



Board of Commissioners

Regular Meeting

Agenda

Tuesday, August 2, 2022

6:30 PM

Location: 28 N Raleigh Street, Angier, NC 27501

Call to Order

Pledge of Allegiance

Invocation

Approval of Agenda

Presentation

None

Public Comment

Consent Agenda

1. Approval of Minutes

- a. July 5, 2022 – Regular Meeting

Public Hearings

**1. Text Amendment – Police Department Ordinance Violations for Enforcement
(continued)**

- a. Continued Public Hearing from the July 5, 2022 Board Meeting regarding draft amendments of the Ordinance as it relates to Police Ordinance Violations for Enforcement.

2. Conditional Rezoning Request – Submitted by Daniel & Melinda Beavers

- a. Application submitted by Daniel & Melinda Beavers to rezone approximately 0.64 acres located at 612 N. Broad Street E. (Harnett PIN: 0674-72-5896.000) from R-10 to CZ General Commercial.

New Business

1. Voluntary Annexation Petition – Submitted by Daniel & Janet Gardner and Kenneth & Debra Gardner

- a. Consideration and approval of Resolution #R018-2022 to Direct the Clerk to Investigate the Sufficiency of the Petition submitted by Daniel & Janet Gardner and Kenneth & Debra Gardner for approximately 47.8 acres located on Old Buies Creek Road, Angier, NC (**Harnett** PINs: 0673-72-4977.000 & 0673-72-7501.000).
- 2. Voluntary Annexation Petition – Submitted by Rebecca Partin**
 - a. Consideration and approval of Resolution #R019-2022 to Direct the Clerk to Investigate the Sufficiency of the Petition submitted by Rebecca Partin for approximately 32.23 acres located on Matthews Mill Pond Road, Angier, NC (**Harnett** PINs: 0673-35-3156.000 & 0673-34-3650.000).
- 3. Voluntary Annexation Petition – Submitted by Taylor Morrison of Carolinas, Inc**
 - a. Consideration and approval of Resolution #R020-2022 to Direct the Clerk to Investigate the Sufficiency of the Petition submitted by Taylor Morrison of Carolinas, Inc for approximately 35.61 acres located on Junny Road & Kennebec Road, Angier, NC (**Harnett** PINs: 0674-76-8650.000; 0674-76-8919.000 & 0674-87-0285.000; **Wake** PIN: 0674871973).
- 4. Voluntary Annexation Petition – Submitted by Doris J. Collins**
 - a. Consideration and approval of Resolution #R021-2022 to Direct the Clerk to Investigate the Sufficiency of the Petition submitted by Doris J. Collins for approximately 0.942 acres located on E. Wimberly Street, Angier, NC (**Portion of Harnett** PIN: 0684-03-0781.000).
- 5. 500,000 Gallon Elevated Water Storage Tank**
 - a. Consideration and approval to authorize the Town Manager to execute the MBD Consulting Engineers, P.A. Fee Proposal in the amount of \$135,000.
- 6. Budget Amendment #1**
 - a. Consideration and approval of Budget Amendment #1 that pertains to the General Fund, Parks & Recreation Field Rental/Donations Fund, and the Water/Sewer Fund.
- 7. Harnett County Library Building Lease Agreement with the Town of Angier**
 - a. Consideration and approval of the Harnett County Library Building Lease Agreement for Angier's Library Building.
- 8. Termination of State of Emergency for the Town of Angier**
 - a. Consideration and approval to terminate the State of Emergency for the Town of Angier per Governor Cooper effective August 15, 2022.

Manager's Report

Staff Reports

Mayor and Town Board Reports

Adjourn

****IN ACCORDANCE WITH ADA REGULATIONS, PLEASE NOTE THAT ANYONE WHO NEEDS AN ACCOMMODATION TO PARTICIPATE IN THE MEETING SHOULD NOTIFY THE TOWN CLERK AT 919.331.6703 AT LEAST 48 HOURS PRIOR TO THE MEETING.****

CONSENT AGENDA

**Town of Angier
Board of Commissioners
Tuesday, July 5, 2022, 6:30 P.M.
Angier Municipal Building
28 North Raleigh Street
Minutes**

The Town of Angier convened during a regularly scheduled Board of Commissioners meeting on Tuesday, July 5, 2022, in the Board Room inside the Municipal Building at 28 North Raleigh Street.

Members Present: Mayor Bob Smith
Mayor Pro-tem Loru Boyer Hawley
Commissioner Alan Coats
Commissioner Jim Kazakavage
Commissioner George "Jr." Price

Members Excused:

Staff Present: Town Manager Gerry Vincent
Town Clerk Veronica Hardaway
Planning Director Sean Johnson
Library Director Katy Warren
Public Works Director Jimmy Cook
Chief of Police Lee Thompson
Parks & Recreation Director Derek McLean
Finance Director Hans Kalwitz
HR Director Melissa Wilder
Town Attorney Dan Hartzog, Jr.

Others Present:

Call to Order: Mayor Smith presided, calling the Board of Commissioners meeting to order at 6:30 p.m.

Pledge of Allegiance: Mayor Smith led the pledge of allegiance.

Invocation: Commissioner Coats offered the invocation.

Approval of the July 5, 2022 meeting agenda: The Town Board unanimously approved the agenda as presented.

Board Action: The Town Board unanimously voted to approve the agenda as presented.

Motion: Mayor Pro-tem Hawley

Vote: 4-0; unanimous

Presentation

Mayor Smith presented Parks & Recreation Director Derek McLean, a Proclamation in honor of June being National Parks & Recreation Month.

Public Comment

Seeing no one, Mayor Smith closed the public comment portion of the meeting.

Consent Agenda

1. Approval of Minutes

- a. June 7, 2022 – Regular Meeting
- b. June 21, 2022 – Work Session

Board Action: The Town Board unanimously voted to approve the consent agenda as presented.

Motion: Commissioner Coats

Vote: 4-0, unanimous

Public Hearings

1. Voluntary Annexation Petition – Submitted by Roger Howard Dupree

Planning Director Sean Johnson stated that staff received a voluntary annexation petition submitted by Roger Howard Dupree requesting to annex approximately 91.85 acres located on Tippet Road & Roy Adams Road, Angier, NC (Harnett PINs: 0673-45-5069.000; 0673-44-2149.000 & 0673-53-1625.000). A Sufficiency of the Petition and a Certification of Results were issued in June; a date to set the public hearing was approved in June and advertised accordingly. Following the required Public Hearing, the Town Board will be qualified to consider the adoption of Ordinance #A008-2022 to Extend the Corporate Limits of Town.

Mayor Smith opened the Public Hearing.

Allen Hester, 354 Tippet Road, asked if surrounding properties are included in the annexation and also shared his concern of the Town's utility infrastructure capacity with the additional load. Mr. Johnson stated the annexation is specifically for the property aforementioned above and the Town is in the process of purchasing additional sewer capacity to handle future growth.

Anne Saylor, 204 Blair Drive, is concerned with too many trees being cut down due to growth and development.

Seeing no one, Mayor Smith closed the Public Hearing.

Board Action: The Town Board voted to adopt Ordinance #A008-2022 to Extend the Corporate Limits of Town totaling approximately 91.85 acres located on Tippet Road & Roy Adams Road, Angier; submitted by Roger Howard Dupree (Harnett PINs: 0673-45-5069.000; 0673-44-2149.000 & 0673-53-1625.000).

Motion: Mayor Pro-tem Hawley

Vote: 4-0; unanimous

2. Conditional Rezoning Request – Submitted by DRB Group

Planning Director Sean Johnson stated that staff has also received a rezoning application request from DRB Group for the 91.85-acre property just approved for annexation and located on Tippet Road & Roy Adams Road, Angier, NC (Harnett PINs: 0673-45-5069.000; 0673-44-2149.000 & 0673-53-1625.000) from RA-30 to CZ R-6. The property is currently farmed with ponds and wooded areas. Surrounding land uses include low and medium density residential as well as agricultural uses. Public water and sewer services are available upon extension by the developer.

The proposed conditional rezoning was submitted with a subdivision plan that includes a maximum of residential 271 units, which equates to 2.95 units per acre. This proposal is in line with the medium density residential designation shown the Future Land Use Plan. At their June 14, 2022 meeting, the Planning Board recommended approval of the requested rezoning with the proposed zoning conditions submitted to the Board.

Mr. Johnson shared that 32.9% total open space is proposed with the subdivision. There are 271 total lots, 19 of which are townhome lots, and there are 3 varying sizes of single-family lots. There are various open space amenity areas throughout the subdivision.

Mr. Johnson reviewed the proposed conditions to be incorporated into the zoning regulations for this property.

1. The parcels in question shall only be developed with single family and townhome residential lots.
2. The following uses shall be prohibited: boarding/rooming houses, family care homes, multi-family residential apartments, multi-family residential condominiums, office and service uses, retail uses.
3. There shall be no more than 271 total lots on the parcels in question. In the case of a reduction in the total lot count based on unforeseen design constraints, the Planning Director may approve minor adjustments to the proposed subdivision plan.
4. There shall be no more than 19 lots developed for townhomes.
5. At least 28 lots shall be greater than 10,000sqft. All lots directly adjacent to the Clearfield Subdivision shall be at least 10,000sqft.
6. The minimum building setbacks shall be as required in the R-6 district.
7. There shall be a minimum of 25 acres of total open space preserved in the proposed subdivision, of which a minimum of 5 acres shall be active recreational open space. Open shall be developed in accordance with Chapter 6 of the Angier Zoning Ordinance.

8. There shall be a 10ft Type C Landscape Buffer installed along Roy Adams Road and Tippet Road.
9. There shall be a 15ft Type A Landscape Buffer installed along the rear of the proposed townhome lots.
10. There shall be Curb & Gutter and 5ft wide sidewalk installed throughout the proposed subdivision on both sides of each proposed street, and along the road frontages on Tippet Road and Roy Adams Road which stubs to each adjacent property.
11. There shall be an eastbound Right-Turn lane installed on Tippet Road at the intersection of Tippet Road and NC 55 (S. Raleigh St.) with 100ft of storage and appropriate deceleration and taper length. This turn lane shall be constructed to NCDOT standards.
12. There shall be a Left-Turn lane installed on Tippet Road at the intersection of Tippet Road and Roy Adams Road. This turn lane shall be constructed to NCDOT standards.
13. There shall be a Left-Turn lane installed on Tippet Road which serves the proposed development entrance (Site Access 1). This turn lane shall be constructed to NCDOT standards.

In accordance with NCGS 160D-703(b), only those conditions approved by the local government and consented to by the petitioner in writing may be incorporated into the zoning regulations.

Mayor Smith opened the Public Hearing.

There was some discussion by the Board that they would like to see lots 12-21 shown on the proposed plan be adjusted so they are at least 10,000sqft.

Cindy Szwarcokop, representing DRB Group, stated they would be more than happy to accommodate the Board's request. There is quite a bit of green open space with wetlands and streams they are protecting. They want this to be a neighborhood that can be for all types of people, and all levels of their life. They've been very purposeful with adding in townhomes and then 3 different types and styles of single-family homes. Active open space that includes tot lots, dog parks as well as walking trails are proposed. Throughout the neighborhood with sidewalks and walking trails totals up to almost 6 miles of pedestrian facilities. Two existing ponds will be preserved as well as additional stormwater control measures. The density proposed is consistent with Angier's Future Land Use Map for medium density residential. Their team has agreed to all conditions discussed with staff and the Planning Board. A Traffic Impact Analysis has been completed and have also agreed to all the requirements for the addition of turn lanes on Tippet Road.

Caroline Cheeves P.E., stated she prepared a Traffic Impact Analysis (TIA) through consultation with Town staff and through consultation with NCDOT. The analysis has been reviewed and approved by the Planning Director. All of their assumptions in the TIA were in coordination with the Town and NCDOT and reviewed and approved prior to submittal. The proposed development is expected to be constructed and fully occupied by 2029, at which time the NC 55 Bypass will be complete. Ms. Cheeves is aware that Roy Adams Road is a dead-end road, however, it will connect directly to the NC 55 Bypass which is projected to relieve traffic at Hwy 210 and Hwy 55. Also, a right-turn lane will

be installed from Tippet Road onto NC 55 and left-turn lanes will be installed from Tippet Road onto Roy Adams Road and also into the site driveway.

The Board shared concern of the housing market and the price point of the homes. They also wanted to know plans on the size of homes being built.

Jay Colvin, with DRB Group, stated the area is experiencing tremendous amount of growth. Inflation along with supply and demand factors has driven the value of homes up; however, they're still seeing a very strong demand. Mr. Colvin explained that part of the variation in lot size was to be able to offer customization of homes as well as making sure they provided similar uses as the surrounding area.

TJ Lynch, 40 Fairfield Court, spoke in opposition of the rezoning request. He voiced that the rezoning doesn't match the lots in the adjacent Clearfield subdivision. The homes are too close together and the elevation of that land is slightly higher than the elevation of the land in the adjacent subdivision.

Gordon Springle, 540 Tippet Road, spoke in opposition to the rezoning request. He would like to see some type of berm or barrier along the whole area particularly where existing homes are located. He stated that due to the homes being so close together, the Fire Department's main priority when answering a call would be keeping the houses next to it from catching fire. He voiced concern for safety with additional traffic. Any time subdivisions are approved but they're not providing any amenities such as additional stores and restaurants, residents are going out of town to spend money. He requested the Board to table this rezoning until more answers are provided by the developer and also requested them to look into the builder's rating on the Better Business Bureau.

Commissioner Price requested that staff explain how the Town is preparing to handle additional water and sewer services.

Mr. Vincent explained that Harnett County is going to double the size of their sewer plant and are currently in the design phase. The Towns of Angier, Lillington, and Fuquay-Varina are purchasing additional capacity in that plant from Harnett County. Funds have been set aside to purchase the additional capacity as well as the construction of a 500,000-gallon elevated water storage tank to boost water pressure throughout Town.

Mayor Smith requested that Gordon & Donna Springle's written letter be entered into the record.

My name is Donna Springle, and I live at 540 Tippet Road, Angier. I oppose the 92-acre rezoning request on Tippet Road and Roy Adams Road. My residence is adjacent to this proposed rezoning.

First, I would like to note that the information on this proposed rezoning was not readily available on the Town's website. Therefore, my forthcoming statements are based on information presented during the June 14, 2022, Planning Board meeting.

Regarding the subject rezoning, the developer of Dupree Farms is proposing to build approximately 273 new lots that vary in size. The **existing homes** in the area adjacent to the proposed development range from 25,000 square feet to more than 30,000 square feet. Of the total 273 new lots proposed by the developer, **only 28 lots will be 10,000 square feet**. These 28 lots represent only 10% of the total project. Given the subject development's proximity to an existing large lot subdivision and active farmland, this 10% proportion does not adequately promote healthy growth and consistent character for the existing, already established neighborhood area. Approximately 90% of the developer's proposed housing lots will have new lot sizes averaging 6,080 square feet. This is a drastic reduction in existing lot sizes located along Tippet Road and Roy Adams Road. I am not naive to think that development will **not** occur in our growing community, but I believe it is the Town's responsibility to select projects that will benefit both new and existing residents. The existing homes in the area consist of low-density development. **Therefore, the proposed rezoning will NOT BE consistent with surrounding uses.**

According to the Town of Angier Land Use Plan Map that was approved in July 2019 and revised in April 2021, the future land use designation for the subject rezoning property calls for Medium Density Residential. According to the Town of Angier definition for Medium Density Residential property, this designation of residential property should be R-10 and established to promote the health of the Town's medium density neighborhoods and to provide for their expansion along the same traditional lines that were established. The medium-density residential district shall be applied in areas currently or proposed to be served by public water and sewer facilities. The minimum lot size is 10,000 square feet with water/sewer. According to the Land Use Plan adopted by the Town of Angier, the residential land use designation for R-10 was established based on existing residential development patterns, constraints to development, and the location of infrastructures such as water, sewer, and roadways. Therefore, I believe allowing any subdivision with lots less than 10,000 SF in this designated medium-density residential district would be inconsistent with the vision this Town Board recently approved as its Land Use Plan. The developer's proposed rezoning of the property to R-6, allowing for compact, higher-density neighborhoods, will **not** promote the same traditional type of development immediately

adjacent to the subject rezoning property. **Therefore, this proposed rezoning is NOT consistent with the Town's already adopted zoning map and comprehensive land-use plan.**

Traffic management. Introducing 273 new lots in a property zoned RA-30 will significantly increase the area's traffic. If you consider two vehicles on average per new home, the traffic count will now rise to an average of 546 new vehicles traveling in/out of the subdivision daily. I would like to know if the Town will require a dedicated turn or deceleration lane on Tippet Road into the proposed new subdivision. I believe it would be important to safeguard traffic and include traffic-calming measures such as a deceleration lane into the subdivision property.

Public Utilities. My house currently receives public water from the 6" waterline along Tippet Road. Given the robust growth occurring close to my residence, I am interested to understand how the Town has been preparing to service all the pending and recently approved high-density, compact developments with water and sewer services? Does the Town know if the current public utilities can sustain another 273 single-family lots? How will this high-density development impact the current water pressure for existing residents?

Does the Town of Angier require a public neighborhood meeting when a rezoning is considered? If a neighborhood meeting had occurred, this rezoning could have been explained to the existing residents in greater detail. This lack of meeting limits the amount of input existing homeowners have on a project that will immediately, materially, and adversely affect existing property owners. Again, I am concerned about the amount of public information provided to me and my neighbors because documentation specific to this rezoning is unavailable on the Town's website. The only documentation I received from the Town was the required public notice of rezoning and annexation dated June 14, 2022.

To sum up my concerns and opposition to the proposed rezoning, I am opposed to this rezoning for the following reasons:

1. The proposed rezoning from RA-30 to R-6 is not complementary to the existing development as the individual lot sizes will significantly be reduced from the required minimum of 30,000 square feet to 6,000 square feet. This significant reduction in minimum lot sizes is not in the existing public's best interest and not in character with the surrounding properties.
2. The proposed rezoning demonstrates a deviation from the Town's adopted Zoning Map and comprehensive land use plan. The zoning map designates the property as RA-30, and the Town's future land use plan that classifies the property as Medium Density Residential, which calls for the minimum lot size to be R-10. The proposed rezoning calls for R-6, which will materially and adversely affect the character of the

existing area. The proposed rezoning is a change that is NOT IN ACCORDANCE with the Town's comprehensive Land Use Plan and Zoning Map in addition to not being in character with the surrounding properties.

3. The proposed rezoning demonstrates an increased demand for public utilities and infrastructure. How will this new development impact the water pressure on existing residents? How will the immediate impact of 273 new lots impact traffic management along Tippet and Roy Adams Road? It is important that all traffic calming measures be considered by both the Town and NCDOT to ensure the safeguard of multi-modal transportation is accounted for.

As I stated earlier in my email, I am not naive to think that development **will not** occur close to my residence. However, as the governing board responsible for the well-being and making final land use planning decisions, I am asking you to set forth a framework and expectations for residents and homebuilders development standards that achieve smart, sustainable, and complementary growth to our community. This proposed rezoning before you tonight **does not** complement existing homeowners and is **inconsistent** with the current landscape and previously adopted Town land use plans. The developer's proposal is designed to maximize the amount of development by producing small-lots inconsistent with neighboring properties while also not accounting for character of the surrounding area.

I respectfully request that the Angier Town Board of Commissioners not approve this rezoning. This rezoning does not provide a careful balance between community character, sustainable infrastructure, and the protection of environmentally sensitive rural landscapes.

Thank you,



Carro Syphrit, 286 Clearfield Drive, was concerned with how the schools will be affected with the additional students. She is also concerned about safety due to extra traffic. She was hoping the existing ponds will be protected since other ponds were drained from another adjacent neighborhood.

Town Attorney Dan Hartzog, Jr. reminded everyone in attendance that this portion of the meeting is for public comments only, the Board is tasked with asking questions of the developer.

Amy Lynch, 40 Fairfield Court, stated another adjacent neighborhood had a pond with wildlife that doesn't exist anymore due to it being drained by the developer.

Robert Cohen, 271 Gardner Road, spoke in opposition of the rezoning request saying he was concerned about the schools, traffic, and trees. He stated that building materials have been delayed and doesn't think that the sale of homes will be what the developer is anticipating.

Clint Adams, 349 Tippet Road, spoke in opposition stating his concerns with safety due to additional traffic. The property in question will be changing the quality of life in existing adjacent neighborhoods.

The Board had discussions regarding lot sizes, adding additional buffers along existing homes, as well as the planting of Crepe Myrtles at the entryway and play areas.

Jay Colvin responded regarding the pond situation. The existing pond at the Cotswold Subdivision was a great natural amenity and they had every intention of keeping that pond, however, the pond was overflowing and could have potentially caused the dam to break. Due to the overflow, it created a hazard to roadways and homes downstream.

Seeing no one else, Mayor Smith closed the Public Hearing.

The Board had discussion about adding the following conditions to the rezoning request: Condition #14: Lots 12-21 shown on the proposed plan shall be adjusted so that they are at least 10,000sqft.; Condition #15: All lots proposed adjacent to parcels which are occupied by residential dwellings shall include a 15ft Type A Landscape Buffer; and Condition #16: The developer shall incorporate Crepe Myrtles near the entrances to the Subdivision.

Board Action: The Town Board voted to table this item until the next Board meeting.

Motion: Mayor Pro-tem Hawley

For: Commissioner Kazakavage

Opposed: Commissioner Coats; Commissioner Price

Break Tie: Mayor Smith voted in opposition of the motion

Vote: 2-3; motion failed

Board Action: The Town Board voted to grant the Conditional Rezoning Request submitted by DRB Group for approximately 92 acres located on Tippet Road & Roy Adams Road, Angier, NC (Harnett PINs: 0673-45-5069.000; 0673-44-2149.000 & 0673-53-1625.000) from RA-30 to CZ R-6 with the following added conditions:

- Lots 12-21 shown on the proposed plan shall be adjusted so that they are at least 10,000sqft.
- All lots proposed adjacent to parcels which are occupied by residential dwellings shall include a 15ft Type A Landscape Buffer.
- The developer shall incorporate Crepe Myrtles near the entrances to the Subdivision.

Motion: Commissioner Coats

For: Commissioner Price

Opposed: Mayor Pro-tem Hawley; Commissioner Kazakavage

Break Tie: Mayor Smith voted in favor of the motion

Vote: 3-2; motion carried

The Board recessed for a five-minute break

3. Rezoning Request – Submitted by Gemstone Homes

Planning Director Sean Johnson stated that staff has received a rezoning application request from Gemstone Homes for approximately 0.34 acres located at 562 Circle Drive Angier, NC (Harnett PIN: 0684-00-5778.000) from R-10 to R-6. The property is currently vacant and wooded. Public water and sewer services are available. Surrounding land uses include medium density residential, as well as the Oak Hill Living Center to the south of the property. The proposed rezoning is in line with the medium density residential designation on the Future Land Use Plan. The applicant has expressed the desire to build a duplex rather than one single-family home on the lot in question. R-10 requires a 10,000sqft lot minimum, so to build a duplex, you would need twice the minimum (20,000sqft lot) for a duplex. If the rezoning request is approved for R-6, then the applicant would need a

12,000sqft lot to build a duplex. At their June 14, 2022 meeting, the Planning Board had a split vote (2-2) when considering the rezoning request.

Mayor Smith opened the Public Hearing.

Planning Board Chair Christina Kazakavage spoke that at their Planning Board meeting held June 14th it was a split vote. In conversations, there was concern of how small the lot size in relation to the existing homes. The two members against the rezoning request felt that R-6 was just not conducive to what is currently nearby which is R-10.

Ken Godwin, representing Gemstone Homes, stated setbacks usually get shrunk down, however he is not doing that. There will still be close to 25ft setbacks with the proposed duplex. His proposal is very similar to what's currently being built on Broad Street. There are five different multifamily properties located on Circle Drive. The goal is to keep it relatively affordable. The proposal is for 3 bedrooms 2 bathrooms that are very common with what's in the neighborhood.

Mayor Pro-tem Hawley voiced that it's a beautiful home, however feels that it would not fit into the area. She relayed that constituents are not in favor of this proposal.

Mr. Hartzog, Jr. stated that just to clarify for the Board, when discussing a rezoning, you weigh your decision based on the permitted uses in the proposed zoning district, not necessarily the type of use discussion at this meeting.

Seeing no one, Mayor Smith closed the Public Hearing.

Board Action: The Town Board voted to approve the rezoning request for approximately 0.34 acres located at 562 Circle Drive, Angier, NC (Harnett PIN: 0684-00-5778.000) from R-10 to R-6.

Motion: Commissioner Price

Opposed: Mayor Pro-tem Hawley; Commissioner Coats; Commissioner Kazakavage

Vote: 1-3; motion fails

4. Rezoning Request – Submitted by David Card

Planning Director Sean Johnson stated that staff has received a rezoning application request from David Card for approximately 0.69 acres located at 635 Tippet Road, Angier (Harnett PIN: 0673-65-1967.000) from RA-30 to R-15. The property currently has a single-family dwelling on it. Surrounding land uses include medium to low density residential and agricultural uses. Public water services are available. The proposed rezoning is in line with the medium density residential designation shown on the Future Land Use Map. Mr. Card owns property on the adjacent tract and is working with the property owner, Julianne Spears, to purchase a portion of her yard that's currently unused. This rezoning would allow Ms. Spears' property to be reduced in size below the current RA-30 district standards, down to a minimum of 15,000sqft. At their June 14, 2022 meeting, the Planning Board recommended approval of the proposed rezoning request.

Mayor Smith opened the Public Hearing.

Seeing no one else, Mayor Smith closed the Public Hearing.

Board Action: The Town Board voted unanimously to approve the rezoning request for approximately 0.69 acres located at 635 Tippet Road, Angier (Harnett PIN: 0673-65-1967.000) from RA-30 to R-15.

Motion: Commissioner Coats

Vote: 4-0; unanimous

5. Text Amendment – Police Department Ordinance Violations for Enforcement

Chief G. L. Thompson stated that outdated ordinances have been removed and several ordinances have been added including parking, rules at the park, and panhandling. The Town Attorney has reviewed the revisions of the proposed ordinances.

Mr. Hartzog, Jr. explained to the Board a new law has been passed that says if civil penalties are charged, it needs to be set forth in the ordinance itself.

There was Board discussion about holding off on the text amendment until the next Board meeting as they just received the material tonight, however asked for a quick summary.

Sgt. Pollard stated that the Town Attorney reviewed each ordinance and added the verbiage "that any violations shall result in the civil penalty of \$50". They also added parking in the same direction as travel or opposite direction of travel ordinance. Any ordinances that are no longer in use or no longer valid have been removed. As long as the verbiage "violation of ordinance is subject to civil penalty" under each individual ordinance, the department is covered by law.

Board Action: The Town Board unanimously voted to table this discussion until the August Board meeting.

Motion: Commissioner Coats

Vote: 4-0, unanimous

Mayor Smith opened the Public Hearing.

Board Action: The Town Board unanimously voted to continue the Public Hearing until the August Board meeting.

Motion: Commissioner Price

Vote: 4-0, unanimous

New Business

1. Road Closure Requests

- a. Planning Director Sean Johnson stated that Courtney and Bob Jusnes have been planning the Rock 'n Ride event in coordination with the Town. The event will take place on July 16, 2022 from 5:00PM to approximately 8:30PM in Downtown Angier. The requested road closures are S. Broad St. E, between Depot Street and Lillington Street for parking/showing the trucks participating in this year's event.

Board Action: The Town Board unanimously voted to approve requested road closures of S. Broad St. E, between Depot Street and Lillington Street for the Rock 'n Ride event July 16, 2022.

Motion: Commissioner Kazakavage

Vote: 4-0, unanimous

- b. Mr. Johnson stated the Angier Chamber of Commerce is holding the 48th Annual Crepe Myrtle Celebration on Friday, September 9, 2022 and Saturday, September 10, 2022. The requested road closures are S. Broad St. E, S. Broad St. W., and Lillington Street and will only be for Saturday activities from 6:00AM to 5:00PM.

Board Action: The Town Board unanimously voted to approve Angier Chamber of Commerce's requested road closures for Crepe Myrtle Celebration of S. Broad St. E, S. Broad St. W., and Lillington Street and will only be for Saturday activities September 10, 2022 from 6:00AM to 5:00PM.

Motion: Commissioner Coats

Vote: 4-0, unanimous

- c. Mr. Johnson stated the Angier Chamber of Commerce is holding the annual Christmas on the Square event on Thursday, December 1, 2022. Requested road closures are S. Broad St. W. and Lillington Street from 4:00PM to 10:00PM.

Board Action: The Town Board unanimously voted to approve Angier Chamber of Commerce requested road closures for Christmas on the Square of S. Broad St. W. and Lillington Street Thursday, December 1, 2022 from 4:00PM to 10:00PM.

Motion: Mayor Pro-tem Hawley

Vote: 4-0, unanimous

- d. Mr. Johnson stated the Angier Chamber of Commerce is holding the annual Christmas Parade even on Thursday, December 3, 2022 from 7:00AM to 11:00AM. The proposed road closure has been modified this year to allow a safe parade both the start and finish locations. The parade route will start at Angier Baptist parking lot and Angier Elementary School parking lots then continue the normal parade route to the Angier Depot. This year the parade will end at Jack Marley Park.

Board Action: The Town Board unanimously voted to approve Angier Chamber of Commerce requested road closures for the annual Christmas Parade event Thursday, December 3, 2022 from 7:00AM to 11:00AM.

Motion: Mayor Pro-tem Hawley
Vote: 4-0, unanimous

Manager's Report

- Department Reports (Informational Items included in Agenda packets)

Town Manager Gerry Vincent updated the Board on various items. Those items are the following:

1. The Harnett County Board of Commissioners met on June 28th, with informational items, to discuss the towns that have agreed to the library consolidation plan. All have agreed except the City of Dunn at this point. Their next meeting is July 18th for consideration.
2. The property behind "Thanks A Latte" is in the process of being submitted to the courthouse for purchase. A proposed design is being considered for additional parking behind the existing businesses.
3. To date, staff does not have any items for the July Board Workshop. I may request, at a later date, to cancel the meeting, if the Board is in concurrence.
4. Lastly, each of you have been handed the FY2022-23 General and Utility Fund booklets. Again, I want to thank staff for their hard work during the budget process and assembling these booklets.

Staff thanked the Board for passing the Budget and including additional positions.

Mayor & Town Board Reports

Mayor Pro-tem Hawley requested that new civic organization signs be replaced on the entry signs coming into Town.

Adjournment: Being no further business, the Town Board voted unanimously to adjourn the meeting at 9:10pm.

Motion: Mayor Pro-tem Hawley
Vote: 4-0; unanimous

Robert K. Smith, Mayor

Attest:

Veronica Hardaway, Town Clerk

PUBLIC HEARINGS



Board of Commissioners Agenda Report

55 N Broad Street W.
PO Box 278
Angier, NC 27501
www.angier.org

MEETING DATE: August 2, 2022
PREPARED BY: Town Attorney – Dan Hartzog, Jr.
ISSUE Text Amendment as it relates to Police Department Ordinance Violations for
CONSIDERED: Enforcement
DEPARTMENT: Police

SUMMARY OF ISSUE:

The Town Attorney and staff has drafted amendments of the Ordinance as it relates to Police Ordinance Violations for Enforcement.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval of the drafted amendments of the Ordinance as it relates to Police Ordinance Violations for Enforcement

REQUESTED MOTION:

“I move to approve/deny the Text Amendments as presented of the Ordinance as it relates to Police Ordinance Violations for Enforcement”

REVIEWED BY TOWN MANAGER:

Attachments:

- 1 Draft Ordinance Amendments

To Whom it May Concern:

Contained herein are those provisions of the current Town of Angier municipal ordinances which are either implied or specifically listed as enforceable either criminally and/or by monetary penalty by employees of the Angier Police Department.

Please note: *An update received by the police department from the law office of Smith and Rogers in November 2021 stated that if a town wishes for an ordinance to carry the penalty of an infraction or a misdemeanor, it must specifically state this in the ordinance. Smith and Rogers advised sending any proposed new ordinance language to their office for review. Section 1-6 near the beginning of the list of town ordinances appears to imply a catch-all penalty regarding all ordinance violations. It is advisable to consult with Smith and Rogers regarding this to ensure this would be sufficient to comply with the new requirements.*

Where applicable, the relevant penalty (fine, criminal misdemeanor, etc) has been highlighted for your convenience. Also, please note that many of these ordinances are also NC General Statutes, and thus can be redundant insofar as enforcement by law enforcement, as they already carry a penalty under the law.

Regarding the inclusion of Section 7 pertaining to the fire code, it is included in an effort to show enforcement of these violations falls to the fire marshal and is not the jurisdiction of the police department.

Finally, at the end of this packet please find the current language for Section 7-127, as well as recommended language to amend this ordinance so that it includes wrong-way parking.

Chapter 1 - GENERAL PROVISIONS

if a town wishes for an ordinance to carry the penalty of an infraction or a misdemeanor, it must specifically state this in the ordinance. Smith and Rogers advised sending any proposed new ordinance language to their office for review (NCGS 14-4)

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- **Sec. 1-6. - General penalty; enforcement of ordinances; continuing violations.**

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(a) Unless otherwise specifically provided, violation of any provision of this Code or any other town ordinance shall be a class 3 misdemeanor and shall be fined in excess of \$50. but not more than \$500.00 as provided by G.S. 14-4.

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(b) Violations of any provision of this Code or any other town ordinance shall subject the offender to a civil penalty to be recovered by the town in a civil action in the nature of debt if the offender does not pay the penalty within a period of time prescribed by the court after he has been cited for such violation.

(c) Any provision of this Code or any other town ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. In such case, the general court of justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the town for equitable relief that there is an adequate remedy at law.

(d) Any provision of this Code or any other town ordinance that makes unlawful a condition existing upon or use made of real property may be enforced by injunction and order of abatement, and the general court of justice shall have jurisdiction to issue such orders. When a violation of such a provision occurs, the town may apply to the appropriate division of the general court of justice for a mandatory or prohibitory injunction and order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property. The action shall be governed in all respects by the laws and rules governing civil proceedings, including the Rules of Civil Procedure in general and Rule 65 in particular. In addition to an injunction, the court may enter an order of abatement as a part of the judgment in the cause. An order of abatement may direct that buildings or other structures on the property be closed, demolished or removed; that fixtures, furniture or other movable property be removed from buildings on the property; that grass and weeds be cut; that improvements or repairs be made; or that any other action be taken that is necessary to bring the property into compliance with this Code or such ordinance. If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he may be cited for contempt, and the town may execute the order of abatement. The town shall have a lien on the property for the cost of executing an order of abatement in the nature of a mechanic's and materialman's lien. The defendant may

secure cancellation of an order of abatement by paying all costs of the proceedings and posting a bond for compliance with the order. The bond shall be given with sureties approved by the clerk of the superior court in an amount approved by the judge before whom the matter is heard and shall be conditioned on the defendant's full compliance with the terms of the order of abatement within a time fixed by the judge. Cancellation of an order of abatement shall not suspend or cancel an injunction issued in conjunction therewith.

(e) The provisions of this Code and any other town ordinance may be enforced by any one, all or a combination of the remedies authorized and prescribed by this section.

(f) Except as otherwise specifically provided, each day's continuing violation of any provision of this Code or any other town ordinance shall be a separate and distinct offense.

(Code 1975, § 1-6; Ord. of 2-13-2006)

State Law reference— Injunctions, G.S. 1A-1, Rule 65; liability of defendant for costs in criminal actions, G.S. 6-47, 6-48; enforcement of ordinances, G.S. 160A-175, 14-4.

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• **Sec. 1-7. - Procedure when amending or adding to Code.**

Every ordinance introduced, if it proposes to amend or repeal any existing portion of the Code, shall show by proper reference the chapter, article and section proposed to be amended; or, if it proposes to add to the Code a new chapter, article or section, it shall indicate, with reference to the arrangement of this Code, the proper number of such chapter, article or section. In addition to such indication thereof as may be contained in the text of such proposed ordinance, such indication shall be shown in concise form above the ordinance.

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(Code 1975, § 2-2)

Chapter 2 - ADMINISTRATION

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• **Sec. 2-51. - Ordinances to be proposed in writing; approval of form by town attorney.**

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Every ordinance amending or repealing any ordinance, and every new ordinance, shall be proposed in writing, confined to one subject, excepting ordinances for appropriations which shall be confined to the appropriations, and approved as to form by the town attorney.

• **Sec. 2-52. - Official copies.**

A true copy of any ordinance or resolution, which has been duly enacted by the town board, and has been signed by the clerk, and the official seal of the town has been attached thereto shall be known and recognized as the official copy.

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State Law reference— True copies of ordinances, G.S. 160A-78.

Chapter 3 - ALCOHOLIC BEVERAGES

• **Sec. 3-1. - Consumption and possession of malt beverages and unfortified wine in public places generally prohibited.**

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(a) For purposes of this section, malt beverages and unfortified wine means malt beverages and unfortified wine as defined by Chapter 18B of the North Carolina General Statutes.

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(b) It shall be unlawful for any person who is not an occupant of a motor vehicle to consume malt beverages or unfortified wine on any property owned, occupied, or controlled by the town, including, but not limited to, public streets, parks, and recreational areas, except as permitted by [section 3-2](#).

(c) It shall be unlawful for any person who is not an occupant of a motor vehicle to possess open containers of malt beverages or unfortified wine on any property owned, occupied, or controlled by the Town, including, but not limited to, public streets, parks, and recreational areas, except as permitted by [section 3-2](#).

(d) Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty in excess of \$50 or other remedies in accordance with section 1-6.

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(Ord. No. 015-2018, 5-14-2018)

Editor's note— Ord. No. 015-2018, adopted May 14, 2018, amended [§ 3-1](#) in its entirety to read as herein set out. Former [§ 3-1](#) pertained to similar subject matter and derived from Code 1975, § 2.1-1; and Code 1991, [§ 3-1](#).

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State Law reference— Purchase, possession and consumption of malt beverages and unfortified wine, [G.S. 18B-300](#).

§ 18B-300. Purchase, possession and consumption of malt beverages and unfortified wine.

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(a) Generally. - Except as otherwise provided in this Chapter, the purchase, consumption, and possession of malt beverages and unfortified wine by individuals 21 years old and older for their own use is permitted without restriction.

(a1) Consumption on Premises During Time of Permit Revocation or Suspension.
- It shall be unlawful to consume or for a permittee or his agent or employee to allow the

consumption of malt beverages or unfortified wine on the premises of any business during the period of time that any on-premises permit issued to the business authorizing the sale and consumption of malt beverages or unfortified wine has been suspended or revoked by the Commission. The prohibition in this subsection does not apply to the premises upon which the business was located at the time the permit was suspended or revoked if the business ceases to operate in that location and the owner of the property is not the permittee, provided that the permittee is not engaged in any other business or other activity on the premises during the period of suspension or revocation.

(b) Consumption at Off-Premises Establishment. - It shall be unlawful to consume, or for a permittee to allow the consumption of, malt beverages or unfortified wine on any premises having only an off-premises permit for the kind of alcoholic beverage being consumed.

(c) Local Ordinance. - A city or county may by ordinance:

- (1) Regulate or prohibit the consumption of malt beverages and unfortified wine on the public streets in that city or county by persons who are not occupants of motor vehicles and on property owned, occupied, or controlled by that city or county;
- (2) Regulate or prohibit the possession of open containers of malt beverages and unfortified wine on public streets in that city or county by persons who are not occupants of motor vehicles and on property owned, occupied, or controlled by that city or county; and
- (3) Regulate or prohibit the possession of malt beverages and unfortified wine on public streets, alleys, or parking lots which are temporarily closed to regular traffic for special events.

For the purposes of this subsection, an open container means a container whose seal has been broken or a container other than the manufacturer's unopened original container. As provided by G.S. 18B-102(a), possession or consumption of alcoholic beverages is unlawful except as authorized by the ABC law. (1939, c. 158, s. 503; 1971, c. 872, s. 1; 1973, c. 1452, ss. 1-3; 1977, c. 176, ss. 2, 3; c. 693; 1979, c. 19, s. 2; c. 445, s. 4; c. 893, s. 11; 1981, c. 412, s. 2; 1983, c. 435, s. 32; 1985, c. 141, s. 1; 1995, c. 144, s. 1; c. 366, s. 2; 2001-79, s. 1; 2013-392, s. 1.)

• **Sec. 3-2. - Possession and consumption of malt beverages and unfortified wine at town sponsored events.**

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(a) For purposes of this section, malt beverages and unfortified wine means malt beverages and unfortified wine as defined by Chapter 18B of the North Carolina General Statutes.

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(b) Possession and consumption of malt beverages and unfortified wine, as defined by Chapter 18B of the North Carolina General Statutes, is permitted within the boundaries and during the event hours of any public, town-sponsored event being conducted within a public street or other publicly owned area pursuant to a written permit issued by the town manager. This permit may also allow the sale, service, and distribution of malt beverages and unfortified wine on designated public streets and areas reserved for the event, subject to all applicable ABC regulations.

(c) Prior to the issuance of such a permit, the town manager must establish the boundaries of the event and temporarily close the streets within the boundaries.

(d) The town manager may impose reasonable requirements to ensure that the sale, distribution, service, possession, or consumption of malt beverages and unfortified wine does not extend beyond the boundaries of the function or celebration.

(e) Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedy in accordance with section 1-6 (Ord. No. 015-2018, 5-14-2018)

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Chapter 4 – ANIMALS

(a) Enforcement administration. Primary responsibility for enforcing the provisions of this chapter is assigned to the Harnett County Animal Services Department. Municipal police departments will assist when needed.

Sec. 4-2. - Establishment of bird sanctuary.

(a) The area embraced within the corporate limits of the town and all land owned or leased by the town outside the corporate limits is hereby designated as a bird sanctuary.

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(b) It shall be unlawful to intentionally trap, hunt, shoot, or otherwise kill, within a sanctuary hereby established, any native wild bird. It shall be lawful to trap birds or fowl specifically declared a nuisance by the town board when such birds or fowl are found to be congregating in such number in a particular locality that they constitute a nuisance or a menace to health or property.

(c) Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6. State Law reference— Bird Sanctuary establishment, G.S. 160A-188.

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• Sec. 4-3. - Hunting, killing, and trapping of animals.

It shall be unlawful for any person to hunt or kill any animal within the territorial limits of the towns. Trapping may be done with permission from the Harnett County Animal Services Department. This section does not apply to the Police Departments or Harnett County Animal Services, or duly authorized agents when enforcing the provisions provided in this chapter. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6 (Ord. of 11-18-2013)

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• Sec. 4-4. - Keeping livestock and fowl.

No person may keep within the town any livestock and/or fowl except in accordance with this section.

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(a) It shall be unlawful for any person to maintain, keep, house or stable any: horse, mule, pony, cow, sheep, goat, swine or any other livestock including ducks, geese, turkeys, guineas within the corporate limits of the town.

(b) It shall be unlawful for any person to maintain, keep or house any cattle, goat, horse, swine, ducks, geese, turkeys, guineas or any other Livestock on a fenced lot with in the corporate limits of town.

(c) Any chickens kept within the corporate limits of the town must be contained by a fence, building or other enclosure that will ensure that the chickens will not run at large.

(d) Any fowl found running at large may be taken into possession and/or destroyed by Harnett County Animal Services anywhere within the corporate limits of the town.

(e) Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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• **Sec. 4-5. - Number of chickens.**

(a) A maximum of six hens (*Gallus domesticus*) will be allowed per household.

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(b) NO Roosters or other poultry breeds will be permitted.

(c) No free-ranging permitted. Hens must be kept in a chicken coop or enclosed runs at all times and are not permitted to roam freely on the Owner's lot.

(d) The location of the coop and in closed run must be in the rear of the Owner's lot as determined by the line projected along the rear of the dwelling to each sideline and be 20 feet away from the adjoining Lots.

(e) The coop and enclosed run must be a minimum of ten feet in length and ten feet in width and a maximum of 16 feet in length and 16 feet in width.

(f) Coop design should provide ample ventilation to avoid odors and be made predator proof.

(g) All manure and wood shavings from the coop must be disposed of properly by removing off-site by the owner or professional removal service.

(h) Prior to beginning construction, a land use application shall be submitted and approved by the zoning administrator, for all coop and run designs.

(i) The code enforcement officer, and its designees, has the right to enter onto the property for the purpose of inspecting the coop and run to ensure compliance with these requirements. The home owner will be notified no less than three days prior to the inspection date and has the right to be present during the inspection

(j) Owners who are determined to be in violation shall be guilty of a class 3 misdemeanor, and may be allowed to correct the violation(s) and/or be subject to a civil penalty of \$50. Daily penalties will be assessed in the event that the violation(s) continue. The town may revoke this privilege if an owner has had three or more violations during one calendar year.

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(Ord. of 11-18-2013)

• **Sec. 4-6. - Number of dogs.**

It shall be unlawful for any person to keep on any lot or premises within the corporate limits more than three dogs. This limitation shall not apply to dogs less than four months of age. Any person wanting to keep more than three dogs will apply to the town for a license to operate a dog kennel. Prior to the issuing of such license it shall be determined that the kennel would be in compliance with all town and state regulations. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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(Ord. of 11-18-2013)

• **Sec. 4-7. - Number of cats.**

It shall be unlawful for any person to keep on any lot or premises within the corporate limits more than three cats. This limitation shall not apply to cats less than four months of age. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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(Ord. of 11-18-2013)

• **Sec. 4-8. - Confinement and running at large.**

(a) No person owning or having possession, charge, custody or control of any animal may cause, permit or allow the animal to stray or in any manner to run at large upon any public street, sidewalk or other public property or to stray, run at large or otherwise trespass upon the private property of another.

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(b) It shall be unlawful for the owner of any animal to allow such animal to be at large on any town property.

(c) It shall be unlawful for any person owning, harboring, keeping or in charge of any animal to fail or refuse to remove feces deposited by the animal on any street, sidewalk, park or other publicly owned property.

(d) It shall be unlawful for the owner of any animal to fail or refuse to remove feces deposited by the animal on any private property.

(e) Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6 (Ord. of 11-18-2013)

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• **Sec. 4-9. - Possession of animals and strays.**

(a) It shall be unlawful for any person in the town knowingly and intentionally, unless with consent of the owner, to harbor, feed and keep in their possession by confinement or otherwise allow to remain on their property any animal which does not belong to them unless they notify Harnett County Animal Services within 48 hours from the time such animal came into his possession.

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(b) Any person who feeds a stray animal and/or allows the animal to stay on their property for at least two days will be considered the legally responsible for such animal and any violations caused by the animal.

(c) It shall be unlawful for any person to refuse to surrender any such stray animal to the police department or Harnett County Animal Services or person duly authorized upon demand.

(d) The purpose of this section is to aid in rabies control and to prevent the intentional or unintentional possession of pets belonging to other persons.

(e) Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6 (Ord. of 11-18-2013)

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• **Sec. 4-11. - Potentially dangerous and dangerous dogs.**

(a) It shall be unlawful for a citizen to keep a dog within the corporate limits of the town a dog that has been deemed potentially dangerous or Dangerous by Harnett County Animal Services.

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(b) Any owner found in violation of this section shall be guilty of a class 3 misdemeanor and will be required to release the dog to the Harnett County Animal Services Department for euthanasia and will face a civil penalty of \$500.00, or other remedies in accordance with section 1-6 (Ord. of 11-18-2013)

- **Sec. 4-13. - Enforcement, penalties and remedies.**

(a) *Enforcement administration.* Primary responsibility for enforcing the provisions of this chapter is assigned to the Harnett County Animal Services Department. Municipal police departments will assist when needed.

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(b) *Penalties and remedies.* Penalties and remedies shall be in accordance with the Harnett County Animal Services Ordinance.

(Ord. of 11-18-2013)

Chapter 7 – PUBLIC SAFETY

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- **Sec. 7-80. - Penalty for violations.**

Any person violating any provisions of this division shall, upon conviction, be punished in accordance with section 1-6 unless otherwise stated. (NOTE: Section 7 pertains to motor vehicle ordinances)

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- **Sec. 7-90. - Obedience of traffic control devices.**

The driver of any vehicle shall obey the directions of any official traffic control device placed in accordance with the provisions of state law, this chapter and other ordinances of the town, unless otherwise directed by a police officer, subject to the exceptions granted by this chapter to the driver of an authorized emergency vehicle. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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- **Sec. 7-93. - Signs required for enforcement of certain provisions.**

No provision of this chapter for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to an ordinarily observant person. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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- **Sec. 7-100. - Squealing of tires.**

It shall be unlawful for any person to operate an automobile or other motor vehicles in the town by suddenly starting the movement of any such vehicle in such a manner as to cause scratching-off or screeching of tires resulting in noise and damage to pavement or other surfaces. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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- **Sec. 7-101. - Horns; mufflers.**

(a) It shall be unlawful for any person to unnecessarily blow the horn or other audible signal device of a motor vehicle in such a manner as to disturb the peace and tranquility of the citizens and people in the vicinity. Such horn or other device shall be used only as a reasonable warning, without any unreasonably loud or harsh sound.

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(b) It shall be unlawful for any person to operate a motor vehicle in the town without a device attached and in operation sufficient to muffle the sounds of the exhaust and noises incident to such operation. Such device shall be of the type installed at the time of manufacture, in good working order and in constant operation.

(c) Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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- **Sec. 7-102. - Driving through funeral procession.**

No vehicle shall be driven through a funeral procession, except authorized emergency vehicles when responding to calls. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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- **Sec. 7-103. - Persons riding to stay inside vehicle.**

No person when riding shall allow any part of his body to protrude beyond the limit of the vehicle in which he is riding, except to give such signals as are required by law. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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- **Sec. 7-104. - Carrying passengers on bicycles, motorcycles.**

No operator of a motorcycle or bicycle, when upon a street, shall carry any person upon the handlebars, frame or tank of any such vehicle, nor shall any person so ride upon any such vehicle. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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- **Sec. 7-105. - Bicycle helmets required.**

(a) Every person under the age of 16 years operating a bicycle on a public right-of-way shall wear a protective helmet on his head. Such helmet should be fitted to the size of the operator and shall meet or exceed the standards for bicycle helmet use and wear as set by the American National Standards Institute (ANSI), or subsequent standards, or the Snell Memorial Foundation, or subsequent standards.

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(b) No parent or guardian of any juvenile bicycle operator shall knowingly allow a violation of this section by allowing a minor to ride without a helmet as stated in subsection (a) of this section.

(c) Written notice and/or educational material will be provided to any individual violating this section.

(d) Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6. **State Law reference—** Operation of bicycles, G.S. 20-171.1 et seq.

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• **Sec. 7-106. - Speed limitations generally.**

(a) Unless otherwise provided under the provisions of subsection (b) of this section, no person shall drive a vehicle on any street of the town in excess of the following speeds:

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(1) In any business district, 20 miles per hour;

(2) In any residential district, 35 miles per hour.

(b) When signs have been erected giving notice that a particular speed limit is applicable to a certain street or portion of street as adopted by the board of commissioners, no persons shall operate a vehicle in excess of such speed limit.

(c) Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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• **Sec. 7-120. - Rule of evidence for enforcement of parking regulations.**

When signs are erected or painted on streets giving notice thereof, no person shall at any time, except in emergencies, park any vehicle within the area designated as no parking zones. The chief of police shall direct the erection of signs at locations designated as no parking zones. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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• **Sec. 7-121. - No parking zones.**

There shall be no parking in front of any fire hydrant, driveway, in traffic lane, or on sidewalk within the municipality or at any location designated as no parking zones. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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• **Sec. 7-122. - Stopping in streets prohibited; exceptions.**

No person shall stop a vehicle in any street except for the purpose of parking as prescribed in this article, unless such stop is made necessary by the approach of fire apparatus, by the approach of a funeral or other procession which is given the right-of-way, by the stopping of a public conveyance, by the giving of traffic signals, by the passing of some other vehicle or a pedestrian or by some emergency. In any case covered by these exceptions such vehicle shall stop so as not to obstruct any footway, pedestrian aisle, safety zone, crossing or street intersection if such can be avoided. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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• **Sec. 7-123. - Parking restrictions for specific streets.**

(a) Where parking restriction signs have been erected giving notice that certain streets or portions of streets are subject to certain restrictions or limitations on the parking of vehicles, no person shall park any vehicle on such streets or portions of streets except in conformity with the directions of such sign.

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~~(b) There shall be no parking on the north side of Melver Street from Highway 55 east to Broad Street from the hours of 6:00 p.m. until 6:00 a.m., Monday through Sunday, seven days of the week. Towing shall be enforced. (remove)~~

• **Sec. 7-124. - Penalty for violators.**

Persons violating any provision of this article shall be guilty of a class 3 misdemeanor and subject to a civil penalty of \$50.00 for each violation within 24 hours of the issuance of written notice of any such violation.

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• **Sec. 7-125. - Obstructing traffic generally.**

No vehicle shall so stand on any street as to interrupt, or interfere with, the passage of public conveyances or other vehicles. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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Sec. 7-126. - Warning devices on service vehicles.

No person shall permit or cause to permit any construction, service or maintenance vehicles to stand or to be parked within the right-of-way of public roads and street of the town in such a manner as to obstruct, impede or interfere with the normal traffic use on said streets; provided that such vehicles may be temporarily used outside of the right-of-way or on a necessary portion thereof, facing in the same direction as the flow of traffic; provided, further, that the vehicle is equipped with the industry standard flashing equipment and signals that shall be displayed as long as such vehicle is being so used.

Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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• **Sec. 7-127. - Manner of parking generally.**

Where not otherwise indicated by this article and where the street is not marked to show how vehicles shall park, all vehicles shall park parallel to the curb and not more than 12 inches there from.

No person shall stand or park in a roadway other than parallel with the edge of the roadway except as provided in the following subsections

(1) Upon those streets which have been marked or signed for the angle parking, vehicles shall be parked to the curb indicated by such marks or signs.

(2) It shall be unlawful for any driver operating a motor vehicle on a two-way street to drive the vehicle across the centerline of the street, whether the centerline is or is not marked by paint, and park the vehicle or leave the vehicle standing, parallel to the curb or street edge, facing on-coming traffic in any of the locations listed below.

Town of Angier Downtown district, that is the portion of W. Depot St. between N. Willow St. and S. Raleigh St., N. Broad St. E. between W. Depot St and E. Williams St. and S. Broad St. E between W. Depot St. and E. Lillington St.

Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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Sec. 7-128. - Illegal parking.

No person shall stand or park a vehicle upon any thoroughfare street within the town limits and extraterritorial jurisdiction. Parking shall be allowed on residential street where not otherwise prohibited by a sign erected by the town. Further, it shall be unlawful to park any vehicle on the public streets or public vehicular area (such as a parking lot, whether public or private) for the purposes of:

(1) Displaying it for sale.

(2) Washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

(3) Storage thereof by garages, dealers or other persons when such storage is not incident to the bona fide use and operation of such automobile or other vehicle.

(4) Storage of any detached trailer or van when the towing unit has been disconnected or for the purpose of transferring merchandise or freight from one vehicle to another.

(5) Storage of any commercial vehicle for more than 24 hours.

Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

Sec. 7-129. - Advertising.

No person shall stand or park a vehicle on any street for the primary purpose of advertising. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

• Sec. 7-130. - Stopping, standing or parking prohibited in certain places.

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:

- (1) On the sidewalk.
- (2) Within 15 feet of an intersection or in front of a private driveway.
- (3) On a crosswalk.
- (4) Within 30 feet of any flashing beacon, stop sign or traffic control signal located at the side of a street or roadway.
- (5) On either side of any street approaching a railroad underpass, or overhead bridge, within 50 feet in any direction of the outer edge of such underpass or overhead bridge.
- (6) Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
- (7) Upon any bridge or other elevated structure.
- (8) Within 15 feet in either direction of the entrance to a hotel, theater, hospital, or any public building, or a fire hydrant or a fire station.
- (9) On the roadway side of any vehicle stopped, standing or parked at the edge or curb of a street.
- (10) Within 25 feet from the intersection of curblines or if none, then within 15 feet of the intersection of property lines at an intersection of highways or streets.

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(11) Upon any area designated as a fire lane in any public vehicular area, street, highway or roadway or in any shopping center, unless the parking is temporary for the purpose of loading or unloading supplies or merchandise and the vehicle is not left unattended.

(12) In any area than those designated by lines indicating parking spaces in town-owned parking lots.

(13) In a space designated in conformance with G.S. 20-37.6(d) for handicapped or visually impaired persons, when the vehicle does not display the distinguishing license plate or placard as required by state statute.

(14) In a manner so as to obstruct a curb ramp or curb cut for handicapped persons, as provided for by the state building code or as designated in G.S. 136-014.14.

(15) In any area upon a public street which has been clearly marked as a bicycle travel lane.

Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6. **State Law reference**— Similar provisions, G.S. 20-162.

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• **Sec. 7-131. - Parking prohibited in designated places at all times.**

When signs are placed, erected or installed, giving notice thereof, or the curbing has been painted yellow in lieu of such signs, no person shall park a vehicle at any time upon any of the streets or portions of streets. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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• **Sec. 7-132. - Lights on parked vehicles.**

The displaying of lights upon a vehicle, when lawfully parked at night upon a street in accordance with this chapter, shall not be required when there is sufficient light to reveal any person within a distance of 200 feet upon such street. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

State Law reference— Authority for above section, G.S. 20-134.

• **Sec. 7-133. - Stop when traffic obstructed.**

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any

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traffic control signal indication to proceed. Violation of this ordinance shall result in a civil penalty of \$50.

• **Sec. 7-134. - Parking of oversized vehicles and trailers prohibited.**

(a) It shall be unlawful for any person to park any vehicle or trailer greater than two axles or any trailer not affixed to a vehicle on the streets within the corporate limits of the town at any time except for the duration of the following activities:

(1) When actively engaged in loading or unloading;

(2) Temporary parking for emergency services to a vehicle or trailer to repair a mechanical breakdown;

(3) Temporary parking at a construction site during the period of active construction.

(b) This section shall not apply to any mass transit buses or to school buses, when the school buses are parked in conformity with permits issued by the police department.

(c) Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

• **Sec. 7-135. - Parks and recreation facilities.**

It shall be unlawful for any vehicle to park on any roadway or in any designated parking space within a town park or recreation facility except for specific use of the park or facility. Parking at all town parks and recreation facilities shall be for parks and recreation patrons only. Violation of this section shall be a misdemeanor and vehicles in violation will be issued a citation and/or may be towed at vehicle owner's expense.

(1) Violators of Town of Angier parks and Recreation rules that are listed at the entrance of each town park shall be guilty of a class 3 misdemeanor and fined a civil penalty of \$50.00.

• **Sec. 7-136. - Operation of unlicensed motorized vehicles prohibited.**

It shall be unlawful to operate a motorized vehicle on the town streets or thoroughfares unless said vehicle is a properly license motor vehicle. The use of go-carts, scooters, and golf carts is hereby prohibited. Violation of this section shall be either in the form of a civil penalty or a misdemeanor and vehicles in violation will be issued a citation and/or may be towed at the owner's expense. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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• **ARTICLE IV. - REMOVAL AND DISPOSITION OF ABANDONED, NUISANCE AND JUNKED MOTOR VEHICLES⁽⁶⁾**

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State Law reference— *Abandoned and derelict motor vehicles, G.S. 20-137.6 et seq.; removal and disposal of junked and abandoned motor vehicles, G.S. 160A-303.*

• **Sec. 7-151. - Administration.**

The town manager shall designate the departments or persons responsible for the administration and enforcement of this article. Currently, the police department and the planning department shall be responsible for the administration and enforcement of this article. The police department shall be responsible for administering the removal and disposition of vehicles determined to be "abandoned" on the public streets and highways within the town, and on property owned by the town. The planning and/or police department shall be responsible for administering the removal of abandoned, nuisance or junked motor vehicles located on private property. The town may, on an annual basis, contract with private tow truck operators or tow businesses to remove, store and dispose of abandoned vehicles, nuisance vehicles and junked motor vehicles in compliance with this article and applicable state laws. Nothing in this article shall be construed to limit the legal authority or powers of the town police department and fire department in enforcing other laws, or in otherwise carrying out their duties.

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• **ARTICLE V. - FIRE PREVENTION**

Sec. 7-171. - State fire prevention code.

It shall be the duty of the county fire marshal's office to enforce the provisions of the state fire prevention code, and to make all necessary inspections to determine whether or not the provisions of the code are being complied with. The fire prevention code is hereby adopted as reference as if it were copied herein fully.

State Law reference— State building code including fire code mandatory throughout the state, G.S. 143-138(e).

• **Sec. 7-172. - Burning trash within corporate limits prohibited.**

No person shall burn or cause to be burned any trash, refuse, shavings, paper, leaves, litter or other material of any kind outside any house, on or in the street, sidewalk, alley, lot or yard within the corporate limits. This is mandated by the NCDENR Division of Air

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Quality. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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• **Sec. 7-173. - Burning of trash in extraterritorial jurisdiction.**

Trash or rubbish shall not be burned on any private lot in the extraterritorial jurisdiction except within a safely constructed enclosure made of wire mesh or in a similar safety device. This is mandated by the NCDENR Division of Air Quality. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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• **Sec. 7-174. - Use of fire hydrants.**

It shall be unlawful for any person other than an authorized town employee or authorized fire official to withdraw, or cause to be withdrawn, water from any fire hydrant within the town limits. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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• **Sec. 7-175. - Interference with fire alarm system.**

No person shall interfere carelessly or willfully with the town fire alarm system or injure the poles, wires, boxes or other apparatus connected therewith. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

• **Sec. 7-176. - Enforcement by town officials.**

Within said codes adopted by the ordinance from which this article is derived, when reference is made to the duties of a certain official named therein, that designated official of the town who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official in so far as enforcing the provisions of said code are concerned.

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State Law reference—Required standards and certificates for code enforcement officials, G.S. 143-151.13.

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ARTICLE VI. - CIVIL EMERGENCIES

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Federal law reference—Emergency Planning and Community Right to Know Act of 1986, 42 USC 11011—11050; comprehensive emergency response plans, 42 USC 11003; federal preparedness assistance funding for state and local governments

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dependent upon compliance with National Incident Management System, HSPD-5 [Homeland Security Presidential Directive 5, Management of Domestic Incidents].

State Law reference— *Riots and civil disorders, G.S. 14-288.1 et seq.; local states of emergency, G.S. 14-288.12; ordinances relating to public safety, welfare and peace, G.S. 160A-174.*

• **Sec. 7-204. - Same—Proclamation; imposition of curfew.**

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In the event of an existing or threatened state of emergency endangering the lives, safety, health and welfare of the people within the town or threatening damage to or destruction of property, the mayor is hereby authorized and empowered to issue a public proclamation declaring to all persons the existence of such a state of emergency and, in order more effectively to protect the lives, safety and property of people within the town, to define and impose a curfew applicable to all persons within the jurisdiction of the town.

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(Code 1975, § 5-2; Code 1991, § 6-4)

• **Sec. 7-205. - Limitation of and exemptions from curfew.**

The mayor is hereby authorized and empowered to limit the application of a curfew imposed pursuant to this chapter to any area specifically designated and described within the corporate limits of the town and to specific hours of the day or night; and to exempt from the curfew policemen, firefighters, doctors, nurses and such other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health and welfare needs of the people within the town.

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Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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(Code 1975, § 5-3; Code 1991, § 6-5)

• **Sec. 7-206. - Prohibited acts during state of emergency.**

During the existence of a proclaimed state of emergency, when a curfew has been imposed, it shall be unlawful for anyone subject to such curfew:

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(1) To be or travel upon any public street, alley or roadway or upon public property, unless in search of medical assistance, food or other commodity or service necessary to sustain the well-being of himself his family or some member thereof.

(2) To possess off one's own premises, buy, sell, give away or otherwise transfer or dispose of any explosives, firearms, ammunition or dangerous weapon of any kind.

(3) To sell beer, wines or intoxicating beverages of any kind or to possess or consume beer, wines or intoxicating beverages off one's own premises.

(4) To sell gasoline or any other similar petroleum products or any other inflammable substances, except as expressly authorized by the provisions of the curfew imposed.

Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6 (Code 1975, § 5-4; Code 1991, § 6-6)

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• Chapter 11 - OFFENSES AND MISCELLANEOUS PROVISIONS

ARTICLE I. - IN GENERAL

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• Sec. 11-1. - Discharge of guns, firearms, firecrackers, etc., regulated.

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(a) No person shall fire or otherwise discharge any type of gun, firearm, firecracker, cannon cracker, pistol, or other explosive within the town limits, unless:

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(1) When lawfully used in defense of person or property or pursuant to lawful directions of law enforcement officers; or

(2) The fireworks are those which are permitted under applicable state statute at the time, in which case they may be discharged.

- Fireworks that are legal in North Carolina include poppers, sparklers, fountains and other novelty items that don't explode, spin, leave the ground or fly through the air.

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(b) This section shall not prohibit the discharge of nonexplosive firearms such as BB guns, pellet guns, air rifles, crossbows, and bows and arrows, only by persons over the age of 16 years and provided that there is a minimum of 200 feet from the point of discharge to the nearest adjacent property line.

(c) Law enforcement officers performing official duties are exempt from the provisions of this section.

(d) Violation of this section shall be punished by a class 1 misdemeanor or a civil penalty of \$100.00 pursuant to G.S. 160A-175, at the discretion of the charging officer. In determining whether the remedy sought against the offender is criminal or civil, the officer shall take into the following considerations:

(1) The extent to which the violation creates an unsafe situation for either the offender, adjacent landowners, or the public in general, and the severity of that unsafe situation;

(2) The responsiveness of the offender to voluntarily comply with the requirement of this section; and

(3) The amount and nature of previous violations of this section.

Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty of \$100 or other remedies in accordance with section 1-6. Each offense shall constitute a separate and continuing violation and shall be a distinct offense.

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• **Sec. 11-2. - Possession or consumption of alcoholic beverages on town property and at athletic events.**

It shall be unlawful for any person to possess, consume or make any public display of any liquor or malt beverage on any property owned or controlled by the town or at any athletic contest or athletic event within the town. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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(Ord. No. O-2008-04, § 11-2, 5-12-2008)

• **Sec. 11-4. - Injuring property of town.**

It shall be unlawful for any person to injure, deface or in any way to interfere with any of the public property of the town, or under its jurisdiction and control, and this section shall be construed to embrace the town hall, the water and sewerage system, the fire department, the town parks and places of amusement, and all other property, whether enumerated in this section or not, including pavements, curbs and gutters. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6. (Ord. No. O-2008-04, § 11-4, 5-12-2008)

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• **Sec. 11-5. - Writing or drawing obscene words or pictures on streets or walls of buildings.**

It shall be unlawful to do any obscene act in any public place, or to write obscene language or to make obscene markings or drawings on any wall of any public or private building, or upon the streets or sidewalks. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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(Ord. No. O-2008-04, § 11-5, 5-12-2008)

• **Sec. 11-6. - Littering.**

It shall be unlawful for any person to litter on any public street, right-of-way, alley, park or other public place within the corporate limits of the town. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

(Ord. No. O-2008-04, § 11-6, 5-12-2008)

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• **Sec. 11-7. - Injuring trees or shrubbery along street or sidewalk.**

It shall be unlawful for any person to cut, injure or mutilate any shade tree, ornamental tree or shrubbery on any sidewalk or street within the town; except that the town manager may grant a permit in writing, when necessary, to interested persons to prune such shade trees, ornamental trees and shrubbery for the proper protection of such trees and shrubbery in order that they may be properly maintained. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

(Ord. No. O-2008-04, § 11-7, 5-12-2008)

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• **Sec. 11-8. - Entering town lake prohibited.**

It shall be unlawful for any person to go in or on the waters of the town lake. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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• **Sec. 11-11. - Loitering.**

(a) For the purpose of this section, the term "public place" means any area generally accessible to the public for common usage and access, including any street, sidewalk, bridge, alley or alleyway, plaza, park, playground, driveway, parking lot or transportation facility, the doorways and entranceways, stairway, hall, courtyard, passage way or common area to any building which fronts on any of those places, or a motor vehicle located at any of those places, or any property owned by the town.

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(b) It shall be unlawful for any person to remain or wander about in a public place in a manner and under the circumstances manifesting the intent to engage in a violation of any subdivision of the North Carolina Controlled Substances Act, G.S. 90-5. Such circumstances shall include:

(1) Repeatedly beckoning to, stopping, or attempting to stop passersby, or repeatedly attempting to engage passersby in conversation;

(2) Repeatedly stopping or attempting to stop motor vehicles;

(3) Repeatedly interfering with the free passage of other persons;

(4) Behaving in such a manner as to raise a reasonable suspicion that he or she is about to engage in or is engaged in an unlawful drug-related activity;

(5) Repeatedly passing to or receiving from passersby, whether on foot or in a vehicle, or to or from a courier, money or objects;

(6) Taking flight upon the approach or appearance of a law enforcement officer; or

(7) Loitering at a location frequented by persons who use, possess, or sell drugs.

(c) Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6. (Ord. No. O-2008-04, § 11-11, 5-12-2008)

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Sec. 11-12. – Unlawful to beg, solicit, or panhandle.

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It shall be unlawful for any person to beg, solicit, or panhandle in any of the following ways:

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(1) By accosting or by forcing oneself upon the company of another;

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(2) By soliciting in or near any public area;

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(3) By procuring or attempting to procure goods or money from another in a manner or under circumstances manifesting and express or implied threat or coercion;

(4) By soliciting in any public transportation vehicle owned or operated by the town, or within 50 feet of any station or stop for such vehicle;

(5) By soliciting within 50 feet of any entrance or exit of any bank or financial institution, or within 50 feet of any automated teller machine, without the consent of the owner or other person legally in possession of such facilities. Provided, however, that when an automated teller machine is located within an automated teller machine facility, such distance shall be measured from the entrance or exit of the automated teller machine facility;

(6) By soliciting on private property, unless permission has been given by the owner, tenant, or lawful occupant of the property;

(7) By soliciting from any operator or passenger of a motor vehicle while standing, sitting or loitering in any street or highway, including the shoulders or median strip, but excluding sidewalks;

(8) By soliciting within 50 feet of any outdoor dining area or outdoor merchandise area, provided such areas are in active use at the time;

(9) By soliciting from a person standing in line waiting to be admitted to a commercial establishment, or

(10) By soliciting after dark.

(Ord. No. 2018-04, 8-20-2018)

• **Sec. 11-42. - Inspection; arrest authority of inspector.**

A police officer or any other official designated by the town ordinance to make inspections under the licensing or regulating ordinance, or to enforce the same, shall have the right of entry of any premises showing evidence of a yard sale for the purpose of enforcement or inspection and may close the premises from such a sale, or authorize arrest of any individual who violates the provisions of this section.

(Ord. No. O-2008-04, § 11-42, 5-12-2008)

Sec. 11-47. - Violation a misdemeanor.

Any person who shall violate any provision of this division shall be guilty of a misdemeanor.

DIVISION 3. – NOISE

• **Sec. 11-62. - Loud and disturbing noises.**

(a) General regulation. It shall be unlawful to create, cause or allow the continuance of any unreasonably loud, disturbing, annoying or frightening noise, particularly during nighttime, which seriously interferes with neighboring residents' reasonable use of their properties. Noise of such character, intensity and duration as to be detrimental to the life or health of any individual is prohibited.

(b) Prohibited sounds or activities. Such prohibited noises deemed unreasonably loud, disturbing, annoying or frightening may include, but are not limited to, the following:

(1) *Yelling, shouting, whistling or singing.* Yelling, shouting, whistling or singing on the public streets or private property at nighttime.

(2) *Noisy parties.* Unreasonably loud noise generated by the congregating of people (or those participating in any party or gathering of people), during nighttime.

(3) *Loading operations.* Loading, unloading, opening or otherwise handling boxes, crates, containers, garbage cans or other similar objects during nighttime.

(4) *Repair of motor vehicles.* The repair, rebuilding or testing of any motor vehicle during nighttime.

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(5) *Service stations.* The conducting, operating or maintaining of any garage or filling station in any residential district so as to cause loud or offensive noises to be emitted therefrom during nighttime.

(6) *Noisy businesses.* The conducting, operating or maintaining of any business or service establishment in the vicinity of any residential district so as to cause loud or offensive noises, music or other outdoor amplified sound to be emitted there from.

(7) *Radios, audio equipment, televisions, electronic devices or musical instruments.* The playing of any radio, audio equipment, musical instrument, television, electronic device or any such device during nighttime as to annoy or disturb the quiet, comfort or repose of any person or persons in any dwelling, hotel or other type of residence.

(8) *Sirens.* The use of any gong or siren upon any vehicle other than police, fire or other emergency vehicle.

(9) *Animals.* The keeping of any animal or bird which by causing frequent or long-continued noise shall disturb the comfort and repose of any person in the vicinity.

(10) *Compressed air.* The use of any mechanical device operated by compressed air unless the noise created thereby is effectively muffled and reduced.

(11) *Construction.* The erection, excavation, demolition, alteration or repair of any building or lot in a residential or business district other than between the hours of 8:00 a.m. and 9:00 p.m., except in the case of urgent necessity in the interest of public safety and then only with a permit from the code enforcement office, which permit may be renewed for a period of three days or less while the emergency continues.

(12) *Schools, hospitals.* The creation of any excessive noise on any street adjacent to any school, institution of learning or court while the school, institution of learning or court is in session, or within 150 feet of any hospital, which unreasonably interferes with the working of such institution, provided conspicuous signs are displayed in such streets indicating that the street is a school, court or hospital street.

(13) *Churches.* The creation of any excessive noise on any street adjacent to any church or worship center while services are being held, provided conspicuous signs are displayed in such streets adjacent to churches indicated that the street is a church street.

(14) *Bells, gongs.* The sounding of any bell or gong attached to any building or premises, other than those expressly exempted by this division, which disturbs the quiet or repose of persons in the vicinity thereof.

(c) Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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(Ord. No. O-2008-04, § 11-62, 5-12-2008)

• **Sec. 11-63. - Specific acts requiring a permit.**

(a) *Horns and signaling devices.* The intentional sounding of any horn or signaling device of a motor vehicle on any street or public place continuously or intermittently, except as a danger or emergency warning.

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(b) *Engine noise.* Operating or permitting the operation of any motor vehicle, motorboat, motorcycle or any internal combustion engine not equipped with a muffler or other device in good working order so as to effectively prevent loud or explosive noises therefrom.

(c) *Overloaded vehicles.* The use of any automobile, motorcycle or other vehicle so out of repair, so loaded or in such a manner as to create loud or unnecessary grating, grinding, rattling or other noise.

(d) *Exterior loudspeakers.* Operating or permitting the operation of any mechanical device or loudspeaker, without a permit to do so, in a fixed or movable position exterior to any building or any motor vehicle.

(e) *Amplified sound.* The use or operation of any radio, loudspeaker, or any other instrument or sound amplifying device with a building or motor vehicle in a manner that disrupts or interferes with an individual's enjoyment of his property. The police chief, however, may permit musical programs, speeches or general entertainment as exception to this provision for limited time periods.

(f) *Power equipment.* Operating or permitting the operation of any power saw, sander, drill, grinder, leaf blower, lawn mower, or other garden equipment or tools of a similar nature outdoors during nighttime.

(g) *Explosives.* The use or firing of explosives, firearms, fireworks, or similar devices which create impulsive sounds.

(h) *Security alarms.* The sounding of a security alarm, for more than 20 minutes after law enforcement or emergency response personnel are notified.

(Ord. No. O-2008-04, § 11-63, 5-12-2008)

• **Sec. 11-64. - Exceptions.**

The following are exempt from the provisions of this division:

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(1) *Construction.* Construction operations from 8:00 a.m. (time changed from previous ordinance) to 9:00 p.m. on weekdays or weekends for which building permits have been issued or construction operations not requiring permits due to ownership of the project

by an agency of government; providing all equipment is operated in accordance with manufacturer's mufflers and noise-reducing equipment in use and in proper operating condition.

(2) *Community noises.* Noises of safety signals, warning devices, emergency pressure relieve valves and all church bells, including simulated church bells.

(3) *Emergency noises.* Noises resulting from any authorized emergency vehicle when responding to any emergency call or acting in time of emergency.

(4) *Permit issued.* Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit therefor has been granted by the town department of public safety in accordance with the above. Regulations of noises emanating from operations under permit shall be according to the conditions and limits stated on the permit and contained in this division.

(5) *Street fairs.* Unamplified and amplified sound at street fairs conducted by the town.

(6) *Aircraft.* All noises coming from the normal operations of properly equipped aircraft.

(7) *Truck and vehicles.* All noises coming from normal operation of motor vehicles properly equipped with the manufacturer's standard mufflers and noise-reducing equipment.

(8) *Celebrations.* Noise from lawful fireworks and noisemakers on holidays, religious ceremonies and town festivals.

(9) *Lawn care.* Lawnmowers, agricultural equipment and landscape maintenance equipment used between the hours of 7:00 a.m. and 9:00 p.m. when operating with all the manufacturer's standard mufflers and noise-reducing equipment in use and proper operating condition.

(10) *Military ceremonies.* Musical accompaniment or firearm discharge related to military ceremonies.

(11) *Businesses.* Sound amplification equipment used in conjunction with telecommunications systems on business properties to notify employees of that business of incoming phone calls, providing that a permit has been issued by the town and that the subject property is located in the midst of a business district and is not in the hearing range of a residential, church or school property and providing that the sound system be used only between the hours of 7:00 a.m. and 11:00 p.m.

(12) *Emergency work.* Noise resulting from work necessary to restore property to a safe condition following a fire, accident or natural disaster, or to restore public utilities, or to protect persons or property from imminent danger.

(13) *Public services.* Noises resulting from the provision of government services or from the provision of sanitation services.

(Ord. No. O-2008-04, § 11-64, 5-12-2008)

• **Sec. 11-65. - Violations.**

(a) When a formal complaint has been received, any person found to be in violation of any portion of this division shall receive an oral order to cease or abate the noise immediately, ~~or within a reasonable time period.~~ (change to immediately)

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(b) During nighttime, or if a second violation occurs within 60 days, an oral order to cease or abate need not be issued prior to issuing a citation for violation of any portion of this division.

(c) If the order to cease or abate is not complied with, the person or persons responsible for the violation shall be guilty of a class 3 misdemeanor and may be charged under this division and may be subject to a civil penalty of \$50.00.

(Ord. No. O-2008-04, § 11-65, 5-12-2008)

DIVISION 4. - PARADES, PICKET LINES AND DEMONSTRATIONS

• **Sec. 11-82. - Permit required.**

It shall be unlawful for any person to organize, conduct or participate in any parade, picket line or group demonstration in or upon any street, sidewalk, alley, or other public place within the town unless a permit therefor has been issued by the town in accordance with the provisions of this division. Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6.

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(Ord. No. O-2008-04, § 11-82, 5-12-2008)

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• **Sec. 11-83. - Exceptions.**

This division shall not apply to:

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- (1) Funeral processions.
- (2) A governmental agency acting within the scope of its functions.
- (3) A group of ten or less.

(Ord. No. O-2008-04, § 11-83, 5-12-2008)

• **Sec. 11-84. - Requirements and issuance of permits.**

The chief of police or his designee shall issue permits as required in this division, and in the issuance thereof he shall:

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(1) Require a written application for permit to be filed not less than 24 hours in advance of such parade, picket line, or group demonstration which application shall specify the time and place for the commencement of any such picket line and the time, place, route, and duration of any such parade or group demonstration.

(2) Require that the application for a permit specify whether or not minors below the age of 18 years will be permitted to participate.

(3) Require that the application for a permit shall specify and the permit shall designate the person or persons in charge of the activity. Such person shall be required to accompany the parade, picket line, or group demonstration and shall carry such permit with him at that time. Such permit shall not be valid in the possession of any other person.

(Ord. No. O-2008-04, § 11-84, 5-12-2008)

• **Sec. 11-85. - Certain activities prohibited.**

The following acts or activities, when performed or undertaken in conjunction with or as a part of any parade, picket line, or group demonstration, are hereby prohibited and declared unlawful:

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(1) The carrying on or about the person any firearm, or any weapon or article, including but not limited to blackjacks, nightsticks, or flashlights which by their use might constitute a deadly weapon;

(2) The taking or keeping of any dog or other vicious animal, whether leashed or unleashed.

Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6. (Ord. No. O-2008-04, § 11-85, 5-12-2008)

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• **Sec. 11-86. - Revocation of permit.**

The chief of police shall revoke any permit granted for a parade, picket line, or group demonstration for any of the following causes:

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(1) The violation by any participant of section 11-85;

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(2) The failure to comply with the terms and conditions of the permit.

(Ord. No. O-2008-04, § 11-86, 5-12-2008)

DIVISION 5. - HAZARDOUS RECREATIONAL ACTIVITIES

• Sec. 11-101. - Rules and regulations—Skateboard Park.

(a) A participant shall at all times wear elbow pads, kneepads, and a safety helmet.

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(b) The town shall not be required to furnish any supervision of skateboarding activities, and a participant shall be at his or her own risk.

(c) A participant shall be responsible for doing all of the following:

(1) Acting within the limits of his or her ability and the purpose and design of the equipment used;

(2) Maintaining control of his or her ability and the purpose and design of the equipment used; and

(3) Refraining from acting in any manner that may cause or contribute to death or injury of himself or herself or other persons.

(d) No person may consume any food or drink in the designated skating area at a skateboard park.

(e) No person may possess or consume any alcoholic beverages or controlled substances at a skateboard park.

(f) No person may consume tobacco products at a skateboard park.

(g) No person may use, wear, possess, or display any lewd, indecent, or obscene gear, clothing, items, publications, or other materials at a skateboard park.

(h) No person shall use, attempt to use, or enter the premises of a skateboard park except during regular stated or advertised hours of operation.

(i) The recreation department shall be authorized to post such additional rules as the department determines appropriate.

(d) Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6 and section 11-104. (Ord. No. O-2008-04, § 11-101, 5-12-2008; Ord. No. O-2010-04, § 2), 8-3-2010)

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Editor's note— Ord. No. O-2010-04, § 2), adopted Aug. 3, 2010, amended § 11-101 title to read as herein set out. Former § 11-101 title pertained to similar subject matter.

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• **Sec. 11-102. - Waiver and helmet decal required.**

(a) A participant, prior to using the skateboard park for the first time, shall be required to sign a waiver of liability on a form furnished by the town or the recreation department. In the event the participant is under 18 years of age, the waiver shall be signed by a parent or legal guardian. The waiver shall apply to each and every use of the skateboard park thereafter by the participant; provided that the town may, in its discretion, periodically require that a new waiver of liability be signed. The participant shall be required to present a copy of the waiver to provide proof of membership when using the skateboard park facility. The participant will also be furnished a helmet decal at the time of registration must be displayed in a conspicuous place on their helmet prior to use of the skateboard park facility.

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(b) The recreation department shall be authorized to post such additional rules as the Department determines is appropriate. (Ord. No. O-2008-04, § 11-101, 5-12-2008)

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• **Sec. 11-103. - Enforcement.**

(a) The police department shall be responsible for enforcement of the provisions of this division.

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(b) It shall be unlawful for any person to interfere with, hinder, or harass the employees, agents, contractors, or authorized representatives of the recreation department or the town in the performance of their duties as prescribed by this division.

(c) Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty or other remedies in accordance with section 1-6 and section 11-104. (Ord. No. O-2008-04, § 11-103, 5-12-2008)

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• **Sec. 11-104. - Violations; penalties.**

(a) *Misdemeanor.* Notwithstanding any civil penalties which may be assessed under subsection (b) of this section, any person violating any of the provisions of this division may be found guilty of a class 3 misdemeanor under G.S. 14-4 and 160A-175. For a continuing violation, each day's violation shall be deemed to be a separate offense.

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(b) *Civil penalties.* In addition to, and not in lieu of, the criminal penalties and other remedies provided by this division or by state law, a violation of any of the provisions of this division may also subject the offender to the civil penalties hereinafter set forth. The police department shall be authorized to issue a citation to such person, giving notice of the violation. Citations so issued may be delivered in person or mailed by registered

or certified mail to the person charged if such person cannot otherwise be readily located. The civil penalty set forth in the citation must be paid within seven days of receipt of the citation and shall be paid to the finance department. For purposes of this subsection (b), a citation is deemed received on the date it is delivered to the person charged, or, in the case of registered or certified mail, on the date the return receipt is signed. If the person charged fails to pay the civil penalty within the time prescribed, the town may recover said penalty by civil action in the nature of debt; or a criminal summons may be issued against such person charging a misdemeanor violation of this division under subsection (a) of this section, and upon conviction, such person shall in addition to the penalties prescribed for said misdemeanor violation of this division be punished as the court prescribes for failure to pay the civil penalties imposed hereby; or the town may pursue both of said remedies, provided there shall only be one recovery for the civil penalty imposed. **The civil penalties for a violation of this division shall be as follows:**

(1) First offense\$ 50.00

(2) Second offense \$75.00

(3) Third or subsequent offense \$150.00

(4) Fourth offense, suspension from skateboard park facility use.

(c) *Equitable remedies.* This division may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction, including but not limited to injunctions and orders of abatement.

(d) *Cumulative remedies.* The remedies and penalties for violation of this division shall be cumulative, and the election of a remedy or enforcement of a penalty hereunder shall not preclude the election of any other remedy or enforcement of any other penalty which may be provided under this section or by law.

(Ord. No. O-2008-04, § 11-104, 5-12-2008)

Propose fines as follows:

The civil penalties for a violation of this division shall be as follows:

(1) First offense\$ 50.00

(2) Second offense \$75.00

(3) Third or subsequent offense \$150.00

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Board of Commissioners Agenda Report

55 N Broad Street W.
PO Box 278
Angier, NC 27501
www.angier.org

MEETING DATE: August 2, 2022
PREPARED BY: Sean Johnson
ISSUE Rezoning Request
CONSIDERED:
DEPARTMENT: Planning & Inspections

SUMMARY OF ISSUE:

Staff has received a rezoning request from Daniel & Melinda Beavers for the property at 612 N. Broad Street E.

The current zoning is R-10 and the requested zoning is CZ General Commercial.

The Planning Board recommended approval of the rezoning request with the proposed conditions at their July 12th meeting.

Attached is the rezoning application, conditions list and staff report for your review.

FINANCIAL IMPACT: N/A

RECOMMENDATION: Staff recommends approval of the requested rezoning with the proposed conditions.

REQUESTED MOTION: I move to approve the rezoning request to CZ-GC with the proposed conditions.

REVIEWED BY TOWN MANAGER:

Attachments:

Rezoning Application
Staff Report
Proposed Zoning Conditions

Town of Angier

P.O. Box 278

Angier, NC 27501

919-639-2071



Robert K. Smith
Mayor



Gerry Vincent
Town Manager

Public Hearing: August 2, 2022

Conditional Rezoning Request: CZ General Commercial District

Applicant: Daniel & Melinda Beavers

Parcel in Question: 612 N. Broad Street E., Angier, NC

Harnett PIN: 0674-72-5896.000

Conditions To Be Incorporated Into The Zoning Regulations:

1. The Parcels In Question Shall Only Be Used For A Medical Office Use. Upon Rezoning Approval, The Building Located On Site Shall Not Be Occupied As A Residential Dwelling Unless Rezoned Back To A Residential Zoning District.
2. There Shall Be A 10ft Type C Landscape Buffer Installed Along N. Broad Street And E. Roy Street. Existing Vegetation May Be Counted Towards This Buffer.
3. There Shall Be A 15ft Type A Landscape Buffer Installed Along The Northern And Eastern Property Lines, which shall include a 6ft opaque fence.
4. There Shall Be At Least 6 Parking Spaces Installed On The Property. If The Building Is Enlarged, Additional Parking Shall Be Installed At A Rate Of One Space Per 300 Sqft Of Total Building Area. All Parking Shall Be Designed And Installed Per Ordinance Section 8.2.
5. The Existing Access/Driveway From Roy Street Shall Not Be Used For Public Access.

In accordance with N.C.G.S. 160D-703(b), only those conditions approved by the local government and consented to by the petitioner in writing may be incorporated into the zoning regulations.

By signing below, the Town of Angier and Daniel and Melinda Beavers agree to the conditions listed above, which will be incorporated into the zoning regulations for the property in question.

Town of Angier

P.O. Box 278

Angier, NC 27501

919-639-2071



Robert K. Smith
Mayor



Gerry Vincent
Town Manager

Daniel Beavers

Melinda Beavers

Robert K. Smith
Chairman, Angier Board of Commissioners
Town of Angier



REZONING STAFF REPORT

File #: 2022-000615
Staff Contact: Sean Johnson
sjohnson@angier.org (919) 331-6702

Planning Board: July 12, 2022

Public Hearing: August 2, 2022

Requested Rezoning: R-10 to (CZ) General Commercial

Applicant Information

Owner of Record:

Name: Melinda & Daniel Beavers

Address: 612 N. Broad St. E.

City/State: Angier, NC

Applicant:

Name: Curry Engineering, PLLC

Address: 205 S. Fuquay Ave

City/State: Fuquay-Varina, NC

Property Description

PIN(s): 0674-72-5896.000

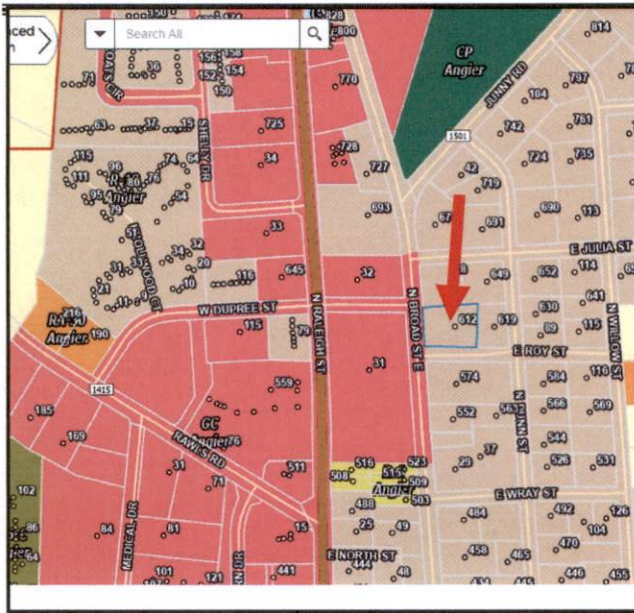
Acreage: 0.64 Acres

Address: 612 N. Broad Street E.

Vicinity Map



Zoning Compatibility



	CURRENT	PROPOSED
	R-10	CZ-GC
Min. Lot Size	10,000sqft	6,000sqft
Parks & Recreation Facilities	P	
Single Family	P	
Multi-Family	P*	
Schools	P	
Retail		
Restaurant		
Medical Office		P
Churches	S	
Government/Institutional Use	SPS	Special Use P
Agriculture		

Physical Characteristics



Site Description: 0.64 acre property with a single family dwelling on it.

Surrounding Land Uses:
Surrounding Land Uses include medium density residential, as well as the bank and post office across Broad Street.

Aerial Photograph (2021)

Services Available

Water:

- ☒ Public
☐ Private (Well)

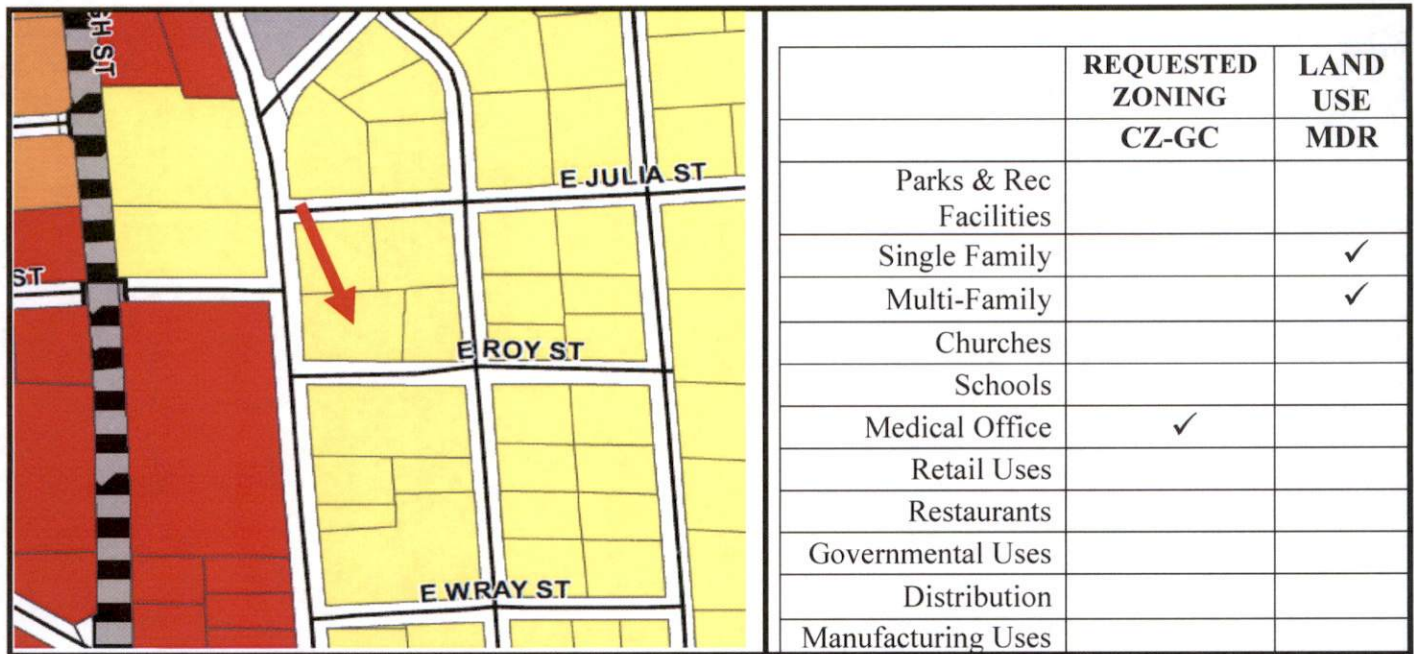
Sewer:

- ☒ Public
☐ Private (Septic Tank)

Transportation:

Accessed by N. Broad Street
& E. Roy Street

Land Use Classification Compatibility



Future Land Use Map (2021)

The Proposed Rezoning **Does Not Align** With The Medium Density Residential Designation Shown On The Future Land Use Plan.

Evaluation

- ☒ Yes ☐ No The IMPACT to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community.
REASONING: With appropriate conditions, the requested zoning would allow for the proposed medical office use in harmony with the surrounding neighborhood.
- ☐ Yes ☒ No The requested zoning district is COMPATIBLE with the existing Land Use Classification.
REASONING: The requested zoning is in line with the MDR designation shown on the Land Use Plan.
- ☒ Yes ☐ No The proposal does ENHANCE or maintain the public health, safety and general welfare.
REASONING: With appropriate conditions, the requested zoning would allow for the proposed medical office use in harmony with the surrounding neighborhood.
- ☐ Yes ☒ No The request is for a SMALL SCALE REZONING and should be evaluated for reasonableness
REASONING: The proposed rezoning would match the adjacent GC zoning.

Staff Recommendation

The rezoning in question is not in line with the Medium Density Residential designation shown on the Future Land Use Map. However, with appropriate conditions enacted by the Board, the proposed medical office use can be facilitated in a manner that does not adversely affect the surrounding neighborhood.

It is recommended that this rezoning request be **APPROVED WITH CONDITIONS**.

Planning Board Recommendation

At their July 12th meeting, the Planning Board voted to recommend **APPROVAL** of the conditional rezoning with the proposed conditions presented.



APPLICATION FOR ZONING CHANGE

Angier Planning Department
55 N. Broad Street W.
Angier, NC 27501
(919)-331-6702



Total Fee: \$400.00
Receipt: 6/14/22
Permit: 2022-615
Date: _____
Case #: _____

Property Owner:

Name: Melinda L. and Daniel E. Beavers
Address: 612 N. Broad Street
City/State/Zip: Angier, NC 27501
E-mail: danielandmelinda@gmail.com
Phone: 706-340-3138

Applicant:

Name: Curry Engineering, PLLC
Address: 205 S. Fuquay Avenue
City/State/Zip: Fuquay-Varina, NC 27526
E-mail: don@curryeng.com
Phone: 919-552-0849

Property Description

PIN(s): 0674 -72- 5896 Acreage: .66 acres
Address: 612 N. Broad Street, Angier, NC 27501
Deed
Book: 4148 Page: 0065

Rezoning Request:

Existing zoning district:
R-10
(Medium density residential)

Requested zoning district:
CZ GC
(Conditional Zoning General Commercial)

Required Attachments:

- Deed of the property in question showing the current legal owner
- Recorded map of the property OR Survey of the property at a scale of not less than one (1) inch = 200 feet
- Explanation of why the zoning change is requested, addressing applicable portions of Section 14.3 of the Ordinance

Signatures:

The undersigned applicant hereby certifies that, to the best of his or her knowledge, all information supplied with this application is true and accurate, and that the applicant certifies that they have the legal authority to sign this application as the property owner or authorized agent:



Property Owner Signature

6.13.2022

Date

OR

Authorized Agent Signature

Date

Town of Angier Zoning Ordinance

14.3.3 Map amendments (rezonings).

A. For all map amendments (rezonings), applications shall contain a statement regarding the consistency of the request with adopted town plans and the surrounding area.

B. For conditional zoning map amendments (rezonings), the application shall be accompanied by a description of the use or uses proposed and any conditions being proposed by the applicant. The applicant shall also provide a statement of reasonableness regarding the request on the application. In addition to the application, the applicant shall submit a site-specific plan.

To the Members of the Angier Town Council:

We request a change in zoning from residential to commercial for the specific purpose of opening a pediatric office at 612 North Broad Street.

The building has been purchased by Dr Melinda Beavers with the intention and hope of creating a pediatric practice within the town of Angier. The building is ideally positioned within the town to allow residents of the town and surrounding area to access reliable, convenient, and acclaimed pediatric care. A pediatric practice does not require specific construction of rooms, and new construction would significantly postpone the date a business would be able to open. Because the practice will open with only one provider, only a relatively small space is required. The property in question on North Broad Street has an ideal situation within the town and is ideally proportioned for the business proposed. The building size is sufficient for 1-2 pediatric providers, which will allow the business to grow with time. The capacity for growth of the pediatric practice is important because Angier and the surrounding area will grow exponentially in the next decade. The building in question will require very little change to ideally serve as a pediatric office. The current driveway has serviceable ingress and egress, and will require minimal repair. The area in the front of the property can easily accommodate parking for the practice. The surface will be modified with gravel or paving stones that will minimize runoff and protect the root systems of the trees on the property and provide a safe, reliable, sustainable parking surface. In addition to protecting the environment, this surface will also protect the aesthetics of the property. I have enjoyed meeting our neighbors along Broad Street and Roy Street, and we are committed to maintaining the neighborhood's aesthetics and charm. We will plant shrubbery along the front and sides of the property to obscure the sight of cars parked in front of the building. The office expects to see a maximum of 20 patients per day, and will typically see 15-18 patients per day. Patient traffic will be contained to North Broad Street, where the looped driveway allows ingress and egress. This will restrict the added traffic to North Broad Street, along the portion that approximates the Post Office and First Federal Bank, without significantly increasing traffic on Roy and Julia Streets. The interior of the building will also be updated to commercial and medical code. This will include remodeling the 3 bedrooms of the home to be 4 exam rooms and 2 handicap-accessible bathrooms. The wiring of the building will also be updated, as well as any other changes needed to meet current code requirements. I appreciate your consideration for this conditional rezoning of 612 North Broad Street to commercial.

Sincerely,
Melinda Beavers

NEW BUSINESS



Board of Commissioners Agenda Report

55 N Broad Street W.
PO Box 278
Angier, NC 27501
www.angier.org

MEETING DATE: August 2, 2022
PREPARED BY: Sean Johnson
ISSUE Voluntary Annexation Petition
CONSIDERED:
DEPARTMENT: Planning & Inspections

SUMMARY OF ISSUE:

Staff has received a voluntary annexation petition from Daniel & Janet Gardner and Kenneth & Debra Gardner for approximately 47.8 acres located on Old Buies Creek Rd, Angier, NC (Harnett PINs: 0673-72-4977.000, 0673-72-7501.000).

A conditional rezoning request has also been submitted for this site, which will come before the Board on September 6th.

The next step is for the Board to direct the Town Clerk to investigate the sufficiency of the annexation petition and report back at the September 6th Board meeting.

Attached is the voluntary annexation petition and boundary survey for your review.

FINANCIAL IMPACT: N/A

RECOMMENDATION: N/A

REQUESTED MOTION: I move to direct the Town Clerk to investigate the sufficiency of the annexation petition submitted by Daniel & Janet Gardner and Kenneth & Debra Gardner.

REVIEWED BY TOWN MANAGER:

Attachments:

Voluntary Annexation Petition
Property Survey



Town of Angier

Robert K. Smith
Mayor

Gerry Vincent
Town Manager

Resolution No.: R018-2022
Date Submitted: August 2, 2022
Date Adopted: August 2, 2022

**A RESOLUTION OF THE TOWN OF ANGIER DIRECTING THE
TOWN CLERK TO INVESTIGATE AN ANNEXATION PETITION RECEIVED
UNDER GENERAL STATUTE § 160A – 58.1**

WHEREAS, the Town of Angier has received a Petition requesting Annexation of an area described in said Petition of a 47.8 acre tract of land located on Old Buies Creek Road, Angier, NC inclusive to Harnett County Parcel Pins # 0673-72-4977.000 & 0673-72-7501.000; and,

WHEREAS, the Petition to Annexation was submitted on July 28, 2022 by Daniel & Janet Gardner & Kenneth & Debra Gardner and is scheduled to go before the Town of Angier Board of Commissioners during its August 2, 2022 meeting for Consideration to Direct the Clerk to Investigate;

WHEREAS, the General Statute § 160A – 58.2 provides that the Sufficiency of the Petition shall be Investigated by the Town of Angier Clerk before further Annexation Proceedings may take place; and,

WHEREAS, the Town Board of Commissioners of The Town of Angier Deems it Advisable to Proceed in Response to this Request for Annexation; and,

THEREFORE, BE IT RESOLVED, by the Mayor and Town of Angier Board of Commissioners that:

The Town of Angier Clerk is hereby Directed to Investigate the Sufficiency of the Aforementioned Petition and to Certify as soon as Possible to the Town Board of Commissioners the result of her Investigation.

Adopted by the Angier Board of Commissioners on this the 2nd day of August, 2022.

ATTEST:

Robert K. Smith, Mayor

Veronica Hardaway, Town Clerk



Robert K. Smith
Mayor

Town of Angier

P.O. Box 278
Angier, NC 27501
919-639-2071

Veronica Hardaway
Town Clerk



Gerry Vincent
Town Manager

PROCEDURE FOR VOLUNTARY ANNEXATION PETITION

THE PROCESS:

(Time Frame: 60 - 90 days)

1. Petition and all required information (see checklist) must be submitted to Town Clerk at least seven (7) calendar days before next regular Town Board meeting, which is held the 1st Tuesday of each month.
2. Petition placed on Town Board agenda for next available regular meeting – 1st Tuesday of each month.
3. Town Board may then direct the Town Clerk to investigate the sufficiency of the petition.
4. Town Clerk investigates, and if all is in order, presents Certificate of Sufficiency to Board at next regular meeting – approximately 30 days later.
5. Town Board adopts resolution setting a public hearing at next available public hearing session – approximately 30 days later.
6. Public Hearing held as advertised.
7. Annexation Ordinance may be adopted after the public hearing is complete.
8. Town Clerk notifies required agencies of approved annexation.

SUBMITTAL CHECKLIST:

- ☐ One completed annexation petition
- ☐ Annexation fee: \$250
- ☐ Eight paper copies and one PDF copy of survey map of property proposed for annexation showing:
 - The property in relationship to the primary corporate limits of the Town. (If the petition is for a non-contiguous annexation the distance from the primary corporate limits must be shown.)
 - County tax map/parcel number(s) and /or PIN numbers
- ☐ One copy of the recorded deed to the property showing current owner(s)
 - All owners of property being petitioned for annexation must sign the petition. (Signatures on petition must appear as shown on the deed)
- ☐ Attach metes and bounds description
- ☐ Statement of vested rights, if applicable
 - Attach a letter certifying vested rights, if any, from the government entity granting the vested rights. (If you are not certain of this information, contact the Planning Department)
- ☐ Complete and attach applicable signature page (Individual, Corporation, Partnership)

TO BOARD OF COMMISSIONERS OF THE TOWN OF ANGIER, NC:



Robert K. Smith
Mayor

Town of Angier

P.O. Box 278
Angier, NC 27501
919-639-2071



Veronica Hardaway
Town Clerk

Gerry Vincent
Town Manager

1. I/We the undersigned owners of real property respectfully request that the area as referenced by the **attached survey map and metes and bounds description be annexed** into the Town of Angier, North Carolina.

2. The area to be annexed is
☒ contiguous, () non-contiguous
to the Town of Angier.
(If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. 160-31(f).)

3. Harnett/Wake County Property
Identification Number(s) (PIN):

0673-72-4977.000

0673-72-7501.000

4. Have vested rights been established with regard to this property under N.C.G.S. 160A-385.1 or G.S. 153A-344.1?
() Yes ☒ No
If "yes", proof of vested rights must be attached.

5. I/We the undersigned owners of real property acknowledge and accept the provision that the Town of Angier will provide the property such municipal services it presently provides other lands within its corporate limits, except sewer services (inasmuch as the land is not within a reasonable proximity to the Town sewer lines and the drainage basin for the property makes the provision of sewer services financially impracticable).

6. We hereby certify that all information given with regard to this property is true and accurate to the best of my/our knowledge and is signed by **all** owners of the property being petitioned for annexation. Attached is the applicable signature page:

- ☒ Individual(s)
☐ Corporation
☐ Partnership
☐ LLC

Complete is property if owned by INDIVIDUAL(S).



Town of Angier

P.O. Box 278
Angier, NC 27501
919-639-2071



Robert K. Smith
Mayor

Veronica Hardaway
Town Clerk

Gerry Vincent
Town Manager

Property #1 of 2 - PIN 0673-72-4977.000

(Both husband and wife must sign if property is owned jointly and all signatures must be the same as those that appear on recorded deed)

Petitioned Property PIN #: _____

1. GARDNER DANIEL W JR 4305 Old Buies Creek Road Angier, NC 27501
(Owner - Print Name) (Mailing Address)

Daniel W Gardner Jr
(Owner's Signature)

2. GARDNER JANET FRAZIER 4305 Old Buies Creek Road Angier, NC 27501
(Owner - Print Name) (Mailing Address)

Janet Frazier Gardner
(Owner's Signature)

3. _____
(Owner - Print Name) (Mailing Address)

(Owner's Signature)

State of NORTH CAROLINA, County of HARNETT

I, BRANDON BROWN, a Notary Public for said County and State, do hereby certify that DANIEL GARDNER + JANET GARDNER personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 8TH day of JUNE, 20 22. My commission expires DEC. 9TH, 20 25.

Brandon Brown
Notary Public

(SEAL)

Complete if property is owned by CORPORATION.





Town of Angier

P.O. Box 278
Angier, NC 27501
919-639-2071



Robert K. Smith
Mayor

Veronica Hardaway
Town Clerk

Gerry Vincent
Town Manager

Property #2 of 2 - PIN 0673-72-7501.000

(Both husband and wife must sign if property is owned jointly and all signatures must be the same as those that appear on recorded deed)

Petitioned Property PIN #: _____

1. GARDNER KENNETH DALE 4144 Old Buies Creek Road Angier, NC 27501
(Owner - Print Name) (Mailing Address)

Kenneth Dale Gardner
(Owner's Signature)

2. GARDNER DEBRA ANNE 4144 Old Buies Creek Road Angier, NC 27501
(Owner - Print Name) (Mailing Address)

Debra Anne Gardner
(Owner's Signature)

3. _____
(Owner - Print Name) (Mailing Address)

(Owner's Signature)

State of NORTH CAROLINA, County of HARNETT

I, BRANDON BROWN, a Notary Public for said County and State, do hereby certify that KENNETH GARDNER + DEBRA GARDNER personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 8TH day of JUNE, 20 22. My commission expires DEC. 9TH, 20 25.

Brandon Brown
Notary Public

(SEAL)

Complete if property is owned by CORPORATION.





Board of Commissioners Agenda Report

55 N Broad Street W.
PO Box 278
Angier, NC 27501
www.angier.org

MEETING DATE: August 2, 2022
PREPARED BY: Sean Johnson
ISSUE Voluntary Annexation Petition
CONSIDERED:
DEPARTMENT: Planning & Inspections

SUMMARY OF ISSUE:

Staff has received a voluntary annexation petition from Rebecca Partin for approximately 32.23 acres located on Matthews Mill Pond Rd, Angier, NC (Harnett PINs: 0673-35-3156.000, 0673-34-3650.000).

A conditional rezoning request has also been submitted for this site, which will come before the Board on September 6th.

The next step is for the Board to direct the Town Clerk to investigate the sufficiency of the annexation petition and report back at the September 6th Board meeting.

Attached is the voluntary annexation petition and boundary survey for your review.

FINANCIAL IMPACT: N/A

RECOMMENDATION: N/A

REQUESTED MOTION: I move to direct the Town Clerk to investigate the sufficiency of the annexation petition submitted by Rebecca Partin.

REVIEWED BY TOWN MANAGER:

Attachments:

Voluntary Annexation Petition
Property Survey



Town of Angier

Robert K. Smith
Mayor

Gerry Vincent
Town Manager

Resolution No.: R019-2022
Date Submitted: August 2, 2022
Date Adopted: August 2, 2022

**A RESOLUTION OF THE TOWN OF ANGIER DIRECTING THE
TOWN CLERK TO INVESTIGATE AN ANNEXATION PETITION RECEIVED
UNDER GENERAL STATUTE § 160A – 58.1**

WHEREAS, the Town of Angier has received a Petition requesting Annexation of an area described in said Petition of a 32.23 acre tract of land located on Matthews Mill Pond Road, Angier, NC inclusive to Harnett County Parcel Pins # 0673-35-3156.000 & 0673-34-3650.000; and,

WHEREAS, the Petition to Annexation was submitted on July 28, 2022 by Rebecca Partin and is scheduled to go before the Town of Angier Board of Commissioners during its August 2, 2022 meeting for Consideration to Direct the Clerk to Investigate;

WHEREAS, the General Statute § 160A – 58.2 provides that the Sufficiency of the Petition shall be Investigated by the Town of Angier Clerk before further Annexation Proceedings may take place; and,

WHEREAS, the Town Board of Commissioners of The Town of Angier Deems it Advisable to Proceed in Response to this Request for Annexation; and,

THEREFORE, BE IT RESOLVED, by the Mayor and Town of Angier Board of Commissioners that:

The Town of Angier Clerk is hereby Directed to Investigate the Sufficiency of the Aforementioned Petition and to Certify as soon as Possible to the Town Board of Commissioners the result of her Investigation.

Adopted by the Angier Board of Commissioners on this the 2nd day of August, 2022.

ATTEST:

Robert K. Smith, Mayor

Veronica Hardaway, Town Clerk



Robert K. Smith
Mayor

Town of Angier
P.O. Box 278
Angier, NC 27501
919-639-2071



Veronica Hardaway
Town Clerk

Gerry Vincent
Town Manager

PROCEDURE FOR VOLUNTARY ANNEXATION PETITION

THE PROCESS:

(Time Frame: 60 - 90 days)

1. Petition and all required information (see checklist) must be submitted to Town Clerk at least seven (7) calendar days before next regular Town Board meeting, which is held the 1st Tuesday of each month.
2. Petition placed on Town Board agenda for next available regular meeting – 1st Tuesday of each month.
3. Town Board may then direct the Town Clerk to investigate the sufficiency of the petition.
4. Town Clerk investigates, and if all is in order, presents Certificate of Sufficiency to Board at next regular meeting – approximately 30 days later.
5. Town Board adopts resolution setting a public hearing at next available public hearing session – approximately 30 days later.
6. Public Hearing held as advertised.
7. Annexation Ordinance may be adopted after the public hearing is complete.
8. Town Clerk notifies required agencies of approved annexation.

SUBMITTAL CHECKLIST:

- ☒ **One completed annexation petition**
- ☒ **Annexation fee: \$250**
- ☒ **Eight paper copies and one PDF copy of survey map of property proposed for annexation showing:**
 - The property in relationship to the primary corporate limits of the Town. (If the petition is for a non-contiguous annexation the distance from the primary corporate limits must be shown.)
 - County tax map/parcel number(s) and /or PIN numbers
- ☒ **One copy of the recorded deed to the property showing current owner(s)**
 - All owners of property being petitioned for annexation must sign the petition. (Signatures on petition must appear as shown on the deed)
- ☒ **Attach metes and bounds description**
- ☐ **Statement of vested rights, if applicable**
 - Attach a letter certifying vested rights, if any, from the government entity granting the vested rights. (If you are not certain of this information, contact the Planning Department)
- ☒ **Complete and attach applicable signature page** (Individual, Corporation, Partnership)



Robert K. Smith
Mayor

Town of Angier
P.O. Box 278
Angier, NC 27501
919-639-2071



Gerry Vincent
Town Manager

TO BOARD OF COMMISSIONERS OF THE TOWN OF ANGIER, NC:

1. I/We the undersigned owners of real property respectfully request that the area as referenced by the **attached survey map and metes and bounds description be annexed** into the Town of Angier, North Carolina.

2. The area to be annexed is
☒ contiguous, () non-contiguous
to the Town of Angier.
(If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. 160-31(f).)

3. Harnett/Wake County Property
Identification Number(s) (PIN):
0673-34-3650
0673-35-3156

4. Have vested rights been established with regard to this property under N.C.G.S. 160A-385.1 or G.S. 153A-344.1?
() Yes () No
If "yes", proof of vested rights must be attached.

5. I/We the undersigned owners of real property acknowledge and accept the provision that the Town of Angier will provide the property such municipal services it presently provides other lands within its corporate limits, except sewer services (inasmuch as the land is not within a reasonable proximity to the Town sewer lines and the drainage basin for the property makes the provision of sewer services financially impracticable).

6. We hereby certify that all information given with regard to this property is true and accurate to the best of my/our knowledge and is signed by **all** owners of the property being petitioned for annexation. Attached is the applicable signature page:

- ☒ Individual(s)
☐ Corporation
☐ Partnership
☐ LLC



Robert K. Smith
Mayor

Town of Angier
P.O. Box 278
Angier, NC 27501
919-639-2071



Gerry Vincent
Town Manager

Complete is property if owned by INDIVIDUAL(S).

(Both husband and wife must sign if property is owned jointly and all signatures must be the same as those that appear on recorded deed)

Petitioned Property PIN #: 0673-34-3650

1. Rebecca S. Partin 375 Matthews Mill Pond Rd. Angier, NC 27501
(Owner - Print Name) (Mailing Address)

Jane R. Jew, POA
(Owner's Signature)

2. Chris McKinney P.O. Box 1490 Sumner, NC 27358
(Owner - Print Name) (Mailing Address)

Chris McKinney
(Owner's Signature)

3. _____
(Owner - Print Name) (Mailing Address)

(Owner's Signature)

State of NC, County of Wake

I, Wendy C Haynes, a Notary Public for said County and State, do hereby certify that Chris McKinney & Jane R. Jew personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 6th day of July, 2022 My commission expires 31st, 2027.

Wendy C Haynes
Notary Public





Town of Angier

P.O. Box 278
Angier, NC 27501
919-639-2071



Robert K. Smith
Mayor

Veronica Hardaway
Town Clerk

Gerry Vincent
Town Manager

Complete is property if owned by INDIVIDUAL(S).

(Both husband and wife must sign if property is owned jointly and all signatures must be the same as those that appear on recorded deed)

Petitioned Property PIN #: 0673-35-3156

1. Rebecca S. Partin 375 Matthews Mill Pond Rd. Angier NC
(Owner - Print Name) (Mailing Address) 27501

Jane R. Jew, POA
(Owner's Signature)

2. Chris McKinney P.O. Box 490 Summerfield NC
(Owner - Print Name) (Mailing Address) 27358

Ch Mc
(Owner's Signature)

3. _____
(Owner - Print Name) (Mailing Address)

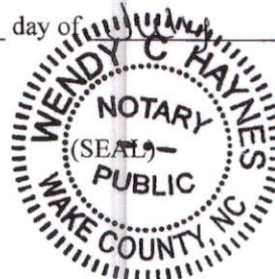
(Owner's Signature)

State of NC, County of Wake

I, Wendy C Haynes, a Notary Public for said County and State, do hereby certify that Chris McKinney & Rebecca S Partin personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 6th day of July, 2022 My
commission expires 3/15, 2027.

Wendy C Haynes
Notary Public



MORRIS & RITCHIE ASSOCIATES OF NC, PC

AN AFFILIATE OF MORRIS & RITCHIE ASSOCIATES, INC. WHICH
PROVIDES ENGINEERING, ARCHITECTURE, PLANNING, SURVEYING &
LANDSCAPE ARCHITECTURE THROUGHOUT THE MID-ATLANTIC REGION
AND LANDSCAPE ARCHITECTS



Legal Description – Parcel 2 Tract 1 of P.C. #1 Pg. 8

13.081 Acres

Lands of Rebecca S. Partin

Black River Township – Harnett County, North Carolina

All that certain parcel of land lying generally easterly of Matthews Mill Pond Road, being located in Black River Township, Harnett County, North Carolina and being those lands described in deed dated December 10, 1979 from Larry Gene Dupree to Herbert E. Partin and Rebecca S. Partin and recorded in the Land Records of Harnett County, North Carolina in Deed Book 698, page 825, being more particularly described as follows, to wit:

Beginning at an iron pipe set, having North Carolina state plane coordinates N: 634,336.54 E: 2,073,966.64; thence North $86^{\circ}44'23''$ West 1,226.84 feet to an iron spike found in the center-line of Matthews Mill Pond Road; thence, with the center-line of said road, North $03^{\circ}32'35''$ West 459.54 feet to a PK nail set; thence, leaving said road, South $86^{\circ}51'33''$ East 1,263.34 feet to an iron pipe set; thence, South $01^{\circ}01'17''$ West 459.29 feet to the point of beginning.
Containing **19.156 AC.±**.

The total area of the **Parcel 2** herein described being all of the land as described in deed dated December 10, 1979 from Larry Gene Dupree to Herbert E. Partin and Rebecca S. Partin and recorded in the Land Records of Harnett County, North Carolina in Deed Book 698, Page 825, and Plat Cabinet #1, Page 8, and containing a total area of **13.081 AC.±** and being subject to any and all matters of which a current title package would disclose.

5605 Chapel Hill Road, Suite 112, Raleigh, NC 27607 (984) 200-2103 www.mragta.com

Abingdon, MD ♦ Baltimore, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Leesburg, VA ♦ Raleigh, NC
(410) 515-9000 (443) 490-7201 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 994-4047 (984) 200-2103

MORRIS & RITCHIE ASSOCIATES OF NC, PC

AN AFFILIATE OF MORRIS & RITCHIE ASSOCIATES, INC. WHICH
PROVIDES ENGINEERING, ARCHITECTURE, PLANNING, SURVEYING &
LANDSCAPE ARCHITECTURE THROUGHOUT THE MID-ATLANTIC REGION
AND LANDSCAPE ARCHITECTS



Legal Description – Parcel 3 Tract 1 of P.C. #1 Pg. 8

19.156 Acres

Lands of Rebecca S. Partin

Black River Township – Harnett County, North Carolina

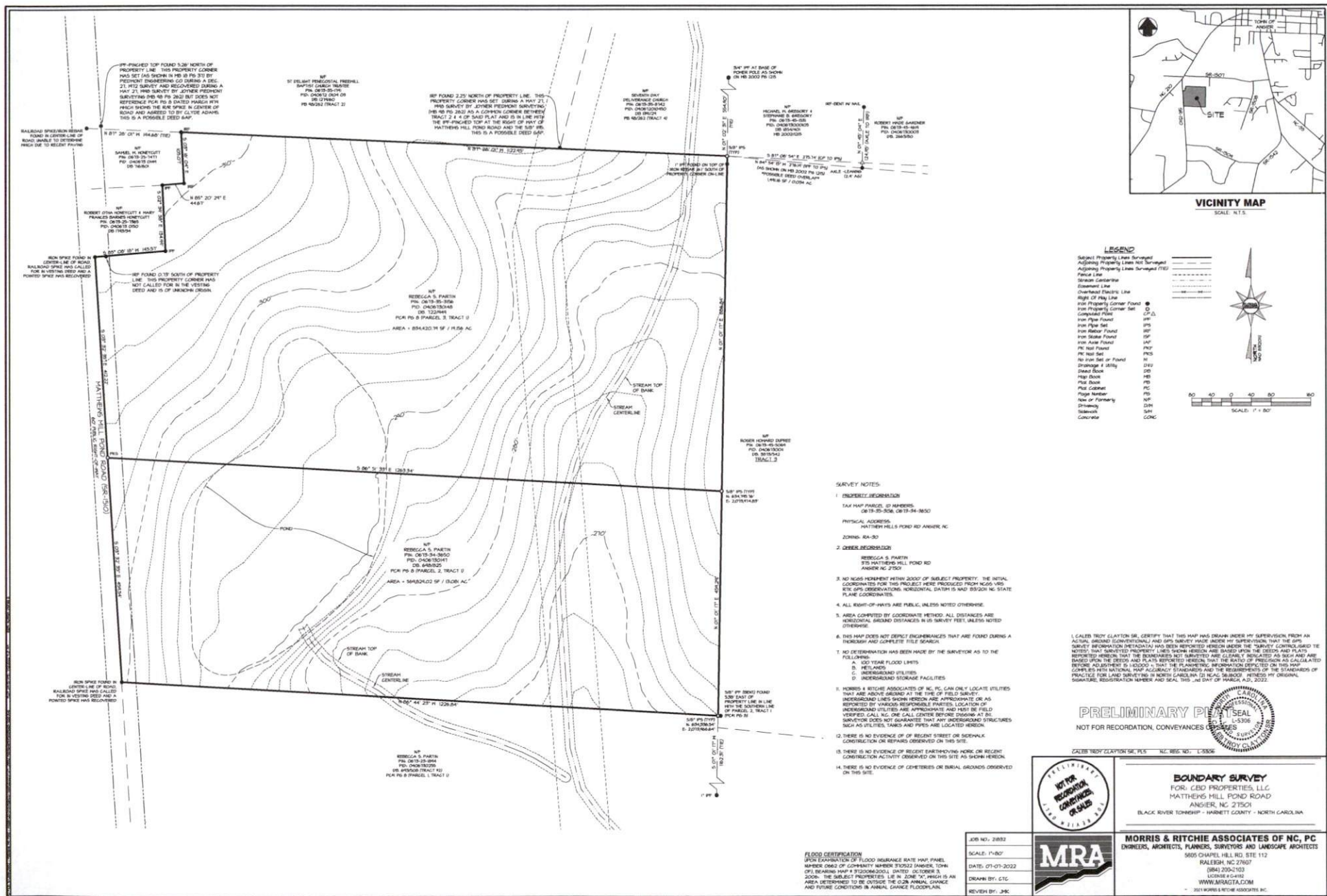
All that certain parcel of land lying generally easterly of Matthews Mill Pond Road, being located in Black River Township, Harnett County, North Carolina and being those lands described in deed dated July 16, 1981 from Rebecca Sue D. Bannister and Robert Dale Bannister to Herbert E. Partin and Rebecca S. Partin and recorded in the Land Records of Harnett County, North Carolina in Deed Book 722, page 949, being more particularly described as follows, to wit:

Beginning at an iron pipe set, having North Carolina state plane coordinates N: 634,795.76 E: 2,073,974.83; thence North 86°51'33" West 1,263.34 feet to a PK nail set in the center-line of Matthews Mill Pond Road; thence, with the center-line of said road, North 03°32'35" West 412.22 feet to an iron spike found; thence, leaving said road, North 85°08'18" East 145.57 feet to an iron pipe found; thence, North 02°39'38" West 134.99 feet to an iron pipe found; thence, North 85°20'29" East 44.67 feet to an iron rod found; thence North 03°16'04" West 105.07 feet to an iron rod found; thence, South 87°28'01" East 1,122.95 feet to an iron pipe set; thence, South 01°01'17" West 686.84 feet to the point of beginning. Containing **19.156 AC.±**.

The total area of the **Parcel 3** herein described being all of the land as described in deed dated July 16, 1981 from Rebecca Sue D. Bannister and Robert Dale Bannister to Herbert E. Partin and Rebecca S. Partin and recorded in the Land Records of Harnett County, North Carolina in Deed Book 722, Page 949, and Plat Cabinet #1, Page 8, and containing a total area of **19.156 AC.±** and being subject to any and all matters of which a current title package would disclose.

5605 Chapel Hill Road, Suite 112, Raleigh, NC 27607 (984) 200-2103 www.mragta.com

Abingdon, MD ♦ Baltimore, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Leesburg, VA ♦ Raleigh, NC
(410) 515-9000 (443) 490-7201 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 994-4047 (984) 200-2103





Board of Commissioners Agenda Report

55 N Broad Street W.
PO Box 278
Angier, NC 27501
www.angier.org

MEETING DATE: August 2, 2022
PREPARED BY: Sean Johnson
ISSUE: Voluntary Annexation Petition
CONSIDERED:
DEPARTMENT: Planning & Inspections

SUMMARY OF ISSUE:

Staff has received a voluntary annexation petition from Taylor Morrison of Carolinas, Inc for approximately 35.61 acres located on Junny Rd & Kennebec Rd, Angier, NC (Harnett PINs: 0674-76-8650.000, 0674-76-8919.000, 0674-87-0285.000; Wake PIN: 0674871973).

This is the Site of the previously approved Camden Place PUD (Formerly Caitlin Meadows).

The next step is for the Board to direct the Town Clerk to investigate the sufficiency of the annexation petition and report back at the September 6th Board meeting.

Attached is the voluntary annexation petition and boundary survey for your review.

FINANCIAL IMPACT: N/A

RECOMMENDATION: N/A

REQUESTED MOTION: I move to direct the Town Clerk to investigate the sufficiency of the annexation petition submitted by Taylor Morrison of Carolinas, Inc.

REVIEWED BY TOWN MANAGER:

Attachments:

Voluntary Annexation Petition
Property Survey



Town of Angier

Robert K. Smith
Mayor

Gerry Vincent
Town Manager

Resolution No.: R020-2022
Date Submitted: August 2, 2022
Date Adopted: August 2, 2022

A RESOLUTION OF THE TOWN OF ANGIER DIRECTING THE TOWN CLERK TO INVESTIGATE AN ANNEXATION PETITION RECEIVED UNDER GENERAL STATUTE § 160A – 58.1

WHEREAS, the Town of Angier has received a Petition requesting Annexation of an area described in said Petition of a 35.61 acre tract of land located on Junny Road & Kennebec Road, Angier, NC in both Harnett & Wake Counties (Harnett County Parcel Pins # 0674-76-8650.000; 0674-76-8919.000; 0674-87-0285.000 & Wake County Parcel Pin: 0674871973; and,

WHEREAS, the Petition to Annexation was submitted on July 28, 2022 by Taylor Morrison of Carolinas, Inc. and is scheduled to go before the Town of Angier Board of Commissioners during its August 2, 2022 meeting for Consideration to Direct the Clerk to Investigate;

WHEREAS, the General Statute § 160A – 58.2 provides that the Sufficiency of the Petition shall be Investigated by the Town of Angier Clerk before further Annexation Proceedings may take place; and,

WHEREAS, the Town Board of Commissioners of The Town of Angier Deems it Advisable to Proceed in Response to this Request for Annexation; and,

THEREFORE, BE IT RESOLVED, by the Mayor and Town of Angier Board of Commissioners that:

The Town of Angier Clerk is hereby Directed to Investigate the Sufficiency of the Aforementioned Petition and to Certify as soon as Possible to the Town Board of Commissioners the result of her Investigation.

Adopted by the Angier Board of Commissioners on this the 2nd day of August, 2022.

ATTEST:

Robert K. Smith, Mayor

Veronica Hardaway, Town Clerk



Robert K. Smith
Mayor

Town of Angier

P.O. Box 278
Angier, NC 27501
919-639-2071



Veronica Hardaway
Town Clerk

Gerry Vincent
Town Manager

1. I/We the undersigned owners of real property respectfully request that the area as referenced by the **attached survey map and metes and bounds description be annexed** into the Town of Angier, North Carolina.

2. The area to be annexed is
☒ contiguous, () non-contiguous
to the Town of Angier.
(If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. 160-31(f).)

3. Harnett/Wake County Property
Identification Number(s) (PIN):
0674-76-8650.000, 0674-76-8919.000,
0674-87-0285.000 & 0674871973

4. Have vested rights been established with regard to this property under N.C.G.S. 160A-385.1 or G.S. 153A-344.1?
() Yes ☒ No
If "yes", proof of vested rights must be attached.

5. I/We the undersigned owners of real property acknowledge and accept the provision that the Town of Angier will provide the property such municipal services it presently provides other lands within its corporate limits, except sewer services (inasmuch as the land is not within a reasonable proximity to the Town sewer lines and the drainage basin for the property makes the provision of sewer services financially impracticable).

6. We hereby certify that all information given with regard to this property is true and accurate to the best of my/our knowledge and is signed by **all** owners of the property being petitioned for annexation. Attached is the applicable signature page:

- ☐ Individual(s)
☒ Corporation
☐ Partnership
☐ LLC

Complete is property if owned by INDIVIDUAL(S).



Town of Angier

P.O. Box 278
Angier, NC 27501
919-639-2071



Robert K. Smith
Mayor

Veronica Hardaway
Town Clerk

Gerry Vincent
Town Manager

(Both husband and wife must sign if property is owned jointly and all signatures must be the same as those that appear on recorded deed)

0674-76-8650.000, 0674-76-8919.000,

Petitioned Property PIN #: 0674-87-0285.000 & 0674871973

1. Taylor Morrison of Carolinas, Inc 15501 Weston Parkway, Ste 100, Cary, NC 27513
(Owner - Print Name) (Mailing Address)

[Signature]
(Owner's Signature)

2. _____
(Owner - Print Name) (Mailing Address)

(Owner's Signature)

3. _____
(Owner - Print Name) (Mailing Address)

(Owner's Signature)

State of NC, County of Wake

I, Aleashia Browning, a Notary Public for said County and State, do hereby certify that Mark Altman personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 13th day of July, 2022. My commission expires 9/29, 2025.

Aleashia Browning
Notary Public

Complete if property is owned by CORPORATION.

(SEAL)



Camden Place Subdivision
Harnett County PIN:
0674-76-8650.000
0674-76-8919.000
0674-87-0285.000
Black River Township
Wake County PIN:
0674-87-1973.000
Middle Creek Township

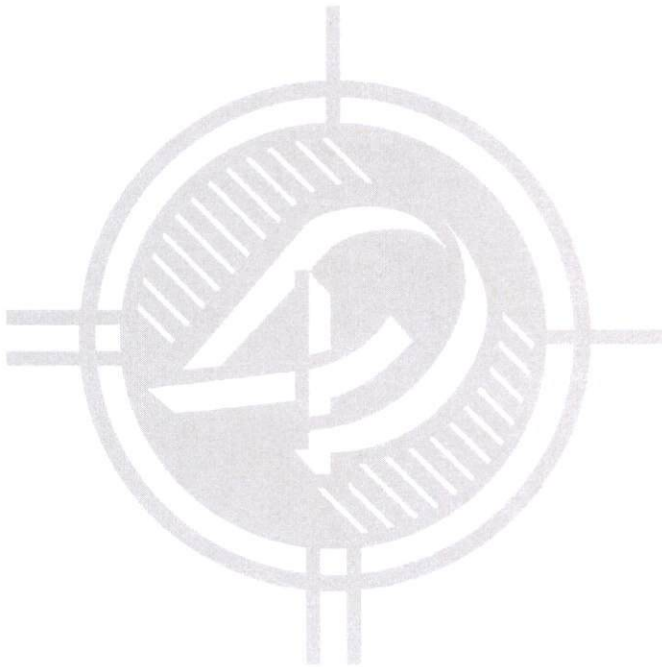
The following described tract of land lies along the western side of SR 1501 (Junny Road) (Harnett County) & SR 2778 (Junny Road) (Wake County) and the southern side of SR 2762 (Kennebec Road) (Wake County) in the Black River Township (Harnett County) and being the deeds duly recorded in Deed Book 921, Page 982 and Deed Book 2192, Page 151, both of the Harnett County, North Carolina Registry and Deed Book 13745, Page 198, of the Harnett County, North Carolina Registry, and is more fully described as follows:

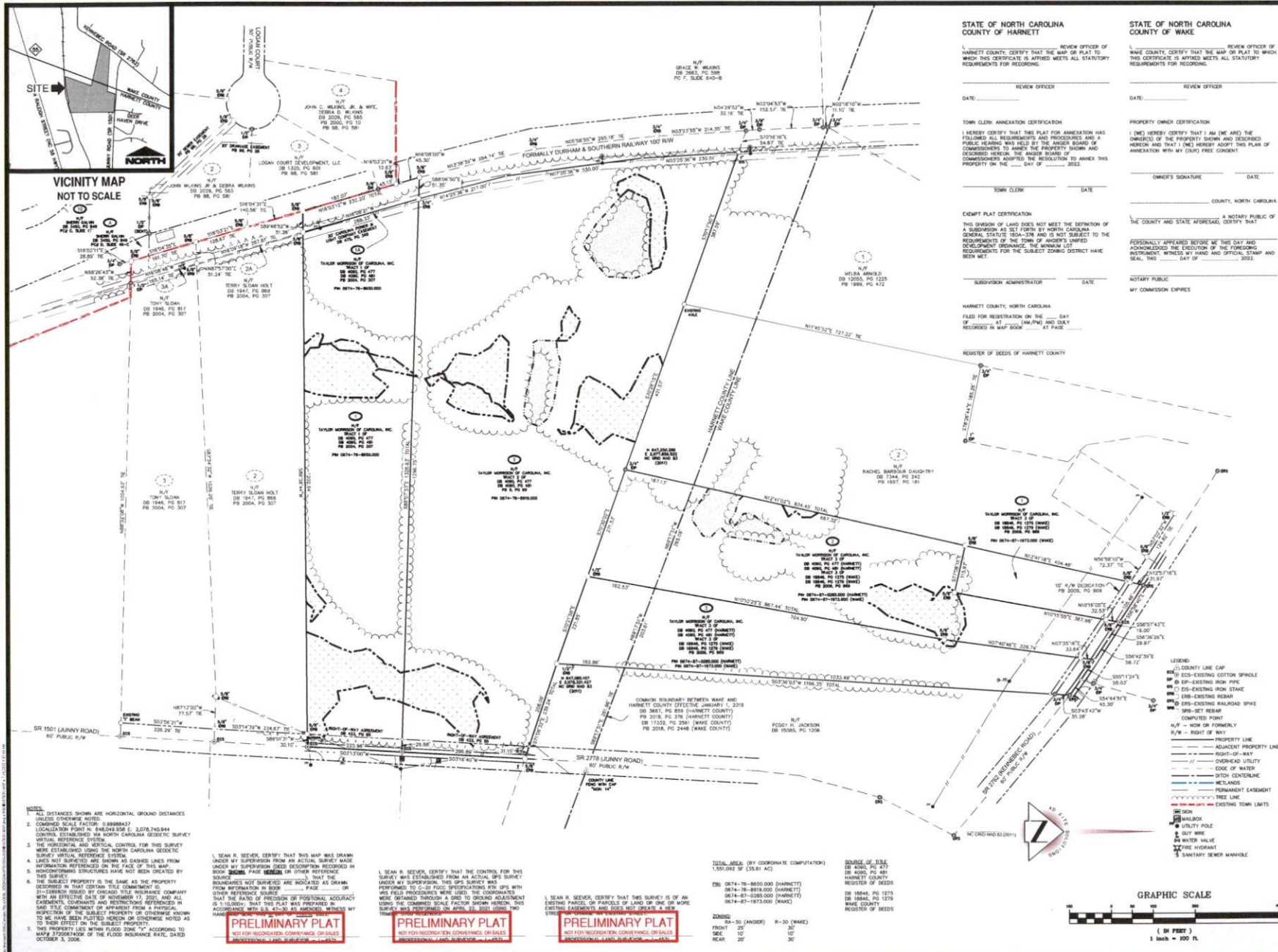
All of **Lot 1**, containing 7.37 acres and **Lot 1A**, containing 0.33 acre for a combined total of 7.70 acres, according to a map entitled "Survey for: James Sloan Heirs" recorded in **Plat Book 2004, Page 307**, Harnett County Registry, all of **Lot 5**, containing 17.11 acres, more or less, according to a map entitled "Property of George M. Wimberly Estate" recorded in **Plat Book 9, Page 99** (also known as **Plat Cabinet B, Slide 23**), Harnett County Registry, all of **Lots 1, 2 and 3** as shown on map entitled "Minor Subdivision Surveyed for and Owned by Malisia Barbour Hawes Heirs," and recorded in **Plat Book 2009, Page 969**, Wake County Registry, all being further described as follows:

BEGINNING at an existing cotton spindle in the centerline of SR 1501 (Junny Road), said cotton spindle being the northeastern corner of the Terry Sloan Holt parcel as recorded in Deed Book 1947, Page 868 of the Harnett County Registry, thence with the northern line of said Holt parcel **S89°01'31"W 30.10** feet to an existing 5/8" rebar on the western right-of-way margin of SR 1501 (Junny Road); thence continuing with the northern line of said Holt parcel **S89°38'44"W 1,202.94** feet to an existing 5/8" rebar; thence **S89°48'52"W 51.26** feet to an existing 5/8" rebar in the northeastern line of the Logan Court Development, LLC parcel as recorded in Deed Book 1320, Page 601 of the Harnett County Registry; thence with said line **N16°03'12"W 187.07** feet to an existing 5/8" iron rod; thence with the northeastern line of the John C. Wilkins, Jr. & wife, Debra D. Wilkins parcel as recorded in Deed 2029, Page 565 of the Harnett County Registry **N16°03'12"W 45.13** feet to an existing 5/8" rebar; thence with the northern line of the Grace W. Wilkins parcel as recorded in Deed 2662, Page 598 of the Harnett County Registry the following two calls: **N16°03'21"W 12.63** feet to a point; thence **N16°08'00"W 45.30** feet to an existing 5/8" rebar; thence **S88°06'50"E 51.35** feet to an existing 3/4" rebar; thence **N14°25'36"W 217.00** feet to a point; thence **N07°25'36"W 330.00** feet to a point; thence **N03°25'36"W 230.51** feet to an existing 1" iron stake, being in the southwestern line of the Melba Arnold parcel as recorded in Deed 12055, Page 1225 of the Wake County Registry; thence with the southern line of the said Arnold parcel **S70°17'50"E 387.59** feet to an existing axle; thence with the southern line of the Rachel Barbour Daughtry parcel as recorded in Deed Book 7344, Page 242 of the Wake County Registry **S70°26'15"E 421.57** feet to an existing 3/4" iron pipe; thence with the

eastern line of said Daughtry parcel **N12°41'02"E 167.13** feet to a point on the county line between Harnett County and Wake County; thence continuing with said line **N12°41'02"E 667.32** feet to an existing 5/8" rebar; thence continuing with said line **N12°41'18"E 404.48** feet to an existing 5/8" rebar on the southwestern right-of-way margin of SR 2762 (Kennebec Road); thence **N12°57'16"E 31.97** feet to an existing railroad spike in the centerline of SR 2762 (Kennebec Road); thence with said centerline the following six calls: **S56°58'40"E 105.46** feet to an existing cotton spindle; thence **S56°57'43"E 19.00** feet to a point; thence **S56°36'26"E 29.97** feet to a point; thence **S56°42'39"E 58.72** feet to a point; thence **S55°11'24"E 58.03** feet to a point; thence **S54°44'51"E 45.30** feet to an existing railroad spike, being the northernmost corner of the Peggy H. Jackson parcel as recorded of Deed Book 15085, Page 1206 of the Wake County Registry; thence leaving said centerline and running with the western line of said Jackson parcel **S03°43'42"W 35.28** feet to an existing 3/4" iron pipe on the southwestern right-of-way margin of SR 2762 (Kennebec Road); thence continuing with the western line of said Jackson parcel **S03°36'03"W 1033.49** feet to a point on the county line between Harnett County and Wake County; thence continuing with said line **S03°36'03"W 162.86** feet to an existing 1/2" rebar, being the southwestern corner of the Peggy H. Jackson parcel as recorded of Deed Book 15085, Page 1206 of the Wake County Registry; thence **S71°06'32"E 239.24** feet to an existing 5/8" rebar in the centerline of SR 1501 (Junny Road); thence with said centerline the following two calls: **S03°16'40"W 296.89** feet to an existing cotton spindle; thence **S03°13'00"W 225.96** feet to the **POINT OF BEGINNING** containing 1,551,092 square feet (35.61 acres) more or less.

DRAFT





STATE OF NORTH CAROLINA
COUNTY OF HARNETT

I, REVIEW OFFICER OF HARNETT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER
DATE:

TOWN CLERK ANNEXATION CERTIFICATION
I HEREBY CERTIFY THAT THIS PLAT FOR ANNEXATION HAS FOLLOWED ALL REQUIREMENTS AND PROCEDURES AND A PUBLIC HEARING WAS HELD BY THE ANGER BOARD OF COMMISSIONERS TO ANNEX THE PROPERTY SHOWN AND DESCRIBED HEREON. THE ANGER BOARD OF COMMISSIONERS ADOPTED THE RESOLUTION TO ANNEX THIS PROPERTY ON THE ____ DAY OF ____ 2022.

TOWN CLERK
DATE

EXEMPT PLAT CERTIFICATION
THIS DIVISION OF LAND DOES NOT MEET THE DEFINITION OF A SUBDIVISION AS SET FORTH BY NORTH CAROLINA GENERAL STATUTE 20A-37A AND IS NOT SUBJECT TO THE REQUIREMENTS OF THE TOWN OF ANGER'S UNIFIED REQUIREMENTS ORIGINALLY, WHEN THE UNIFIED REQUIREMENTS FOR THE SUBJECT ZONING DISTRICT HAVE BEEN MET.

SUBDIVISION ADMINISTRATOR
DATE

HARNETT COUNTY, NORTH CAROLINA
FILED FOR RECORDATION ON THE ____ DAY OF ____ AT ____ (AM/PM) AND DAILY RECORDED IN MAP BOOK ____ AT PAGE ____

REGISTER OF DEEDS OF HARNETT COUNTY

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, REVIEW OFFICER OF WAKE COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER
DATE:

PROPERTY OWNER CERTIFICATION
I (WE) HEREBY CERTIFY THAT I (AM/WE) ARE THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADVERTISE THIS PLAN OF ANNEXATION WITH MY (OUR) FREE CONSENT.

OWNER'S SIGNATURE
DATE

A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT I PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT, WITNESSED BY HAND AND OFFICIAL STAMP AND SEAL, THIS ____ DAY OF ____ 2022.

NOTARY PUBLIC
MY COMMISSION EXPIRES



REVISIONS

PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCE OR SALES

PROJECT NAME
**ANNEXATION
MAP FOR TOWN
OF ANGER**

CAMDEN PLACE

JUNNY ROAD &
KENNEBEC ROAD
BLACK RIVER TOWNSHIP &
MIDDLE CREEK TOWNSHIP
NEAR ANGER & KENNEBEC
HARNETT & WAKE COUNTY
NORTH CAROLINA

CLIENT
**TAYLOR MORRISON
OF CAROLINA, INC.**

15501 Weldon Parkway - Suite 100
Cary, North Carolina 27513
Phone: (919) 457-1232

PROJECT INFORMATION

SURVEYED BY:	CLIFF
DRAWN BY:	SEAN
CHECKED BY:	JIMMY
PROJECT NUMBER:	1795

DRAWING SCALE
HORIZONTAL: 1"=100'

DATE SURVEYED
APRIL 22, 2021

SHEET NUMBER
1



Board of Commissioners Agenda Report

55 N Broad Street W.
PO Box 278
Angier, NC 27501
www.angier.org

MEETING DATE: August 2, 2022
PREPARED BY: Sean Johnson
ISSUE Voluntary Annexation Petition
CONSIDERED:
DEPARTMENT: Planning & Inspections

SUMMARY OF ISSUE:

Staff has received a voluntary annexation petition from Doris J. Collins for 0.942 acres located on E. Wimberly Street, Angier, NC (Portion of Harnett PIN: 0684-03-0781.000).

The next step is for the Board to direct the Town Clerk to investigate the sufficiency of the annexation petition and report back at the September 6th Board meeting.

Attached is the voluntary annexation petition and boundary survey for your review.

FINANCIAL IMPACT: N/A

RECOMMENDATION: N/A

REQUESTED MOTION: I move to direct the Town Clerk to investigate the sufficiency of the annexation petition submitted by Doris J. Collins.

REVIEWED BY TOWN MANAGER:

Attachments:

Voluntary Annexation Petition
Property Survey



Town of Angier

Robert K. Smith
Mayor

Gerry Vincent
Town Manager

Resolution No.: R021-2022
Date Submitted: August 2, 2022
Date Adopted: August 2, 2022

**A RESOLUTION OF THE TOWN OF ANGIER DIRECTING THE
TOWN CLERK TO INVESTIGATE AN ANNEXATION PETITION RECEIVED
UNDER GENERAL STATUTE § 160A – 58.1**

WHEREAS, the Town of Angier has received a Petition requesting Annexation of an area described in said Petition of a 0.942 acre tract of land located on E. Wimberly Street, Angier, NC inclusive to a portion of Harnett County Parcel Pin # 0684-03-0781.000; and,

WHEREAS, the Petition to Annexation was submitted on July 28, 2022 by Doris J. Collins and is scheduled to go before the Town of Angier Board of Commissioners during its August 2, 2022 meeting for Consideration to Direct the Clerk to Investigate;

WHEREAS, the General Statute § 160A – 58.2 provides that the Sufficiency of the Petition shall be Investigated by the Town of Angier Clerk before further Annexation Proceedings may take place; and,

WHEREAS, the Town Board of Commissioners of The Town of Angier Deems it Advisable to Proceed in Response to this Request for Annexation; and,

THEREFORE, BE IT RESOLVED, by the Mayor and Town of Angier Board of Commissioners that:

The Town of Angier Clerk is hereby Directed to Investigate the Sufficiency of the Aforementioned Petition and to Certify as soon as Possible to the Town Board of Commissioners the result of her Investigation.

Adopted by the Angier Board of Commissioners on this the 2nd day of August, 2022.

ATTEST:

Robert K. Smith, Mayor

Veronica Hardaway, Town Clerk



Robert K. Smith
Mayor

Town of Angier
P.O. Box 278
Angier, NC 27501
919-639-2071

Veronica Hardaway
Town Clerk



Gerry Vincent
Town Manager

PROCEDURE FOR VOLUNTARY ANNEXATION PETITION

THE PROCESS:

(Time Frame: 60 - 90 days)

1. Petition and all required information (see checklist) must be submitted to Town Clerk at least seven (7) calendar days before next regular Town Board meeting, which is held the 1st Tuesday of each month.
2. Petition placed on Town Board agenda for next available regular meeting – 1st Tuesday of each month.
3. Town Board may then direct the Town Clerk to investigate the sufficiency of the petition.
4. Town Clerk investigates, and if all is in order, presents Certificate of Sufficiency to Board at next regular meeting – approximately 30 days later.
5. Town Board adopts resolution setting a public hearing at next available public hearing session – approximately 30 days later.
6. Public Hearing held as advertised.
7. Annexation Ordinance may be adopted after the public hearing is complete.
8. Town Clerk notifies required agencies of approved annexation.

SUBMITTAL CHECKLIST:

- ☒ One completed annexation petition
- ☒ Annexation fee: \$250
- ☐ Eight paper copies and one PDF copy of survey map of property proposed for annexation showing:
 - The property in relationship to the primary corporate limits of the Town. (If the petition is for a non-contiguous annexation the distance from the primary corporate limits must be shown.)
 - County tax map/parcel number(s) and /or PIN numbers
- ☒ One copy of the recorded deed to the property showing current owner(s)
 - All owners of property being petitioned for annexation must sign the petition. (Signatures on petition must appear as shown on the deed)
- ☒ Attach metes and bounds description
- ☐ Statement of vested rights, if applicable
 - Attach a letter certifying vested rights, if any, from the government entity granting the vested rights. (If you are not certain of this information, contact the Planning Department)
- ☐ Complete and attach applicable signature page (Individual, Corporation, Partnership)

TO BOARD OF COMMISSIONERS OF THE TOWN OF ANGIER, NC:



Robert K. Smith
Mayor

Town of Angier

P.O. Box 278
Angier, NC 27501
919-639-2071



Veronica Hardaway
Town Clerk

Gerry Vincent
Town Manager

1. I/We the undersigned owners of real property respectfully request that the area as referenced by the **attached survey map and metes and bounds description be annexed** into the Town of Angier, North Carolina.

2. The area to be annexed is
☒ contiguous, () non-contiguous
to the Town of Angier.
(If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. 160-31(f).)

3. Harnett/Wake County Property
Identification Number(s) (PIN):
Portion of 0684-03-0781

4. Have vested rights been established with regard to this property under N.C.G.S. 160A-385.1 or G.S. 153A-344.1?
() Yes ☒ No
If "yes", proof of vested rights must be attached.

5. I/We the undersigned owners of real property acknowledge and accept the provision that the Town of Angier will provide the property such municipal services it presently provides other lands within its corporate limits, except sewer services (inasmuch as the land is not within a reasonable proximity to the Town sewer lines and the drainage basin for the property makes the provision of sewer services financially impracticable).

6. We hereby certify that all information given with regard to this property is true and accurate to the best of my/our knowledge and is signed by **all** owners of the property being petitioned for annexation. Attached is the applicable signature page:

- ☒ Individual(s)
☐ Corporation
☐ Partnership
☐ LLC

Complete is property if owned by INDIVIDUAL(S).



Town of Angier

P.O. Box 278
Angier, NC 27501
919-639-2071



Robert K. Smith
Mayor

Veronica Hardaway
Town Clerk

Gerry Vincent
Town Manager

(Both husband and wife must sign if property is owned jointly and all signatures must be the same as those that appear on recorded deed)

Petitioned Property PIN #: Portion of 0684-03-0781

1. Doris J Collins 659 East Wimberly Street Angier, NC 27501
(Owner - Print Name) (Mailing Address)

Doris J. Collins signed by Mona Kim Collins
(Owner's Signature)

2. _____
(Owner - Print Name) (Mailing Address)

(Owner's Signature)

3. _____
(Owner - Print Name) (Mailing Address)

(Owner's Signature)

State of North Carolina, County of Johnston

I, Nancy S. Stencil, a Notary Public for said County and State, do hereby certify that Mona Kim Collins for Doris J. Collins personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 26th day of July, 2022. My commission expires 7-4-2024, 20 .

Nancy S. Stencil
Notary Public

Complete if property is owned by CORPORATION.



LEGAL DESCRIPTION

0.942 Acre to be Annexed into the Town of Angier out of Deed Book 416, Page 258 of the Harnett County Registry

All that tract or parcel of land lying in Black River Township, Harnett County, North Carolina and being more particularly described as follows:

Beginning at a point in the southern line of Hamilton C. Greene, Jr. as described in Deed Book 719, Page 355 and Map Book 21, Page 97 of the Harnett County Registry, said point being located North 57 degrees 01 minutes 57 seconds East for a distance of 247.71 feet from the common corner of said Greene, Jr. and Charles K. Williams and Barbara B. Williams as described in Deed Book 3457, Page 374 of the Harnett County Registry and runs thence with the southern line of said Greene, Jr. North 57 degrees 01 minutes 57 seconds East for a distance of 36.04 feet to an existing iron stake on the southern margin of Julia Street an unimproved 50' right-of-way;

THENCE leaving the line of said Greene, Jr. and along the run of Black River North 56 degrees 29 minutes 29 seconds East for a distance of 80.95 feet to an existing iron stake, said point being the southeast corner of Cynthia LaFuenta-Elhag as described in Deed Book 3896, Page 623, Map Book 21, Page 97 and Plat Cabinet "F", Slide 303B;

THENCE along the eastern line of said LaFuenta-Elhag and along the run of Black River North 19 degrees 46 minutes 51 seconds East for a distance of 63.86 feet to an existing iron pipe;

THENCE continuing along along the eastern line of said LaFuenta-Elhag and along the run of Black River North 50 degrees 33 minutes 52 seconds East for a distance of 122.26 feet to an existing iron stake;

THENCE along a new line with Richard A. Collins Estate as described in Deed Book 416, Page 258 of the Harnett County Registry South 18 degrees 40 minutes 45 seconds East for a distance of 278.19 feet to an existing iron stake;

THENCE continuing along another new line with said Collins Estate North 71 degrees 19 minutes 15 seconds East for a distance of 27.48 feet to an existing iron stake;

THENCE continuing along another new line with said Collins Estate South 14 degrees 35 minutes 09 seconds East for a distance of 46.08 feet to a point in the existing corporate limits for the Town of Angier;

THENCE with the existing corporate limits of the Town of Angier North 74 degrees 03 minutes 30 seconds West for a distance of 354.13 feet to the Point and Place of BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 0.942 Acre (In Traverse) Total more or less.

The foregoing description was prepared by:

Stancil & Associates

Professional Land Surveyors, P.A. C-0831

98 East Depot Street

P. O. Box 730, Angier, N.C. 27501

Phone: 919-639-2133

Fax: 919-639-2602



Board of Commissioners Agenda Report

55 N Broad Street W.
PO Box 278
Angier, NC 27501
www.angier.org

MEETING DATE: Wednesday, July 20, 2022
PREPARED BY: William Dreitzler
ISSUE 500,000 Gallon Elevated Water Storage Tank
CONSIDERED:
DEPARTMENT: Public Works

SUMMARY OF ISSUE: In 2014 the Town initiated a Preliminary Engineering Report that addressed two (2) new elevated water storage tanks and the replacement of the old core water distribution system. To date, a new elevated water storage tank has been installed and is in operation along Kennebec Church Road. This project will replace the 100,000 gallon elevated storage tank on Dora Street and the Junny Road Standpipe. A Request for Qualifications (RFQ) was advertised on May 16, 2022 with a submittal deadline of June 16, 2022. The Town received one (1) submittal, MBD Consulting Engineers, P.A. MBD was the engineering consultant for the successful Kennebec Church Road 250,000 gallon Elevated Water Storage Tank project. Upon selection of MBD Consulting Engineers, P.A., staff initiated the fee agreement process.

FINANCIAL IMPACT: The MBD Consulting Engineers, P.A. fee agreement proposes a lump sum fee of \$135,000. The breakdown is \$100,000 for a preliminary study (tank site selection), survey, engineering design and permitting. In addition, \$35,000 for construction contract administration and observation. Based on past experience, MBD is recommending a budget of \$10,000 for a third party consultant to provide environmental and geotechnical investigations. The NCDEQ Division of Water Infrastructure provided \$2,456,250 in American Rescue Plan (ARP) funding through the State Fiscal Recovery Fund. These funds will be utilized for the MBD Agreement and any third party consultants secured for environmental and geotechnical investigations.

RECOMMENDATION: Authorize the Town Manager to execute the MBD Consulting Engineers, P.A. Fee Proposal in the amount of \$135,000.

REQUESTED MOTION: Motion to approve the MBD Consulting Engineers, P.A. Fee Proposal in the amount of \$135,000.

REVIEWED BY TOWN MANAGER:

Attachments:

1. MBD Consulting Engineers, P.A. Fee Proposal
2. Attachment A – MBD Consulting Engineers, P.A. RFQ Submittal
3. Attachment B – NC DEQ Letter of Intent to Fund



VIA E-MAIL

July 14, 2022

Mr. Jimmy Cook, Director of Public Utilities
Town of Angier
P.O. Box 278
Angier, NC 27501

Re: Town of Angier
Scope of Engineering Services and Fee Proposal for
500,000-Gallon Elevated Water Storage Tank

Dear Mr. Cook:

MBD Consulting Engineers, P.A. appreciates the opportunity to provide a Scope of Work and Fee Estimate for the referenced elevated tank project. The following paragraphs describe our understanding of the project, the preliminary project budget, the necessary tasks in support of engineering design and construction administration, the term of service, and a fee proposal for the work.

Project Understanding & Preliminary Budget

The Town of Angier desires to construct a new elevated tank for their water distribution system. The elevated tank would have capacity of 500,000 gallons (0.50 MG) and would replace the existing Dora Street 100,000-gallon elevated tank. Once the new tank is erected and in service the Dora St. tank would be removed from service and demolished.

There are three (3) sites being considered for the new 0.50 MG elevated tank. These are:

- The town-owned 0.70-acre parcel where the Dora Street tank currently exists.
- The town-owned 0.18-acre parcel where the Junny Road 0.75 MG standpipe resides.
- Property along Junny Road acquired from Bulldog Hose Company.

The town-owned parcel along Junny Road does not have adequate space to erect a new 0.50 MG elevated tank. The Dora Street parcel may be workable, but only after all existing structures including the existing tank have been demolished and removed. At this preliminary stage, a tank site acquired from Bulldog Hose Company is believed to be the best alternative of the three. The Bulldog Hose Company site offers the advantage of an approximate 25' higher ground elevation versus the Dora St. location (345 ft msl vs. 320 ft. msl).

Mr. Jimmy Cook

Page 2

July 14, 2022

The town's water distribution system currently operates as a Base Level plus the Wake County Subsystem (WCS). The Base Level operates at an overflow elevation from the Dora St. tank of 448 ft. mean sea level (msl), while the WCS operates at an overflow elevation from the Wake County 0.25 MG elevated tank of 494 ft. (msl). The Wake County booster pump station draws supply from the Base Level and charges the higher WCS.

The proposed 0.50 MG elevated tank provides an opportunity to eliminate the bi-level distribution system and open the boundary line valves that are presently normally closed. This would require erecting the new elevated tank to the 494 ft. overflow elevation. A new booster pump station will be required to provide the needed energy to the bulk water supply from Harnett Regional Water in order to fill the new tank as well as the Wake County elevated tank. The required location for the proposed booster pump station is near the Tippet Road master meter station. The existing Wake County BPS could be removed from service assuming this scenario.

The most cost-effective tank style at this mid-range capacity is the column-supported (leg) tank. A single-pedestal spheroid (Pedosphere) tank style like the Wake County 0.25 MG elevated tank will generally cost 33% more than the column-supported tank style.

The preliminary project budget based on consolidation of the Base Level with the Wake County Subsystem and a column-supported tank style is as follows:

TOWN OF ANGIER		
500,000-Gallon Elevated Tank & Booster Pump Station		
A.	Wake Co. 0.50 MG Elevated Tank (150' to H.W.L.):	\$2,380,000
B.	40 HP Packaged Duplex Booster Pump Station:	\$500,000
Total Construction:		\$2,880,000
Construction Contingency (10%):		\$288,000
Study Phase:		\$10,000
Surveying and Engineering Design:		\$90,000
Environmental & Geotechnical Investigation:		\$10,000
Construction Contract Admin. & Observation:		\$35,000
Permitting Fees:		\$500
TOTAL PROJECT:		\$3,313,500

The above estimate does not include legal fees or land acquisition.

Scope of Services for Engineering & Construction Contract Administration

The scope of work for engineering includes a study phase, surveying in support of design, coordinating the environmental and geotechnical investigations, as well as producing plans, specifications, and contract documents for construction. The scope also includes securing the following regulatory approvals:

- Authorization to Construct from NCDENR, Division of Water Resources
- DOT encroachment agreement for Right-of-Way Encroachment
- Approval of Erosion and Sedimentation Control Plan from Division of Land Resources

The study phase will examine all of the critical elevated design issues including site location, tank style, and overflow elevation as it pertains to maintaining or re-consolidating the Base Level with the Wake County Subsystem. Detailed cost estimates will be produced for the various alternatives in order to establish the relative feasibility. The availability of property for the elevated tank and possible Booster Pump Station will be investigated with the assistance of the Town. The Town's hydraulic model will be utilized to determine the need for any water distribution system improvements in support of the elevated tank. A Basis of Design Memorandum will be produced that makes recommendations for the final design and summarizes the Study Phase of the project.

The scope of work for construction administration includes preparing and distributing the Advertisement for Bid to a local newspaper and various contractor plan rooms, assisting the Town with the Bid Solicitation, preparing a Discussion of Bids in support of award of the project by the Council, coordinating and attending a pre-bid (if required) and preconstruction conferences, attending monthly progress meetings during construction, and processing contractor pay requests. Administration duties also include part time construction observation, and preparation of the final certification required by the NCDENR, DWR permit.

Term of Service

The project from start of design to construction completion is anticipated to take approximately 2 years and 3 months, including 1 year for design, permitting, bidding, and award and 1 year and 3 months for construction. We can provide a detailed timeline with anticipated dates at your discretion.

Fee Proposal

The fee proposal for the above scope of work is based on lump sum pricing of \$135,000, which is comprised of \$100,00 for Engineering Design services (including the Study Phase) and \$35,000 for Construction Administration services. Environmental and Geotechnical Investigations from sub-consultants are estimated at an additional \$10,000.

Mr. Jimmy Cook

Page 4

July 14, 2022

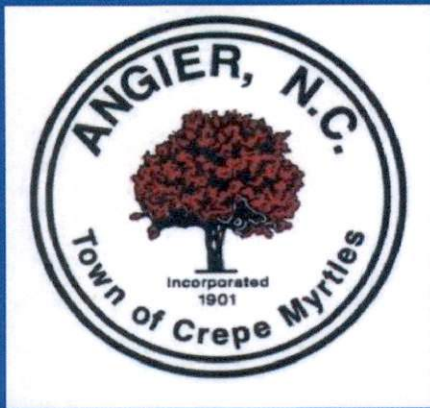
MBD Consulting Engineers, P.A. has appreciated the opportunity to provide this scope of services and fee proposal to the Town of Angier. We can provide a professional services contract for your review upon request. If you have any questions or require any additional information please give me a call.

Sincerely,
MBD CONSULTING ENGINEERS, P.A.



Charlie McGougan, P.E.

Cc: Mr. Bill Dreitzler, P.E., DM2 Engineering, PLLC



TOWN OF ANGIER

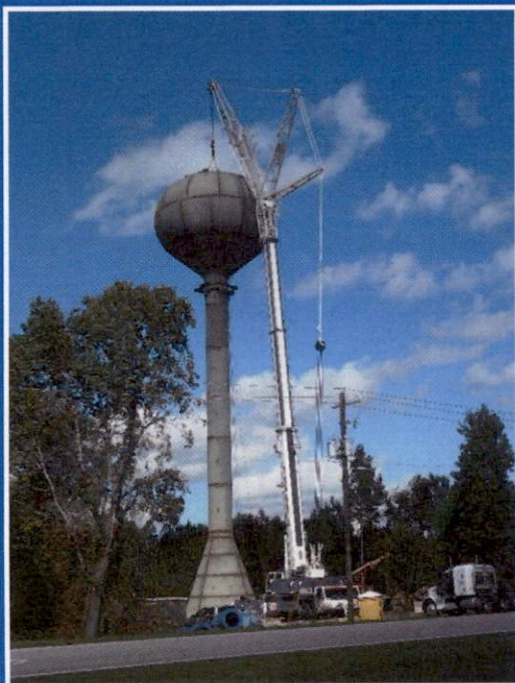


911 Norman Alley
Conway, SC 29526
Phone: 843-488-0129
Fax: 843-488-0129

760A NW Broad Street
P.O. Box 1215
Southern Pines, NC 28388
Phone: 910-915-8200

ENGINEERING SERVICES FOR 500,000 GALLON ELEVATED WATER STORAGE TANK

STATEMENT OF QUALIFICATIONS



JUNE 2022

**Town of Angier
Statement of Qualifications
Engineering Services – 500,000 Gallon Elevated Water Storage Tank
MBD Consulting Engineers, P.A.**

June 16, 2022

Mr. Bill Dreitzler, P.E.
Town of Angier
55 N. Broad Street W.
Angier, NC 27501

Re: Statement of Qualifications
Engineering Services for a
500,000 Gallon Elevated Water Storage Tank

Dear Mr. Dreitzler:

MBD Consulting Engineers, P.A. (MBD) appreciates this opportunity to submit our Statement of Qualifications to provide engineering services to the Town of Angier. We have provided a detailed Statement of Qualifications that illustrates our unique qualifications to provide the requested services for the "500,000 Gallon Elevated Water Storage Tank" Project.

MBD Consulting Engineers, P.A. is a full-service civil engineering firm. The MBD Project Team includes engineers who have spent most of their careers in the design and operation of water and wastewater distribution, collection, and treatment systems. Please note our project team includes a qualified electrical and structural subconsultant necessary for the proper completion of the project scope of design.

In this document, we present information about our company's outstanding capabilities, our level of expertise, and the similar project experience held by the members of our project team. Furthermore, we are very familiar and have ample experience working for the Town of Angier including similar recent projects involving water and sewer mains, the Wake County 250,000 elevated tank, and the Kennebec Road booster pump station project. The MBD team offers the Town of Angier the experience and engineering expertise of a large firm with the hands-on attention to detail of smaller firms. The MBD team will strive to become an extension of your staff, available how and when you need our services.

This Statement of Qualifications is intended to be fully responsive to your Request for Engineering Qualifications and we appreciate the opportunity to submit for this project. We stand ready to immediately proceed with the design services at your advisement. We believe that our team has the background and expertise necessary to serve as a true partner to the Town of Angier for this project.

Sincerely,



Charlie McGougan, P.E.
Vice President

1. Introduction: Company Profile

MBD Consulting Engineers (MBD) is a full-service civil engineering firm with two offices located in Conway, SC and Southern Pines, NC. The firm provides personalized, innovative engineering services to our clients in South and North Carolina. Our staff includes three registered Professional Engineers with over 60 years of engineering experience covering a wide spectrum of engineering projects including planning, design, permitting, and operation for water and wastewater infrastructure, streets, drainage, general aviation, and general civil engineering projects.

MBD Consulting Engineers, P.A. was originally founded in 1987 as Marziano & Miner, P.A. The name changed to Marziano & McGougan, P.A. in 2006 when Joseph McGougan and Charles McGougan joined the firm. With the retirement of Hi Marziano in January of 2014, the firm was renamed MBD Consulting Engineers, P.A. MBD Consulting Engineers is a C Corporation.

The principals of the firm are Joseph McGougan, P.E., President; and Charles McGougan, P.E., Vice President. Joseph is a registered professional engineer in the following states

North Carolina – Registration No. 13755

South Carolina – Registration No. 12335

Virginia – Registration No. 042840

Georgia – Registration No. 27208

Charles is a registered professional engineer in North Carolina. His registration number is 025942.

Charles McGougan is Vice President of MBD Consulting Engineers and as such is empowered to make contractual commitments on its behalf. His contact information is as follows:

MBD Consulting Engineers, P.A.

760-A SW Broad Street

P.O. Box 1215

Southern Pines, NC 28388

Ph: 910-915-8200

E-mail: cmcgougan@mbd-eng.com

Web Address: mbd-eng.com

Our Southern Pines office will be the point of contact for this project.

2. Similar Project Experience

Below is a brief description of the firm's experience with similar elevated water storage tank projects. This is a partial list. Additional project examples can be provided upon request.

Town of Angier – Wake County 250,000-Gallon Elevated Tank

Client: Town of Angier, N.C.

Contact: Mr. Bill Dreitzler, P.E., City Engineer, 919-639-2071

Status: Project Completed in 2019.

Project Contract Cost: \$1,043,051

Project Final Cost: \$1,066,311

Project Description: Design, permitting and construction administration for approximately 1,000 linear feet of 12" water main, and a 250,000-gallon pedisphere elevated tank.

Harnett Regional Water – 1.0 MG Composite Elevated Tank

Client: Harnett Regional Water

Contact: Mr. Steve Ward, Director of Public Utilities, 910-893-7575

Status: Project Completed in 2009

Project Contract Cost: \$1,758,000

Project Final Cost: \$1,758,000

Project Description: Design, permitting and construction administration for a 1,000,000-gallon composite concrete elevated tank, and altitude valve assembly

Harnett Regional Water – 500,000-Gallon Elevated Tank

Client: Harnett Regional Water

Contact: Mr. Steve Ward, Director of Public Utilities, 910-893-7575

Status: Project Completed in 2012

Project Contract Cost: \$1,654,000

Project Final Cost: \$1,671,191

Project Description: Design, permitting and construction administration for a 500,000-gallon single-pedestal spheroid elevated tank, and associated yard piping.

Davidson Water, Inc. – 1,000,000-Gallon Elevated Tank - Welcome

Client: Davidson Water, Inc.

Contact: Mr. Ron Sink, General Manger, 336-731-2341

Status: Project Completed in 2009

Project Contract Cost: \$1,897,000

Project Final Cost: \$1,900,494

Project Description: Design, permitting and construction administration for a 1,000,000-gallon composite concrete elevated tank, and associated yard piping.

Davidson Water, Inc.– 1,000,000-Gallon Elevated Tank - Hickory Tree

Client: Davidson Water, Inc.

Contact: Mr. Ron Sink, General Manger, 336-731-2341

Status: Project Completed in 2009

Project Contract Cost: \$1,541,000

Project Final Cost: \$1,532,502

Project Description: Design, permitting and construction administration for a 1,000,000-gallon column-supported elevated tank, and associated yard piping.

Grand Strand Water & Sewer Authority – Cool Spring Elevated Tank

Client: Grand Strand Water & Sewer Authority

Contact: Ms. Christy Everett, P.E., Chief Operations Officer, 843-443-8200

Status: Project Completed in 2017

Project Contract Cost: \$1,029,360

Final Contract Cost: \$981,830

Project Description: Design, permitting and construction administration for a 250,000-gallon torus bottom elevated storage tank

Grand Strand Water & Sewer Authority – Old Highway 90 Elevated Tank

Client: Grand Strand Water & Sewer Authority

Contact: Ms. Christy Everett, P.E., Chief Operations Officer, 843-443-8200

Status: Under Construction

Project Contract Cost: \$2,841,988

Project Description: Design, permitting and construction administration for a 500,000-gallon toro-ellipsoidal elevated storage tank.

Lancaster County Water and Sewer District – State Line 1.0 MG Elevated Tank

Client: Lancaster County Water and Sewer District

Contact: Mr. Brad Bucy, P.E., Director, 803-285-6919

Status: In Design

Project Description: Design, permitting and construction administration for a 1,000,000-gallon composite or steel fluted column elevated storage tank.

3. Description of Design Team

This section of our Statement of Qualifications provides information on the individuals that make up the design team.

PROJECT MANAGER/ENGINEER

J. Charles McGougan, P.E.

Charlie McGougan is a professional engineer and serves as Vice President for MBD Consulting Engineers, P.A. He also serves as project manager and design engineer in our Southern Pines, North Carolina office. Charlie graduated from East Carolina University in 1983 with a B.S. in Business Administration. He has over 31 years of Civil consulting engineering experience including several years as a construction inspector. He obtained his professional license in 2000. Charlie's experience includes extensive work with municipal water and wastewater systems including planning and design of water transmission and distribution systems, water pumping systems, water storage tanks, wastewater collection and pumping systems, computer aided modeling of water and wastewater systems, and preparation of numerous reports and studies. Charlie will coordinate the activities of the project team including sub-consultants (as required) and will be involved in all aspects of the project with attention to design and permitting. His current workload will allow him to coordinate the initial design phase of the project without disruption.

ENGINEER/QUALITY CONTROL

Joseph W. McGougan, P.E.

Joseph McGougan is a Professional Engineer and serves as President of MBD Consulting Engineers, P.A. He is located in our Conway, South Carolina office. In addition to his duties as a principal in MBD Consulting Engineers, P.A. Mr. McGougan serves as a project manager/designer on water and wastewater treatment projects. A graduate of North Carolina State University, Mr. McGougan has over 39 years of Civil consulting engineering experience, obtaining his professional license in 1987. Mr. McGougan has extensive experience with water and wastewater infrastructure including the design of large-scale water treatment plants and wastewater treatment plants, design of water distribution systems including elevated tanks, design of well treatment facilities, and water and sewer master plans. Water Treatment Plant experience includes the evaluation and utilization of innovative technologies including SuperPulsator, Inclined Plate Settling, Dissolved Air Flotation, Submerged Micro and Ultra Membrane Filtration, Pressure Micro Membrane Filtration, Reverse Osmosis, UV Disinfection and the use of Chlorine Dioxide.

PROJECT DESIGNER/DRAFTSMAN

Adrian Rhea

Adrian Rhea is a Designer in our Conway, South Carolina office. She has 14 years of experience in the design of water and wastewater systems. She is a 2002 graduate of ITT Technical Institute and holds an A.S. in Computer Aided Drafting and Design. She has been the designer and has worked

directly with Joe and Charlie McGougan on the majority of their water and wastewater projects since 2002. Adrian will be available as needed to provide drafting in support of this project.

CONSTRUCTION MANAGER/INSPECTOR

Troy Conner

Troy Conner will provide coordination and construction observation for the construction services phase of the project. Troy provides resident observation and construction management for MBD projects including water and sewer treatment plants, water lines, force mains, elevated tanks, and pump stations. Troy's construction management background also includes commercial and industrial building projects. Troy studied commercial and industrial construction at Western Carolina University where he obtained B.A. in Construction Management and Business Administration in 2007. Troy is 10-hour OSHA certified. Troy will be available to provide inspection services for this project.

ELECTRICAL ENGINEERING DESIGN - SUBCONSULTANT

Randall W. Sturgill, P.E., Project Engineer

Sturgill Engineering, P.A. – Lexington, NC

Randy Sturgill is Principal Engineer of Sturgill Engineering, P.A. He holds a B.S. in Electrical Engineering from Virginia Polytechnic Institute and State University. Mr. Sturgill brings almost 30 years of electrical engineering experience to the project. This experience includes SCADA, system modeling, power system analysis and design on a range of water, wastewater, industrial, municipal, and commercial projects.

Registration

North Carolina, South Carolina, Virginia, Georgia, West Virginia, Tennessee, Florida, Pennsylvania, Kentucky, Maryland, Washington, IEEE, NCEES, NFPA, AWWA, LEED AP Certified.

STRUCTURAL ENGINEERING DESIGN - SUBCONSULTANT

William P. Dixon, P.E., Project Engineer

Dixon Associates Consulting Engineers, Inc., – Raleigh, NC

William Dixon has 40 years of experience as a civil/structural consultant, primarily working on commercial, institutional, light and heavy industrial, water resources and bridge related projects. Mr. Dixon is personally involved in all aspects of design, specification, coordination with other disciplines and field coordination of construction with all projects performed by Dixon Associates. His experience ranges from residential design, mid-rise building design to the design of heavy industrial processing plants. Mr. Dixon has extensive experience with the design and construction administration for water and wastewater treatment structures.

Registration

North Carolina, South Carolina, Virginia, Georgia

4. Project Approach

This section of our Statement of Qualifications provides a detailed description of our Project Approach.

Scope of Work for Design – Project Challenges

The Scope of Work described in the RFQ provides a thorough outline of the requirements for producing bid documents and providing construction contract administration for an elevated tank project. However, the project challenges include determining the elevated tank construction parameters specific to the Town of Angier that must be established early on in the design process. These parameters include the “style” of tank to be erected, the Juny Road versus Dora Street tank location decision, and most importantly the overflow elevation for the tank.

Presently, the Town’s water distribution system is subdivided between the Base Level subsystem and the higher-level Wake County subsystem. Closed line valves provide the boundary isolation between the two (2) subsystems. The Wake County Booster Pump draws supply from the Base Level and charges the Wake County 0.25 MG elevated tank, which charges the Wake County subsystem.

The hydraulic gradient for the Base Level subsystem is provided by the Dora Street 0.10 MG elevated tank at an overflow elevation of 448 ft. mean seal level (msl). The hydraulic gradient for the Wake County subsystem is provided by the Wake County elevated at an overflow elevation of 494 ft. msl. The proposed 0.50 MG elevated tank provides an opportunity to eliminate the current bi-level distribution system and open the boundary line valves that are currently normally closed, if so desired by the Town.

This would require erecting the proposed elevated tank to the 494 ft. overflow elevation. A new booster pump station would be required near the Tippet Road master meter station in order to provide the energy needed to charge the new higher tank from the Harnett County system. The existing Wake County Booster Station could be removed from service. It is assumed that the Dora St. 0.10 MG elevated tank will be taken out of service and demolished once the new tank is placed in service regardless of the overflow elevation.

Regarding tank location, the Juny Road location offers the advantage of an approximate 30’ higher ground elevation versus the Dora Street location. A disadvantage of the Juny Road location is the distribution system hydraulic capacity in this area. It is likely water system improvements will be necessary to make this an effective location for the proposed 0.50 MG elevated tank.

The above is a summary of the major decisions facing the Town regarding design of the new elevated tank. These decisions can be accurately and successfully assessed using the Town’s hydraulic model of the water distribution system.

Quality Control / Track Record / Municipal Experience

Once the design parameters are established MBD will begin producing plans and specifications. Quality control will be maintained by a series of reviews of plans and specifications by Joe McGougan. These reviews will occur during the establishment of the conceptual design (10%), schematic design (35%), design development (60%), pre-final design (90%), and Final Design (100%).

MBD has a proven track record of delivering elevated tank project with minimal change orders. As can be seen in the "Similar Project Experience" section of the SOQ above, MBD has extensive experience with elevated tank projects for local governments including towns, counties, and authorities. All of the projects listed were completed with either no increase in cost or minimal increase in cost.

Project Schedule Outline

The following is a preliminary project schedule based on milestones. Days between highlighted milestones and total cumulative days are indicated.

<u>Phase I – Engineering Design</u>	<u>Days</u>	<u>Cumulative Days</u>
A. Preliminary Design Services		
B. <u>Basis of Design Meeting with Town Project Team</u>	60	
C. Field Survey		
D. Coordinate Geotechnical Study		
E. Produce Project Plans & Specifications		
F. <u>Plan Review Meeting with Town Project Team</u>	180	240
G. Submit Packages for Regulatory Approval		
H. Produce Construction Documents		
I. Produce Final Cost Estimate		
J. <u>Final Design Review Meeting with Project Team</u>	60	300
K. <u>Bid Solicitation and Award</u>	45	345
<u>Phase II – Construction Administration & Observation</u>		
L. <u>Contract Execution & Notice to Proceed</u>	30	375
M. Submittal and Shop Drawings Review		
N. <u>Pre-Construction Conference</u>	90	465
O. Construction Observation		
P. Final Inspection & Record Drawings		
Q. <u>Startup and Warranty Period</u>	365	830

The cumulative project time for design and construction is estimated at approximately 2 years and 3 months. Approximately 1 year and 3 months are estimated for construction.

5. Current Workload

MBD presently enjoys a sustainable workload for the near term. The current list of construction projects under contract for our Southern Pines Office is found below including a brief description of status.

- City of Raeford, Turnpike Road Water & Sewer Improvements; Phase 2 – Project has been designed, bid, and awarded. NTP is expected to be issued mid-June 2022 with a 150-day construction time. Work remaining consists of contract administration, construction, and part-time inspection. Completion is anticipated for early November 2022.
- Handy Sanitary District, Repaint Water Storage Tanks – This project consists of repainting the interior and exterior of two (2) steel water storage tanks. The project is currently in the design and permitting stage.
- Town of Angier, WWTP Improvements – The project consists of a new tertiary filter and operations building for the Randleman wastewater treatment plant. The project is currently awaiting approval to advertise for bid from the Division of Water Infrastructure.
- Franklin County, Water Main connection to Wake County – The project consists of a new “Booster Pump Station”, onsite GAC water treatment system, and associated yard piping. The project is scheduled for completion in August of 2022.
- City of Raeford, Hwy. 401 12” Transmission Main – The project is currently in design. Project completion is slated for summer of 2023.

MBD has the resources and expertise available to commit to the Town’s “500,000-Gallon Elevated Water Storage Tank, so that the project is designed and constructed in a timely fashion.

6. References

MBD is pleased to present the following list of references for similar projects. We would recommend that the Town of Angier review our qualifications with these clients. Examples of completed projects with these clients can be found in Section 2 of the Statement of Qualifications. This information includes the originally contracted and final contract prices. All of these projects attained substantial completion within the contract times.

Harnett Regional Water
Contact: Mr. Steve Ward, Director
Phone: 910-814-3042
Email: sward@harnett.org

Grand Strand Water & Sewer Authority
Contact: Ms. Christy Everett, P.E.
Phone: 843-443-8221
Email: ceverett@gswsa.com

Davidson Water, Inc.
Contact: Mr. Ron Sink, General Manager
Phone: 336-731-2341
Email: rsink@davidsonwater.com

7. Exceptions

Exceptions to the Scope of Services: No exceptions taken

Litigation in Last 10 years : In 2014 MBD contested litigation from a Contractor for a sewer collection system improvement project in Harnett County. The litigation was related to construction management issues and was resolved through mediation.

ADDITIONAL INFORMATION

In accordance with North Carolina General Statutes, no project specific pricing is provided with this Statement of Qualifications. However, our firm's hourly fee schedule and insurance information is offered below.

Hourly rates include Overhead and Profit.

Principal/Project Manager	\$175.00/hr.
Senior Engineer	\$150.00/hr.
Project Engineer	\$110.00/hr.
Senior Designer	\$100.00/hr.
Operations Specialist	\$90.00/hr.
Construction Manager/Inspector	\$90.00/hr.
Designer	\$90.00/hr.
Administrator II	\$80.00/hr.
Administrator	\$50.00/hr.

MBD Consulting Engineers, P.A. maintains both professional and general liability insurance as follows:

Professional Liability Insurance

Carrier: Admiral Insurance Company
Amount: \$2,000,000.00

General Liability Insurance

Carrier: Hartford Underwriters Insurance Co.
Amount: \$500,000.00 each occurrence
\$1,000,000.00 umbrella coverage
Certificates of Insurance are available upon request.

MBD Consulting Engineers, P.A. appreciates the opportunity to provide the Town of Angier with this Statement of Qualifications. We are available to discuss the project in detail at the convenience of the Town of Angier.

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

SHADI ESKAF

Director



NORTH CAROLINA
Environmental Quality

March 24, 2022

Gerald D. Vincent, Town Manager
Town of Angier
PO Box 278
Angier NC 27501-0278

Subject: Letter of Intent to Fund
Water Distribution Core System
Replacement, and
Junny Road 500,000 Gallon Elevated
Water Storage Tank
American Rescue Plan-Earmark
Project No.: SRP-D-ARP-0020

Dear Mr. Vincent:

This letter supersedes the letter dated March 11, 2022. The Division of Water Infrastructure has reviewed your *Request for Funding*, and determined your project is eligible to receive American Rescue Plan (ARP) funding from the State Fiscal Recovery Fund established in S.L. 2021-180. Projects funded from the State Fiscal Recovery Fund must meet applicable federal law and guidance for the ARP funds. The ARP Project Grant will be one hundred percent of eligible project costs up to a maximum of \$6,706,250.

The total amount of American Rescue Plan-Earmark funding for the following projects will not exceed \$10,000,000:

Project Name	Budgeted Amount
1.25 MG Wastewater Treatment Capacity Upgrade-North Harnett Regional Wastewater Treatment Plant	\$3,293,750
Water Distribution Core System Replacement	\$4,250,000
Junny Road 500,000 Gallon Elevated Water Storage Tank	\$2,456,250
Sum (not to exceed)	\$10,000,000



North Carolina Department of Environmental Quality | Division of Water Infrastructure
512 N. Salisbury Street | 1633 Mail Service Center | Raleigh, North Carolina 27699-1633
919.707.9160

The first milestone is the submittal of a Bid and Design Package by August 1, 2022. Please note that this intent to fund is contingent on meeting **all** of the following milestones:

<u>Milestone</u>	<u>Date</u>
Apply for all Necessary Permits*	ASAP
Bid and Design Package Submittal (obtain all permits)	August 1, 2022
Bid and Design Package Approval	December 1, 2022
Advertise Project, Receive Bids, Submit Bid Information, and Receive Authority To Award	April 3, 2023
Execute Construction Contract(s)	May 1, 2023
Receive last reimbursement - Statutory	December 31, 2026

*An engineering alternatives analysis (EAA) may be required on certain projects. See: <https://deq.nc.gov/about/divisions/water-resources/water-quality-permitting/npdes-wastewater/permitting-process>

Failure to meet any milestone may result in the forfeiture of funding for the proposed project.

Note that the Division will make no reimbursements of ARP funds after December 31, 2026

The State Environmental Policy Act exempts projects funded by the State Reserve (such as this project) from state-mandated environmental review. Federal requirements may still apply. [NCGS 113A-12(2)h.]

Upon detailed review of the project during the funding process, it may be determined that portions of your project are not eligible for funding.

US Treasury Requirements

Projects with an expected total cost of ten million dollars or more must meet US Treasury requirements for prevailing wage rates, project labor agreements, and related requirements. Recipients can either *certify* meeting the requirements or provide *plans* and *reports* as the [SLFRF Compliance and Reporting Guidance \(treasury.gov\)](#) specifies.

Gerald D. Vincent, Town Manager
March 24, 2022
Page 3 of 3

If you have any questions, please contact Eric Karis, by phone at (919) 707-9052 or by email at eric.karis@ncdenr.gov.

Sincerely,



Jon Risgaard, Chief
State Revolving Fund Section

CC: William W. Dreitzler, PE, DM2 Engineering, PLLC, Wilmington
Ken Pohlig, PE (DWI, via email)
Eric Karis (DWI, via email)
Mark Hubbard, PE (DWI, via email)
ARP Project File (**COM_LOIF**)



Board of Commissioners Agenda Report

55 N Broad Street W.
PO Box 278
Angier, NC 27501
www.angier.org

MEETING DATE: August 2, 2022
PREPARED BY: Hans Kalwitz
ISSUE: Budget Amendment #1
CONSIDERED:
DEPARTMENT: Finance

SUMMARY OF ISSUE:

This budget amendment pertains to the General Fund, Parks & Recreation Field Rental/Donations Fund, and the Water/Sewer Fund. Due to our supply chain issues, projects were not completed as desired and, therefore, that which could not be spent will inevitably fall into respective fund balances. Additionally, within the General Fund, drug seizure money that has been collected since FY 2005 will be reallocated from the General Fund to the Asset Forfeiture Fund (as adopted during our February 1, 2022 Board meeting for sake of transparency); thereby fulfilling the goal of maintaining such money as restricted in accordance to Federal and State law.

The Parks & Recreation Field Rental/Donations Fund (formerly known as the Booster Club Fund) had much to purchase during FY 2022, but because of our supply chain issue, that which is held in its' respective Fund Balance as of June 30, 2022, this will be balanced forward into FY 2023 for the Parks & Recreation Department to fully utilize.

FINANCIAL IMPACT:

This budget amendment will acknowledge revenue to be appropriated to respective expenditure lines within the General Fund, Parks & Recreation Field Rental/Donations Fund, and Water/Sewer Fund; \$93,668, \$33,000, and \$5,332 respectively.

RECOMMENDATION: N/A

REQUESTED MOTION:

Motion to adopt Budget Amendment #1.

REVIEWED BY TOWN MANAGER:

This has been reviewed by the Town Manager.

Attachments: Budget Amendment #1



Town of Angier

Board Approved Budget Amendment # 1

Be it hereby ordained by the Town Council of the Town of Angier that the following amendments be made to the Budget Ordinance adopted on the 21st day of June, 2022 (as well as subsequent amendments) as follows:

General Fund (10 Fund)				
General Fund Revenue	Line Item	Budget	Change	Amended Budget
FUND BALANCE APPROPRIATED	10-3010-9999	586,106	↑ 93,668	679,774
Total Revenue Budget		6,501,512	93,668	6,595,180
Streets & Sanitation Dept.	Line Item	Budget	Change	Amended Budget
CAPITAL OUTLAY	10-5600-5000	-	↑ 2,668	2,668
Total Budget Expenditures for Dept 5600		864,532	2,668	867,200
Inter-Fund Transfers Dept.	Line Item	Budget	Change	Amended Budget
TRANSFER TO AFF	10-8700-5100	-	↑ 91,000	91,000
Total Budget Expenditures for Dept 8700		1,004,800	91,000	1,095,800

Parks & Recreation Field Rental/Donations Fund				
Booster Club Revenue	Line Item	Budget	Change	Amended Budget
FUND BALANCE APPROPRIATED	18-3018-9999	-	↑ 33,000	33,000
Total Revenue Budget		2,000	33,000	35,000
Booster Club Department	Line Item	Budget	Change	Amended Budget
CAPITAL OUTLAY	18-6200-5000	-	↑ 33,000	33,000
Total Budget Expenditures for Dept 6200		2,000	33,000	35,000



Town of Angier

Board Approved Budget Amendment # 1

Be it hereby ordained by the Town Council of the Town of Angier that the following amendments be made to the Budget Ordinance adopted on the 21st day of June, 2022 (as well as subsequent amendments) as follows:

Water & Sewer Fund					
Water & Sewer Revenue	Line Item	Budget		Change	Amended Budget
FUND BALANCE APPROPRIATED	30-3030-9999	140,000	↑	5,332	145,332
Total Revenue Budget		3,372,205		5,332	3,377,537
Water Department	Line Item	Budget		Change	Amended Budget
CAPITAL OUTLAY	30-8100-5000	-	↑	2,665	2,665
Total Budget Expenditures for Dept 8100		1,349,455		2,665	1,352,120
Sewer Department	Line Item	Budget		Change	Amended Budget
CAPITAL OUTLAY	30-8300-5000	-	↑	2,667	2,667
Total Budget Expenditures for Dept 8300		886,834		2,667	889,501

Motion to adopt FY 2023 Board Approved Budget Amendment #1

Amended this the 2nd day of August, 2022

Robert K. Smith, Mayor

Attest:

Veronica Hardaway, Town Clerk



Board of Commissioners Agenda Report

55 N Broad Street W.
PO Box 278
Angier, NC 27501
www.angier.org

MEETING DATE: August 2, 2022
PREPARED BY: Gerry Vincent
ISSUE: Harnett County Library Building Lease Agreement
CONSIDERED:
DEPARTMENT: Administration

SUMMARY OF ISSUE:

Now that the Town of Angier has approved the consolidation plan with Harnett County, the Harnett County Library System will be leasing the Angier Public Library Building.

FINANCIAL IMPACT:

RECOMMENDATION:

Staff recommends approving the Harnett County Library Building Lease Agreement

REQUESTED MOTION:

"I move to approve/deny the building lease agreement with Harnett County"

REVIEWED BY TOWN MANAGER:

Attachments:

1 Lease Agreement

NORTH CAROLINA

LEASE AGREEMENT

HARNETT COUNTY

THIS LEASE AGREEMENT ("Lease"), made and entered into this 1st day of August 2022, by and between the Town of Angier, a municipal body politic and municipal corporation (hereinafter referred to as "LESSOR") and the County of Harnett, a body politic and political subdivision of the State of North Carolina, (hereinafter referred to as "LESSEE")

WHEREAS, LESSEE operates the Angier Branch of the Harnett County Library System and is seeking a central location in Angier for its operations;

WHEREAS, LESSEE desires to lease space at the property owned by LESSOR, to wit, the Angier Municipal Building located at 28 N. Raleigh Street, Angier, North Carolina (hereinafter referred to as the "Municipal Building") for a term of three (3) years and automatically renew for consecutive three (3) year terms;

WHEREAS, LESSOR and LESSEE desire to enter into this Lease for the purpose of setting forth the respective rights, obligations and duties of each party.

NOW, THEREFORE, in consideration of the above-stated desires of the parties and such other mutual promises and covenants as are set forth below, LESSOR and LESSEE agree as follows:

1. **Premises.** LESSOR shall lease to LESSEE and LESSEE shall lease from LESSOR approximately 3,000 net square feet of space that located in the Angier Municipal Building at 28 N. Raleigh Street, Angier, Harnett County, North Carolina and further identified as "Library," "Library Office, work room, and Storage," "Library Annex," and "Bathroom" on the attached floor plan entitled Exhibit A (hereinafter referred to as the "Premises"). A map showing the exact locations of the leased rooms is attached as Exhibit A and incorporated into this Lease by reference. In no event does LESSOR grant any interest in any property for which LESSOR is not the recorded owner. The Premises are leased for the express purpose of allowing LESSEE to conduct library operations and programs. In addition to the leased Premises, LESSEE shall have access to the shared spaces and rooms, including the Boardroom, when not scheduled for use on the scheduling calendar by the Town of Angier, and parking lots located on said property. Upon scheduling use of Town and shared space on the calendar, LESSEE's use of the reserved space shall be guaranteed. LESSEE acknowledges that parking spaces are not reserved for LESSEE's operations under this Lease and that LESSOR cannot guarantee sufficient parking for LESSEE's operations.
2. **Term.** The term of this Lease ("Initial Term") shall commence upon execution of this Lease by both parties ("Commencement Date") for a term of three (3) years and shall automatically renew for consecutive three (3) year terms unless terminated in accordance with provisions contained herein.

3. **Rent.** The rent for the Term of the Lease shall be \$0.00 per year. LESSEE shall pay its pro rata share of the total cost of utilities, as defined in Section 16 of this Lease, for the Premises. LESSOR shall be responsible for the cost of trash collection and removal. LESSEE's pro rata share of utility costs represents the ratio of the Rentable Square Footage of the Premises (identified in Section 1) to the total Rentable Square Footage of the Building, as determined by LESSOR from time to time. Changes in Rentable Square Footage shall be effective on the first day of the first calendar month following the change. LESSEE shall pay to LESSOR at such place as LESSOR shall designate in writing. Upon the termination of this Lease, title to all improvements to the Premises, except for LESSEE's personal property, shall be automatically transferred to LESSOR. LESSOR and LESSEE agree that LESSEE shall not be entitled to any compensation or reimbursement from LESSOR for any repairs, maintenance, construction costs, or any other expenses LESSEE incurs as a result of LESSEE's use or lease of the Premises.
4. **Title and Quiet Possession.** LESSOR represents and covenants that LESSOR owns the Premises in fee simple except as set out in matters of record. LESSEE assumes the burden of conducting a title search or other investigation to its satisfaction. LESSOR represents and warrants to LESSEE that LESSOR has the full right to make this Lease and that LESSEE shall have quiet and peaceful possession of the Premises throughout the term of this Lease.
5. **Title Insurance.** LESSEE, at LESSEE's option and expense, may obtain title insurance on the Premises.
6. **No Waste or Nuisance.** During the term of this Lease, LESSEE shall comply with all applicable Laws affecting the Premises, the breach of which might result in any penalty on LESSOR or forfeiture LESSOR's title to the Premises. LESSEE shall obtain any necessary governmental licenses or authorization required for the provision of LESSEE's operations and programs and shall furnish copies of same to LESSOR if requested. LESSOR shall reasonably cooperate with LESSEE's efforts to obtain necessary licenses and authorizations.
7. **Assignment and Subleasing.** LESSEE may not sublet the Premises in whole or in part. LESSEE shall not assign or transfer this Lease, or any interest herein. In the event LESSOR should transfer its interest in the Angier Municipal Building in which the Premises is located, LESSOR shall have no further duties or obligations hereunder provided that the transferee agrees to assume all of the duties and obligations imposed hereunder on LESSOR and upon such third party's assignment not to amend, modify, or change in any manner whatsoever LESSEE's rights and obligations hereunder. Upon such a transfer, LESSEE shall, for all purposes expressed herein and incidental hereto, accept such transferee as its LESSOR hereunder. LESSOR may assign any or all rights, duties, and obligations created hereunder without the consent of LESSEE, provided such third

party agrees not to amend, modify, or change in any manner whatsoever LESSEE's rights and obligations hereunder and assumes without modification LESSOR's rights and obligations hereunder. In all other circumstances, LESSOR shall first have obtained the written consent of LESSEE, which consent shall not be unreasonably withheld.

8. **Notices.** Any notice, report, statement, approval, consent, designation, demand, or request to be given, and any election to be exercised by a party under the provisions of this Lease shall be deemed to be given and received three days when made in writing and sent by United States certified or registered mail, postage prepaid, to the other party at the applicable address set forth below:

LESSOR: Gerry D. Vincent
 Town Manager
 Post Office Box 278
 Angier, North Carolina 27501

LESSEE: Brent Trout
 County Manager
 Post Office Box 759
 Lillington, North Carolina 27546

With copy to:

 Senior County Staff Attorney
 Post Office Box 238
 Lillington, North Carolina 27546

9. **Condition of Premises.** LESSOR warrants that the Premises will be in a condition that would be safe for the provision of LESSEE's activities. LESSEE shall be solely responsible for maintaining the Premises in a safe and secure condition at all times that LESSEE occupies the Premises. LESSEE has the right to perform a walkthrough of the Premises prior to leasing the Premises from the LESSOR. LESSOR shall repair items identified by LESSEE during the walkthrough within either thirty (30) or sixty (60) days of the execution of this Lease, as outlined in the Walkthrough Punchlist, hereby incorporated and attached as Exhibit B. Issues identified that compromise the safety of the Premises and/or persons shall be addressed immediately.
10. **Maintenance of the Premises.** LESSOR shall be responsible for the general maintenance of the Premises including, but not limited to: roof; flooring; stairs; HVAC; electrical; lighting fixtures, including ballasts and light bulbs; fire extinguishers; windows; pest control; plumbing; parking areas; landscaping; exterior and interior walls; sidewalks; and foundation. Repairs on maintenance to the above listed systems shall be performed as soon as practicable upon learning of an issue. LESSOR shall perform a monthly inspection of fire extinguishers, safety lighting, smoke detectors, evacuation signage, occupancy

signage, and HVAC air filters. LESSOR shall be responsible for general janitorial duties of the shared spaces and any space not leased to the County in the Municipal Building. LESSOR shall not be responsible for the janitorial duties of the Premises and the repairs and maintenance of any improvements, fixtures and equipment installed by LESSEE.

11. **LESSEE Damage.** LESSEE shall be responsible for the costs to replace or repair any damage caused to the Premises of the Angier Municipal Building or grounds by the negligence or willful misconduct of LESSEE, its agents, employees, volunteers, members, and invitees. LESSEE shall either: 1) repair or replace any such damage; or 2) reimburse LESSOR for the costs to replace or repair any such damage within 30 days upon written demand by LESSOR.
12. **Damage or Defect.** LESSEE agrees to notify LESSOR immediately upon discovery of any damage or defect in need of repair to the Premises pursuant to Sections 10 and 11 of this Lease. If the damage or defect is not result from the negligence or willful misconduct of LESSEE, its agents, employees, volunteers, members, and invitees, and is a repair obligation incurred by LESSOR pursuant to Section 10 of this Lease, repair of the damage or defect shall be made by LESSOR at LESSOR's expense as soon as practicable.
13. **LESSEE Improvements.** LESSEE shall have the right, at its sole expense, to make such improvements on the Premises as it may deem necessary, including any improvements necessary for LESSEE's operations or programs, with the prior written approval of LESSOR. LESSOR's approval shall not be unreasonably withheld. LESSEE shall be solely responsible for the cost of any required work. However, LESSEE shall not destroy, remove, or make any improvements or changes to the Premises which would adversely impact the market value of the Premises or LESSOR's ability to use the Premises upon the termination of this Lease without the prior written permission of the LESSOR.

During the term of this Lease, LESSEE shall maintain the Premises in a safe, clean, and neat condition. Upon termination of this Lease, LESSOR shall take possession and ownership of all improvements to the Premises, except for LESSEE's personal property. LESSOR may inspect any installation or other work performed on the Premises.

To the extent that any repairs or changes are occasioned by (a) the acts of LESSEE, its agents, servants, employees, contractors, or invitees; (b) a defect or malfunction in LESSEE's equipment or any attachments thereto; (c) a safety hazard, or violation of any applicable statute, rule, regulation, order, directive, or standard relating thereto, in or caused by LESSEE's property; (d) any changes or improvements to the Premises requested or made by LESSEE; or (e) any violation or breach of any provision of this Lease by LESSEE or anyone acting under it; then LESSEE shall either: 1) repair or replace any such damage; or 2) reimburse LESSOR for the costs to replace or repair any such damage within 30 days upon written demand by LESSOR.

14. **Right of Entry.** LESSOR may enter the Premises immediately, and without notice to

LESSEE in the event of emergency repairs to the Premises. In all other circumstances, LESSOR may enter the Premises for inspection, repair, alteration, or improvement of the Premises, but will provide Lessee with 24 hours' notice of its intention to enter the Premises, and will not interfere with LESSEE's business operations during entry of the Premises.

15. **Operating Expense.** LESSEE shall be responsible for arranging for the installation and operation of internet service, phone service, security systems, and other such services required for the use of the Premises by LESSEE and shall pay directly to the supplier thereof all charges, fees, or assessments for installation, connection, operation, and use of such services. Prior to installation of any such services, LESSEE shall obtain the written approval of LESSOR, which approval shall not be unreasonably withheld, and LESSEE shall coordinate with LESSOR as to the proper area(s) for installation and housing of equipment and wires. If LESSEE installs any security equipment in the Premises, LESSEE shall provide LESSOR with access codes and/or provide for immediate entry to the Premises to enable LESSOR to meet its maintenance and repair obligations set forth in Sections 10 and 14 of this Lease. LESSEE shall not install any equipment in the shared hallways, spaces, or rooms without the written permission of LESSOR. LESSEE shall fully and promptly pay for all services furnished to the Premises and used by LESSEE throughout the term of this Lease, and all other costs and expenses of every kind whatsoever in connection with the use, operation, and maintenance of the Premises and all activities conducted thereon, with the exception of LESSOR's utilities obligations set forth in Section 16 of this Lease.
16. **Utilities.** LESSOR shall be responsible for the costs of electricity, gas, sewer, water, and trash collection for the Municipal Building. LESSEE will pay the prorated share of electricity, gas, sewer, and water costs based on square footage leased. Cost of trash collection shall be the sole responsibility of the LESSOR. LESSEE shall carry all trash from leased Premises to designated receptacles located outside of the Premises for trash collection by LESSOR.
17. **Signage.** LESSEE is permitted to place, or display on exterior doors, walls, or windows designated by LESSOR signage that can be easily removed to advertise its business provided LESSEE obtains the prior written consent of LESSOR, which consent shall not be unreasonably withheld. LESSEE agrees that any such signs placed on a door, wall, or window shall be in the form of a decal or other easily removable form. LESSEE is responsible for removing all signs and displays upon termination of this Lease. All signs shall be in compliance with any applicable laws, ordinances, and codes.

LESSEE is permitted to affix, place, or display on interior walls, doors, and from ceiling tiles of the Premises signage for the operation and organization of the library. LESSEE is responsible for the removing of all signs and displays upon termination of this Lease and shall be responsible for any repairs to Premises that result from the removal of said signage.
18. **Use of Entrances and Exits.** Except in cases of emergencies, LESSEE shall make all

reasonable attempts to ensure that its agents, employees, volunteers, members, and invitees use the entrances and exits nearest the Premises during its hours of operation.

19. **LESSEE's Performance and Surrender.** LESSEE shall comply with any rules, regulations, and laws governing the provision of library services in North Carolina at all times during the term of this Lease. LESSEE shall pay the rent and all other sums required to be paid by LESSEE hereunder in the amounts, at all times, and in the manner herein provided, and shall keep and perform all terms and conditions hereof on its part to be kept and performed, and at the expiration or sooner termination of this Lease all improvements to the Premises, except for LESSEE's personal property, shall become the property of LESSOR.
20. **Securing the Premises and Entrances.** LESSEE shall be responsible for securing all doors to the Premises. LESSEE shall also be responsible for securing all entrances and exits to the Municipal Building if LESSEE is the last tenant in the building at the close of business.
21. **Schedules of Operation.** LESSEE shall provide operating schedules to LESSOR upon request. LESSEE shall notify LESSOR of any changes to its operating schedule at least 24 hours prior to the intended change.
22. **Government Compliance.** LESSEE shall conduct its operations and programs in compliance with all governmental laws and regulations, including all applicable local, state and federal rules and regulations.
23. **Insurance.** LESSEE shall obtain and maintain in effect during the term of this Lease, a policy or policies for general liability insurance in the amount of \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate coverage and contents coverage in the amount that sufficiently covers LESSEE's owned contents. LESSOR shall maintain building and liability coverage on the building.

LESSEE shall promptly furnish to LESSOR certificates of insurance evidencing such insurance coverage. Insurance required hereunder shall be maintained by insurance companies rated "A-" or better by "Best's Insurance Guide."

24. **Events of Default, Termination.** If LESSEE vacates or abandons the Premises or fails to perform any other act or obligation as set forth in this Lease and for a period of thirty (30) days following notice from LESSOR of such default fails to cure or commence appropriate action to cure such default, LESSOR may terminate this Lease. LESSOR may also terminate this Lease if state, federal, or local agency establishes any condition(s) for occupancy of the Premises which LESSEE fails or refuses to perform. No such termination of this Lease shall relieve LESSEE of its indemnification obligations and any previously accrued liability and obligations under this Lease and all such liability and obligations shall survive any such termination.

- a) Upon termination or expiration of this Lease, LESSEE will surrender the Premises to LESSOR in as good condition as existed at the commencement of the Lease except for reasonable wear and tear and in accordance with the terms of this Lease, or for damage due to causes beyond LESSEE'S control and without its fault or negligence, or for damage, howsoever caused, to the extent LESSOR shall have been compensated for such damage by insurance.
 - b) Upon any termination or expiration of this Lease, LESSEE shall promptly remove its equipment from the Premises without damage to the property of LESSOR in accordance with the terms of this Lease. During the period of removal of its equipment, LESSEE'S right and obligations with respect to access to the Premises shall be the same as those during the period that this Lease is in effect, and until the completion of the removal of all such equipment.
 - c) LESSOR's failure to enforce or insist upon compliance with any of the terms or conditions of this Lease shall not constitute a waiver or relinquishment by LESSOR of any of such terms or conditions. No declaration of default by LESSOR under any provision of this Lease shall be deemed to impair or diminish LESSOR's rights against LESSEE for any breach of this Lease.
 - d) LESSEE may terminate this Lease, without cause, upon 6 months written notice to LESSOR.
 - e) LESSOR may terminate this Lease, without cause, upon 12 months written notice to LESSEE.
 - f) This Lease will automatically terminate upon termination of the Library Consolidation Agreement.
25. **Condemnation.** If the whole of the Premises, or such portion thereof as will make the Premises unusable for the purposes herein leased, is condemned by any legally constituted public authority, then this Lease, and the term hereby granted, shall cease from the time when possession thereof is taken by the public authority. Any lesser condemnation shall in no way affect the respective rights and obligations of LESSOR and LESSEE hereunder. However, nothing in this paragraph shall be construed to limit or adversely affect LESSEE's right to an award of compensation from any condemnation proceeding for the taking of LESSEE's leasehold interest hereunder or for the taking of LESSEE's improvements, fixtures, equipment, and personal property. The provisions of this Lease governing LESSEE improvements and their removal shall be applicable should termination occur due to condemnation.
26. **Binding on Successors.** The covenants and conditions contained herein shall apply to and bind the heirs, successors, executors, administrators, and assigns of the parties hereto.

27. **Access to Premises.** LESSEE and its officers, employees, agents, contractors and invitees shall have full access 24 hours per day, seven (7) days per week to the Premises during the term of this Lease.
28. **Governing Law and Venue.** This Lease shall be governed and construed in accordance with the laws of the State of North Carolina. Any action or proceeding arising under this Lease shall be filed and heard in the Superior Court of Harnett County.
29. **Entire Agreement.** This Lease reflects the entire agreement between LESSOR and LESSEE with respect to the Premises, and cannot be amended except by written instrument subsequently executed by the parties hereto.
30. **No Waiver.** In the event that either party fails to enforce any obligation of the other party under this Lease when performance is due, such delay or failure to enforce shall not constitute a waiver of its right to seek full performance at any future time.
31. **Mechanic's Liens.** LESSEE will not cause any mechanic's or materialman's lien to be placed on the Premises, and LESSEE agrees to indemnify, defend, and hold harmless LESSOR from any such lien from a party claiming by, through or under LESSEE. If any such claim of lien is placed on the Premises, LESSEE shall, within 30 days thereafter regardless of whether or not it contests the validity of the claim upon which such lien is based, post such bonds or take such other steps as may be necessary to remove such lien.
32. **Headings.** The headings of sections and subsections are for convenient reference only and shall not be deemed to limit, construe, affect, modify, or alter the meaning of such sections or subsections.
33. **Severability.** Any provision of this Lease that is legally invalid, void, or unenforceable shall in no way affect, impair, or invalidate any other provision hereof, and the other provisions shall remain in full force and effect.

IN WITNESS WHEREOF, LESSOR and LESSEE have hereunto set their hands and seal on this Lease Agreement the day and year first above written.

LESSEE:

COUNTY OF HARNETT

Lewis W. Weatherspoon, Chairman
Harnett County Board of Commissioners

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

By: _____
Name: Kimberly Honeycutt
Title: County Finance Officer

LESSOR:

TOWN OF ANGIER

Robert K. Smith, Mayor
Town of Angier

NORTH CAROLINA
COUNTY OF HARNETT

I, _____, a Notary Public in and for the aforesaid State and County, certify that Lewis W. Weatherspoon, personally appeared before me this day who being by me duly sworn, deposes and says that he is the Chairman of the Harnett County Board of Commissioners; that the seal affixed to the foregoing instrument is the official seal of Harnett County; that said instrument was signed by him and the County's seal affixed thereto, all by authority of the Board of Commissioners of said County, and the said Lewis W. Weatherspoon acknowledged said instrument to be the act and deed of Harnett County.

Witness my hand and notarial seal this ____ day of _____, 2022.

Notary Public

My Commission Expires: _____

NORTH CAROLINA
COUNTY OF HARNETT

I, _____, a Notary Public in and for the aforesaid State and County, certify that Robert K. Smith, personally appeared before me this day who being by me duly sworn, deposes and says that he is the Mayor of the Town of Angier; that the seal affixed to the foregoing instrument is the official seal of the Town of Angier; that said instrument was signed by him and the Town's seal affixed thereto, all by authority of the Board of Commissioners of said Town, and the said Robert K. Smith acknowledged said instrument to be the act and deed of the Town of Angier. Witness my hand and notarial seal this ____ day of _____, 2022.

Notary Public

My Commission Expires: _____



Board of Commissioners Agenda Report

55 N Broad Street W.
PO Box 278
Angier, NC 27501
www.angier.org

MEETING DATE: August 2, 2022
PREPARED BY: Veronica Hardaway
ISSUE: Termination of State of Emergency
CONSIDERED:
DEPARTMENT: Administration

SUMMARY OF ISSUE:

At the March 13, 2020 Emergency Meeting, the Mayor declared that a State of Emergency existed within the Town of Angier in response to the global outbreak of COVID-19.

Governor Cooper has stated on July 11, 2022 that the COVID-19 State of Emergency will be lifted on August 15, 2022. In order to align with statewide public health and safety protocols regarding COVID-19, the Town of Angier is able to terminate the State of Emergency within the Town.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approving the Termination of State of Emergency within the Town of Angier

REQUESTED MOTION:

"I move to approve/deny the Termination of State of Emergency within the Town of Angier"

REVIEWED BY TOWN MANAGER:

Attachments:

- 1 Termination of State of
Emergency

TERMINATION OF STATE OF EMERGENCY

WHEREAS, on March 13, 2020 at 7:57pm, as Mayor of the Town of Angier, I determined and declared that a State of Emergency existed within the Town of Angier in response to local and statewide concerns regarding a global outbreak of COVID-19; and

WHEREAS, the Governor of the State of North Carolina, Governor Cooper stated on July 11, 2022 the COVID-19 State of Emergency will be lifted on August 15, 2022; and

WHEREAS, the Town of Angier wishes to align with statewide public health and safety protocols regarding COVID-19; and

NOW, THEREFORE, I hereby terminate the above referenced Town of Angier's Declaration of a State of Emergency, amendments, and all the restrictions and orders contained therein.

This declaration is effective August 15, 2022.

DECLARED this the 2nd Day of August, 2022

Robert K. Smith, Mayor

ATTEST:

Veronica Hardaway, Town Clerk

MANAGER'S REPORT &
STAFF REPORTS

TOWN MANAGER'S REPORT

TOWN BOARD MEETING

August 2, 2022

Honorable Mayor & Board of Commissioners, please see the following updates and items of interest that has not been previously discussed and/or updated:

1. Salary Survey- The last salary survey was conducted in July 2019. Typically, these surveys are conducted every 4-5 years. I would request that we consider moving this up to this fiscal year. I have contacted Lee Worsley, Executive Director with the TJCOG for a contract price. The last survey cost \$8,200. I will advise the Board when I receive the additional information.
2. North Carolina General Assembly Funding- With the governor's signature regarding the state budget, Angier will receive an additional \$2.8M for water/sewer projects. My proposal is to apply these funds to the \$8.7M Harnett County Wastewater Treatment Plant Expansion Project. The \$2.8M will eliminate the need for a loan with USDA.
3. Harnett County Library Consolidation Plan-The agreement has been revised and signed establishing a start date of August 1st, 2022.

THE END

HUMAN RESOURCES



HR/PAYROLL MONTHLY REPORT

FOR THE MONTH OF:

July 2022

- Processed payroll Regular 7/1/22 \$62,358.52, 7/15/22 \$64,715.50 and 7/29/22 \$72,827.27
- Compiled & Submitted Monthly Retirement Report on 7/29/22 \$50,835.91
- Remitted Federal & State payroll tax on 7/1/22, 7/15/22 and 7/29/22
- Invoiced Harnett County SRO Contract for July 2022
- Received Harnett County payment for SRO invoiced June 2022
- Sent out reminders for annual evaluations
- Advertised for New positions approved in budget
 - Public Works Utilities Maintenance Worker
 - 2 Patrol Officer Positions
- Advertised for Community Development Coordinator Position
- Processed applications as they were sent in and provided to the departments for review and consideration
- Hired for one of the Patrol Officer Positions

ENGINEERING

Memo

To: Gerry Vincent, Town Manager
From: Bill Dreitzler, P.E., Town Engineer
Date: July 27, 2022
Re: August 2022 BOC Meeting - Engineer's Staff Report

Please consider my staff report for the scheduled August, 2022 Board of Commissioners meeting:

Hwy 210 Sidewalk Extension Project

Lanier Construction Co., Inc. has mobilized and the project is moving forward. The contractor, the contractor's supplier for storm drain boxes and NCDOT are working out issues regarding certification of the boxes. This has caused a pause in construction as all parties verify proper certifications. All parties are working through a waterline and storm drainage conflict that was unanticipated. The current project completion date is August 5, 2022.

Project Budget

Federal Funding:	\$ 888,548.00
Town Funding:	<u>574,838.00</u>
Project Budget:	\$ 1,463,386.00

Willow, Junny and West Lillington Sidewalk Extension – LAPP (EB-6020)

The Summit Engineering Contract has been executed and the project is moving forward. Summit has mailed out survey notification letters to all property owners along the proposed sidewalk route and will begin the design location survey in July. The updated project schedule estimates the project LET date to be 6-27-2024. Staff is currently working with NCDOT to modify the contract milestone dates.

Wastewater Inflow/Infiltration Evaluation

The video inspection work has been completed and Hydrostructures is in the process of evaluating. Once the evaluation is completed, they will provide a Condition Assessment Report/Technical Memorandum. The Report was received on 10-26-2021 and is currently under staff review. The Report has broken down recommended repairs as Priority 5, Priority 4 and Priority 3 as per the NASSCO Rating System. Priority 5 represents locations with sewer lines in the worst condition and needing repairs in the near-term. Priority 4 represents identified sewer lines with severe defects. Priority 3 represents identified sewer lines with moderate defects that will continue to deteriorate if not repaired. The opinion of cost for repairs are:

Priority 5:	\$ 208,438
Priority 4:	\$ 225,625

Priority 3: \$ 226,875

Total Cost: \$660,938

Town staff is evaluating potential funding sources for the proposed I/I repairs. Removing I/I from our wastewater collection system reduces our monthly treatment cost with Harnett Regional Water.

Wastewater Collection and Water System Master Plan

The utility mapping will be updated as new developments are recorded and populated within the Harnett County GIS system. At present, we will be updating the wastewater collection and water distribution system mapping to include a) Southern Acres, b) Kathryn's Retreat and c) Bellewood. **The update is underway. As subsequent developments record final plats and are updated on the Harnett County GIS Site we will update our Utility Master Plans accordingly.**

Construction Standards

The updated water and sewer standard details are being drafted. The water and sewer details have been completed, reviewed and final comments are being addressed. Staff met for a work session to mark-up Roadway details on January 13, 2022. Upon final mark-up edits, the details will be provided to our drafting consultant. **No change in status since last month.**

Sanitary Sewer Flow Tracking

Through June 2022 our Average Daily Flow (ADF) to the North Harnett Regional Wastewater Treatment Plant is 0.538 MGD or roughly 53.4% of our 1.008 MGD treatment allocation. We are currently tracking 0.589 MGD in obligated but not yet tributary flows (12 different active developments). Therefore, our ADF + NYT flow is over our permitted capacity by 0.119 MGD. In addition, we are tracking 5 additional developments that are in the design phase that currently total 0.343 MGD in projected wastewater flow.

We have received written notification from HRW of their intent to begin the permitting and design of the North Harnett Regional Wastewater Treatment Plant. HRW is currently planning an expansion in the range of 6-7.5 MGD. The current plant capacity of 7.5 MGD. The Town has submitted a letter to HRW formally requesting an initial purchase of an additional 1.25 MGD of wastewater treatment. Furthermore, the Town has requested for a contract modification that provides for the purchase of an additional 1.0 MGD within the next 5 to 10 years.

Pump Station #1 – Dupree Street and Pump Station #6

Temple Grading and Construction Company, Inc. was the low bidder with a bid price of \$3,866,083.00 and has been issued a Notice to Proceed. Staff continues to hold weekly progress meetings (every Friday at 10 AM) to keep the project moving forward. The Contractor has completed installation of the force main for PS #1. All shop drawing submittals have been approved. The contractor is in the process of ordering materials and evaluating delivery dates such that a project schedule can be produced. We anticipate having a schedule by mid-August.

Stormwater Utility Fee

An initial discussion regarding Stormwater Utility Fees was held at the BOC Workshop on Tuesday, May 18, 2021. The Board instructed staff to continue with the process of developing a Stormwater Utility Fee Structure. The initial step will be developing a Stormwater Capital Improvement Plan. **Based on direction at the budget retreat, staff is preparing an updated memorandum regarding a Stormwater Utility Fee to include recommendations on a path forward.**

500,000 Gallon Elevated Water Storage Tank

The Town received a Letter of Intent to Fund this project from NC DEQ on March 11, 2022. The next step in this process will be to prepare and advertise a Request for Qualifications (RFQ) for the selection of an engineering design consultant. **RFQ's were received on June 16, 2022 and MBD Consulting Engineers, P.A. was selected. MBD is preparing a fee agreement for staff review. The initial draft is anticipated the first week of July with the intent to bring an agreement to the Board of Commissioners with a recommendation of award at the August 2022 meeting.**

Old Core Water Distribution System Replacement Project

The Town received a Letter of Intent to Fund this project from NC DEQ on March 11, 2022. The next step in this process will be to prepare and advertise a Request for Qualifications (RFQ) for the selection of an engineering design consultant. **Based on the complexities of this project, additional information was required from the engineering consultant who prepared the Preliminary Engineering Report back in 2014. This information has been received and the RFQ should be advertised in mid-August 2022.**

Southwest Drainage Basin Mitigation Measure #3 (MM#3)

On June 3, 2022 the Town received a letter from NC DEQ notifying us that we have been approved for American Rescue Plan funding from the State Fiscal Recovery Fund in the amount of \$400,000. These funds will be used to supplement the cost of engineering design, permitting and construction of MM#3. This project will increase capacity for road culverts at South Broad and Hidden Acres Estates. This is a flood prone area during heavy rain events with frequent overtopping of the roadways. The Gradient Study estimated a total cost of \$800,000 for MM#3. The ARP funds will be supplemented by Town of Angier General Funds.

Wastewater Treatment Additional Capacity Purchase – Supplemental Funding

The Town received a Letter of Intent to Fund this project from NC DEQ on March 11, 2022. We are coordinating with the State and Harnett Regional Water on the process and timing for release of this funding. The Town received \$3,293,750 in ARPA Earmark funds to be used as a supplement to the cost of the additional 1.25 MGD in wastewater treatment capacity in the North Harnett Regional Wastewater Treatment Plant. **No change in status.**

Additional ARPA Funding through the Division of Water Infrastructure

The application deadline for this additional ARPA Grant Funding is May 2, 2022. I attended an all-day workshop on February 28th. During the workshop, I was informed by the State that given we received \$10M in earmark funds, we were not likely to receive any of the available \$54.1M set aside for "other utilities" (water and wastewater). However, in the Fall, the State will make available an estimated \$180M for Stormwater. The submittal deadline for these

funds is currently set for September 30, 2022. Based on the information obtained at the workshop, below are my current recommendations for funding sources:

- Hwy 55 Bypass 12-inch Water Line – **Division of Water Infrastructure State Revolving Loan (currently 20-years at 1.14%)**
- Southwest Angier Drainage Basin Study MM1 and MM2 – **Submit on September 30, 2022 for the ARPA Stormwater Funds (this will be competitive)**
- Wastewater Collection System Inflow and Infiltration Repairs – **Currently evaluating alternatives**

Miscellaneous

In addition to the above major projects, I continue to provide support to the Town staff including but not limited to the following:

- Attendance as staff engineer at the Pre-Development, TRC, Planning Board Meetings, Board of Commissioners Meetings, and Board of Adjustment Meetings, as requested by the Town Manager.
- Meet with citizens on an on-call basis for issues predominately related to storm drainage.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bill Dreitzler", with a stylized flourish at the end.

Bill Dreitzler, P.E., Town Engineer

Jul-21	18.283	Kathryn's Retreat 51 lots x 360	0.018		
Aug-21	16.511				
Sep-21	12.574	Bellewood 0 lots x 480	0.000		
Oct-21	12.666				
Nov-21	12.418	Whetstone Phase 2 36 lots X 225	0.008	Caitlin Meadows (171)	0.061
Dec-21	16.223				
Jan-22	22.082	Angier Plaza Phase 2 (1 lot)	0.000	Sherri Downs (250)	0.090
Feb-22	16.059				
Mar-22	22.291	Andrews Landing TH 9 units x 360	0.003	White Oak Crossing (342)	0.123
Apr-22	19.737				
May-22	15.496	Gen Meadow Phase 2 0 lots x 400	0.000	Tanglewood 3 (68)	0.024
Jun-22	12.207				
ADF	196.547	Honeycutt Oaks 254 lots x 360	0.091	Myrtle Manor PUD (126)	0.045
	0.538				
		Lynn Ridge 73 lots x 360	0.026	Subtotal	0.343
		Coble Farms West 175 lots x 360	0.063		
		Neill's Pointe 207 lots x 360	0.0745		
		Highland Ridge 256 lots x 480	0.123		
		Spring Village 259 lots x 360 15 lots x 480	0.1		
		Cotswold PUD 111 units x 360	0.04		
		Kennebec Crossing 83 lots x 360	0.03		
		Tanglewood 32 lots x 360	0.012		
		Subtotal	0.589		

Total flow to HC thru PS # 9 and CS# 1 and CS # 2

ADF + NYT	1.127	%	1.118
Add in Land Application		%	0.934
ADF + NYT + Identified	1.470	%	1.459
Add in Land Application		%	1.218

LAST UPDATE: 7-27-2022

PARKS & RECREATION

MONTHLY REPORT
ANGIER PARKS & RECREATION
July 26, 2022

- Fall sports registration has begun and will continue through Friday August 19. This fall Angier Parks and Rec. is offering Soccer for boys and girls ages 3-13, Flag Football ages 6-8, Pee Wee Football ages 8-10, Midget Football ages 11-13, Cheerleading ages 4-13, T-Ball ages 3-5, Coach Pitch Baseball ages 6-8, Kid Pitch Baseball ages 9-12, Softball ages 9-12. We expect a record number of participants for this upcoming fall season.
- This fall sports registration is our first opportunity to use the new Tyler Parks and Recreation registration software. There will be some hiccups and growing pains in the beginning but this will help with stream lining our registration process and make things much easier on our administrative staff (Cecilia, Tabitha and Donna). Once we get through a couple of registration periods with the new Tyler software it will be very easy for parents to register for the sports and much easier for our staff to monitor the registrants. This is new for everyone so hopefully our participants will have some patience with the new registration process.
- We are in the process of getting bids for the new playground equipment for the north playground area. We hope to start construction on the new playground by early fall.
- We are still waiting for the 15 medium football helmets that have been on back order for almost 3 months. Vendor has promised us we will get them before football season starts.
- We are now planning where we are playing all of our leagues this fall because we are expecting a record number of participants this fall. We are having to get creative on using park field space with all of the additional participants. We are very quickly running out of space at Jack Marley Park.

PUBLIC WORKS



Town of Angier

www.angier.org

Robert K. Smith
Mayor

Gerry Vincent
Town Manager

Veronica Hardaway
Town Clerk

August 2, 2022

Public Works staff report for the Month July

- Staff took 41 loads of limbs/Leaves to the landfill the month of June (38.22tons)
- Staff took 9 loads of Household to the landfill the month of June (12.11 tons)
- Staff set 10 new water meters
- Staff completed 205 workorders to mark Town Utilities (water and sewer lines).
- Staff made water tap at 10 Arbor Loop
- Staff disconnected water and sewer services for house demo at 150 E. Lillington
- Staff disconnected water and sewer services for house demo at 137 E. Lillington street
- Staff repaired water leak at 194 West Church street
- Staff repaired culvert pipe at North Hickory and patched the road
- Staff milled high spot in the road and resurfaced with asphalt along N. Hickory
- Staff GIS water meters
- Staff inspecting new utilities at Coble Farms, Neill Point and Spring Village, Honeycutt oaks, Tanglewood
- Lanier's Construction installing storm pipe for the sidewalk project along NC 210 and park street. Wait on Materials before proceeding.
- Staff cutting grass and edging sidewalks
- Staff preparing for the Crepe Myrtle festival in September
- The faded Civic signs have been ordered and will be replace by the Crepe Myrtle Festival

PLANNING & INSPECTIONS



Town of Angier
Planning & Inspections Department
919-331-6702



Robert K. Smith
Mayor

Gerry Vincent
Town Manager

Planning and Inspections Department
Monthly Report: July 2022

Permitting/Inspection Totals – Month of July 2022:

Total Permits Issued: **63**

Building Inspections Performed: **306**

New Construction Permits Issued - Residential: **12**

New Construction Permits Issued - Commercial: **0**

Total Fees Collected: **\$ 18,435.75**

2021-2022 Fiscal Year Totals:

New Construction - Residential: **12**

New Construction - Commercial: **0**

Total Fees Collected: **\$ 18,435.75** (9.2% of budget)

*Fiscal Year Budgeted: **\$200,000***



Town of Angier
Planning & Inspections Department
919-331-6702



Robert K. Smith
Mayor

Gerry Vincent
Town Manager

Subdivisions – Current Status:

Whetstone Phase II: Home Construction Underway

Kathryn's Retreat: Home Construction Underway, Phase 4 Nearing Recordation

Coble Farms West: Home Construction Underway, Phase 2 Nearing Recordation

Honeycutt Oaks PUD: Site Construction Underway

Lynn Ridge: Home Construction Underway, Phase 3 Nearing Recordation

Neill's Pointe: Home Construction Underway, Phases 4 & 5 Nearing Recordation

Highland Ridge: Site Construction Underway

Kennebec Crossing: Site Construction Underway

Spring Village PUD: Phase 1 Nearing Recordation

Tanglewood: Home Construction Underway

Cotswold PUD: Phase 1 Nearing Recordation

Camden Place PUD: Construction Drawings Under Review

White Oak Creek Crossing PUD: Construction Drawings Under Review

Myrtle Manor PUD: Construction Drawings Under Review

Sherri Downs: Construction Drawings Under Review

Easley Tract: Preliminary Plat Under Review

Vaughan Farms PUD: Special Use Permit Approved

Young-Rogers Tract: Preliminary Plat Under Review

Multifamily & Nonresidential Projects – Current Status:

Andrews Landing Townhomes (8316 S. NC 55 Hwy): Townhome Construction Underway

Code Enforcement Spreadsheet Attached

2022 Code Enforcement Report

All Active and Recently Closed Violation Files

File Number	Site Address	Property Owner	Nature of Violation	Date Opened	Date Closed	Current Status
21-077	333 N. Raleigh St. Ste. E	Daddy Bob's BBQ	Waste Container Screen	5/4/2021	Pending	progress Post set and framed(No Pickets) Pending Gate
21-129	950 N. Broad St	Miron Hicks / Linda Rogers	Min. Housing	6/28/2021	2/23/2022	CLOSED Invoice issued 2/28/22 (\$6,300) Lien filed 4/12/2022
21-163	101 Cindy Drive	Oak City Property Group LLC	Minimum Housing	8/18/2021	6/29/2022	CLOSED OWNER COMPLIANCE Permitted Repairs Complete
21-190	123 E Depot St	Curtis Perry	Unscreened Dumpster	10/6/2021	On Hold	(see case #20-3) Citation issued Total: \$2,500 (No Work)
21-196	922 N. Broad Street	Elmora McDonald	Min. Housing	10/18/2021	6/29/2022	CLOSED DEMO - Demo 6/28/2022 NC DUMPSTER
21-202	521 W. Church St.	Ted / Sue Honeycutt	Junk / Nuisance Vehicles	11/12/2021	1/18/2022	CLOSED OWNER COMPLIANCE Fees / Fines Paid \$327
21-204	225 Courtland Dr.	RICHARDS DONTÉ	Discarded Debris	11/17/2021	12/30/2021	CLOSED Citation 12/13/21 \$50(Paid)
21-206	121 Crestview Dr.	PAZMINO DE VARELA GLADYS H	Stormwater conveyance Debris	11/29/2021	1/18/2022	CLOSED Town Abatement - payment \$1,875 Paid In Full 2/4/2022
21-209	49 North Street	COREA-YANEZ LIZANDRO & YANEZ PAMELA	Open Storage Debris / Const.	12/6/2021	1/28/2022	NOV issued 12/6/2021 Inspection 2/9/22 @2pm
21-210	W CHURCH OFF ST NC(W. MCIVER	CHEEK DAVID & CHEEK GENEVA	Housing not permitted(Tent)/ Debris	12/6/2021	On Hold	NOV issued 12/7/2021(Pending Sale)
21-211	251 W CHURCH ST ANGIER, NC 275	READE MARY CHEEK & WALTER E CHEEK	Discarded Debris	12/7/2021	On Hold	NOV issued 12/7/2021 Pending Bid 12/30/21
21-213	141 S. Broad St.	Clarice Hayes	Open Storage	12/8/2021	4/6/2022	CLOSED ABATEMENT BY TOWN / Paid in full 6/7/22 - \$1691.81
21-214	408 E. Wimberly Rd.	Leafy West / Clarence West	Min. Housing	12/9/2021	On Hold	PERMIT APPROVED 6/27/2022 - 9/30/22 Deadline to repair (See FOF)
21-217	256 W. Lillington St.	Armando Uribe	Dilapidated Fence	12/16/2021	3/25/2022	CLOSED ABATEMENT - Pending payment \$975 Paid in full 5/23/22
21-220	44 Fox Hound Lane	Regina Shrieves	Vehicle Parking	12/17/2021	1/25/2022	CLOSED OWNER COMPLIANCE - VEHICLE REMOVED
21-221	65 Mary Circle	Giovanny Atrian / Laura Atrian (919)723-3350	Unpermitted Addition	12/21/2021	3/29/2022	CLOSED OWNER COMPLIANCE Citation Issued 2/2/22 (\$50)PAID
22-001	225 N. Willow St.	Ciro Lopez / Maria Reyes	Debris	1/5/2022	3/8/2022	CLOSED NOV issued 1/5/222 Citation Issued 2/2/2022 \$50
22-002	37 N. Park Street	William Hawley	Fence Enclosure / Stormwater	1/7/2022	2/1/2022	CLOSED OWNER COMPLIANCE - Final Notice / Citation 1/26/22
22-003	5711 Six Forks Rd. Raleigh NC	Capital City Home LLC	Stormwater/ Flooding Issue	1/7/2022	2/10/2022	CLOSED NOV issued 1st Class / Posting Onsite 1/7/22 Property landscape sod in place and drain
22-004	648 Circle Drive	Mary & Darren Darnell	Fence Exceeds 4' in front	1/20/2022	2/9/2022	CLOSED Spoke with owner 1/20/22 (Permit Issued 2/4/22)Fence 4'
22-005	511 N. Raleigh St.	Liberty Tax	Signs	1/28/2022	1/28/2022	CLOSED Onsite visit - NOV - Signs Removed by Code Enforcement
22-006	165 N Raleigh Street	Stuarts Towing	Junk Yard Screening		6/8/2022	CLOSED Citation Issued 1/25/22 / Paid \$50 2/22/22
22-007	511 N. Raleigh Street	Boost Mobile	Sign	1/24/2022	1/26/2022	CLOSED SIGN REMOVED On Site Visit 1/24/22
22-008	331 W. Depot St	Nissen Automotive	Junk Yard Screen		6/8/2022	CLOSED Citation Issued 2/3/22 / Fines Paid \$50 2/25/22
22-009	25 W. Dora St.	Larry Barnes	Open Storage / Debris	2/10/2022	3/28/2022	CLOSED DEMO COMPLETE
22-010	247 Lester Street	Enduring Star Properties LLC	Parking - Commercial Vehicle	1/28/2022	1/31/2022	CLOSED Vehicle Removed - 1/28/2022 Contact made with owner
22-011	256 W. Depot St.	Jonathan Fisher	Stormwater/ Flooding Issue	2/2/2022	2/12/2022	CLOSED Pending Contact 2/2/22
22-012	49 North St	COREA-YANEZ LIZANDRO & YANEZ PAMELA	Unpermitted Work / Pool Fence	2/2/2022	2/9/2022	CLOSED POOL REMOVED NOV 2/2/22
22-013	8259 NC 55 Hwy	Carolina Charter Academy	Banner	2/2/2022	2/4/2022	CLOSED Contact with Maria Mills, sign is moved out of right of way (45 days) 3/14/22
22-014	149 Logan St.	Crossfit Angier	Banner	2/2/2022	3/21/2022	CLOSED SIGN REMOVED Allowed 45 days Final Notice to remove issued 3/14/22
22-015	155 S Raleigh St.	Dawns Vintage and Thrift	Ground Sign	2/2/2022	2/3/2022	CLOSED NOV issued 2/2/2022
22-016	80 N. Broad St.	New Life Worship	Banner	2/2/2022	3/21/2022	CLOSED SIGN REMOVED Allowed 45 days Final notice to remove issued 3/14/22
22-017	441 N. Raleigh	Family Dollar	Banner	2/2/2022	2/3/2022	CLOSED NOV issued 2/2/22 On site visit- Spoke with manager
22-018	48 S. Dunn St.	Harry Arnette	Open Storage / Debris	2/4/2022	3/1/2022	CLOSED Citation issued 2/25/22 \$50 / 3/16/22 \$100 Final Notice 3/21/22 - Pending Abate
22-019	949 N. Raleigh St.	Santiago Martinez	Open Storage / Debris	2/9/2022	6/7/2022	CLOSED Citation issued 6/2/22 Total: \$350 Notice to abate issued 6/2/22 Pending Abatement
22-020	241 W. Williams St.	Trent Wilson	Accessory Structure	2/9/2022	2/22/2022	CLOSED NOV issued 2/9/22 Accessory Structure removed, pending cleanup 2/22/22
22-021	294 W. Williams	Santiago Martinez	Const. Debris	2/9/2022	3/22/2022	CLOSED OWNER COMPLIANCE
22-022	162 W. Williams St.	Lucas Strachan	Debris	2/9/2022	3/2/2022	CLOSED NOV issued 2/9/22
22-023	355 E. Smithfield	Rodney Smith	Debris	2/22/2022	3/9/2022	CLOSED NOV issued 2/23/22
22-024	800 N. Raleigh St.	Smart Properties	Sign	2/2/2022	2/12/2022	CLOSED SIGN REMOVED On Site Visit 2/2/22
22-025	8617 South NC 55 HWY	Sunny Skies	Sign	2/23/2022	2/28/2022	CLOSED NOV issued 2/23/22
22-026	8616 South NC 55 Hwy	Morris Coats / Stuart Matthews	Sign - Off Premise / Unpermitted	2/24/2022	3/4/2022	CLOSED Pending Notice 3/1/2022
22-027	9705 Bitter Melon Dr.	KDC Capital LLC	Discarded Debris	2/28/2022	3/15/2022	Pending Notice 3/1/2022
22-028	416 N. Raleigh St	Crech Properties Custom Smiles Dental Office Space	Unpermitted Bus - Office Space	3/1/2022	4/27/2022	CLOSED OWNER COMPLIANCE / Zoning application submitted 4/1/22
22-029	201 W. Lillington St.	Hugo Aranda	Debris	3/2/2022		Citation \$50 6/15/22 - Pending abatement
22-030	950 N. Broad St.	Miron Hicks / Linda Rogers	Dilapidated Access. Structure	3/4/2022	4/27/2022	CLOSED Abatement / Spencer for Hire \$825 Pending Lien
22-031	423 S. Broad St.	Peggy Mangum	Open Storage / Debris	3/4/2022	3/28/2022	CLOSED NOV issued 3/4/22
22-032	25 W. Dora	Larry Barnes	Min. Housing	3/8/2022	6/6/2022	CLOSED OWNER HAS REMOVED DWELLING
22-033	167 Shelly Dr.	Villas on 55 Apartments	Dumpster Screen	3/9/2022	3/18/2022	CLOSED On site visit (spoke with property manager) Dumpsters outside the screening
22-034	6802 Hwy 55 W	Jon Franklin Hunt	Hazardous Structure - Fire	3/9/2022	5/10/2022	CLOSED DEMO COMPLETE
22-035	509 Circle Dr.	Levencent Clark / April Clark	Fence Permit	3/10/2021	4/27/2022	CLOSED permit approved

22-036	433 S. Broad St	Jody Mangum	Debris - Open Storage	3/10/2022	5/24/2022	CLOSED /Citation issued 5/4/22 \$100 PAID
22-037	443 SI Broad St.	Mario Martinez / Maria Hermandez	Debris - Open Storage	3/10/2022	4/1/2022	CLOSED OWNER COMPLIANCE - citation issued 4/1/22 \$50 Fine Paid
22-038	318 S. Broad St.	Malsonado Castillo / Carmen Castillo	Debris - Open Storage	3/10/2022	5/13/2022	CLOSED OWNER COMPLIANCE NOV issued 3/11/22 Work in progress
22-039	35 S. Dunn	Kenneth James /	Open Storage / Debris	3/16/2022	3/29/2022	CLOSED OWNER COMPLIANCE
22-040	35 S. Dunn	Kenneth James /	Min. Housing	3/16/2022	On Hold	Pending Hearing 5/12/22 @10AM FOF 90 DAYS TO MAKE REPAIRS
22-041	49 S. Dunn	Don Herman / Marilyn Herman	Open Storage / Debris	3/16/2022	5/12/2022	CLOSED NOV issued 3/17/22 M.H Case 22-042
22-042	49 S. Dunn	Don Herman / Marilyn Herman	Min. Housing	3/16/2022	On Hold	Pending Hearing 5/17/22 @10AM / FOF - 90 DAYS TO MAKE REPAIRS
22-043	294 W. Williams	Santiago Martinez	Recreational Vehicle	3/16/2022	*	Citation Total \$550 - 7/12/22
22-044	162 W. Smithfield St.	Weeks Holdings LLC / Langley Gym	Dumpster Screen	3/18/2022	4/13/2022	4/8/22 - John Stout- Dumpster Removed
22-045	120 Blair St.	Russell Kathie Trust	Home Occupation / Parking	3/18/2022	4/13/2022	CLOSED NO EQUIPMENT ON SITE
22-046	457 Circle Drive	Jesus Suazo / Irene Suazo	Unpermitted Porch Addition	3/18/2022	On Hold	NOV issued 3/22 - Submitted permit application on 3/30/22
22-047	340 W. Church St.	Glenn Morrissey	Unpermitted Accessory Structure	3/21/2022	5/12/2022	CLOSED Permit approved
22-048	8321 South NC 55 HWY	Dollar General	Stormwater retention - Nuisance	3/22/2022	5/9/2022	CLOSED Retention Pond Cleaned - Spoke with Anthony Westmorland
22-049	112 S. Poplar Drive	Jaime Garcia	Discarded Debris	3/31/2022	7/11/2022	CLOSED OWNER COMPLIANCE PERMIT ISSUED 5/26/202
22-050	Wilma St	Kathrines Retreat HOA	Parking	4/1/2022	4/4/2022	CLOSED On Site visit, Vehicles removed
22-051	W. Church St	TILLEY BRUCE CO & TILLEY MARSHA CO	Large Tree Fallen	4/7/2022	5/23/2022	CLOSED OWNER COMPLIANCE
22-052	125 E. Lillington St.	Lucy Patrick	Unpermitted Accessory Structure	4/6/2022	4/18/2022	CLOSED Permit Issued NOV issued 4/8/22
22-053	922 N. Broad St	Elnora McDougald	High Grass	4/14/2022	5/26/2022	CLOSED TOWN ABATEMENT \$100 Pending Payment
22-054	W. Church St	MCMILLAN J F & % TOMMIE DAVIS	High Grass	4/18/2022	5/23/2022	CLOSED OWNER COMPLIANCE
22-055	39 Lynnridge Drive	SAMMISHETTY NAGARAJ	Fence Permit	4/23/2022	5/2/2022	CLOSED Permit issued 4/1/22
22-056	255 W. Depot St.	Mateo Morales	High Grass / Debris	4/21/2022	6/29/2022	CLOSED NOV issued 4/25/22
22-057	251 W. Church St	Mary Cheeck	Pool - No Screen	4/27/2022	5/9/2022	CLOSED POOL REMOVED BY OWNER
22-058	202 W. Church St.	Lawrence Properties LLC	High Grass / Debris	4/27/2022	5/13/2022	CLOSED - Min. Housing Case 22-075
22-059	67 S. Cross St.	Terry McDougald	High Grass	4/27/2022	5/26/2022	CLOSED TOWN ABATEMENT \$100 Pending Payment
22-060	261 W. Lillington	Hervey Holloway	High Grass	4/27/2022	5/26/2022	CLOSED TOWN ABATEMENT \$100 Pending Payment
22-061	38 E. Lillington	Grover Vaughan	High Grass	4/27/2022	5/26/2022	CLOSED TOWN ABATEMENT \$100 Pending Payment Paid in Full
22-062	492 N Dunn St.	Angel Goodson / Ivanna Allen	Hight Grass	4/25/2022	4/28/2022	CLOSED owner compliance
22-063	138 W. Church St.	Edgar Lee / Beverly Pigford	High Grass	4/28/2022	5/11/2022	CLOSED NOV issued 4/28/22
22-064	42 Junny Rd	Dylan Evan	High Grass	4/25/2022	5/16/2022	CLOSED OWENR COMPLIANCE
22-065	1449 N. Raleigh St.	Joseph G Collins	Sturcture - Partially Destroyed	4/29/2022	6/7/2022	CLOSED OWNER COMPLIANCE- REMOVED STRUCTURE
22-066	110 S. Johnson	NC NC NC	High Grass	5/3/2022	5/19/2022	CLOSED NOV issued 5/3/22
22-067	N RALEIGH -PIN - 0674-63-8873.000	LUIHN VANTEDGE PARTNERS LLC	High Grass	5/3/2022	6/14/2022	CLOSED Abatement Complete
22-068	693 N BROAD ST	TRI-ARC FOOD SYSTEMS INC	High Grass	5/3/2022	5/9/2022	CLOSED OWNER COMPLIANCE
22-069	9706 Kennebec Church	ALBERMARLE PROPERTIES LLC	High Grass	5/5/2022	5/16/2022	CLOSED OWNER COMPLIANCE
22-070	8616 S NC 55 Hwy	COATS, MORRIS W	High Grass	5/5/2022	5/16/2022	CLOSED OWNER COMPLIANCE
22-071	122 S. Pleasant St.	Leander Williams	Trash in right of way	5/10/2022	5/16/2022	CLOSED OWNER COMPLIANCE
22-072	216 N. Broad St.	Mark Medlin	Storage Container	5/11/2022	7/20/2022	CLOSED OWNER REMOVED TEMP. STORAGE Section 4.11.7.3
22-073	Logan Ct. / PIN - 0674-66-6553.000	Job Land LLC	High Grass	5/11/2022	5/26/2022	CLOSED OWNER COMPLIANCE NOV issued 5/11/22
22-074	408 Wimberly St	Leafy West	High Grass	5/16/2022	5/31/2022	CLOSED OWNER HAS CUT LOT - Email received 5/24/22
22-075	202 W. Church St.	Lawrence Properties LLC	High Grass / Debris	5/13/2022	6/9/2022	CLOSED Pending M.H. CASE# 22-087
22-076	191 W Church St.	Michael Lawrence	High Grass	5/13/2022	5/18/2022	CLOSED On Site Notice 5/13/22
22-077	58 S. Dunn	ARNETTE HARRY L	High Grass	5/18/2022	5/23/2022	CLOSED OWNER COMPLIANCE
22-078	167 South Broad	GREGORY W H & GREGORY BEULAH	High Grass	5/18/2022	6/13/2022	CLOSED OWNER COMPLIANCE Final NOV 6/3/22 - Citation \$50
22-079	151 S. Broad	NEELY REBECCA LYNN	High Grass	5/18/2022	6/6/2022	CLOSED OWNER COMPLIANCE
22-080	153 S. Broad	NEELY REBECCA LYNN	High Grass	5/18/2022	6/6/2022	Closed OWNER COMPLIANCE Final NOV 6/3/22
22-081	66 W. Williams	Sergio Cortez	Banner	5/19/2022	7/25/2022	CLOSED OWNER COMPLIANCE Citation \$50 - 7/13/2022 45 days (Sec. 10.5 Temp Sign)
22-082	188 Medical Dr.	Vision Worx	Change of Use	5/24/2022	6/13/2022	CLOSED Permit approved pending payment
22-083	256 Medical Dr.	Awning Works	Dumpster Screen	5/24/2022	6/13/2022	CLOSED SCREENING COMPLETE
22-084	101 Medical Dr	Wheeler Family Rentals LLC	High Grass	5/24/2022	6/1/2022	CLOSED OWNER COMPLIANCE NOV issued 5/25/2022
22-085	272 W. Church St.	A Square Property Solutions LLC	High Grass	5/26/2022	6/15/2022	CLOSED Grass Cut NOV issued 5/26/22
22-086	272 W Church St.	A Square Property Solutions LLC	Min. Housing	5/26/2022	On Hold	Hearing 7/7/22 @ 10am FOF ISSUED 7/15/22
22-087	202 W. Church St.	Lawrence Properties LLC	Min. Housing	5/26/2022	On Hold	(See Inspection Report) - Hearing Complete - FOF issued
22-088	Ord. 13.11 Storage Yard	Automotive Storage Business	Storage Yard Ordinance	5/24/2022	6/8/2022	CLOSED No Further Action Required - Authority of TOA Broad (Approved 6/7/2022)
22-089	559 N Raleigh St.	HUMABUILT CAPITAL LLC & DELL P DUNN LLC	Dumpster Screen	5/24/2022	*	Notice Issued 5/25/22 Citation 7/14/22 \$50
22-090	559 N. Raleigh St.	HUMABUILT CAPITAL LLC & DELL P DUNN LLC	Trash / Debris	5/24/2022	6/9/2022	CLOSED Notice Issued 5/25/22 In Process of cleaning
22-091	W. Dupree St.	HUMABUILT CAPITAL LLC & DELL P DUNN LLC	High Grass	5/24/2022	6/9/2022	CLOSED Notice Issued 5/25/22 In Process of Cutting
22-092	559 N Raleigh St.	HUMABUILT ANGIER PLAZA FUND LLC	Graffiti - Vandalism	5/24/2022	6/9/2022	CLOSED
22-093	101 Cindy Ct.	Oak City Properties LLC - Alex	Fence- No Permit	5/26/2022	6/3/2022	CLOSED PERMIT ISSUED Emailed Alex 5/26/22
22-094	183 W Depot	Brian Madden	Debris / Grass	6/1/2022	7/14/2022	CLOSED OWNER COMPLIANCE NOV issued 6/3/22
22-095	6488 NC 55 W	David Rios	Unpermitted work	6/2/2022		Work Stop Order issued 6/7/22 - Pending Blding Application Submitted 6/27/22
22-096	495 E. Williams St	Mary Lane	Accessory Structure - dilapidated	6/2/2022		Owner is making repairs 6/29/22
22-097	163 W. Lillington	Best Buddies LLC	Debris	6/2/2022	6/27/2022	CLOSED OWNER COMPLIANCE NOV issued 6/7/22
22-098	150 E. Lillington St.	Ball Rentals LLC	Min. Housing	6/7/2022	On Hold	FOF issued 7/7/2022 (90 days to comply) Demo 7/18/22
22-099	137 E. Lillington	Ball Rentals LLC	Min. Housing	6/7/2022	On Hold	FOF Issued 7/15/22- Pending Demo 7/21/22

22-100	10108 NC 210	Lola Hines	Dilapidated Structure	6/9/2022	6/22/2022	CLOSED OWNER COMPLIANCE Structure Demo - pending clean up
22-101	87 Crestview	CHILDERS TREY	Vehicles / Debris / Grass	6/9/2022	*	Notice 6/10/22 Citation \$50 - Pending abatement
22-102	45 Crestview	RICKS INVESTMENTS PROPERTIES LLC	Junk Vehicle	6/9/2022	6/17/2022	CLOSED Notice 6/10/22
22-103	7781 NC 210 N	RIVERA DANIEL A & RIVERA KATHIA L	Storage Yard	6/10/2022	7/6/2022	CLOSED Fence Permit issued / Complete
22-104	Crestview MHP Lot 26	HAR LAW REALTY CORP	Debris / Grass	6/24/2022		NOV 6/27/22
22-105	Crestview MHP Lot 59	HAR LAW REALTY CORP	Debris / Grass	6/24/2022		NOV 6/27/22
22-106	172 Clearfield Dr.	CARY JOHN R TIC & DAVIS KIMBERLY TIC	Debris/Grass	6/24/2022		NOV 6/27/22
22-107	34 S. Cross	DELUNA RICARDO & COLLAZO MARIA	Structure / Grass	6/27/2022	7/6/2022	CLOSED OWNER REMOVED STRUCTURE NOV
22-108	61 S. Broad St.	Black River Exchange	Waste Container Placement	6/28/2022		7/5/22 NOV issued Citation \$50 7/19/22
22-109	66 W. Williams	Business: Kandy and More	Dumpster Screen	7/5/2022	7/12/2022	Closed Owner Compliance NOV issued 7/5/22
22-110	31 Brooklyn Cir.	Trica Meyers	Junk Vehicle	7/8/2022		NOV issued 7/11/22
22-111	71 Blair Dr.	Benjamin Chilson	Temp. Storage	7/8/2022		NOV issued 7/11/22
22-112	110 N. Dunn	Christina Hodge	Min. Housing	7/11/2022		Inspection 2nd request 8/1/22 @10am
22-113	324 S RALEIGH ST	EICHHORN PROPERTIES LLC	High Grass	7/12/2022	7/25/2022	CLOSED OWNER COMPLIANCE NOV issued 7/12/22
22-114	288 Whetstone	MCH SFR NC OWNER 2 LP	High Grass	7/14/2022		Notice 7/14/22
22-115	10183 NC 210 N	HARTE AND LE ENTERPRISES LLC	Junk Vehicles	7/15/2022		NOV issued 7/20/22
22-116	Headquarters Beer House	511 N. Raleigh Street Unit B	Sign - Unpermitted	7/20/2022		NOV issued 7/20/22
22-117	PNB Home LLC	43 Nordan St	High Grass	7/27/2022		Pending
22-118	WYNDRIDGE PROPERTIES LLC	75 N. Park St	High Grass	7/27/2022		NOV 7/21/22
22-119	273 N. Hickory	WALTON PAMELA G	Debris	7/25/2022		Pending
22-10	20 FOX FIELD DR	THE RYALS GROUP INC	High Grass	7/25/2022		Pending

POLICE DEPARTMENT



Angier Police Department

P.O. Box 278, 55 North Broad Street West
Angier, North Carolina 27501
Office (919) 639-2699

Chief of Police
Garland L. Thompson, Jr.
gthompson@angier.org

Date July 27, 2022
To Town Manager Gerry Vincent
From Garland L. Thompson, Jr

Subject Matter: July, 2022 Police Activities & Statistical Data

ABC Monthly Report is included in Board Packets

****Police activities for the month of July, consisted of 2,748 calls for Service/Officer initiated activities (call logs). Officers investigated 28 offenses. During these investigations; 12 individuals were arrested on a total of 15 charges, 5 arrests were made due to outstanding warrants (warrant service), 2,324 Subdivision / Security checks were logged for the month of July, 23 traffic accident reports were created this month, 49 traffic citations were issued totaling 66 charges and 60 verbal or written warnings.**

- We held Active Shooter Training at Angier Elementary School and invited all Harnett County Law Enforcement to participate. Members of the Harnett County School Board attended the training.
- We were awarded two light towers from Camp Lejeune, to be used for special events throughout the town, to help public works and to be used during check points held by the Police Department, as well as utilized for search and rescue and during inclement weather.
- We hosted the Harnett County Chief's luncheon on the 19th. where we discussed the importance of being prepared for active shooter events.
- The proposed revised Town Ordinances was reviewed and discussed with the outcome pending commissioner approval and vote.

Thank you,
Chief of Police
Garland L. Thompson, Jr.
gthompson@angier.org

State of North Carolina
Alcoholic Beverage Control Commission
ABC Law Enforcement Monthly Report
GS 18B-501(f1)



Board:

Angier Town

Reporting Month / Year:

Jul-22

Regulatory Activity and Training	
Violations Reports Submitted to ABC Commission	0
Total Number of Offenses Contained in Reports	0
Sell to Underage Campaign Checks	0
Permittee Inspections	0
Compliance Checks	0
Seller / Server Training	0
Alcohol Education	0

ABC Law Violations	At Permitted Establishment	Away From Permitted Establishment
Sell / Give to Underage		0
Attempt to Purchase / Purchase by Underage		0
Underage Possession		1
Unauthorized Possession		0
Sell / Give to Intoxicated		0
All Other Alcohol Related Charges		1
Total:		2

Controlled Substance Violations	At Permitted Establishment	Away From Permitted Establishment
Felony Drug Related Charges		2
Misdemeanor Drug Related Charges		2
Total:		4

Other Offenses	At Permitted Establishment	Away From Permitted Establishment
Driving While Impaired		1
All Other Criminal Charges		19
Total:		20

TOTAL CRIMINAL CHARGES:	26
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Agencies Assisted

Assistance Provided to Other Agencies	0
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Remarks

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Reporting Officer / Title:

G.Thompson / Chief

Report Date:

7/27/2022

Call Log Call Type Summary

Angier Police Department

06/29/2022 - 07/27/2022

<No Call Type Specified>	3	911 Hang Up - 911 Hang Up	9
Alarm Activation - Alarm Activation	29	Animal Complaint - Animal Complaint	2
Assault - Assault	4	Assist EMS - Assist EMS	6
Assist Fire - Assist Fire Department	1	Assist Motorist - Assist Motorist	7
Assist Other Agency - Assist Other Agency - Law Enforcement	5	Business Walk Thru - Business Walk Thru	93
Careless and Reckless Vehicle - Careless and Reckless Vehiclle	5	Citizen Complaint - Citizen Complaint	1
Communicate Threats - Communicate Threats	3	Crash - Traffic Accident	23
Direct Traffic - Direct Traffic	1	Disturbance - Disturbance	16
DOA - Dead On Arrival	1	Domestic Dispute - Domestic Dispute	3
Drug Activity - Drug Activity	3	DWI - Driving While Impaired	1
Escort - Escort	6	Fire - Fire	1
Follow Up - Follow Up	2	Foot Patrol - Foot Patrol	1
Fraud - Fraud	2	H&R - Hit and Run	1
Harrassing Phone Calls - Harrassing Phone Calls	1	Larceny - Larceny	7
Lost Property - Lost Property	1	Mental Subject - Mental Subject	7
Missing Juvenile - Missing Juvenile	1	Noise Complaint - Noise Complaint	4
OD - Drug/Alcohol Overdose	3	Other Call - Other Call Not Listed	4
Property Damage - Property Damage	2	Runaway Juvenile - Runaway Juvenile	2
Security Check - Security Check	1,378	Stand-By - Stand-By	2
Subdivision Check - Subdivision Check	946	Suspicious Activity - Suspicious Activity	12
Suspicious Person - Suspicious Person	1	Suspicious Vehicle - Suspicious Vehicle	6
Traffic Stop - Traffic Stop	109	Trespassing - Trespassing	8
TWO - Talk With Officer	17	Warrant Service - Warrant Service	5
Welfare Check - Welfare Check	3		

Total Number Of Calls: 2,748