

Providing Advice: offering expert advice on pricing, staging, and improvements to maximize property value.

List/describe any anticipated conflicts of interest or scheduling challenges you may encounter if appointed:

NONE

Civic involvement: Please list the names of all civic organizations in which you are currently involved:

President Spring Lake Senior Citizen's Club

Treasurer Greater Sandhills Chamber of Commerce

Mary C Jackson
Signature of Applicant

7/30/24
Date

Board of Aldermen Appointment Yes No

Date: _____

Term of Appointment: _____

Signature of Town Clerk: _____



Board of Commissioners Agenda Cover Sheet

Meeting Date

August 12, 2024

Agenda Location

Consent Agenda

Item Title

BA-3 FY 2025. Donations Police Department

Summary/Description

Budget Amendment to appropriate donations to the Police Department for the purchase of school supplies for local schools in Spring Lake.

Requested Action

Approval

Funding Source (If Applicable):

N/A

Cost: Yes No

Additional Documents to be Included in Agenda Packet

BA-3 FY 2025 Budget Amendment

Town of Spring Lake
Budget Amendment - Donations Police Department
Fiscal Year Ending

BA -3 FY 2025
30-Jun-25

BE IT ORDAINED by The Governing Board of the Town of Spring Lake, North Carolina, that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2025

Section 1: To amend the revenues and expenditures as follows:

<u>Account Number</u>	<u>Department</u>	<u>Current Budget</u>	<u>Amendment</u>	<u>Amended Budget</u>
10-10-3431-840-03	Donations Police Dept	\$ -	\$ 700	\$ 700
	Total General Fund Revenues	<u>\$ -</u>	<u>\$ 700</u>	<u>\$ 700</u>
10-10-4310-290-00	Shop With A Cop	-	700	700
	Total General Fund Expenditures	<u>\$ -</u>	<u>\$ 700</u>	<u>\$ 700</u>
	Revenues Over (under) Expenditures		<u>\$ -</u>	

Justification: Budget Amendment to appropriate donations to Police Department for the purchase of school supplies for local schools in Spring Lake.

Section 3: Copies of this budget amendment shall be furnished to the Clerk of the Governing Board, and to the Budget officer and Finance director for their Direction.

Requested By	James C Overton Finance Director	Date	12-Aug-24
Reviewed By	James C Overton Finance Director	Date	12-Aug-24
Approved By:	Jonathan Rorie Town Manager	Date	12-Aug-24

ADOPTED this 12th day of August 2024 by the Spring Lake Board of Commissioners

 Town of Spring Lake Mayor

 Town of Spring Lake Clerk



Board of Commissioners Agenda Cover Sheet

Meeting Date

August 12, 2024

Agenda Location

Consent Agenda

Item Title

Ordinance No. 25-03. Ordinance Amending the 2024-25 Fee Schedule

Summary/Description

This Ordinance is to correct a typographical error on the Adopted 2024-25 Fee Schedule on page FS 23-30 and amend the Special Event Vendor Fees for Vendors and Food Trucks on page FS 16-30.

Requested Action

Approval

Funding Source (If Applicable):

N/A

Cost: Yes No

Additional Documents to be Included in Agenda Packet

Ordinance No. 25-03. Ordinance Amending the 2024-25 Fee Schedule
2024-25 Town of Spring Lake Fee Schedule with amended corrections in red

ORDINANCE NO. 25-03
TOWN OF SPRING LAKE, NORTH CAROLINA
Ordinance Amending the 2024-25 Fee Schedule

THE BOARD OF COMMISSIONERS OF THE TOWN OF SPRING LAKE, NORTH CAROLINA DOES ORDAIN that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section I: This Ordinance is to correct a typographical error on the Adopted 2024-25 Fee Schedule page FS 23-30 and FS 16-30.

Section II: The following annual fees are hereby corrected:

	<u>2024-25 Adopted Fee Schedule</u>	<u>2024-25 Amended Fee Schedule</u>
RESIDENTIAL		
Solid Waste Available Fee	348.00	384.00
COMMERCIAL/MOBILE HOME PARKS		
Solid Waste Collection Fee	348.00	384.00
Special Event Vendor Fee	25.00	50.00
Food Truck Vendor Fee	25.00	75.00

Section III: Copies of the amended Fee Schedule will be provided to the Town Manager, the Finance Officer and to the Clerk to the Town Council.

Section IV: The Adopted Fee Schedule for 2024-25 page FS 23-30 and FS 16-30 is hereby amended to reflect the corrections as noted above.

WITNESS my hand at Spring Lake, this 12th day of August 2024

Kia Anthony, Mayor Town of Spring Lake

Carly Autry, Town Clerk

TOWN OF SPRING LAKE

FISCAL YEAR 2024-2025 RATE AND FEE SCHEDULE

This Schedule may not be all inclusive. Other rates and fees may be found in local ordinances.

Effective
July 1, 2024

ADOPTED June 24, 2024

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Building Inspections Schedule of Fees

RENOVATION FEES

\$ 500 – 1,000	\$ 100.00
1,001 – 5,000	\$ 100.00
5,001 - 10,000	\$ 100.00
10,001 – 20,000	\$ 105.00
20,001 - 50,000	\$180.00
50,001 – 100,000	\$305.00
100,001 - 200,000	\$580.00
200,001 – 350,000	\$880.00
350,001 - 500,000	\$1,280.00
500,001 – 750,000	\$1,780.00
750,001 – 1,000,000	\$2,530.00
Above \$1,000,000	\$ 4.00* per \$ 1,000
Extra Inspections	\$100.00
Homeowners Recovery Fee (Single Family Units)	\$ 10.00

NEW CONSTRUCTION FEES

New Construction	\$ 4.00* per \$ 1,000
Extra Inspections	\$100.00
Homeowners Recovery Fee (Single Family Units)	\$10.00

OTHER FEES

Swimming Pools (private)	\$100.00
Swimming Pools (public)	\$105.00
Demolition of Buildings	\$100.00
Tent	\$100.00
Construction Trailer	\$100.00
Travel Trailer	\$100.00
Mobile Home Setup (includes setup, electrical (w/existing t-pole), mechanical, and plumbing)	\$230.00
State Licensing Inspections (Daycare, ABC Permit, etc.)	\$60.00
After Hours/Weekend/Holiday Inspections	\$130.00

1. Generally. Building inspection fees for construction, alteration, or repair of buildings or structures shall be based upon the total cost of the proposed work, including any subcontractors. In no case shall the total cost be less than the market value of similar completed work in the town as determined by the appropriate inspector. Inspection fees shall be calculated on such basis of cost in accordance with the above fee schedule. Permit fees are based on the cost of construction using a multiplier between \$1 and \$5 per (\$1,000) one thousand dollars of construction.
 - a. Basis For Determining The Cost Per Square Foot. The Southern Building Code Congress (BCC) International Building Valuation Data, International Building Code, published biannually, shall serve as the basis for determining the cost per square foot for such work. The averages are adjusted periodically by the BC C to reflect national trends.
 - b. *Multiplier. The Town of Spring Lake uses a multiplier per \$1,000 of the most current Building Safety Journal (BSJ) published square footage construction cost.

SAMPLE CALCULATION: Using the Building Valuation Data and a standard multiplier of \$4.00 per thousand dollars of calculated cost and an 11,080 sq ft structure with 3 floors, type VA construction, Group R-2 the formula is as follows:

$$11,080 \text{ sq ft} \times 3 \text{ floors} = 33,240 \text{ sq ft} @ \$91.19 \text{ per} = \$3,031,155.6 / \$1,000 = \$3,031.15 \times 4 = \$12,124.60 \text{ BUILDING PERMIT COST}$$

2. Homeowners Recovery Fund. Whenever a permit is issued for the construction of any single-family residential dwelling unit (house, condominiums, townhouses) or for the alteration of an existing single-family residential unit, a fee in the amount of \$10 shall be collected from the applicant. The town shall forward \$9 of each fee collected to the North Carolina Licensing Board for General Contractors. The town shall retain \$1 of each fee collected.
3. Moving Buildings. The permit fee for moving buildings shall be \$100.00
4. Time Limitation on Validity of Permits. All permits issued under this section shall expire by limitation six months after the date of issuance if the work authorized by the permit has not been commenced. If, after commencement, the work is discontinued for a period of 12 months, the permit shall immediately expire. No work authorized by any permit which has expired, shall be performed until a new permit has been secured.
5. Changes in Work After Issuance of Permit. After a permit has been issued, changes or deviations from the terms of the application and permit, or changes or deviations from the plans or specifications involving any work under the jurisdiction of this section or of any regulatory code, shall not be made until specific written approval of such changes or deviations had been obtained from the appropriate inspector.
6. Construction Starting Prior to Issuance of a Permit. If any construction is started prior to the issuance of a permit, then the permit fee shall be double the regular permit fee.
7. Minimum Fee. The minimum fee for any building permit is \$100.00

INSULATION PERMIT FEES

In Terms of Total Cost:

\$ 1 - 10,000	\$100.00
10,001 - 15,000	\$105.00
15,001 - 20,000	\$130.00
20,001 - 30,000	\$155.00
30,001 - 50,000	\$180.00
50,001 - 75,000	\$205.00
Extra Inspections	\$100.00

Note: The fee entitles the contractor or applicant to the necessary rough-in inspections and one final inspection. Inspection trips made necessary through the failure of any person, firm, or corporation in charge of work to give specific locations of work to be inspected or failure to install work according to code regulations are hereby designated as extra inspections.

1. Insulation. The fee shall be based on the total cost of the insulation job. Including new and existing structures, according to the above fee schedule.
2. Minimum Fee. The minimum fee for any insulation permit is \$100.00

PLUMBING PERMIT FEES

Fixtures – Each Trapped Fixture and Water Heater	\$7.00
Sewer Connections – Each Building, House Sewer or Sewer Tap (Public or Private)	\$50.00
Temporary Water	\$50.00
Water Piping – Each Water Service Pipe or Water Tap (Public or Private)	\$50.00
Lift Stations	\$50.00
Sprinkler System – Base Fee	\$40.00
Sprinkler Riser	\$30.00
Standpipe Riser	\$30.00
Sprinkler Heads (Residential Only)	\$2.00
Backflow Devices	\$20.00
Interceptors/Separators	\$30.00
Ant Siphon Device	\$30.00
Extra Inspections	\$100.00

Note: The above fees entitle the contractor or applicant to the necessary rough-in inspections and one final inspection. Inspection trips made necessary through the failure of any person, firm, or corporation in charge of work to give specific location of work to be inspected or failure to install work according to code regulations are hereby designated as extra plumbing inspections.

1. Minimum Fee. The minimum fee for any plumbing permit is \$100.00
2. Sprinkler Permits. The minimum fee for any sprinkler permit is \$100.00

MECHANICAL PERMIT FEES

In Terms of BTU's (per unit):

Up to 250,000	\$50.00
250,001 – 1,000,000	\$55.00
1,000,001 – 2,500,000	\$60.00
2,500,001 – 4,000,000	\$65.00
4,000,001 – 5,000,000	\$70.00
5,000,001 – and over	\$105.00
Extra Inspections	\$100.00

Note: One kilowatt equals 3,410 BTU's.

1. Heating Systems. Heating system permit fees shall be in accordance with the following fee schedule for the installation or replacement of the following types of heating equipment, based on BTU input of each unit: Oil, gas, and electrical furnaces; boilers; conversion burners; heat exchanger; and hot water systems.

In Terms of HP or Tons (per unit):

Up to and including 5	\$40.00
Over 5 through 7 ½	\$55.00
Over 7 ½ through 10	\$60.00
Over 10 through 15	\$65.00
Over 15 through 20	\$70.00
Over 20	\$75.00
Extra Inspections	\$100.00

Note: One ton equals one horsepower; One ton equals 12,000 BTU's.

2. Central Air Conditioning Systems and Refrigeration. Permits shall be in accordance with the above fee schedule for the installation or replacement of air conditioning systems based on the horsepower rating or tons of each unit.

3. Heat Pumps. Permit fees for installation or replacement of this type of unit shall be in accordance with subsection (2), provided that the heating and cooling equipment is in the same enclosure (factory assembled and approved). However, if the system is split (contained in separate enclosures), permit fees shall be in accordance with subsection (1) for heating and subsection (2) for cooling.
4. Heat Producing Equipment. Permit fees for the installation or replacement of heat producing equipment, including but not limited to floor furnaces, space units, or wall heaters, prefabricated fireplaces, fireplace inserts, decoration gas appliances, and wood stoves shall be \$40.00 each.

Fire Damper/Fire Curtain	\$4.00
Exhaust Fans	\$20.00
Ventilation Fans	\$20.00
Water Heater	\$20.00
Duct New or Replacement – Per Run	\$7.00
Hoods and Canopies	\$50.00
Refrigeration Piping	\$45.00
Extra Inspections	\$100.00

GAS PIPING PERMIT FEES

Gas Piping	\$50.00
Each Appliance or Fixture	\$20.00
Extra Inspections	\$100.00

5. Minimum Fee. The minimum fee for any mechanical permit is \$100.00

Note: The above fees entitle the contractor or applicant to the necessary rough-in inspections and one final inspection. Inspection trips made necessary through the failure of any person, firm, or corporation in charge of work to give specific location of work to be inspected or failure to install work according to code regulations are hereby designated as extra mechanical inspections.

ELECTRICAL PERMIT FEES SERVICE (OVERHEAD OR UNDERGROUND)

Commercial – Thru 400 Amperes	\$70.00
Commercial – Over 400 Amperes	\$95.00
Residential – 1 and 2 Family	\$50.00
Temporary Pole and all Others	\$50.00

Furnaces - Electric, Oil or Gas – Each	\$10.00
Smoke Detector or Alarms (per initiating device)	\$2.00
Exhaust Fans - Bathroom	\$10.00
Grease Hood – Kitchen	\$50.00
Ventilation Fans	\$8.00
Lift Station	\$10.00
Sign	\$10.00
Branch Circuit	\$10.00
Meter Base Replacement	\$10.00
Sub Panel Replacement	\$10.00
Feeder Replacement	\$10.00
Service Entrance Replacement	\$10.00
Office Trailer Services	\$55.00
Generator	\$40.00
Solar Equipment	\$40.00
Solar Panels	\$4.00 per panel
Extra Inspections	\$100.00

CENTRAL AIR CONDITIONING AND/OR HEAT PUMP

In Terms of Tons or Hp:

Up To and Including 5	\$12.00
Over 5 Through 10	\$17.00
Over 10 Through 20	\$22.00
Over 20 Through 50	\$27.00
Over 50	\$32.00
Extra Inspections	\$100.00

Electric Baseboard Heat and Ceiling Heat.....\$10.00

MOTORS

Up To and Including 1HP	\$12.00
Over 1HP Through 10HP	\$17.00
Over 10HP Through 20HP	\$22.00
Over 20HP Through 50HP	\$27.00
Over 50HP	\$32.00
Extra Inspections	\$100.00

1. Electrical Systems. Electrical permit fees shall be in accordance with the above fee schedules.
2. Appliances and Equipment. For ranges, counter-top units, wall-mounted ovens, hot water heaters, boosters, dishwasher, disposals, dryers, window air conditioners, grills, deep fat fryers, warmers, steam tables, ice makers, x-ray machines, electric welders, or any other appliance not listed above which is on an individual circuit shall be \$10.00 each.
- 3- Mobile Home Service.-(Mobile Home Permit is a blanket permit that covers, setup, electrical (w/existing t-pole), mechanical, and plumbing.)
4. Minimum Fee. The minimum fee for any electrical permit is \$100.00

UNDER GROUND STORAGE TANKS

Installations – Per Tank	\$100.00
Removal – Per Tank	\$100.00
Extra Inspections	\$100.00

ABOVE GROUND STORAGE TANKS

Installations – Per Tank	\$100.00
Removal – Per Tank	\$100.00
Extra Inspections	\$100.00

MISCELLANEOUS INSPECTION FEES

Replacement Permit Cards	\$5.00
Replacement Certificate of Occupancy	\$5.00
Plan Review Resubmittal Fee – Per Trade	\$60.00

BUILDING PLAN REVIEW

Plan Review including the Re-review Fee is \$250.00 and is non-refundable for construction up to \$20,000 (Including Residential and Commercial).

Plan Review including the Re-review is \$350.00 and is non-refundable for construction over \$20,000 (Including Residential and Commercial).

New accessory structures with a total cost of construction less then \$20,000 are exempt from Plan Review Fees.

TECHNOLOGY FEE

Each building permit will be assessed a \$10.00 technology fee which is non-refundable.

REFUND POLICY

When requested, a refund will be issued (less a \$100 processing fee) for any permit which has not expired and the construction has not been started.

Permit fees entitle the contractor to the initial and one follow-up inspection.

All Inspections beyond the second inspection are subject to a \$100.00 Re-Inspection Fee and will double for all inspections beyond the third inspection. (Example. 3rd inspection = \$100.00 , 4th inspection = \$200.00, 5th inspection = \$400.00, etc.) The doubling of the fee will apply only for previously identified conditions.

Code Enforcement Fees:

Donation Box Annual Permit Renewal	\$ 100.00
Administration Fee (Abatement Actions)	\$ 200.00
Nuisance Citation	\$ 100.00

(Per Day for each and every day (Per Ordinance Sec. 16-175)

Mow and clean up (up to 0.25 Acres)	\$ 80.00
Anything above the initial 0.25 acres, each additional 0.10 acres	\$ 30.00
Hauling of yard debris in excess of 5 cubic yards	\$150.00

Fire Department Schedule of Fees

HAZARDOUS MATERIAL EMERGENCY AND SPECIAL RESPONSE EVENTS.

Equipment:

Brush Unit Response	\$75.00 per hour
Command Unit.....	\$75.00 per hour
Engine Company Response	\$175.00 per hour
Hazardous Materials Unit	\$175.00 per hour
Pumper/Tanker Response	\$175.00 per hour
Rescue/Service Response	\$125.00 per hour
Support Vehicle Response	\$75.00 per hour
Truck Company Response	\$175.00 per hour
Decontamination Unit.....	\$355.00 per hour
Materials, Equipment and Long Distance Replacement Cost Recall Personnel Time and Half of the hourly salary of recalled personnel	

Personnel:

Chief of Department	\$30.50 per hour
Assistant Chief.....	\$ 26.50 per hour
Battalion Fire Chief	\$ 21.50 per hour
Fire Captain	\$ 16.50 per hour
Fire Lieutenant.....	\$ 15.50 per hour
Master Firefighter	\$ 12.50 per hour
Firefighter	\$ 11.50 per hour
Fire Watch	\$ 25.00 per hour

FIRE INSPECTIONS.

<u>Annual Inspections</u>	Up to 2,500 sq. ft.	\$ 100.00
	2,501 - 10,000 sq. ft.	\$ 125.00
	10,001 - 50,000 sq. ft.	\$ 175.00
	50,001 - 100,000 sq. ft.	\$ 225.00
	100,001 - 150,000 sq. ft.	\$ 250.00
	150,001 - 200,000 sq. ft.	\$ 325.00
	Over 200,000 sq. ft.	\$ 375.00
	Apartment/Townhouse	1-10 Units
11-20 Units		\$ 125.00
21-40 Units		\$ 150.00
41-100 Units		\$ 175.00
101-200 Units		\$ 225.00
201-300 Units		\$ 275.00
301-400 Units		\$ 325.00
401-500 Units	\$ 375.00	
Over 500 Units	\$ 425.00	

Re-inspection fee	\$ 125.00 per visit*
Amusement Buildings	\$ 100.00 per visit
Carnival and fair	\$ 100.00 per visit
Circus tent	\$ 275.00
Covered mall bldg. Displays	\$ 100.00 per visit
Exhibits/trade show	\$ 100.00 per visit
Final Inspection (excludes const. permits)	\$ 75.00
LP or gas equip. in assemble	\$ 100.00 per visit

*If violations are found on the initial inspection, the first re-inspection is provided at no charge. Any outstanding violations that are not repaired after the 1st re-inspection are subject to re-inspection fees.

FIRE DEPARTMENT SERVICES.

Burn Fee	\$ 1,000.00
False Alarm	
1 st thru 3 rd Calls	\$ 0.00
4 th Call	\$ 500.00Each
Subsequent Call	\$ 1,000.00

False Alarm fees are based on the number of calls that occur in a calendar year. False alarms, also called nuisance alarms, are the deceptive or erroneous report of an emergency, causing unnecessary panic and/or bringing resources (such as emergency services) to a place where they are not needed.

EXIT VIOLATIONS.

1 st Offense	\$ 500.00 per door
2 nd Offense	\$1,000.00 per door

Subsequent offense \$1,000 per door – exit violation fees are based on the number of exit violations that occur in a calendar year.

OPERATIONAL PERMITS.

A Fire Permit allows the applicant to conduct an operation of a business for which a permit is required by the NC Fire Prevention Code. The prescribed duration of the operational permit is the same as the frequency of the state mandated fire inspection schedule for the given type of occupancy.

Description	Permit
Aerosol Products	\$40.00
Amusement Buildings	\$40.00
Aviation Facilities	\$40.00

Carnivals and Fairs	\$40.00
Cellulose Nitrate Film	\$40.00
Combustible Dust Producing Operations	\$40.00
Combustible Fibers	\$40.00
Compressed Gases	\$40.00
Covered Mall Buildings	\$40.00
Cryogenic Fluids	\$40.00
Cutting and Welding	\$40.00
Dry Cleaning Plants	\$40.00
Exhibits or Trade Shows	\$40.00
Explosives - Blasting/Storage	\$40.00
Fire Hydrants and Valves	\$40.00
Flammable Combustible Liquids	\$40.00
Floor Finishing	\$40.00
Fruit and Crop Ripening	\$40.00
Fumigation/Thermal Insecticide Fogging	\$40.00

Hazardous Materials	\$40.00
HPM Facilities	\$40.00
High Piled Combustibles	\$40.00
Hot Work Operations	\$40.00
Industrial Ovens	\$40.00
Lumber Yard and Woodworking Plants	\$40.00
Fueled Auto or Equipment Assembly Buildings	\$40.00
LP Gas	\$40.00
Magnesium	\$40.00
Miscellaneous Combustible Storage	\$40.00
Open Burning	\$40.00
Open Flames or Torches	\$40.00
Open Flames or Candles	\$40.00
Organic Coatings	\$40.00
Places of Assembly	\$40.00
Private Fire Hydrants	\$40.00
Pyrotechnic Special Effects Materials	\$40.00
Pyroxylin Plastics	\$40.00
Refrigeration Equipment	\$40.00
Repair Garages and Service Stations	\$40.00
Rooftop Heliports	\$40.00
Spraying or Dipping	\$40.00
Storage of Scrap Tires and Tire Byproducts	\$40.00
Temporary Membrane Structures, Tents/Canopies	\$40.00
Tire-Rebuilding Plants	\$40.00
Waste Handling	\$40.00
Wood Products	\$40.00

CONSTRUCTION PERMITS. (No Final Inspection Fee for construction permits)

Description	Permit	Re-Inspection	Additional Inspection
Automatic Fire Sprinkler/Extinguish System	\$150.00	\$0.00	\$100.00
Battery Systems	\$150.00	\$0.00	\$100.00
Compress Gases	\$150.00	\$0.00	\$100.00
Cryogenic Fluids	\$150.00	\$0.00	\$100.00
Fire Alarm & Detection System & Related Equipment	\$150.00	\$0.00	\$100.00
Fire Pump & Related Equipment	\$150.00	\$0.00	\$100.00
Flammable & Combustibles	\$150.00	\$0.00	\$100.00
Hazardous Materials	\$150.00	\$0.00	\$100.00
Industrial Ovens	\$150.00	\$0.00	\$100.00
Private Fire Hydrants	\$150.00	\$0.00	\$100.00
Spraying & Dipping	\$150.00	\$0.00	\$100.00
Stand Pipe Systems	\$150.00	\$0.00	\$100.00
Tank Install/Removal/Piping	\$150.00 per tank	\$0.00	\$100.00
Temporary Membrane Structures, Tents & Canopies	\$150.00	\$0.00	\$100.00

Plan Review Fees:

Plans up to 5,000 square feet	\$100.00
Plans 5,001 to 10,000 square feet	\$150.00
Plans 10,001 to 25,000 square feet	\$200.00
Plans 25,001 and over	\$250.00
Site Plan Review	\$75.00
Fire Alarm & Detection System & Related Equipment	\$50.00 + \$2.00 per initiating device
Automatic Fire Sprinkler/Extinguish System	\$50.00 + \$2.00 per head/nozzles

VIOLATIONS.

Category I Violation. A Category I violation is any violation of the Fire Prevention Ordinance which causes a fire resulting in damage to property or personal injury; which is a contributing factor to a fire resulting in damage to property or personal injury; or which aggravates the damage to property or personal injury caused by the fire; provided that the kindling of a bonfire or outdoor rubbish fire in violation of Section 5 of Volume V of the Fire Code Prevention Code is not a Category I violation if the fire does not spread or cause personal injury or damage to property other than the bonfire material or outdoor rubbish being burned. The civil penalty for a Category I violation.....\$1000.00

Category II Violation. A Category II violation are Life Safety violations of North Carolina Fire Prevention Code and Section 18-2 of the Town of Spring Lake Code of Ordinance. The civil penalty for a
Category II Violation.....\$500.00

Category III Violation. A Category III violation is a failure to obtain required construction permits under the North Carolina Fire Prevention Code and section 18-28 of the Town of Spring Lake Code of Ordinances. The civil penalty for a
Category III violation\$250.00

Category IV Violation. A Category IV violation is the failure to obtain a valid operational permit under the North Carolina Fire Prevention Code and section 18-28 of the Town of Spring Lake Code of Ordinances. The civil penalty for a
Category IV violation\$150.00

Category V Violation. A Category V violation is open burning of materials without a valid permit required by the North Carolina Fire Prevention code and section 18-25 of the Town of Spring Lake Code of Ordinances and materials not authorized under the valid permit. This civil penalty for a
Category V violation\$125.00

Category VI Violation A Category VI violation is any violation of the Fire Prevention Ordinance which is not coincidentally a Category I, II, III, IV, or V violation. The civil penalty for a
Category VI violation\$100.00

Miscellaneous Schedule of Fees

Administrative fee	\$ 25.00
Convenience fee	\$ 4.50 per online transaction
Copies of Non Public Records	\$ 0.25 per page
Copies of Public Records	
Black and White	
8.5 x 11	\$ 0.25
8.5 x 14	\$ 0.30
11 x 17	\$ 0.50
Color	
8.5 x 11	\$ 0.30
8.5 x 14	\$ 0.35
11 x 17	\$ 0.55
Employee/Retiree Medical Insurance Contribution information beginning at \$40/month and up	As stated in the open enrollment benefit
Employee Mileage Reimbursement	Current IRS Mileage Reimbursement Rate
Employee Meals	Current GSA Rate – Per Diem
Motor Vehicle Tax-NCGS §20-97(b)	\$ 5.00
Returned Check Fee	\$ 35.00
Tax Rate	\$ 0.741 per \$100 of valuation
Cumberland Parks and Recreation Interlocal Agreement	\$ 0.05 per \$100 of valuation
Engraved Brick for Veterans Memorial Park (N. Main St/Ruth St.)	Vendor Price
Business Registration Fee	\$ 25.00
Special Event Permit	\$ 100.00
Special Event Vendor Fee	\$ 25.00 50.00
Special Event Vendor Food Truck Fee	\$ 75.00
Adopt a Street Sign (per sign)	\$ 100.00
Military Banner Program (Plus Administrative Fee added 2/6/24)	Vendor Price

Planning Department Schedule of Fees

Map Fees: Bond Paper\$

8 ½ x 11	\$ 5.00
11 x 17	\$ 10.00
17 x 22	\$ 10.00
22 x 34	\$ 30.00
34 x 44	\$ 30.00
28 x 40	\$ 30.00

Sign Permit: \$ 100.00

Technology Fee – Each sign permit will be assessed a \$10.00 technology fee, which is non-refundable

Site Inspection Fee \$ 25.00 (Commercial)

Site Reinspection Fee \$ 25.00 (Commercial)

Site Plan Review Fee (Civil Drawings):

New Residential- One and two family dwellings \$ 200.00

All Subdivision; Group developments; All Commercial Developments \$ 550.00

*Individual residential plot plans are exempt due to the lots are reviewed within the subdivision review.

Yard Sale Permit \$ 10.00

Zoning Permit \$ 50.00

(Commercial Zoning Permits are issued per tenant and Residential Zoning Permits are issued per building.) Inspections beyond the third inspection are subject to \$40.00 re-inspection fees.

Zoning Verification Letter Request \$ 30.00

Zoning Violation \$ 200.00 Update Ordinance
Per day (Per Ordinance Sec. 42-371)

Driveway Permits (Commercial & Industrial) \$ 50.00

Police Department Schedule of Fees

CITATIONS.

Parking Cars on Street – For Sale. Having parked said vehicle on the street for the principal purpose of displaying same for sale	\$25.00
Parking Cars on Street – Repairing/Washing. Having parked said vehicle on the street for the principal purpose of repairing same	\$25.00
Parking Cars on Street – Advertising. Having parked said vehicle on the street for the principal purpose of advertising.....	\$25.00
Parking on Sidewalk. Having parked said vehicle on a sidewalk at a given location	\$25.00
Parking Near a Fire Hydrant. Having parked said vehicle within fifteen (15) feet of a fire hydrant	\$25.00
Parking on Crosswalk. Having parked said vehicle on a crosswalk.....	\$25.00
Parking Near Entrance to Fire Station. Having parked within twenty (20) feet of the driveway entrance to the Town of Spring Lake Fire Department or having parked within seventy-five (75) feet on the opposite side of the street of the entrance to the Fire Department	\$25.00
Double Parking. Having parked or stopped said vehicle upon the street along side of another vehicle that was parked or stopped at the edge or curb of the street.....	\$25.00
Parking Against Signs. Having parked said vehicle where official signs prohibit parking	\$25.00
Parking in Fire Lane. Having parked and left unattended by a licensed driver a vehicle within a fire lane.....	\$25.00
Parking of Trailers Prohibited. Having parked said vehicle on the street for the principal purpose of storage of the trailer or transferring merchandise from the trailer to a building or vehicle	\$25.00
Turning Against Signs – U/Right/Left Turns. Having disobeyed the directions of the traffic sign when the authorized makers, buttons, or other were dually erected.....	\$25.00
Clinging to Vehicle Prohibited. Having attached himself/herself to the said vehicle when the vehicle was still in motion.....	\$25.00
Boarding or Alighting from Moving Vehicle. Having boarded or alighted from the said vehicle while the vehicle was in motion	\$25.00
Passengers to Remain Inside Vehicle. Having allowed a part of the body to protrude beyond the limits of the vehicle	\$25.00

- Riding Bicycle on Sidewalk.** Having operated a bicycle upon a sidewalk within the business district\$25.00
- Riding Bicycle on Sidewalk (15 or older).** Having operated a bicycle on a sidewalk..\$25.00
- Lamps on Bicycle.** Having operated a bicycle at nighttime without having a lamp on the front and a red reflector on the rear.....\$25.00
- Bicycles Passengers – More Than Designed For.** Having operated a bicycle carrying more persons at one time than the number for which it was designed and equipped for\$25.00
- Blocking Firefighting Apparatus.** Having blocked a firefighting apparatus or other similar equipment from its source of supply.\$25.00
- Urinating in Public.** Having urinated on a street, lot, or premises of a public place..\$25.00
- Littering.** Having thrown or deposited upon a location an article of waste.\$500.00
- Littering from a Vehicle.** Having thrown or deposited litter upon a location while in a Vehicle.....\$500.00
- Loud Noises by Animals.** Having harbored or kept an animal which was disturbing the peace by making loud noises.\$50.00
- Loud Music.** Having intentionally caused a public disturbance at a location by making a disturbance intended and plainly causing a breach of the peace.....\$50.00
- Loud Music at Stores.** Having intentionally caused a public disturbance at a location by making a disturbance for the purpose of attracting attention to a performance, show, sale, or display of merchandise\$50.00
- Being in Parks After the Hours of Darkness.** Having appeared in a park after the hours of darkness.\$25.00
- No Business Registration.** Having engaged in a business within the Town limits without obtaining a **Business Registration** from the **Town**..... \$100.00
- Parking in Reserved Parking Spaces.** Having parked a vehicle in a space designated reserved parking between a certain period of time in the Town of Spring Lake Governmental Complex....\$25.00
- Begging.** Having engaged in the act of begging in a public place or on a public street \$25.00
- Taxicab – Owner.** Having operated a taxicab within the Town limits without a certificate of public convenience from the Town \$25.00
- Taxicab – Operator.** Having operated a taxicab within the Town without obtaining a taxicab driver’s permit from the Town.....\$25.00

- Taxicab Transporting Alcoholic Beverages or Drugs.** Having operated a taxi which was transporting spirituous liquor, vinous, or malt liquor or any narcotics drugs \$50.00
- Taxi Cruising Firelanes Prohibited.** Having operated a taxi in the fire limits in search of passengers while the taxi was unoccupied..... \$50.00
- Number of Passengers in Taxi.** Having operated a taxi with an unlawful number of passengers \$50.00
- Use of Profanity.** Having used profane language in a loud and boisterous manner at a public place or road within the hearing of two or more person..... \$25.00
- Yard Sale Permit.** Having conducted a yard sale at a location within the Town limits without obtaining a permit from the Town of Spring Lake Inspection Department \$50.00
- Curfew Violation.** Having allowed, permitted, encouraged, or abetted, a minor to remain at a public place between 11:00 p.m. and 5:00 a.m. on Sunday through Friday or 12:00 a.m. and 5:00 a.m. Saturday through Sunday \$50.00
- Assembly on Sidewalk or Street.** Having assembled so as to obstruct the sidewalk or street at a location and the having failed to disperse when commanded to do so by an officer \$50.00
- Moving Buildings or Trailers.** Having failed to obtain a permit from the Town of Spring Lake Building Inspector to move a building or trailer \$50.00
- Panhandling.** Having, repeatedly and in a threatening fashion, beckoned to stop or attempted to stop passersby to demonstrate a specific intent to induce, solicit, or procure from another goods or money without first obtaining a permit from the Police Department..... \$50.00
- Seasonal Merchant.** Having engaged in the business of selling seasonal merchandise, without an established retail store in the town, by transporting an inventory of goods to a building, vacant lot, or other location in the town and who, at that location, displays the goods for sale and sells the goods at retail or offers the goods for sale at retail” without first obtaining a permit from the Police Department \$50.00
- Leash Law.** Having allowed an animal to leave the premise of the person maintaining the animal to run at large within the Town limits without having the animal under physical or verbal restraint \$25.00
- Loud/Barking Animals.** Having an animal that continuously or frequently howls, barks, meows, squawks, or makes other noises which creates excessive and unnecessary noise across property lines \$50.00
- Cruelty of Animals.** Having been cruel to an animal by such means as overload, wound, injure, torture, torment, deprive of necessary sustenance, cruelly beat, needlessly mutilate, or kill \$50.00
- Abandonment of Animals.** Having ownership of any animal and willfully and without justification abandoned the animal \$50.00

Rabies Vaccination. Having failed to have a dog or cat which is four (4) months of age to be vaccinated against rabies\$25.00

Rabies Tag. Having failed to have a dog or cat wear the required rabies tag at all times.....\$25.00

Discharging of Weapon in Town Limits. Having discharged a weapon within the Town limits\$100.00

TAXICAB CERTIFICATES.

The owner or operator of each taxicab shall obtain a certificate to operate a vehicle within the Town limits. Per vehicle, per year\$17.50

The operator or driver of each taxicab shall obtain a permit from the Police Department to operate a vehicle within the corporate limits of the Town. Per vehicle, per year\$10.00

WRECKER FEES.

The owner of wrecker service shall be charged for each vehicle that they are called to pick up during their rotation for the Town. Per vehicle.....\$5.00

MISCELLANEOUS PERMIT FEES

Peddler. Engaging in the business of traveling from place to place with an inventory of goods, selling the goods at retail or offering the goods for sale at retail, and delivering the identical goods that are carried with the person Prior approval by the Police Department must be obtained \$25.00
G.S. 160A-211

Beggar. Engaging in the act of begging in a public place or on a public street.....\$15.00

Seasonal Merchant. Engaging in the business of seasonal merchant as defined as a “merchant, other than a merchant with an established retail store in the town who transports an inventory of goods to a building, vacant lot, or other location in the town and who, at that location, displays the goods for sale and sells the goods at retail or offers the goods for sale at retail”. Any merchant who sells goods, other than farm products, in the town for less than six consecutive months is considered a seasonal merchant unless he stopped selling goods because of his death or disablement, the insolvency of his business, or destruction of his inventory by fire or other catastrophe. Prior approval by the Police Department must be obtained.....\$25.00

Special Events: Parade & Demonstrations, Special Events etc. Minimum of Two (2) Hours

Personnel:

Chief, Asst. Chief of Department.....	\$ 50.00 per hour
Police Lieutenant, Fire Captain, Public Works Supervisor	\$ 50.00 per hour
Police Sergeant, Fire Lieutenant.....	\$ 50.00 per hour
Detective.....	\$ 50.00 per hour
Police Officer, Firefighter, Public Works Maintenance Tech.....	\$ 50.00 per hour

Sanitation Schedule of Fees

RESIDENTIAL

Solid Waste Availability Fee \$ 384.00 annually

Litter Control Fee \$ 12.00 annually

COMMERCIAL/MOBILE HOME PARKS

Solid Waste Collection Fee \$ 384.00 annually
(LIMITED 1 GARBAGE AND 1 RECYCLING RECEPTABLE) no Bulk Pick-up.

Administrative Fee for Quarterly Payments \$ 5.00 per quarter

Owners of improved residential property will be assessed the Solid Waste Availability Fee on per residential unit, per container unit basis.

The residential solid waste availability fee shall be billed on an annual basis and shall be payable in the same manner as ad valorem property taxes. Upon non-payment of the residential solid waste availability fee, the fee assessed herein may be collected in the manner by which delinquent ad valorem property taxes are collected.

The commercial solid waste collection fee shall be billed on an annual basis and shall be payable by the tenth day of July. If not paid by the twentieth day of July, service will be discontinued until payment is made in full. Commercial solid waste customers may elect to pay for services on a quarterly basis. If that choice is made, the fee will be due by the tenth day of the first month of each quarter. If not paid in full by the twentieth day of the first month of each quarter then service will be discontinued until payment is made in full. An administrative fee will be assessed for the convenience of paying quarterly.

Non-Participant Bulk Collection Fee

Minimum Charge (2 hours)	\$ 345.00
Half Day	\$ 690.00
Full Day	\$ 1,380.00

This fee will apply to individuals or corporations who do not currently participate in the Town's solid waste collection program and are not paying the annual solid waste collection fee. Each job will be assessed a minimum charge (2 hours) that is payable in advance. Individuals requesting this service shall be required to complete an application for service with the Revenue Collection Division. Upon making payment to the Revenue Collection Division, a work order will be completed and forwarded to the Sanitation Department for inclusion in their weekly collection route. Should the job require more than two hours, the individual or corporations shall be billed for the additional charges. Charges will not be prorated. If a job takes more than two hours but less than a half day, the half day charge will apply. Conversely, if a job takes more than a half day, the full day charge will apply. No collections will be scheduled until the minimum fee is paid. The Town will utilize any and all collection methods available to them to collect any debt owed from this service, to include the NC Debt Set-Off Program.

Storm Water Schedule of Fees

STORM WATER FEES.

Storm water fees are based on the square footage of impervious surface in a structure and are calculated according to the equivalent residential unit (ERU) of the structure.

Residential Units	\$ 4.00 per ERU x 12 = \$48 annually
Commercial Unit	\$ 5.00 x 12 = \$60 per ERU

STORM WATER PERMIT FEES AND INSPECTION FEES.

Effective June 11, 2007, Storm water permits and annual inspections are required for all new development. Storm water permit fees include the submission of the Storm water permit and the plan review for each new development. Property owners or other responsible parties will ensure that an annual inspection is performed. If a property owner fails to obtain an annual inspection, the Town will inspect the property and the property owner will be responsible for the inspection fee.

Type	Disturbance	Rates
All	< 1 acre	25.00 watershed and existing water way review inc permit
All	> acre < 24% BUA	50.00 watershed and existing water way review inc permit
All	> 1 acre & > 24.01% BUA	300.00 + 15.00 per lot with 2 plan reviews
Annual Inspection of SCM	Each SCM	1000.00
Reinspection of SCM	Each SCM	1000.00
Additional plan reviews (3+)		75.00 each
Final built plan review and approval		75.00

Violation	Fines	
Illicit Discharge liquids < 5gal or other domestic substances	Up to 100.00 per day	Homes, small businesses, accidental spills and discharges of regular domestic chemicals that are reported.
Illicit discharges liquids > 5gal or hazardous/industrial inc any amount of oil, gas, other VOCs.	Up to 1000.00 per day	Repeat offenders up to 10,000 per day (repeat offenders = 3 or more different spill events)
Illicit connections	First 500.00	Repeat (2 nd +) 1000.00 + costs to repair
Post Construction	Up to 5000 per day	500 – 5000 depending on severity of violation
Annual SCM inspections	Due at end of anniversary month- late fees start 30 days later.	Day 30-44 late = 1000 per day 45-60 2500 per day 61 + 5000 Per day 75 + lien on property

REFUNDS.

Property owners or any other responsible party may request a refund for any Storm water permit fees that have been submitted on their behalf within thirty (30) days of the submission of the permit and remittance of the fee.

Water and Sewer Schedule of Fees

ADJUSTMENT POLICY.

When requested, leak and break adjustments may be granted. Customers are allowed adjustments to utility bills once per calendar year and may be granted by the revenue supervisor. Additional adjustment requests shall only be authorized by the town manager upon a review of the customer's account and the circumstances surrounding the adjustment request. The town may refuse to make adjustments if the property owner does not take appropriate actions to correct plumbing problems or has reoccurring plumbing problems. You must provide the Town with a statement of repair from a plumber. In the event that the resident or landlord repairs the leak, a receipt showing the purchase of plumbing supplies and a statement from the individual who actually made the repair must be provided to the Town.

DELINQUENT ACCOUNT POLICY.

Meters are read and bills are calculated on a monthly basis. Billings are mailed by the third day of each month. Account balances are due and payable on the tenth (10th) day of the month.

An account is considered delinquent if payment is not received by the due date. If account balances are not paid by the close of business on the eighteenth (18th) day of the month, a \$25.00 late fee may be assessed to each account. In the instance the due date occurs on a weekend day or holiday, the late fee will be applied after close of business on the following business day. Payments received after this time, whether in person, by mail, or in the drop-box will still be deemed past due.

If account balance remains unpaid following the close of business on the twenty-fifth (25th) day of the month, service is subject to be disconnected. Accounts with a balance of twelve dollars and fifty cents (\$12.50) or less will not be subject to disconnection. See the Town's Ordinance on delinquency for more information. The reconnect fee and account balance must be paid in full before service is reconnected.

The Department may attempt a call using our automated notification system to a home number provided by the customer alerting the customer as to the planned date of disconnection. It is the responsibility of the account holder to ensure that all information, including telephone numbers, is accurate and current.

RETURNED CHECK POLICY.

In the event that the Town receives a return check on an account, the return check fee of \$35.00 will be added to the account. Should the account remain unpaid on the eighteenth (18th) day of the month or the account fall in delinquent status due to the return check, the account will be assessed a late fee and be subject to disconnection. Upon receipt of a returned check, the Town shall mail notification to the customer of the return, note the date that the customer must bring their account current, and the balance due on the account. If an account incurs three return checks, the account shall be placed on a "cash only" status.

UTILITY DEPOSITS.

All customers shall submit an application for new utility service. Individual customers should present a valid identification and social security card. Individual deposits are refundable and will transfer from a location within the Town’s jurisdiction to another location within the Town’s jurisdiction. Once individual water service is terminated, the deposit will be applied to the individual customers account balance and any credit balance in excess of \$3.00 will be refunded to the individual customer. Any final bill with a balance due to the Town less than \$3.00 will not be billed to the individual customer.

The following tiers of deposits shall apply to residential utility accounts:

- Tier 1 \$ 50.00 Minimum deposit for homeowner
- Tier 2 \$ 100.00 Minimum deposit for renter

Managers of multiple residential units may request the establishment of corporate accounts. These accounts would be covered under a master deposit established by the management and will be based on the number of units under their direct control.

Deposit Type	Amount
Individual – Commercial	\$ 150.00
Corporate – 2 – 50 units	\$ 1,500.00
Corporate – 51 – 100 units	\$ 2,000.00
Corporate – 101 – 200 units	\$ 2,500.00
Corporate – 201 – 300 units	\$ 3,000.00
Corporate – 301 – 400 units	\$ 3,500.00
Corporate – 401 – 500 units	\$ 4,000.00

RATES.

Water is assessed a flat rate and is metered at the first gallon of usage. Sewer is assessed a flat rate and is metered at the first gallon of usage. Pursuant to the Water Sewer Ordinance the sewer flat rate is charged to those accounts that sewer is available. Rates for customers who reside outside the corporate limits of the Town of Spring Lake will be double. **Rates are per thousand gallons used.**

Water		FY 25	Sewer		FY 25
	Flat Fee	\$ 9.09		Flat Fee	\$ 17.29
Tier 1	0-3,000	\$ 8.05	Tier 1	0-3,000	\$ 7.76
Teir 2	3,001-6,000	\$ 9.06	Teir 2	3,001-6,000	\$ 8.71
Teir 3	6,001-9,000	\$ 10.07	Teir 3	6,001-9,000	\$ 9.39
Teir 4	9,001+	\$ 11.08	Teir 4	9,001+	\$ 10.37

Water Bulk Rates:

Rates are per thousand gallons used.

Water Bulk	FY 25	
	Minimum Billing 750,000	
Teir 1	750,000- 2,100,000	\$ 4.14
Teir 2	2,100,001+	\$ 4.40

Service Fees – Service fees are not refundable.

Cut On or Transfer Fee	\$ 20.00
Emergency Service/After Hours Fee	\$ 50.00
Illegal Cut On Fee (Tampering Fee)	\$ 100.00 plus the cost of any repair materials
Inspection Fee	Cost + 15%
Irrigation Meter Seasonal Cut Off	\$ 15.00
Late Penalty	\$ 25.00
Meter Test Fee	\$ 25.00
Reconnect Fee	\$ 25.00
Septic Hauler Fee	\$ 0.033 per gallon
Temporary Service Fee (<i>Maximum 30 days</i>)	\$ 25.00
Water Sample Test Fee - Fee will be based on cost of test and will be provided prior to testing.	

UTILITY CONNECTION FEES.

The fee structure for connecting onto the Town of Spring Lake utility system may include any of the following charges:

Tap Fees

Tap Fees allow the customer the opportunity to connect to the town’s water / sewer system. These fees cover the costs associates with installing a tap onto the town’s utility lines.

RESIDENTIAL

TAP FEES	Size	FY 25
Water	3/4" Fee	\$ 1,126.00
	1" Fee	\$ 1,238.00
Sewer	4" Fee	\$ 1,311.00
	6" Fee	\$ 2,029.00

Commercial water sewer taps are charged at cost. Please contact Spring Lake Water Department to obtain an estimate. Typical turnaround is 4-5 weeks for tap installation. The Developers may also contract with a licensed utility contractor to install water and sewer taps in accordance with the Town of Spring Lake standards and specifications.

System Development Fees

Residential (to include Mobile Homes):

1 Bedroom	\$ 350.00
2 Bedroom	\$ 500.00
3 Bedroom	\$ 625.00
Additional Bedrooms Add	\$ 200.00 each

Commercial:

Multiplex / Apartment / Condominium / Townhouse / Hotel – Motel / Bed & Breakfast (and like buildings)

2 to 50 Bedrooms	\$ 200.00 per bedroom
51 to 100 Bedrooms	\$ 175.00 per bedroom
101 to 200 Bedrooms	\$ 150.00 per bedroom
201 + Bedrooms	\$ 125.00 per bedroom

Restaurants* (as defined by primary occupancy)

0 to 20 Seats	\$ 1,000.00
21 to 50 Seats	\$ 1,500.00
50 + Seats	\$ 2,000.00

*All other types (curb service / vending / etc) will be assessed by amount requested on Fast Track Flow Allocation request at the rate of \$2.50 per 120 gallons (covers both water and sewer).

Multi Use (retail outlets)

< 5000 square feet	\$ 100.00 / 1000 or any portion thereof
> 5000 but < 25000 square feet	\$ 90.00 / 1000 or any portion thereof
> 25000 square feet	\$ 75.00 / 1000 or any portion thereof

Factories

Based on projected full employment	\$ 75.00 per employee
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Laundries

\$ 50.00 per machine

Bars (as defined by primary occupancy)

Based on maximum allowable occupancy	\$ 50.00 per patron
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Camps (based on maximum occupancy)

With Central Bathhouse	\$ 25.00 each person
RV park	\$ 50.00 per space

Office space

Based on projected full employment	\$ 60.00 per employee
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Nursing Homes	\$ 200.00 per bedroom
Service Stations / Repair shops	\$ 250.00 per bay
Car Washes	
With water re-use technology	\$ 100.00 per bay
Without water re-use technology	\$ 250.00 per bay
Swimming Pools / Aquatic Parks	
Single Family (Water only fees – no sewer assessment)	
Under 10,000 gallons	\$ 25.00
10,001 to 20,000 gallons	\$ 50.00
Over 20,000 gallons	\$ 75.00
Multi family / public (covers both water and sewer)	
Under 20,000 gallons	\$ 50.00
20,001 to 30,000 gallons	\$ 100.00
Over 30,000 gallons	\$ 150.00
Private Schools / Training Facilities / Daycare	
Based on maximum allowable occupancy	\$ 25.00 per student

At the discretion of the Town of Spring Lake additional supporting documentation (such as actual flow / flow restriction devices / engineering reports) may be submitted to mitigate fees. Based on the information submitted to the Board, further determination may be considered as to a specific project or development.

If you are required to get a water and/or sewer extension permit from NC DENR the Town will require that you extend the service(s) to the boundaries of the property. If you choose to have the Town do this work it will be billed at current prices (quote upon request).

Tap fees are applied if the Town has (or will) install(ed) the service(s) to the property. If you connect to the existing service line at your own expense, no tap fee is assessed.

WATER AND SEWER (FINANCE)

Beer and Wine Licenses – Annual, from July 1 to June 30

Beer Dealers (Wholesale)	\$37.50	Set by State
Wine Dealers (Wholesale)	\$37.50	Set by State
Beer and Wine Dealers (Wholesale)	\$62.50	Set by State
Beer Dealers (retail, on premises)	\$15.00	Set by State
Beer Dealers (retail, off premises)	\$ 5.00	Set by State
Wine Dealers (retail, on premises)	\$15.00	Set by State
Wine Dealers (retail, off premises)	\$10.00	Set by State



Board of Commissioners Agenda Cover Sheet

Meeting Date

August 12, 2024

Agenda Location

Introductions & Special Presentations

Item Title

National Night Out Proclamation

Presenter

Mayor Kia Anthony

Summary/Description

National Night Out is an annual community-building campaign that promotes police-community partnerships and neighborhood camaraderie.

Requested Action

Informational Only

Funding Source (If Applicable):

N/A

Cost: Yes No

Additional Documents to be Included in Agenda Packet

National Night Out Proclamation



National Night Out Town of Spring Lake

WHEREAS, National Night Out is an annual community-building campaign that promotes police-community partnerships and neighborhood camaraderie to make our neighborhoods safer, more caring places to live; and

WHEREAS, National Night Out observed on the first Tuesday in August, encourages communities across the nation to engage in activities that foster police-community relationships and promote crime prevention; and

WHEREAS, the Town of Spring Lake recognized the importance of community solidarity and the ongoing efforts of our law enforcement agencies in building trust and collaboration with the citizens they serve; and

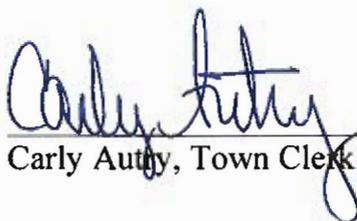
WHEREAS, even though the Town of Spring Lake will not be holding a formal event this year, we encourage all residents to take time on this day to connect with their neighbors, discuss safety and crime prevention strategies, and foster relationships that contribute to a stronger, safer community; and

WHEREAS, the Town of Spring Lake remains committed to supporting initiatives that strengthen community ties and enhance the quality of life for all residents.

NOW, THEREFORE, BE IT PROCLAIMED that I, the Mayor, along with the Board of Commissioners of the Town of Spring Lake, do hereby proclaim August 6, 2024, as National Night Out in our Town, encouraging all citizens to participate in informal gatherings, promote safety awareness, and celebrate the spirit of community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Spring Lake to be affixed this 6th day of August 2024.

ATTEST:


Carly Autry, Town Clerk




Kia Anthony, Mayor



Board of Commissioners Agenda Cover Sheet

Meeting Date

August 12, 2024

Agenda Location

Introductions & Special Presentations

Item Title

Cumberland County Animal Services

Presenter

Elaine Smith, Director, Animal Services

Summary/Description

Ms. Smith will provide information regarding the services Cumberland County provides as well as the services they provide for the Town of Spring Lake.

Requested Action

Informational Only

Funding Source (If Applicable):

N/A

Cost: Yes No

Additional Documents to be Included in Agenda Packet

None



Board of Commissioners Agenda Cover Sheet

Meeting Date

August 12, 2024

Agenda Location

Introductions & Special Presentations

Item Title

August 2024 "Yard of the Month"

Presenter

Commissioner Raul Palacios

Summary/Description

Presentation of "Yard of the Month" certificates.

Requested Action

Informational Only

Funding Source (If Applicable):

N/A

Cost: Yes No

Additional Documents to be Included in Agenda Packet

None



Board of Commissioners Agenda Cover Sheet

Meeting Date

August 12, 2024

Agenda Location

New Business

Item Title

Approve Ordinance No. 25-01. Ordinance Adopting the GoldenLEAF Foundation Grant – Grant ID-202403-09225/Spring Lake Flash Flood Mitigation Grant Project Ordinance (Fund 40)

Presenter

Town Manager Jon Rorie

Summary/Description

This Ordinance is to establish a Budget for a project funded by the GoldenLEAF Foundation, G-202403-09255/Spring Lake Flash Food Mitigation. These funds will be used for engineering and construction expenses to replace the existing infrastructure with larger capacity pipes.

Requested Action

Approval

Funding Source (If Applicable):

N/A

Cost: Yes No

Additional Documents to be Included in Agenda Packet

Ordinance No. 25-01. Ordinance Adopting the GoldenLEAF Foundation Grant – Grant ID-202403-09225/Spring Lake Flash Flood Mitigation Grant Project Ordinance (Fund 40)

ORDINANCE NO.25-01
TOWN OF SPRING LAKE, NORTH CAROLINA
Ordinance Adopting the Golden Leaf Foundation Grant - Grant ID
G-202403-09255/Spring Lake Flash Flood Mitigation Grant Project Ordinance (Fund 40)

THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION ON BEHALF OF THE TOWN OF SPRING LAKE, NORTH CAROLINA DOES ORDAIN that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section I: This Ordinance is to establish a budget for a project funded by The Golden LEAF Foundation, G-202403-09255/ Spring Lake Flash Flood Mitigation. These funds will be used for engineering and construction expenses to replace the existing infrastructure with larger capacity pipes

Section II: The following amounts are appropriated for the project and authorized for revenue and expenditure as of June 6, 2024.

	Project Budget
ESTIMATED REVENUES	
Golden LEAF Grant - Flash Flood Mitigation G-202403-09255	750,000
Transfer in - Stormwater Fund	75,000
Total Revenues	825,000
APPROPRIATIONS	
Mobilization / Traffic Control - Total of items below \$58,000	
Mobilization (Wapiti)	30,000
Traffic Control Measures	28,000
Capital Improvements	
Demolition	116,000
Construction Total of items below \$411,000	
57 stone 85 tons	7,000
24" RCP 1200'	56,000
30" RCP 530'	91,000
catch basins * 4	32,000
outfall	8,000
rip rap * 8 tons	1,000
replace asphalt	91,000
replace driveways and curbs	124,000
geotextile *21 rolls	1,000
Engineering, Permitting, Surveying - Total of items below \$128,000	
Permitting/ Engineering	80,000
Erosion Control	16,000
Utilities	15,000
Surveying for construction	17,000
Contingency/Price Escalation	112,000
Total Appropriations	825,000

Section III: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements.

Section IV: The Town Manager is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

Section V: Copies of the grant project ordinance shall be furnished to the Town Manager, the Finance Officer and to the Clerk to the Town Council.

Section VI: This grant project ordinance expires when all grant funds have been obligated and expended by the Town or June 6, 2025 whichever comes first.

WITNESS my hand at Spring Lake, this 12th day of August 2024

Kia Anthony, Mayor Town of Spring Lake

Carly Autry, Town Clerk



Board of Commissioners Agenda Cover Sheet

Meeting Date

August 12, 2024

Agenda Location

New Business

Item Title

Approve Ordinance No. 25-02. Ordinance Amending the 2024-25 Stormwater Fund Budget

Presenter

Town Manager Jon Rorie

Summary/Description

This Ordinance is to transfer \$75,000 to the GoldenLEAF Grant Project Fund. Decrease in Capital Outlay in Administration and increase to Interfund Transfers.

Requested Action

Approval

Funding Source (If Applicable):

N/A

Cost: Yes No

Additional Documents to be Included in Agenda Packet

Ordinance No. 25-02. Ordinance Amending the 2024-25 Stormwater Fund Budget

ORDINANCE NO. 25-02
TOWN OF SPRING LAKE, NORTH CAROLINA
Ordinance Amending the 2024-25 Stormwater Fund Budget

THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION ON BEHALF OF THE TOWN OF SPRING LAKE, NORTH CAROLINA DOES ORDAIN:

Section I: Estimated Revenues and Appropriations. Stormwater Fund is hereby amended by increasing estimated revenues and appropriations in the amounts indicated:

	2024-25 Adopted Budget	Current Request Increase (Decrease)	Revised 2024-25 Amended Budget
ESTIMATED REVENUES			
Fees and Charges	299,331	-	299,331
Investment Earnings	12,491	-	12,491
Total Revenues	311,822	-	311,822
APPROPRIATIONS			
Non-Departmental	30,302	-	30,302
Fund Balance Increase	16,666	-	16,666
Administration - Capital Outlay	264,854	(75,000)	(1)
Interfund Transfers - Fund 40 Golden Leaf Grant	-	75,000	(1)
Total Appropriations	311,822	-	311,822

- 1) \$75,000 transfer to the Gold Leaf Grant Project Fund. Decrease in Capital Outlay in Administration and Increase to Interfund Transfers.

WITNESS my hand at Spring Lake, this 12th day of August 2024

Kia Anthony, Mayor Town of Spring Lake

Carly Autry, Town Clerk



Board of Commissioners Agenda Cover Sheet

Meeting Date

August 12, 2024

Agenda Location

New Business

Item Title

Approve the Grant Project Ordinance Office of State Budget and Management Grant for the Spring Lake Computer Hardware and Software Project

Presenter

Town Manager Jon Rorie

Summary/Description

The project authorized is the replacement and upgrade of computer hardware and software throughout the Town of Spring Lake and contracted services to train employees, install software, and digitize all Town documents and files into searchable digital lockers.

Requested Action

Approval

Funding Source (If Applicable):

N/A

Cost: Yes No

Additional Documents to be Included in Agenda Packet

Grant Project Ordinance Office of State Budget and Management Grant for the Spring Lake Computer Hardware and Software Project

Appendix A. Scope of Work, Sub-Grants, and Annual Budget

TOWN OF SPRING LAKE, NORTH CAROLINA

GRANT PROJECT ORDINANCE

OFFICE OF STATE BUDGET AND MANAGEMENT GRANT

SPRING LAKE COMPUTER HARDWARE AND SOFTWARE PROJECT

BE IT ORDAINED by the Governing Board of Commissioners of the Town of Spring Lake, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1. The project authorized is the replacement and upgrade of computer hardware and software throughout the Town of Spring Lake and contracted services to train employees, install software and to digitize all town documents and files into searchable digital lockers.

Section 2. The officers of this Town are hereby directed to proceed with the grant project within the terms of this resolution, project contracts, grant agreements, documents, and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project:

Grant – NC Office of State Budget & Management	26-00-3430-410-00	<u>\$250,000</u>
Total Revenues		<u>\$250,000</u>

Section 4. The following amounts are appropriated for the project:

Capital Outlay – Computer Hardware	26-00-4120-820-00	\$117,025
Capital Outlay – Computer Software	26-00-4120-830-00	119,165
Contracted services ~ Digital Files	26-00-4120-440-00	<u>13,810</u>
Total Expenditures		<u>\$250,000</u>

Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirement of the Local Government Commission.

Section 6. The Finance officer is directed to report, on a monthly basis, on the financial status of each project element in Section 4 and on the total revenues received.

Section 7. Copies of this Capital Project Ordinance shall be furnished to the Finance Officer for direction in carrying out this project.

Section 8. This grant project shall begin on August 1, 2024 and should be completed by December 1, 2025. The grant project ID number is 11543.

Adopted this 12th day of August 2024 during a regularly convened meeting of the Board of Commissioners held at Spring Lake Town Hall in Spring Lake, NC.

Carly Autry, Town Clerk

Kia Anthony, Mayor

Component One-Computer Hardware

	Cost Per Unit	Number units	Budget Costs	
Desktop Work Stations				
State Contract HP 1.3 Work Station 1(i7 Proc. 4GB Video, 64 FB Memory, 1TB Storage)	\$1,243	40	\$49,720	
State Contract USB Wireless Mouse and KeyBoard	\$30	40	\$1,200	
State contract-Dell 27 flat Screen monitor with video conferencing 210-BGMF (2 x \$265)=\$530)	\$530	40	\$21,200	
Desktop Printer Scanner- HP Laser Jet M283 fdw	\$430	27	\$11,610	
Total	\$2,233		\$83,730	
Remote Work Stations				
State Contract 3.2c Dell 2-in-1 Laptop/Table (Verizon) Intel vPro	\$1,515	13	\$19,695	
Epson Workforce ES-60W Wireless Portable Sheet-fed Document Scanner	\$200	13	\$2,600	
Total	\$1,715		\$22,295	
HP Designjet T2600 Multifunction Printer/Planner/Copier	\$11,000	1	\$11,000	\$117,025
Component 2-Software				
Financial Management Software Install, training, and migration- Project Management	\$58,365	1	\$58,365	Initial Purchase Cost
Financial Management Software Install, training, and migration- Project Management	\$28,658	1	\$28,658	Initial Cost
Financial Management Annual Support	\$22,110	1	\$22,110	Annually
Adobe Acrobat Pro-20 work stations	\$15 ea. User/Month	20	\$3,600	Annually
Adobe Acrobat Standard-27 Workstations	\$13 ea. User/Month	27	\$4,212	Annually
Bluebeam Revu complete for 5 workstations(\$440 per user, billed annually)	\$37 ea. User/Month	5	\$2,220	Annually
Total	\$50,833		\$119,165	
Component 3-Network Upgrades/Digital Files and Lockers				
Outsource contract for scanning and filing digital copies of Personnel Files, Finance files, and Building Inspection Files	\$20,000	1	\$13,810	
			\$13,810	
Total Grant Budget			\$250,000	

Appendix A

Scope of Work, Sub-Grants, and Annual Budget

As part of this grant agreement, you are required to provide a description of how you will spend the grant funds in compliance with the specific purpose as stated in the Appropriations Act ("Scope of Work"). You are also required to submit information related to any potential sub-grants and a budget for the grant funds. **Please attach additional sheets as necessary.**

1. Organization: Town of Spring Lake

2. Grant ID: 11543

3. Scope of Work
Objectives, Results, Performance Measures:

Recipient shall detail below how the organization will spend the grant funds in compliance with the specific purpose(s) as stated in the Appropriations Act. The description should include objectives to be achieved, expected results and performance measures. The description should also include anticipated timing of those objectives, expected results and any services provided.

<p>Objective(s):</p> <p>How do you plan to spend your grant funds? What project(s) do you want to accomplish?</p>	<p>The project consists of three components:</p> <p>Component 1- Upgrade/Replace Town Computer Hardware</p> <p>Component 2-Upgrade towns Financial Management Software and Office Software</p> <p>Component 3- Scan and digitize all town documents and files into searchable digital lockers.</p>
<p>Expected Results:</p> <p>What do you hope will be accomplished through the projects supported by these grant funds?</p>	<p>The Town of Spring Lake plans to use grant funds to upgrade our computer network and digitize all our paper files to overcome technology weaknesses within our computer network.</p> <ul style="list-style-type: none"> - Modernize our business operations to increase organizational performance, efficiency, and enhance the internal and external customer service experience. - Increase citizen capacity to perform on-line transactions for water, sewer, and sanitation needs.
<p>Performance Measure(s):</p> <p>List the steps it will take to accomplish the project(s) supported by these grant funds.</p> <p>If the project is programmatic, list the estimated measurements for project outcomes.</p>	<ul style="list-style-type: none"> -Purchase hardware for fifty-three work stations by October 1, 2024 -Install computers and desktop software November 15, 2024 -Purchase FMS Software by November 15, 2024 -Scan and digitize all internal documents and files by December 1, 2024 -Install, migrate, and train all staff on new FMS Software by April 1, 2025.

4. Sub-grants:

a. Does the Recipient anticipate that it will sub-grant or pass down any funds to another organization? Yes No

If yes, answer the following:

b. Name of Sub-recipient	c. Program Name	d. Amount to Sub-recipient

5. Budget:

Below are general expenditure descriptions that can serve as a *guide* for preparing the organization's budget related to the grant award. Please provide a breakdown of estimated expenses for each category below or as an attachment.

The following budget is for the time period beginning (08/01/2024) and ending (12/01/2025).

EXPENDITURE DESCRIPTION	AMOUNT
Employee Expenses (ex. Salaries, hourly wages for grant project management /program related staffing).	<input type="text"/>
Administration Expenses (ex. utilities, telephone, data, lease related expenses)	<input type="text"/>
Goods Expenses (ex. supplies and equipment)	\$117,025
Contract and Services Expenses (ex. Designers, Architects, Builders, Programmatic Service Providers)	\$132,975
Other Expenses (ex. related charges not assigned above and described by recipient in breakdown below)	<input type="text"/>
Total Balance of the Project Fund (Grant total amount)	\$250,000

Provide a breakdown of estimated expenses for each category below or as an attachment.

Budget Detail Attached

Please note, you will sign off on this appendix as part of executing the Grant Agreement (Contract).

Jonathan N. Rorie

Town Manager

Printed Name

Title



07/16/2024

Signature

Date



Board of Commissioners Agenda Cover Sheet

Meeting Date

August 12, 2024

Agenda Location

New Business

Item Title

Approve Ordinance No. 25-04. Ordinance Adopting the Office of State Budget and Management Grant – ID 11544 Spring Lake Parks Grant

Presenter

Town Manager Jon Rorie

Summary/Description

This Ordinance establishes a Budget for a project funded by the North Carolina Office of State Budget and Management Grant ID 11544 to construct fitness trails in the Town of Spring Lake parks. These funds will be used for engineering and construction expenses for the trails and equipment purchase.

Requested Action

Approval

Funding Source (If Applicable):

N/A

Cost: Yes No

Additional Documents to be Included in Agenda Packet

Ordinance No. 25-04. Ordinance Adopting the Office of State Budget and Management Grant – ID 11544 Spring Lake Parks Grant

ORDINANCE NO.25-04
TOWN OF SPRING LAKE, NORTH CAROLINA
Ordinance Adopting the Office of State Budget and Management Grant - Grant ID
11544 Spring Lake Parks Grant Grant Project Ordinance (Fund 41)

THE BOARD OF COMMISSIONERS OF THE TOWN OF SPRING LAKE, NORTH CAROLINA DOES ORDAIN that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section I: This Ordinance is to establish a budget for a project funded by The North Carolina Office of State Budget and Management Grant ID 11544 to construct fitness trails in Town of Spring Lake parks. These funds will be used for engineering and construction expenses for the trails and the purchase of equipment.

Section II: The following amounts are appropriated for the project and authorized for revenue and expenditure as of August 12, 2024.

	Project Budget
ESTIMATED REVENUES	
Grant NC Office of State budget and Management	\$400,000.00
Transfer in - General Fund	20,000.00
Total Revenues	\$ 420,000.00
APPROPRIATIONS	
Employee Expenses	
Salaries and Wages	\$ 25,600.00
FICA Taxes	2,000.00
Capital Improvements	
Capital outlay equipment	130,000.00
Construction	
Gazebo	45,000.00
Playground	20,000.00
Picnic tables and benches	22,500.00
Trail Signage	1,500.00
Crushed Concrete	3,500.00
Natural surface trail clearing	15,000.00
Hard surface path construction	64,000.00
Parking Area	18,250.00
Overlook / Observation Decks	30,000.00
Foot bridges	2,360.00
8" Stormwater pipe	3,171.00
Contracted Services	
Engineering	15,000.00
Surveying	3,675.00
Contingency	18,444.00
Total Appropriations	\$420,000.00

Section III: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements.

Section IV: The Town Manager is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

Section V: Copies of the grant project ordinance shall be furnished to the Town Manager, the Finance Officer and to the Clerk to the Town Council.

Section VI: This grant project ordinance expires when all grant funds have been obligated and expended by the Town or June 6, 2025 whichever comes first.

WITNESS my hand at Spring Lake, this 12th day of August 2024

Kia Anthony, Mayor Town of Spring Lake

Carly Autry, Town Clerk



Board of Commissioners Agenda Cover Sheet

Meeting Date

August 12, 2024

Agenda Location

New Business

Item Title

Discussion regarding Code Enforcement and Ordinance Updates

Presenter

Interim Police Chief Errol Jarman

Summary/Description

Interim Police Chief Jarman will give the Board an update regarding junked vehicles and will provide recommendations to amend the Town of Spring Lake Code of Ordinances, Chapter 16 – Environment, Article II. – Nuisances.

Requested Action

~~Other~~ - ~~Discussion~~

Funding Source (If Applicable):

N/A

Cost: Yes No

Additional Documents to be Included in Agenda Packet

Spring Lake Police Department Process Update Plan for Junked Vehicles

Town of Spring Lake Code of Ordinances, Chapter 16 – Environment, Article II. – Nuisances, amend recommendations in red

SPRING LAKE POLICE DEPARTMENT PROCESS UPDATE PLAN FOR JUNKED VEHICLES

At the direction of Spring Lake Town Manager, Mr. Jon Rorie, below is a summary of process for consideration to better implement Spring Lake Town Ordinance Article II – NUISANCES, as it relates to removal, and disposal of junked and abandoned vehicles as authorized by North Carolina General Statute 160A-303:

The information below is for consideration by the Spring Lake Board of Commissioners and/or the Town of Spring Lake Town Manager:

- I. Amendment consideration to Spring Lake Ordinance Article II – Nuisances:
 - (a) Under Spring Lake Ordinance 16-20 DEFINITIONS, add a DEFINITION for **COMMERCIAL CAR COVER** – as follows: A professionally produced cover that is designed to completely cover a motor vehicle, and all of its parts in its entirety. A TARP or ANY OTHER COVER not specifically and professionally designed and manufactured for the purpose of covering a motor vehicle is not a commercial car cover by definition. (This addition will not be applicable if the Spring Lake Board of Commissioners does not amend the existing Ordinance as described in proposed letter (B) below).
 - (b) Under Spring Lake Ordinance Section 16-23(d)(5) Add the following:

A property owner may store **ONE (1)** junked motor vehicle, as defined by this Ordinance, on a given parcel of land at any time, provided that the vehicle does not pose an immediate threat to public health or create a public safety hazard. The one (1) junk motor vehicle shall be kept behind the main structure or house located on the property and **SHALL BE COVERED WITH A “COMMERCIAL CAR COVER”**, as defined by this Ordinance.
 - (c) Under Spring Lake Ordinance 16-90, **OWNER NOTIFICATION**, add the process Option of notification by Town approved personnel affixing a Town approved door hanger to the front door of a residence or commercial building, identifying the Ordinance violation and the timeline to bring the violation into compliance.
- II. The 1st goal of Spring Lake Code Enforcement is to notify the residence and or commercial business of the violation and educate them on the violation. The Spring Lake Code Enforcement Officer will provide options to the violator that would bring them into compliance without fines or the abandoned/junked motor vehicles being towed at the direction of the Town of Spring Lake. There may be residents and commercial businesses that no longer want to own a junked vehicle but do not actually know what to do with the vehicle. The Code Enforcement Officer will provide violators in possession of junked motor vehicles with a list of local commercial vendors that purchase junked vehicles. These vendors will come to the residence/business and tow the vehicle from the property free of charge and pay the owner of the junked motor vehicle for the junked motor vehicle. This is a simple way for the violator to come into compliance with the Town Ordinance and get paid for the junked motor vehicle.

Another option, if approved by the Board of Commissioners, is for one (1) junked motor vehicle to be located behind the main structure on a parcel of land that is covered by a commercial car cover as described in Section I(b) above. This option would be relayed to the Ordinance violator along with the option described in Section I(A) above.

The Spring Lake Code Enforcement Division would like to publicize the Town of Spring Lake Ordinance on Junked Motor Vehicles to educate the public on the requirement of the Ordinance. To accomplish this, we would make Ordinance notifications on various Town of Spring Lake Social Media Platforms and other publications as reasonable.

The following is a **recommendation** for junked motor vehicle enforcement process:

1. Notify the resident of the specific Spring Lake Abandoned/junked motor vehicle Ordinance violation, with a period of 30 days to bring the violation into compliance. The notification will include, if approved by the Spring Lake Board of Commissioners, fast and immediate options as described in Section I(a) and I(b) of this document (sell junk vehicle to local vendor that will tow vehicle away for them free or with the junk vehicle being placed behind the main structure of the building or home with the junk vehicle being completely covered with a commercial car carrier).
2. With a junk vehicle violation not becoming compliant within the 30-day period, begin fining the Ordinance violator \$100.00 per day for the violation. After ten (10) days, if the junk vehicle Ordinance violation has not been brought in to compliance, notification of the towing will be served upon the junk vehicle violator. Any required hearing by NC Statute will be provided. After the violation hearing, the junk vehicle will be authorized to be removed from the violators address by a rotation wrecker approved by the Town of Spring Lake. The towing of the vehicle will be at the expense of the junk vehicle Ordinance violator.

It is the goal of Spring Lake Code Enforcement to work with Ordinance violators to bring all Ordinance violations into compliance as quickly and as easily as possible. In that regard, the Spring Lake Code Enforcement will use all legal means available to resolve the Ordinance violation and bring the violation into compliance.

PART II - CODE OF ORDINANCES
Chapter 16 - ENVIRONMENT
ARTICLE II. NUISANCES

ARTICLE II. NUISANCES¹

DIVISION 1. GENERALLY

Sec. 16-18. Purpose.

- (a) The town does hereby find that it is necessary to provide for the abatement of conditions which are offensive or annoying to the senses, detrimental to property values and community appearance, an obstruction to or interference with the comfortable enjoyment of adjacent property or premises, or hazardous or injurious to the health, safety or general welfare of the public in such ways to constitute a public nuisance, and to provide standards to safeguard life, health and the general welfare of the public in keeping with the character of the town by allowing for the maintenance of property or premises.
- (b) This article is enacted to protect the health, safety, and general welfare of the people of the town pursuant to powers granted under G.S. 160A-174, 160A-175, 160A-185, 160A-193, 160A-199, 160A-200, 160A-303, 160A-303.1, and 160A-303.2; the town Code and subsequent re-codifications and/or amendments; and other applicable legislation, as may be adopted in the future.

(Ord. No. 2010-2, § 2(1(90-1.01)), 2-8-2010)

Sec. 16-19. Objectives.

The principal objectives of this article are:

- (1) To safeguard the health, safety and general welfare of the people by maintaining property or premises in good and appropriate condition.
- (2) To promote a sound and attractive community appearance.
- (3) To enhance the economic value of the community through the regulation of the maintenance of property or premises.
- (4) To prevent injury and illness to occupants of the property and the general public, and to remove public nuisances.
- (5) To provide townwide standards for the abatement of public nuisances including, but not limited to, solid waste, junked motor vehicles, abandoned manufactured homes and other conditions as defined by this chapter.
- (6) To establish responsibility of involved parties and ensure that people are not unnecessarily exposed to dangers of public nuisances.
- (7) To reduce the threat to health, safety, general welfare, appearance and economic value due to the decline in property conditions by lawfully delineating the circumstances under which such conditions may be considered illegal and/or abated.
- (8) To ensure proper actions are taken to abate public nuisances, and the abatement of such conditions are in the best interest of the health, safety and general welfare of the residents of the town, because

¹State law reference(s)—Removal, disposal of junked and abandoned vehicles, G.S. 160A-303.

maximum use and enjoyment of property or premises in proximity to one another depends upon maintenance of those properties or premises at or above the minimum standard.

(Ord. No. 2010-2, § 2(1(90-1.02)), 2-8-2010)

Sec. 16-20. Definitions.

Definitions of words, phrases, and terms used in this article shall be those set forth in G.S. 160A-303, this Code and this section. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned or junked motor vehicle means and includes all machines designed or intended to travel over land or water by self-propulsion or while attached to any self-propelled vehicle.

- (1) The term "abandoned motor vehicle" means a vehicle that:
 - a. Has been left upon a street or highway in violation of a law or ordinance prohibiting parking;
 - b. Is left on property owned or operated by the town for longer than 24 hours;
 - c. Is left on private property without the consent of the owner, occupant, or lessee thereof for longer than two hours; or
 - d. Is left on any public street or highway for longer than seven days.
- (2) The term "junked motor vehicle" means an abandoned motor vehicle that also:
 - a. Is partially dismantled or wrecked; **OR**
 - b. Cannot be self-propelled or moved in the manner in which it was originally intended to move; **OR**
 - c. Is more than five years old and worth less than \$500.00; or
 - d. Does not display a current license plate.

Abandoned manufactured home means a manufactured home or mobile home that has not had legal power or was not properly connected to a permitted sewer or septic system and water supply in the last six months, not to be interpreted to include a manufactured home stored or parked in accordance with zoning regulations.

Abate means to repair, replace, remove, destroy or otherwise remedy the condition in question by such means and in such a manner and to such an extent as the enforcement officer in his judgment shall determine is necessary in the interest of the health, safety and general welfare of the community.

Building means any structure having a roof supported by enclosed walls and intended for shelter, housing or enclosure of persons, animals or chattels.

Department means the town police department, the department responsible for enforcing this article, and may also be referred to as "the department," or any other designated personnel with nuisance code enforcement duties as assigned by the town manager.

Graffiti means any inscription, word, figure, painting or other defacement that is written, marked, etched, scratched, sprayed, drawn, painted or engraved on or otherwise affixed to any surface of a structure, fixture or object, including, but not limited to, buildings, walls, fences, bridges, benches, shelters, sidewalks, hydrants, fountains, pavement, curbs, trees, rocks, signs, railroad cars, vehicles, utility poles or boxes situated on public or private property, by any graffiti implement, to the extent that the inscription, word, figure, painting or other defacement was not authorized in advance by the responsible party for the property or, despite advance authorization, is otherwise deemed a public nuisance.

Graffiti implement means any paint, aerosol or pressurized containers of paint, indelible broad-tipped markers, and paint stick, etching equipment or any other device capable of scarring or leaving a visible mark on any natural or manmade surface. A paint stick is further defined as any device containing a solid form of paint or other similar substance capable of being applied to a surface by pressure.

Junk means litter, debris, waste materials of any kind, used or unserviceable automobile and machinery parts, used and nonfunctional furniture and appliances, and used and nonfunctional tools, equipment, and implements, but shall not include compost piles for normal, personal or noncommercial use, in their proper location.

Manufactured home means a single-family residential dwelling built in accordance with the Federal Manufactured Housing Construction and Safety Standards Act 1974 (which became effective June 15, 1976), as amended. For purposes of this article, however, the term includes mobile homes.

Occupant means any person who occupies real property, whether with or without any right, title or interest in the property, and any person in possession or charge of such property, in the event the owner resides or is located elsewhere.

Owner means any person, organization, or corporation that owns, in whole or in part, the land, structure, or other property or is the purchaser of the property under contract for deed.

Park model (recreational vehicle) means a vehicle which is built on a single chassis, is 400 square feet or less when measured at the largest horizontal projection, is self-propelled or permanently towable by a light duty truck and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreation, camping, travel, and seasonal use. Recreational vehicles are not subject to the manufactured home construction and safety standards.

Personal property means all property other than real property, as defined in this section, that is subject to ownership.

Property means publicly or privately owned real property including parcels of land, buildings or structures.

Property agent means a person authorized by a property owner to act in transacting business matters or in managing the affairs of the property.

Public nuisance means any activity or failure to act that adversely affects the general public with conditions which are offensive or annoying to the senses, detrimental to property values and community appearance, an obstruction to or interference with the comfortable enjoyment of adjacent property or premises, or hazardous or injurious to the health, safety or general welfare of the public. It shall include, but is not limited to, any condition which poses an immediate and direct hazard to human health if left unheeded due to the existence of the condition itself or due to the immediate threat of transmission of disease through insects, animals, or other means of transmission or infections.

Real property, real estate, and land.

- (1) The terms "real property," "real estate," and "land" mean not only the land itself, but also buildings, structures, improvements, and permanent fixtures on the land, and all rights and privileges belonging or in any way appertaining to the property.
- (2) These terms also mean a manufactured home as defined in G.S. 143-143.9(6) if it is a residential structure; has the moving hitch, wheels, and axles removed; and is placed upon a permanent foundation either on land owned by the owner of the manufactured home or on land in which the owner of the manufactured home has a leasehold interest pursuant to a lease with a primary term of at least 20 years for the real property on which the manufactured home is affixed and where the lease expressly provides for disposition of the manufactured home upon termination of the lease.

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- (3) A manufactured home as defined in G.S. 143-143.9(6) that does not meet all of these conditions is considered tangible personal property.

Responsible party means an owner, legal occupant or an entity or person acting as an agent for an owner by agreement, who has authority over the real property or is responsible for the property's maintenance or management. Irrespective of any arrangement to the contrary with any other party, each property owner shall always be a responsible party for the purposes of this article. There may be more than one responsible party for a particular property.

Vehicle restoration permit means a permit that allows persons to actively restore an unlicensed and unregistered vehicle.

- (1) Persons storing any motor vehicle for more than 30 days outside a fully enclosed permanent structure for the purpose of restoration shall obtain a vehicle restoration permit from the department.
- (2) This permit shall allow for one restoration vehicle and up to one parts vehicle that must be compatible with the vehicle being restored.
- (3) The permit allows for outdoor storage of the vehicle for a period of up to six months.
- (4) A maximum of two six-month extensions may be granted upon request, provided substantial progress can be proven in the restoration of the vehicle at each extension interval.
- (5) Progress will be measured by receipts for the purchase of parts or services or visible reconstruction or deconstruction.
- (6) At no time shall the vehicle become a public health nuisance by collecting water to breed mosquitoes, losing fluid to contaminate the soil or becoming a harborage for vermin.
- (7) Upon the permit expiration date, the vehicle shall be removed or placed inside a fully enclosed building as required by this article.
- (8) The permit shall be placed in the vehicle in a location viewable from outside the vehicle.

Waters of the state or *waters* means any stream, river, brook, swamp, lake, sound, tidal estuary, bay, creek, reservoir, waterway, or other body or accumulation of water, whether surface or underground, public or private, or natural or artificial, that is contained in, flows through, or borders upon any portion of this state, including any portion of the Atlantic Ocean over which the state has jurisdiction.

(Ord. No. 2010-2, § 2(3), 2-8-2010)

Commercial Grade Car Cover means a professionally manufactured cover that completely covers a motor vehicle, and all parts associated with a motor vehicle, in its entirety. A tarp or any other cover not specifically manufactured for the purpose of covering a motor vehicle is not considered a commercial grad car cover.

Sec. 16-21. Jurisdiction.

This article shall apply to all property located in the town limits.

(Ord. No. 2010-2, § 2(2(90-2.01)), 2-8-2010)

Sec. 16-22. Exception.

This article shall not regulate property being actively used as a bona fide farm, which is any tract of land containing at least three acres which is used for dairying or for the raising of agricultural products, forest products,

livestock or poultry and including facilities for the sale of such products from the premises where produced, provided that a farm shall not be construed to include commercial poultry and swine production, cattle feeder lots and furbearing animal farms.

(Ord. No. 2010-2, § 2(2(90-2.02)), 2-8-2010)

Sec. 16-23. Prohibitions.

- (a) The creation or maintenance of a public nuisance is prohibited. It shall be unlawful for any person or property owner to create or cause a nuisance to be created or for the owner, lessee, occupant, caretaker or person in possession of any lot or parcel of land in the town to create a nuisance or otherwise permit, allow or suffer a nuisance to be created or to allow a nuisance to remain on such property after it has been declared a nuisance. Irrespective of any arrangement to the contrary with any other party, each property owner shall always be a responsible party for the purposes of this section.
- (b) The following are hereby expressly declared to be public nuisances:
- (1) Improper sewage disposal to such degree that sewage or effluent is discharging onto the surface of the ground, backing up into a structure, or ultimately discharging into waters of the state.
 - (2) An unsecured opening caused by improperly abandoned cistern, well pit, sewage treatment system, unused or non-maintained swimming pool, mine shaft or tunnel.
 - (3) Failure to keep waste, refuse, or garbage in an enclosed building or dumpster, or properly contained in a closed, insectproof and rodentproof container designed or reasonably adapted for such purpose.
 - (4) Accumulation of carcasses of animals, birds, or fish by failing to bury or otherwise dispose of in a sanitary manner within 24 hours after death.
 - (5) Significant outdoor storage of solid waste including, but not limited to, decaying animal or vegetable matter, animal or human feces, trash, rubbish, garbage, rotting lumber, packing materials, scrap material including plastics or fiberglass, pallets, fuel storage containers, tools, car parts, tires and wheels, furnaces, stoves, refrigerators, other home appliances, furniture, household goods, plumbing and electrical fixtures, construction materials, amusement park devices, metal, pipes, rubber, glass bottles, empty vessels or pots, cans, machinery, wood, brick, cement block, all-terrain vehicles, toys, bicycles, junk or any other similar materials (the items on this list need not necessarily be old, wornout, broken or discarded but may also be new or in usable condition) in which flies, mosquitoes, other disease-carrying insects, rodents or other vermin can harbor.
 - (6) Accumulations or a collection place for tree limbs, dried brush, dead vegetation or other rubbish or junk as to become dangerous or injurious to the health and safety of any individual or to the general public and/or a fire hazard.
 - (7) Dangerous trees, dead or decaying trees, any condition detrimental to the public safety, any damaged trees that are in such a condition that it may be dangerous or injurious to the health and safety of any individual or to the general public.
 - (8) The outdoor storage or the outdoor display of new or used tires exposed to the elements overnight, or discarding of tires not in an approved dumpster or container is prohibited. Open storage of tires support mosquito larvae, mosquitoes capable of carrying West Nile virus, La Crosse encephalitis virus, or any other disease-causing microorganism and/or conditions which present a health, safety and fire hazard.
 - (9) Any abandoned or junked motor vehicle without a current vehicle restoration permit and/or any abandoned recreational vehicle, abandoned park model trailer or abandoned manufactured home as

defined in this subsection. The term "abandoned or junked motor vehicle" means and includes all machines designed or intended to travel over land or water by self-propulsion or while attached to any self-propelled vehicle.

- a. The term "abandoned motor vehicle" means one that:
 1. Has been left upon a street or highway in violation of a law or ordinance prohibiting parking; **OR**
 2. Is left on property owned or operated by the town for longer than 24 hours; **OR**
 3. Is left on private property without the consent of the owner, occupant, or lessee thereof for longer than two hours; or
 4. Is left on any public street or highway for longer than seven days.
- b. The term "junked motor vehicle" means an abandoned motor vehicle that also:
 1. Is partially dismantled or wrecked; **OR**
 2. Cannot be self-propelled or moved in the manner in which it was originally intended to move; **OR**
 3. Is more than five years old and worth less than \$500.00; **OR**
 4. Does not display a current license plate.
- c. Any junked or abandoned motor vehicle found to be in violation of this section may be removed to a storage garage or area, but no such vehicle shall be removed from private property without the written request of the owner, lessee, or occupant of the premises unless the board of **aldermen commissioners** or a duly authorized town official or employee has declared it to be a health or safety hazard, **or, per NCGS 160(A)300.2(A1) Finds in writing that the aesthetic benefits of removing the vehicle outweigh the burdens imposed on the private property owner.** The town may require any person requesting the removal of a junked or abandoned motor vehicle from private property to indemnify the town against any loss, expense, or liability incurred because of the removal, storage, or sale thereof. When an abandoned or junked motor vehicle is removed, the town shall give notice to the owner as required by G.S. 20-219.11.
- d. Hearing procedure. Regardless of whether the town does its own removal and disposal of motor vehicles or contracts with another person to do so, the town shall provide a hearing procedure for the owner. For purposes of this subsection, the definitions in G.S. 20-219.9 apply.
 1. If the town operates in such a way that the person who tows the vehicle is responsible for collecting towing fees, all provisions of G.S. ch. 20, art. 7A apply.
 2. If the town operates in such a way that it is responsible for collecting towing fees, it shall:
 - (i) Provide by contract or ordinance for a schedule of reasonable towing fees;
 - (ii) Provide a procedure for a prompt fair hearing to contest the towing;
 - (iii) Provide for an appeal to district court from that hearing;
 - (iv) Authorize release of the vehicle at any time after towing by the posting of a bond or paying of the fees due; and
 - (v) Provide a sale procedure similar to that provided in G.S. 44A-4, 44A-5, and 44A-6, except that no hearing in addition to the probable cause hearing is required. If no one purchases the vehicle at the sale and if the value of the vehicle is less than the amount of the lien, the town may destroy it.

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3. No person shall be held to answer in any civil or criminal action to any owner or other person legally entitled to the possession of any abandoned, lost, or stolen motor vehicle for disposing of the vehicle as provided in this section.
 4. Nothing in this section shall apply to any vehicle in an enclosed building or any vehicle on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the enterprise, or to any vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the town.
 5. **A property owner may store one (1) junked motor vehicle, as defined by this ordinance, on a given parcel of land at any time, provided that the vehicle does not pose an immediate threat to public health or create a public safety hazard. The junk motor vehicle shall be kept behind the main structure or house located on the property and shall be covered with a "Commercial Grade Car Cover, as defined by this ordinance.**
- (10) Infestations of flies, fleas, cockroaches, lice, rats, mice, fly larvae, hookworm larvae or other insects, parasites or vermin.
 - (11) Breeding grounds which support mosquito larvae and mosquitoes capable of carrying West Nile virus, La Crosse encephalitis virus, or any other disease-causing microorganism.
 - (12) Use of a recreational vehicle or park model trailer as a primary residence without water and sewerage connections.
 - (13) Recreational vehicles or manufactured homes used for storage or to store solid waste.
 - (14) Graffiti or vandalism of real property within the town containing a condition that defaces it or any permanent structure, fixture or object situated thereon which in turn causes or tends to cause depreciation in the enjoyment and use, or in the value, of the property in its immediate vicinity or which has the potential to unreasonably annoy, injure or endanger the safety, health, morals or general welfare of ordinary and reasonable members of the public.
 - (15) Maintaining or causing to be maintained any dangerous structure, or causing to maintain an abandoned manufactured home or abandoned mobile home. Existence of any structure, accessory structure, or damaged partial structure which, because of fire, wind or other natural disaster, is in such physical deterioration that it is no longer habitable as a dwelling, nor currently useful for any other purposes for which it may have been intended, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a fire hazard or presents a danger to inquisitive minors.
 - (16) The existence of any vacant building, garage, house or outbuilding, unless such structure is kept secured from entry by the public and protected from inquisitive minors.
 - (17) All noxious weeds, tall grasses, and other rank growths; the overgrowth of grass and weeds; permitting the growth of any grass and noxious weeds which shall have attained a height of 12 inches. The term "weeds" means and includes all noxious weeds as defined by the town and all such useless and troublesome plants as are commonly known as weeds to the general public. All grasses growing to a height greater than 12 inches upon any lot or parcel of land within the platted portions of the town as follows:
 - a. For developed property, defined as all land within the town limits that contains structures or dwelling units regardless of whether the property is vacant or occupied, the maximum height standard is 12 inches.
 - b. For undeveloped/cleared property, defined as all land within the town limits that was previously developed but presently has no structures, the maximum height standard is 12 inches. Lots which have had all marketable timber removed will be considered undeveloped/cleared. Land used for

agricultural purposes shall be exempt from the height requirements. Land which has been allowed to revert back to its natural timbered state and the average size is four inches in diameter or greater shall be considered to be undeveloped, uncleared property.

- c. Undeveloped/uncleared property may be left in its natural state, provided that the accumulation of rubbish, construction debris, trash or junk does not occur. Land used for agricultural purposes shall be exempt from the height requirements.
 - d. Annual notice to chronic violators of overgrowth of grass and weeds, if the violator's property is found to be in violation of this article, the town shall, without further notice in the calendar year in which notice is given, take action to remedy the violation and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The initial annual notice shall be served by registered or certified mail. A chronic violator is a person who owns property whereupon, in the previous calendar year, the town took remedial action at least three times under the overgrown vegetation ordinance pursuant to powers granted under G.S. 160A-200.
- (18) The distributing, placing, posting, or affixing of posters, signs, notices, or handbills on private property or public right-of-way without consent of the owner or occupant except as authorized or required by law.
 - (19) Firewood, except when such storage is neither in excess of a total area as allowed for outdoor storage, elevated above grade a minimum of six inches, neatly stacked to a height no more than four feet above the ground.
 - (20) The release of soil/silt from a property that enters or has the potential of entering the storm drainage system. Property owners are responsible for maintaining an adequate amount ground cover to prevent erosion from occurring.
 - (21) Obstructions such as trees, plants, shrubs, or vegetation, or parts thereof, which overhang any sidewalk, street or fire hydrant, or which are growing thereon in such a manner as to obstruct, or any type of obstruction not mentioned that impair the free and full use of the sidewalk, street or fire hydrant by the public.
 - (22) Unsafe or unsightly fences and walls; all fences and walls, both existing and new, and all parts thereof, shall be maintained in a safe condition, structurally sound, plumb (vertical) to the ground, and in an attractive manner, free from disfigurement, damage, or deteriorated conditions as determined by the department or other designated official as assigned by the town manager.
 - a. Fences that are constructed of concertina wire, razor wire and similar fencing materials shall be prohibited. This prohibition shall not apply to those serving a public or quasi-public institution for public safety.
 - b. The use of barbed wire fences in any residentially zoned area shall be prohibited; this prohibition shall not apply to fences used to enclose livestock and/or on rural or agricultural zoned property.
 - c. In nonresidential zones, barbed wire with a maximum of three strands may be used, provided that the fence meets zoning requirements and that the barbed wire is located at least six feet above the ground and projects over the fence owner's property and does not overhang abutting properties. However, barbed wire is prohibited when used in conjunction a perimeter fence for a monitored electric fence.

(Ord. of 8-11-2003; Ord. No. 2010-2, § 2(2(90-2.03)), 2-8-2010; Ord. No. (2014)6, 4-28-2014)

Sec. 16-24. Open storage.

(a) *Prohibited.*

- (1) Outdoor open storage shall not be allowed between any front of a building and the right-of-way side of the street on which it is addressed. Such storage shall be restricted to the rear yard not to exceed one-quarter of the rear yard area, shall not be closer than five feet to any lot lines or shall be at least 15 feet from any public street right-of-way or ally, whichever is the most restrictive.
- (2) The term "open storage" is the unsheltered storage of personal property of any kind kept outside of a totally enclosed shelter.
- (3) The term "personal property" shall include, but not be limited to, building materials; televisions, appliances, indoor furniture, clothing, books, boxes, containers, and other household personal items not in a state of disrepair; debris junked, trashed, discarded or in an unusable condition or in such a state that it would be in violation of section 16-23.
- (4) Open storage in carports or garages without permanent doors shall not be permitted. Open storage on or in open front or side porches or decks shall not be permitted. The following shall be exceptions:
 - a. BBQ grills, as long as there is not a collection thereof;
 - b. Lawn furniture maintained in usable condition;
 - c. Bicycles and toys maintained in operational use by the residence, not for resale or refurbishing, as long as there is not a collection thereof.
- (5) Open storage in commercial and nonresidential uses and the outdoor storage of items not related to the property's use in relation to zoning approval or as allowed by zoning shall be prohibited.

(b) *Permitted.* Outdoor storage by a business is allowed as long as it is a part of the business that is in compliance with this article and zoning provisions.

(Ord. No. 2010-2, § 2(2(90-2.04)), 2-8-2010)

Secs. 16-25—16-53. Reserved.

DIVISION 2. ADMINISTRATION

Sec. 16-54. Town ordinances.

Except where otherwise specified, this article is subject to all provisions of this Code.

(Ord. No. 2010-2, § 2(4(90-4.01)), 2-8-2010)

Sec. 16-55. Declaration as a public nuisance.

- (a) It shall be the duty of the department to determine whether or not a public nuisance exists.
- (b) For purposes of emergency response and notification to applicable authorities and posting for the public, the department may determine that a structure, property, or portion of a property constitutes a public nuisance. In areas of the public health, the department may declare a public nuisance pursuant to a memorandum of understanding with the county department of public health.

(Ord. No. 2010-2, § 2(4(90-4.02)), 2-8-2010)

Sec. 16-56. Modifications to or dismissal of the public nuisance declaration.

- (a) The department may modify conditions of the declaration or the town manager may dismiss the declaration of a public nuisance not inconsistent herewith.
- (b) Such modification or dismissal shall occur only after the department has confirmed that the violation no longer exists.
- (c) The department will base its criteria for determining levels of contamination on the best health and safety information available at the time of the remediation and cannot be held liable for future discoveries.
- (d) For good cause shown, the owner or occupant may request authorization from the department for an extension of time to complete abatement activities. The department may grant such extension if the extension does not increase the risk to public or safety and is deemed appropriate. An extension will be no longer than 30 days and must show substantial improvement or the completion of that deadline will result in penalty.

(Ord. No. 2010-2, § 2(4(90-4.03)), 2-8-2010)

Sec. 16-57. Access to premises and records.

The owner or occupant shall, upon the request of the department and after proper identification, permit access to all parts of the site or structure as often as necessary, and at any reasonable time for the purposes of inspection, remediation and abatement, and shall exhibit and allow copying of any and all records necessary to ascertain compliance with this article. If the occupant will not permit entry upon the property, the department shall complete the requirements of an administrative search warrant in order to inspect the complaint.

(Ord. No. 2010-2, § 2(4(90-4.04)), 2-8-2010)

Sec. 16-58. Interference with the department.

No person shall in any way interfere with or hinder the department in the performance of duties or refuse the department access to gather information necessary to ascertain compliance with this article.

(Ord. No. 2010-2, § 2(4(90-4.05)), 2-8-2010)

Secs. 16-59—16-89. Reserved.

DIVISION 3. INVESTIGATION AND RESPONSE TO A PUBLIC NUISANCE

Sec. 16-90. Owner notification.

Upon declaration of a public nuisance, the department shall give written notice of its determination and orders to abate the nuisance to the owner, occupant and property agent, if applicable. This notice shall be served in person, by regular mail, or **by displaying a town approved notice of violation from on the front door of the residence**, by an officer authorized to serve a warrant and shall contain the following:

- (1) Property location by street address, parcel identification number, or other property description;

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- (2) Information identifying the nature of the public nuisance at the property;
 - (3) A summary of the owner's and occupant's responsibilities under this article;
 - (4) Specific orders for abatement or remediation of the public nuisance;
 - (5) A date for completion of the abatement not to exceed 30 days following the receipt of the notice unless a shorter time is required due to the department's further determination that the immediate abatement is necessary to protect public and safety. In such cases, the reason for a shortened abatement period shall be specified;
 - (6) Information regarding a right of appeal as provided in division 5 of this article; and
 - (7) A statement that, unless the threat to public is abated or removed in accordance with the terms of the notice, the department will have the public nuisance abated or removed at the expense of the owner under the provisions of G.S. 160A-303, this article, or other applicable state or local law.

(Ord. No. 2010-2, § 2(5(90-5.01)), 2-8-2010)

Sec. 16-91. Unknown or absent property owner.

In the event the owner of the property is unknown or absent and has no known representative upon whom the notice can be served, the department shall post a written or printed notice on the property stating that, unless the threat to the public is abated or removed within 30 days, the department will have the public nuisance abated or removed at the expense of the owner under the provisions of state statutes, this article, or other applicable state or local law.

(Ord. No. 2010-2, § 2(5(90-5.02)), 2-8-2010)

Sec. 16-92. Public notification.

The department shall provide information in writing about the public nuisance declaration and potential hazards to the following persons as applicable and appropriate:

- (1) Child protection division in situations of potential child maltreatment or endangerment;
- (2) Adult protection division in situations of potential vulnerable adult maltreatment or endangerment;
- (3) Neighbors in close proximity likely to be affected by the conditions found at the site;
- (4) The local municipal clerk;
- (5) Local law enforcement officer; or
- (6) Other state and local authorities that may have public or environmental protection responsibilities.

(Ord. No. 2010-2, § 2(5(90-5.03.1)), 2-8-2010)

Sec. 16-93. Annual notice to chronic violators of this article.

The town may notify a chronic violator of the town's public nuisance ordinance that, if the violator's property is found to be in violation of the ordinance, the town shall, without further notice in the calendar year in which notice is given, take action to remedy the violation, and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The notice shall be sent by certified mail. The term "chronic violator" means a person who owns property whereupon, in the previous calendar year, the town gave notice of violation at least three times under any provision of this chapter pursuant to powers granted under G.S. 160A-200.

(Ord. No. 2010-2, § 2(5(90-5.03.2)), 2-8-2010)

Sec. 16-94. Warning sign.

The department shall post a warning sign when deemed necessary to further protect the public and safety. The warning sign shall be posted on the entrances of the structure or property and contain information sufficient to alert visitors or returning occupants to the site that it may be dangerous to enter, that entry is prohibited unless authorized by the department, and any person other than the department or its designated agent that removes a warning sign shall be in violation of this article. A draft sign is attached to the ordinance from which this article is derived as appendix B, which is on file in the office of the town manager.

(Ord. No. 2010-2, § 2(5(90-5.04)), 2-8-2010)

Sec. 16-95. Department abates public nuisance.

If the owner, property agent or occupant fails or neglects to comply with the requirements in the notice provided under section 16-90, then the department shall abate or remediate the public nuisance described in the notice. The department will recoup such costs as necessary to abate the public nuisance as provided in division 4 of this article.

(Ord. No. 2010-2, § 2(5(90-5.05)), 2-8-2010)

Sec. 16-96. Vacating the public nuisance order.

Upon the department's verification of proper abatement, remediation or removal at the site, the department shall issue written notice to those persons served notice under section 16-90 that the public nuisance order is vacated. Notice shall also be provided, as applicable and appropriate, to those persons provided information under section 16-93.

(Ord. No. 2010-2, § 2(5(90-5.06)), 2-8-2010)

Secs. 16-97—16-120. Reserved.

DIVISION 4. COSTS AND REIMBURSEMENTS

Sec. 16-121. Recovery of costs.

- (a) If the department is required to remove, abate or remediate a public nuisance, the town shall make every reasonable effort to recover costs incurred in removal, abatement or remediation in a civil action. The cost of enforcement action under this article may be assessed and charged against the real property on which the public nuisance was located. The town shall extend the cost as assessed and charged against said real property.
- (b) When the estimated cost of abatement and remediation exceeds 75 percent of the county assessor's market value of the structure, the town manager or designee is authorized to notify the property owner of the town's intent to remove and dispose of the affected property instead of proceeding with abatement and remediation. For motor vehicles, the town will use the Kelley Blue Book value or equivalent in determining market value.

(c) Nothing herein precludes or limits the town from seeking recovery of costs through other methods allowed by federal or state law.

(Ord. No. 2010-2, § 2(6(90-6.01)), 2-8-2010)

Sec. 16-122. Subrogation rights.

Nothing in this article is intended to limit the subrogation rights of any party and the owner or occupants. The town shall maintain the right to recover costs referenced in this division from persons contributing to the damage.

(Ord. No. 2010-2, § 2(6(90-6.02)), 2-8-2010)

Secs. 16-123—16-142. Reserved.

DIVISION 5. APPEALS

Sec. 16-143. Appeal process.

Pursuant to this article, any violator of the article is entitled to appeal the violation that has resulted in the application of a civil penalty. If the violator wishes to appeal the civil violation, the appeal notice must be filed within ten days of the issuance of the violation.

(Ord. No. 2010-2, § 2(7(90-7.01)), 2-8-2010)

Sec. 16-144. Hearing.

If any owner or occupant makes a written request to the town manager for hearing, such hearing shall be held before the town manager.

(Ord. No. 2010-2, § 2(7(90-7.02)), 2-8-2010)

Sec. 16-145. Schedule.

The hearing shall be held at the next available meeting after the request for a hearing was received.

(Ord. No. 2010-2, § 2(7(90-7.03)), 2-8-2010)

Sec. 16-146. Notice.

The department shall mail a notice to the appealing party of the time and place of the hearing at least ten calendar days prior to the hearing.

(Ord. No. 2010-2, § 2(7(90-7.04)), 2-8-2010)

Sec. 16-147. Witness and evidence.

All parties shall have full opportunity to respond to and present evidence and witnesses.

(Ord. No. 2010-2, § 2(7(90-7.05)), 2-8-2010)

Sec. 16-148. Standard of proof.

The appellant shall have the burden of proving its position by clear and convincing evidence.

(Ord. No. 2010-2, § 2(7(90-7.06)), 2-8-2010)

Sec. 16-149. Rules of evidence.

Hearings shall be informal and the rules of evidence as applied in the courts shall not apply. Irrelevant, immaterial and repetitious evidence shall be excluded.

(Ord. No. 2010-2, § 2(7(90-7.07)), 2-8-2010)

Sec. 16-150. Record of hearing.

The hearing shall be recorded and the minutes of the meeting shall be approved by the town manager.

(Ord. No. 2010-2, § 2(7(90-7.08)), 2-8-2010)

Sec. 16-151. Notice of decision.

The decision of the town manager shall be issued within ten calendar days following the hearing. Unless otherwise provided by law, the decision of the town manager shall constitute the final decision.

(Ord. No. 2010-2, § 2(7(90-7.09)), 2-8-2010)

Sec. 16-152. Further appellate rights.

Any party aggrieved by a final decision is entitled to judicial review of the decision. A petition for a writ of certiorari by the party must be filed with the Superior Court of Cumberland County not more than 30 calendar days after the party receives the final decision from the town manager.

(Ord. No. 2010-2, § 2(7(90-7.10)), 2-8-2010)

Sec. 16-153. Disclaimer of liability.

Liability on the part of, or a cause of action against, the town or any officer, employee or agent thereof for any damages that may result from administration and enforcement of this article shall be limited as provided by state statutes.

(Ord. No. 2010-2, § 2(8), 2-8-2010)

Secs. 16-154—16-174. Reserved.

DIVISION 6. PENALTIES

Sec. 16-175. Citation of civil penalties.

Whenever the department discovers a violation of this article, a citation may be issued to the person or owner charged with the violation or, in case of a corporation, to any officer or agent expressly or impliedly authorized to accept such issuance. Any person or owner who violates this article, or who permits a violation to exist on the premises under his control, or fails to take action to abate the existence of the violation within a specified time period when ordered or notified to do so by the department, shall be charged a standard civil penalty of \$100.00 per day for each and every day that the violation continues.

(Ord. No. 2010-2, § 2(9(90-9.01)), 2-8-2010)

Sec. 16-176. Misdemeanor.

Any person or owner who violates this article may be guilty of a misdemeanor, and may be punished by a fine not to exceed the maximum allowed by state law. Each day of violation constitutes a separate offense.

(Ord. No. 2010-2, § 2(9(90-9.02)), 2-8-2010)

Sec. 16-177. Civil remedies.

In the event of a violation or threat of violation of this article, the town attorney may take appropriate action to enforce this article, including application for injunctive relief, action to compel performance, or other appropriate action in court, if necessary, to prevent, restrain, correct, or abate such violation or threatened violation. The town attorney may seek costs and expenditures, including staff time and attorney's fees.

(Ord. No. 2010-2, § 2(9(90-9.03)), 2-8-2010)

Secs. 16-178—16-205. Reserved.