



Minutes of the Roanoke Rapids City Council

A regular meeting of the City Council of the City of Roanoke Rapids was held on **Tuesday, October 17, 2023, at 5:30 p.m.** in the Council Chambers at the Lloyd Andrews City Meeting Hall.

- Present:** Emery G. Doughtie, Mayor
 Carl Ferebee, Mayor Pro Tem
 Sandra W. Bryant) **Council Members**
 Wayne Smith)
 Rex Stainback)
 Curtis Strickland)
- Kelly Traynham, City Manager
 Geoffrey Davis, City Attorney
 Traci Storey, City Clerk
 Carmen Johnson, Finance Director
 Shane Guyant, Police Chief
 Christina Caudle, Human Resources Director
 John Simeon, Parks & Recreation Director
 Jason Patrick, Fire Chief
 Larry Chalker, Public Works Director

Absent: Tony Hall, Main Street Development Director

Mayor Doughtie called the meeting to order. He provided an invocation and then the Pledge of Allegiance was recited.

Adoption of Business Agenda

Mayor Doughtie asked Council members if there were any known conflicts of interest with respect to the matters before them this evening. There being no conflicts, motion was made by Mayor Pro Tem Ferebee, seconded by Councilman Smith, and unanimously carried to adopt the agenda as presented.

Installation of Newly Appointed Council Member

Installation of Newly Appointed Council Member Curtis Strickland

Judge W. Rob Lewis, II administered the Oath of Office to Curtis Strickland who will serve the remainder of Tommy Daughtry’s term which ends November 2025.

Approval of City Council Minutes

Motion was made by Councilwoman Bryant, seconded by Mayor Pro Tem Ferebee, and unanimously carried to approve the October 3, 2023 Regular City Council Meeting minutes as drafted.

Committee Appointments

Canal Museum Advisory Committee

City Clerk Storey reported the term for Steven Green on the Canal Museum Advisory Committee has expired. Mr. Green was interested in serving another term and has submitted a volunteer application for your review and consideration.

She said there was also a vacancy for a city resident. Mr. Charles Carter is interested in serving and has submitted a volunteer application which was enclosed in their agenda packet.

She announced City Council took a ballot earlier and both Mr. Green and Mr. Carter received a unanimous vote.

Motion was made by Mayor Pro Tem Ferebee, seconded by Councilman Smith and unanimously carried to reappoint Steven Green and appoint Charles Carter to the Canal Museum Advisory Committee.

Halifax-Northampton Regional Airport Authority

City Clerk Storey reported in April, Dr. Patrena Elliott was appointed to the Halifax-Northampton Regional Airport Authority to fill the remainder of Calvin Potter's term which expires January 31, 2024. Dr. Elliott would like to continue serving on the board and asked to be considered for reappointment.

Motion was made by Councilwoman Bryant, seconded by Councilman Stainback and unanimously carried to reappoint Dr. Patrena Elliott to the Halifax-Northampton Regional Airport Authority.

New Business

GASB Statement No. 96 Materiality Threshold

Finance Director Johnson stated the Governmental Standards Board issued Statement No. 96. Under this statement a government should recognize the use of an IT subscription as an asset and a liability. She explained that under this statement a

materiality threshold needs to be accepted per a resolution by City Council. She and the auditor have agreed that \$50,000 is a reasonable threshold with respect to compliance with GASB Statement No. 96 as that figure represents less than 1% of the current value of such contracts.

She presented the following resolution for their consideration and adoption.

Resolution No.: 2023.15
**Resolution To Establish Materiality Threshold for Recognition Of
Subscription-Based Information Technology Arrangements (“SBITAs”)
Under GASB Statement No. 96**

WHEREAS, General Accounting Standards Board (“GASB”) Statement No. 96 provides guidance on the accounting and financial reporting for subscription-based information technology arrangements (“SBITAs”); and

WHEREAS, a SBITA is defined as a contract that conveys control of the right to use another party’s information technology (IT) software, alone or in combination with a tangible capital asset, as specified in the contract for a defined period of time (a “subscription term”); and

WHEREAS, under GASB Statement No. 96, a government entity generally should recognize a right-to-use subscription *asset*, and a corresponding subscription *liability*; and

WHEREAS, for certain IT subscriptions, either the initial price or present value of future subscription payments will be immaterial to the total value of the City’s SBITA assets and liabilities; and

WHEREAS, after review of the IT subscription contracts currently in place, city staff believes that a materiality threshold of \$50,000.00 is reasonable with respect to compliance with GASB Statement No. 96, as that figure represents less than 1% of the current value of such contracts, and therefore recommends that the City Council adopt that materiality threshold for GASB Statement No. 96 accounting purposes.

NOW, THEREFORE, the City of Roanoke Rapids’ City Council does hereby adopt \$50,000.00 as the materiality threshold for subscription-based information technology arrangements (SBITAs) when determining whether to recognize such subscriptions as assets and the cost related to same as liabilities in compliance with GASB Statement No. 96. The Council reserves the right to adjust this materiality threshold from time to time as may be needed or recommended for audit purposes.

ADOPTED this 17th day of October, 2023.

Emery G. Doughtie, Mayor

Attest:

Traci V. Storey, City Clerk

Councilman Smith asked Finance Director Johnson to please explain what this is. She explained when the City has an IT subscription, for example, OpenGov the City must include it on their financial audit report as an asset and a liability. As the value of the subscription comes down, those figures come down. They set the threshold at \$50,000 based on fixed assets and certain other perimeters. She noted that OpenGov is the only one that qualifies right now.

Motion was made by Councilman Smith, seconded by Mayor Pro Tem Ferebee and unanimously carried to adopt Resolution No. 2023.15 accepting the materiality threshold of \$50,000 under GASB Statement No. 96.

Amendment to the Fiscal Year 2023-2024 Fee Schedule

Finance Director Johnson said they are seeing a need to add notary fees to the City's Fee Schedule based on the demand. She presented the following ordinance to amend the fee schedule of the FY2023-2024 budget ordinance.

ORDINANCE NO. 2023.14

AMENDMENT TO FY 2023-2024 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROANOKE RAPIDS:

SECTION 1. That Section 5 "Fee Schedule" of the FY 2023-2024 Budget Ordinance be amended to add the following fees under:

General Government

Notary Fees

\$10.00 per signature for Acknowledgments
\$10.00 per individual taking Oath or Affirmation

SECTION 2. This Ordinance shall become effective upon adoption.

Emery G. Doughtie, Mayor

Councilman Smith asked if the City currently charges a fee for notary services. Finance Director replied yes. He asked what do they charge now. She said the same as what is outlined in the proposed ordinance amendment. It is \$10 per signature for acknowledgements and \$10 per individual taking oath or affirmation. That is per NC general statute.

Councilman Smith asked if the City pays for the notary for these people. Finance Director Johnson replied yes.

Councilman Smith asked if the City pay for the notary then why do they charge the citizens. City Manager Traynham stated there are things that a notary is required for internal City business. One thing that comes up very often is people will come in with vehicle titles or a living will to be notarized. It does take staff away from what they are currently doing to review and notarize documents. The availability of the service is there but charging the fee is allowed by general statutes and they want the fee to match up to it. This is really for activities that are outside of the regular work employees are doing on a daily basis.

Councilman Smith asked how often do they do this. City Manager Traynham said it may be once a week, but it comes and goes. He hates to keep putting fees on the citizens. In his opinion, he does not think they should start charging citizens for a notary fee when the City pays for the notary, but it's up to Council.

Mayor Pro Tem Ferebee asked if there are fees for notaries outside of the City and did they know how much that is. Finance Director Johnson replied yes, they can go to a law office, but they are going to charge what the general statute says to charge. If they did not charge, they may have a lot more people coming in. Mayor Pro Tem Ferebee said he would not have a problem charging what everyone else is charging; he would not want the City to charge more. He stated he did not totally disagree with Councilman Smith.

Finance Director Johnson said they may get more traffic coming into City Hall if they do not charge.

Mayor Doughtie said when someone needs a notary, they usually need one pretty bad. City Hall is open except on holidays and he understands there are several notaries in the office so there is a good chance they could get an important document(s) notarized. He did not think most people would mind paying \$10.

Motion was made by Councilman Smith, seconded by Councilman Stainback and unanimously carried to adopt Ordinance No. 2023.14 to amend Section 5 – Fee Schedule of the fiscal year 2023-2024 budget ordinance.

Amendments to the Roanoke Rapids Code of Ordinances (Chapters 70, 71, 72, 91, 94, 95, 96, 97, 117, 130, 131, & 132)

Police Chief Guyant stated in conversations with the City Attorney and the City Manager, it was decided that the police department would consider, with the Council's

approval, moving toward a civil remedy instead of a criminal one with regard to city ordinance violations. According to NCGS 160A-175, cities, such as Roanoke Rapids, have a range of methods available to enforce their ordinances. One method is by criminal (or infraction) enforcement, with the punishment usually being payment of a fine (or, in the case of an infraction, a penalty). This has been the course of action prescribed by the city for some time. There are issues with the criminal enforcement of ordinance violations. If the violator is charged with an ordinance infraction and they do not pay the fine in a prescribed amount of time the police department will refer the matter to the Halifax County Clerk of Court. The Clerk then assigns this infraction to the criminal docket and thereby the person charged now has a criminal mark on their record. The officer who has charged the person with the ordinance infraction may have to appear in court to testify since it is now considered a criminal court matter.

He said unfortunately with the changes the district attorney put in place has limited them from doing this criminal ordinance moving forward. If someone gets an ordinance violation in the city at the present time, they cannot send it to the Clerk of Court anymore, so it sits there. They do not have any remedy for getting anything back from the violator for what they have done.

He said he would like to discuss NCGS 160A-175, there are two options. The first is the criminal and the second is dealing with civil. A civil enforcement through an action in the nature of debt, with the punishment being payment of a penalty. This governing body has the option of not deciding to pursue the criminal option. However, instead they can decide to go forward with this proposed ordinance to change the City's ordinance violations over to a civil remedy rather than a criminal remedy.

Chief Guyant said they will discuss two items. The first is the modifications to the City's Code of Ordinances (*See Ordinance No. 2023.15*). Attached is a document that shows the specific charges that have been modified and codified to indicate a civil remedy and subsequent fine. This document removes ordinance-related items that have a specific NC General Statute whereby the person can be charged on a citation versus being written an ordinance citation. An example is speeding. Speeding has a specific general statute NCGS 20-141. There is no need to have an ordinance statute when this is covered already under NC state law. Littering would be another example. He stated speeding in alleyways is not covered under NC general statute so it would still be covered under city ordinance.

He noted the ordinance document presented is color coded. If it is in black, there are no changes. If it is in red and strikethroughs, it means there were omissions. If it is in blue, it is the new language.

He reviewed the ordinance changes with City Council.

Chief Guyant stated the purpose of this is to not be punitive on individuals and it also takes away a little discretion the officers may have. He said they will notice it cites back to 70.99 Penalties which sets the fine and whether it is a criminal or civil matter. The purpose of going to a civil process versus a criminal process is to prevent people from having a criminal record. The purpose of changing all these pages is these were the ordinances that were germane to the criminal part. Making these changes if City Council decides to move forward with it, is to move from criminal to a civil remedy. They are trying to enforce the law, stop the behavior and trying not to be punitive on citizens.

Attorney Davis reminded City Council that about a year ago he gave a presentation to them that they needed to consider some amendments to the City's ordinances as far as enforcement because there had been some changes in the law and some difficulties from a procedural aspect. He had suggested they could institute a civil process that would take the courts out of it altogether. He informed City Council that each one of these amendments is something he has put his hands on and said this was the change that is required. He appreciates Chief Guyant and the police department organizing the changes and additions.

He gave an example of speeding and getting city ordinance violations in the past where you could just pay the fine. The situation on how the City could collect and enforce that has evolved over the years from a constitutional perspective. He believes the smartest thing the state of NC ever did is all fines collected by the courts have to go to the local school boards; that is a constitutional provision. When a city ordinance proceeding or any other proceeding goes through the court system, and a fine is collected, that fine goes to the school boards. There was some litigation about that a couple of years ago. That's where local governments started transitioning to this system. They transitioned away from citing and issuing a criminal summons and taking someone to court. That is the reason why DA's offices have gotten uncomfortable about enforcing them.

Attorney Davis stated what they want to do is to not have those issues, to not have the courts involved, and to give a meaningful way to encourage individuals to comply with these City ordinances. He added a city can never look at city ordinances as a revenue generation scheme. The reason these penalties exist is to encourage compliance. Part of the reason to cut out some of these things that the legislature has already criminalized completely is to give clarity to law enforcement officers. He called attention to the proposed revised form located in their packet. It omits those offenses they would lawfully be able to charge. He also noted in Section 13, the last line where

is says this ordinance shall become effective upon adoption should say, “this ordinance should become effective January 1, 2024.” He asked City Council to state that date in their motion.

Chief Guyant said if City Council approves this ordinance, they have some procedural things they have to do to make these changes so it will take some time to them.

Attorney Davis said there was a change in the ordinance that is not specific to criminal citations. It deals with a long-standing disagreement with respect to the City’s nuisance abatement proceedings or grass cutting liens and the dignity assigned to them in a foreclosure proceeding. Basically, it is not changing anything, it is maybe the language a little clearer. They want to make sure from a legal standpoint that the City’s liens are of the same dignity as a tax lien.

Mayor Pro Tem Ferebee stated he was in favor of an ordinance versus a criminal ticket, at the same time, he would like to make sure they were consistent with how it is done. He did not like some of the things on the proposed ordinance violation form.

Chief Guyant said there was still a notion of officers being able to give warnings. All these ordinances are tools in their tool bag if they have to cite someone. The purpose of this is they are trying to garner people to obey the law.

Councilman Smith confirmed that it would be a state citation instead of a city ordinance so it will go on their insurance; if they gave them a civil city ordinance it would not go on their insurance. Chief Guyant replied that was correct. Attorney Davis added his position is they do not have the discretion because it is preempted at this point because of changes in the law. From a legal standpoint, an officer cannot decide to give a city ordinance for speeding violation instead of charging them with the state citation.

Motion was made by Councilman Stainback, seconded by Mayor Pro Tem Ferebee and unanimously carried to adopted Ordinance No. 2023.15 amending the Roanoke Rapids Code of Ordinances effective January 1, 2024.

ORDINANCE NO. 2023.15

AN ORDINANCE TO AMEND CHAPTERS 70, 71, 72, 91, 94, 95, 96, 97, 117, 130, 131 AND 132 OF THE CITY OF ROANOKE RAPIDS CODE OF ORDINANCES.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROANOKE RAPIDS, NORTH CAROLINA, that:

SECTION 1. Chapter 70 "General Provisions" be amended as follows:

TITLE VII: TRAFFIC CODE

CHAPTER 70. GENERAL PROVISIONS

General Provisions

- 70.01 Definitions
- 70.02 Official traffic maps
- ~~70.03 —Obedience to police required~~
- 70.04 Authority of police in emergencies
- 70.05 Application of regulations to public employees
- 70.06 Exemptions for authorized emergency vehicles
- 70.07 Application to persons propelling pushcarts or riding bicycles or animals

Traffic-Control Devices

- ~~70.20—Obedience required; when signs required for enforcement~~
- 70.21 No-parking zone and safety zone markers
- 70.22 Interference with official traffic-control devices
- ~~70.99—Penalty~~ Penalties

GENERAL PROVISIONS

§ 70.01 DEFINITIONS.

Words and phrases used in this traffic code shall have the meanings respectively ascribed to them by G.S. Ch. 20.

(1997 Code, § 70.01)

§ 70.02 OFFICIAL TRAFFIC MAPS.

(A) There shall be kept on file, in the office of the City Clerk, official traffic maps on which shall be shown:

- (1) The location of traffic-control devices;
- (2) The location of areas or zones where certain regulations are applicable to the parking of vehicles;
- (3) The location of stop intersections;
- (4) The location of yield intersections;
- (5) The location of one-way streets;
- (6) The location of loading areas, bus stops and taxicab stands;
- (7) Speed limits applicable to certain streets;
- (8) The location of streets where certain regulations are applicable to trucks, such as weight limits for operation on the city streets;
- (9) The location of intersections at which "U-turns" are allowed; and
- (10) The location of intersections at which right turns are prohibited at a red light.

(B) The official traffic maps of the city shall constitute the official codification of the city's ordinances relative to those areas of traffic regulations set forth in division (A) above.

(1997 Code, § 70.02)

~~§ 70.03 OBEDIANCE TO POLICE REQUIRED~~

~~————— No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer.~~

~~(1997 Code, § 70.03) Penalty, see § 70.99~~

§ 70.04 AUTHORITY OF POLICE IN EMERGENCIES.

In the event of fire or other emergency, or when necessary to expedite traffic or safeguard pedestrians, police officers may direct traffic as conditions may require, notwithstanding the provisions of this title.

(1997 Code, § 70.04)

§ 70.05 APPLICATION OF REGULATIONS TO PUBLIC EMPLOYEES.

The provisions of this title shall apply to the driver of any vehicle owned by or used in the service of the United States government, this state, county or city. It shall be unlawful for any such driver to violate any of the provisions of this title, except as otherwise permitted in this title or by state law.

(1997 Code, § 70.05) Penalty, see § 70.99

§ 70.06 EXEMPTIONS FOR AUTHORIZED EMERGENCY VEHICLES.

The provisions of this title regulating the operation, parking and standing of vehicles shall apply to authorized emergency vehicles, as defined in G.S. §§ 20-145 and 20-146, except as follows:

- (A) Unless otherwise directed by a police officer, a driver, when operating such vehicle in any emergency, may:
 - (1) Park or stand, notwithstanding the provisions of this title;
 - (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 - (3) Exceed the prima facie speed limits, so long as he or she does not endanger life or property; and
 - (4) Disregard regulations governing direction of movement or turning in specified directions, so long as he or she does not endanger life or property.

(B) The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequence of his or her reckless disregard for the safety of others.

(1997 Code, § 70.06)

§ 70.07 APPLICATION TO PERSONS PROPELLING PUSHCARTS OR RIDING BICYCLES OR ANIMALS.

Every person propelling any pushcart or riding a bicycle or an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this title applicable to the driver of any vehicle, except those provisions of this title which, by their very nature, can have no application.

(1997 Code, § 70.07)

TRAFFIC CONTROL DEVICES

~~§ 70.20 OBEDIENCE REQUIRED; WHEN SIGNS REQUIRED FOR ENFORCEMENT.~~

~~(A) The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the traffic ordinances of the city, unless otherwise directed by a police officer.~~

~~(B) No provision of this title which provides for signs shall be enforced against an alleged violator if, at the time and place of the alleged violation, such official sign is not in proper position or is insufficiently legible to an ordinarily observant person. Whenever a particular section does not stipulate signs, such section shall be effective without signs being placed to give notice thereof. (1997 Code, § 70.20) Penalty, § 70.99~~

§ 70.21 NO-PARKING ZONE AND SAFETY ZONE MARKERS.

Whenever authorized signs or markings are placed, erected or installed indicating no-parking zones or safety zones, no driver of a vehicle shall disobey the regulations in connection therewith. (1997 Code, § 70.21) Penalty, see § 70.99

§ 70.22 INTERFERENCE WITH OFFICIAL TRAFFIC-CONTROL DEVICES.

It shall be unlawful for any person to remove, deface, molest, change the position of, alter or destroy any street or highway marker or traffic sign of any kind within the corporate limits of the city.

(1997 Code, § 70.22) Penalty, see § 70.99

§ 70.99 ~~PENALTY~~ PENALTIES.

- (A)
- (1) Pursuant to G.S. § 160A-175(c), a violation of any provision of this Traffic Code shall subject the offender to a civil penalty to be recovered by the city in a civil action in the nature of debt if the offender does not pay the civil penalty within ~~five~~ thirty days from the date of issuance of the citation for violation of the Traffic Code ordinance.
 - (2) Any Law Enforcement Officer may issue a citation for the violations listed in this chapter. This shall not preclude or limit in any way any law enforcement officer from exercising any authority, or otherwise carrying out any of their duties as a law enforcement officer.
 - (3) Each person receiving a citation may, within thirty days of the time when issued the citation, submit to the violation and pay to the Police Department the applicable penalty listed in (B) for that violation. Said payment will be in full satisfaction for the violation, but will not preclude or limit in any way any law enforcement officer from issuing future citations for future violations.

(B) ~~The following is a list of civil penalties for selected violations of the Traffic Code:~~

- ~~(1) Civil penalty, \$40: use of parking lots (§ 72.13);~~
- ~~— (2) Civil penalty, \$50:~~
- ~~— (a) Speeding (§ 71.01);~~
- ~~— (b) Failure to obey traffic control device: (§ 70.20));~~
- ~~— (c) Muffler violation: (§ 71.07);~~
- ~~— (d) Signals on starting, stopping or turning: (§ 71.08)~~
- ~~— (e) Too close to corner (§ 70.21);~~
- ~~— (f) Blocking marked driveway: (§ 70.21);~~
- ~~— (g) No parking zone (§ 70.21);~~
- ~~— (h) Twelve inches from curb (§ 72.03(A));~~
- ~~— (i) Left side of curb (§ 72.03(C));~~
- ~~— (j) Outside lines (§ 72.03(D)); and~~
- ~~— (k) Two hour parking (§ 72.25);~~
- ~~(3) Civil penalty, \$150:~~
- ~~— (a) Obstruct passage (§ 72.04);~~
- ~~— (b) Stop, stand or park in prohibited areas (§ 72.05);~~
- ~~— (c) Parking/standing prohibited for certain purposes (§ 72.06);~~
- ~~— (d) Parking truck/tractor in residential area (§ 72.12);~~
- ~~— (e) Fire hydrant (§ 70.21);~~
- ~~— (f) Truck lane (§ 71.06);~~
- ~~— (g) One hour parking limit: (§ 72.09); and~~
- ~~— (h) Fire lane (§ 94.18).~~

(B) The following is a list of selected violations of the Traffic Code for which the civil penalty is \$50.00.

- a) Parking Too Close to Corner (§70.21)
- b) Blocking a Marked Driveway (§70.21)
- c) Parking in a No Parking Zone (§70.21)
- d) Speeding in Alleys (§ 71.01)
- e) Vehicles not to block intersections or crosswalks (§71.02)
- f) Limitations on turning around (§71.03)
- g) Use of truck lanes by vehicles over seven tons (§71.06)
- h) Boarding and alighting from vehicles (§71.20)
- i) Riding upon vehicles not designated for passenger use (§71.21)
- j) Entering, jumping on or riding vehicles without permission (§71.22)
- k) Driving through funeral processions prohibited (§§71.23)
- l) Clinging to moving vehicles (§71.24)
- m) Use of coasters, roller skates, skateboards and the like (§71.25)
- n) Duty to stay inside moving vehicles; hanging onto vehicles (§71.26)
- o) Limitation on number of persons in front seat (§71.27)
- p) Parking more than twelve inches from curb (§ 72.03(A))
- q) Parking backed to curb (§ 72.03(B))
- r) Parking on the left side of curb (§ 72.03(C)) Parking outside lines (§ 72.03(D))
- s) Stopping, Standing, or Parking in Prohibited Areas (§ 72.05)
- t) Standing or Parking Prohibited for Certain Purposes (§72.06)
- u) Standing or parking for primary purposes of advertising (§72.07)
- v) Moving vehicles owned by other operators into restricted areas (§72.08)
- w) Parking of certain vehicles limited to one hour (§72.09)
- x) Parking in designated places prohibited at all times; enforcement (§72.10)
- y) Moving cars from parked positions (§72.11)
- z) Parking of certain trucks in residential areas (§72.12)
- aa) Violation of two-hour parking regulations (§ 72.40)
- bb) Operation of a bicycle on a sidewalk or walkway (§73.01)
- cc) Failure to use handlebars on a bicycle or motorcycle (§73.02)
- dd) Bicycle lighting violation (§73.03)

SECTION 2. Chapter 71 "Traffic Rules" be amended to read as follows:

CHAPTER 71. TRAFFIC RULES

Operation of Vehicles Generally

- 71.01 ~~Speed limits~~ Speeding in Alleys
- 71.02 Vehicles not to block intersections or crosswalks
- 71.03 Limitations on turning around
- 71.04 ~~Limitations on backing~~
- 71.05 ~~No turn signs and turning markers~~
- 71.06 Use of truck lanes by vehicles over seven tons
- 71.07 ~~Prevention of noise, smoke and the like; muffler cut-outs regulated~~
- 71.08 ~~Signals on starting, stopping or turning~~

Prohibited Acts

- 71.20 Boarding and alighting from vehicles

71.21 Riding upon vehicles not designated for passenger use

71.22 Entering, jumping on or riding vehicles without permission

~~71.23 Driving through funeral processions prohibited~~

71.24 Clinging to moving vehicles

71.25 Use of coasters, roller skates, skateboards and the like

71.26 Duty to stay inside moving vehicles; hanging onto vehicles

71.27 Limitation on number of persons in front seat

71.28 Establishment of disabled parking spaces on private property devoted to public use OPERATION OF

VEHICLES GENERALLY

§ 71.01 ~~SPEED LIMITS~~-SPEEDING IN ALLEYS.

~~(A) It shall be unlawful for any person to operate a motor vehicle on any street, which is not part of the state highway system and which is not maintained by the State Department of Transportation, in the city at a speed greater than 25 mph, unless otherwise posted.~~

~~(B)~~ It shall be unlawful for any person to operate a motor vehicle on any alley in the city at a greater rate of speed than ten mph.

(1997 Code, § 71.01) Penalty, see § 70.99

§ 71.02 VEHICLES NOT TO BLOCK INTERSECTIONS OR CROSSWALKS.

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

(1997 Code, § 71.02) Penalty, see § 70.99

§ 71.03 LIMITATIONS ON TURNING AROUND.

No driver shall turn any vehicle so as to proceed in the opposite direction where a traffic signal is displayed or in the business district.

(1997 Code, § 71.03) Penalty, see § 70.99

~~§ 71.04 LIMITATIONS ON BACKING.~~

~~The driver of a vehicle shall not back the same into any intersection or over a crosswalk and shall not, in any event or at any place, back a vehicle unless such movement can be made in safety and unless he shall have given ample warning to those who may be behind, by hand or other signal.~~

~~(1997 Code, § 71.04) Penalty, see § 70.99~~

~~§ 71.05 NO TURN SIGNS AND TURNING MARKERS.~~

~~Whenever authorized signs are placed, erected or installed indicating that no right or left or U- turn is permitted, no driver of a vehicle shall disobey the directions of any such sign, and when authorized markers, buttons or other indications are placed within an intersection indicating the course to be traveled by vehicles traversing or turning thereat, no driver of a vehicle shall disobey the direction of such indications.~~

~~(1997 Code, § 71.05) Penalty, see § 70.99~~

§ 71.06 USE OF TRUCK LANES BY VEHICLES OVER SEVEN TONS.

(A) It shall be unlawful for any person to operate or cause to be operated a vehicle of any kind having a gross weight in excess of seven tons upon, over or across any street or alley in the city unless such street or alley is designated as a "truck lane."

(B) In the event it is impossible for a vehicle having a gross weight in excess of seven tons to reach its destination within the city by a "truck lane," the operator of such vehicle shall obtain permission from the Chief of Police of the city before operating such vehicle upon, over or across any street or alley not designated as a "truck lane."

(1997 Code, § 71.06) Penalty, see § 70.99

~~§ 71.07 PREVENTION OF NOISE, SMOKE AND THE LIKE; MUFFLER CUT-OUTS REGULATED.~~

~~No person shall drive a motor vehicle on a city street, public vehicular area, or a highway unless such motor vehicle is equipped with a muffler, or other exhaust system of the type installed at the time of manufacture, in good working order and in constant operation to prevent excessive or unusual noise, annoying smoke and smoke screens.~~

~~(1997 Code, § 71.07) (Ord. 2001-14, passed 3-13-2001) Penalty, see § 70.99~~

~~§ 71.08 SIGNALS ON STARTING, STOPPING OR TURNING.~~

~~(A) The driver of any vehicle upon a city street, public vehicular area or highway before starting, stopping or turning from a direct line shall see that such movement can be made in safety, and if any pedestrian may be affected by such movement shall give a clearly audible signal by sounding the horn, and whenever the operation of any other vehicle may be affected by such movement, shall give a signal as required in this section, plainly visible to the driver of such other vehicle, of the intention to make such movement. The driver of a vehicle shall not back the same unless such movement can be made with safety and without interfering with other traffic.~~

~~(B) The signal required in this section shall be given by means of the hand and arm in the manner specified, or by any mechanical or electrical signal device approved by the Department of Motor Vehicles as set out in G.S. § 20-154 incorporated herein by reference, except that when a vehicle is so constructed or loaded as to prevent the hand and arm signal from being visible, both to the front and rear, the signal shall be given by a device of a type which has been approved by the Department of Motor Vehicles.~~

~~(1997 Code, § 71.08) (Ord. 2001-14, passed 3-13-2001) Penalty, see § 70.99~~

PROHIBITED ACTS

§ 71.20 BOARDING AND ALIGHTING FROM VEHICLES.

No person shall board or alight from any public conveyance or other vehicle while such conveyance or vehicle is in motion.

(1997 Code, § 71.35) Penalty, see § 70.99

§ 71.21 RIDING UPON VEHICLES NOT DESIGNATED FOR PASSENGER USE.

(A) No person shall ride on any public conveyance or vehicle, or any portion thereof, not designated or intended for the use of passengers.

(B) This provision shall not apply to an employee engaged in the necessary discharge of a duty nor to persons riding within truck bodies in spaces intended for merchandise.

(1997 Code, § 71.36) Penalty, see § 70.99

§ 71.22 ENTERING, JUMPING ON OR RIDING VEHICLES WITHOUT PERMISSION.

No person shall enter, jump on or ride any automobile or other vehicle without the consent of the owner or driver.

(1997 Code, § 71.37) Penalty, see § 70.99

~~§ 71.23 DRIVING THROUGH FUNERAL PROCESSIONS PROHIBITED.~~

~~—No vehicle shall be driven through a funeral procession, except for authorized emergency vehicles when the same are responding to calls.~~

~~(1997 Code, § 71.38) Penalty, see § 70.99~~

§ 71.24 CLINGING TO MOVING VEHICLES.

Any person riding upon any bicycle, motorcycle, coaster, sled, skateboard, roller skates or any toy vehicle shall not attach such vehicle or himself or herself to any public conveyance or other moving vehicle upon any roadway.

(1997 Code, § 71.39) Penalty, see § 70.99

§ 71.25 USE OF COASTERS, ROLLER SKATES, SKATEBOARDS AND THE LIKE.

No person upon roller skates or skateboards, or riding in or by means of any coaster, toy vehicle or similar device shall go upon any roadway, except while crossing a street at a crosswalk or intersection, except upon streets set aside as play streets.

(1997 Code, § 71.40) Penalty, see § 70.99

§ 71.26 DUTY TO STAY INSIDE MOVING VEHICLES; HANGING ONTO VEHICLES.

No person shall allow any part of his or her body to protrude beyond the limits of the vehicle in which he or she is riding, except to give such signals as are by law required, and no person shall hang onto any vehicle whatsoever.

(1997 Code, § 71.41) Penalty, see § 70.99

§ 71.27 LIMITATION ON NUMBER OF PERSONS IN FRONT SEAT.

It shall be unlawful for the driver or the person in charge of any motor vehicle to permit more than three persons, including the driver, to ride in the front or driver's seat of a motor vehicle. (1997 Code, § 71.42) Penalty, see § 70.99

§ 71.28 ESTABLISHMENT OF DISABLED PARKING SPACES ON PRIVATE PROPERTY DEVOTED TO PUBLIC USE.

The establishment and marking of disabled parking on private property, devoted to public use, shall be approved by the Department of Planning and Zoning under the guidelines set up in Volume I, Chapter 3.4, of the State Building Code, G.S. §§ 20-37.5 and 20-37.6.

~~—(B) Parking of motor vehicles in or otherwise obstructing disabled parking spaces by vehicles other than those that have disabled tags or placards on them shall be prohibited at all times. (1997 Code, § 71.43) Penalty, see § 70.99~~

SECTION 3. Chapter 72 "Stopping, Standing and Parking" be amended to read as follows:

CHAPTER 72: STOPPING, STANDING AND PARKING

General Provisions

72.01 Definitions

~~72.02 —Vehicles not to stop in streets; exceptions~~

72.03 Manner of parking vehicles

~~72.04 —Vehicles and pedestrians not to obstruct passage~~

- 72.05 Stopping, standing or parking prohibited in specified places
- 72.06 Standing or parking prohibited for certain purposes
- 72.07 Standing or parking prohibited for primary purposes of advertising
- 72.08 Moving vehicles owned by other operators into restricted areas
- 72.09 Parking of certain vehicles limited to one hour
- 72.10 Parking in designated places prohibited at all times; enforcement
- 72.11 Moving cars from parked positions
- 72.12 Parking of certain trucks in residential areas
- 72.13 ~~Use of parking lots~~

Two-Hour Parking Zones

- 72.25 Established
- 72.26 Hours when time limits effective
- 72.27 Designation of parking spaces

Administration and Enforcement

- 72.40 Violations
- 72.41 Reservation of powers

~~72.99 Penalty~~

GENERAL PROVISIONS

§ 72.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PARK or PARKING. The standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers; loading or unloading merchandise; in obedience to traffic regulations, signs or signals; or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.

PARKING LOT. Any area within the city on which more than five automobiles may be parked and shall include public parking lots and those parking lots which are for the principal purpose of providing parking during business hours for shopping centers, stores, restaurants, drive-ins, theaters and other business or commercial establishments.

PARKING ZONE. Any restricted street upon which time zones for parking are posted. (1997 Code, § 72.01)

~~§ 72.02 VEHICLES NOT TO STOP IN STREETS; EXCEPTIONS.~~

~~No vehicle shall stop in any street, except for the purpose of parking as prescribed in this chapter, 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 lowering of railway gates, by the giving of traffic signals, by the passing of some other vehicle or pedestrian or by some emergency. In any case covered by these exceptions, such vehicles shall stop so as not to obstruct any footway, pedestrian aisle, safety zone, crossing or street intersection, if such can be avoided.~~

~~(1997 Code, § 72.02) Penalty, see § 72.99~~

§ 72.03 MANNER OF PARKING VEHICLES.

(A) Where not otherwise indicated by this chapter, 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 therefrom.

(B) In no case shall a vehicle remain backed up to the curb, except when actually loading or unloading.

(C) No vehicle shall stop with its left side to the curb in the business district; except, that on one-way streets vehicles shall stop headed in the direction of traffic.

(D) On any street which is marked off with lines indicating the parking spaces for cars, the same shall be parked between such lines.

(1997 Code, § 72.03) Penalty, see § 70.99

~~§ 72.04 VEHICLES AND PEDESTRIANS NOT TO OBSTRUCT PASSAGE.~~

~~No vehicles or pedestrians shall so stand on any street as to interrupt or interfere with the passage of public conveyances or other vehicles.~~

~~(1997 Code, § 72.04) (Ord. 2008-13, passed 9-23-2008) Penalty, see § 72.99~~

§ 72.05 STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED 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:

(A) On the sidewalk, on the space between the sidewalk and the curb or on the space between the curb or where a curb would normally be and a street right-of-way line. The area to which the driveway approach provides access shall be used to park vehicles using the portion of the driveway that is completely off of the right-of-way;

(B) On a crosswalk;

(C) Within 25 feet of any flashing beacon, stop sign or traffic-control signal located at the side of a street or roadway;

(D) Alongside or opposite any street excavation or obstruction, when such stopping, standing or parking would obstruct traffic;

(E) Upon any bridge or other elevated structure or within any underpass structure;

(F) Within 15 feet in either direction of the entrance to a hotel, theater, hospital, sanatorium or any public building;

(G) On the roadway side of any vehicle stopped, standing or parked at the edge or curb of a street;

(H) Blocking unmarked and/or private driveway; or

(I) On the portion of a yard, lot or tract of land in any, residential district or on any land used primarily for residential purposes or in any other district, between the street right-of-way line and the street right-of-way setback line that is not a driveway approved and constructed to city and/or State Department of Transportation standards. The area to which the driveway approach provides access may be used to store vehicles using the driveway completely off the right-of-way.

(1997 Code, § 72.05) (Ord. passed - -; Ord. passed 11-9-1976; Ord. 2008-15, passed 4-22-2008) ~~Penalty, see § 72.99~~
Penalty, see § 70.99

§ 72.06 STANDING OR PARKING PROHIBITED FOR CERTAIN PURPOSES.

No person shall stand or park a vehicle upon any street for the purpose of:

(A) Displaying it for sale;

(B) Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency; or

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

(1997 Code, § 72.06) ~~Penalty, see § 72.99~~ Penalty, see § 70.99

§ 72.07 STANDING OR PARKING PROHIBITED FOR PRIMARY PURPOSES OF ADVERTISING.

No person shall stand or park any vehicle on any street for the primary purpose of advertising. (1997 Code, § 72.07)
~~Penalty, see § 72.99~~ Penalty, see § 70.99

§ 72.08 MOVING VEHICLES OWNED BY OTHER OPERATORS INTO RESTRICTED AREAS.

No person shall move a vehicle not owned by such person into any prohibited area or sufficiently away from the curb to make such distance unlawful.

(1997 Code, § 72.08) ~~Penalty, see § 72.99~~ Penalty, see § 70.99

§ 72.09 PARKING OF CERTAIN VEHICLES LIMITED TO ONE HOUR.

It shall be unlawful to park or stand a tractor and trailer, tractor and semitrailer, a trailer, semitrailer, van, oil tanker or other tanker on any street in the city at any time for a period longer than one hour, except when such vehicle is actually being loaded or unloaded or when such vehicle is incapacitated.

(1997 Code, § 72.09) ~~Penalty, see § 72.99~~ Penalty, see § 70.99

§ 72.10 PARKING IN DESIGNATED PLACES PROHIBITED AT ALL TIMES; ENFORCEMENT.

(A) When signs are placed, erected or installed on any of the streets of the city 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 so marked or painted.

(B) It shall be the duty of the Chief of Police to remove or have removed any vehicle parked in such no- parking areas.

(1997 Code, § 72.10) ~~Penalty, see § 72.99~~ Penalty, see § 70.99

§ 72.11 MOVING CARS FROM PARKED POSITIONS.

Cars parked shall move out in the direction headed, or if they are parked at an angle with the curb, they shall back out in that angle until they have cleared the other cars and shall then proceed in the direction they are most nearly headed.

(1997 Code, § 72.11) ~~Penalty, see § 72.99~~ Penalty, see § 70.99

§ 72.12 PARKING OF CERTAIN TRUCKS IN RESIDENTIAL AREAS.

(A) It shall be unlawful to park on a city street for a period greater than two hours any vehicle having a length in excess of 25 feet, or in excess of ten feet in height, within a distance of 300 feet of any dwelling or residence within the corporate limits of the city. This section shall not apply to trucks immediately delivering items to or receiving items from dwellings or residences.

(B) This section shall not apply to motor homes that are parked off public streets. (1997 Code, § 72.12) (Ord. passed - -) ~~Penalty, see § 72.99~~ Penalty, see § 70.99

~~§ 72.13 USE OF PARKING LOTS.~~

~~-(A) Congregation on premises. It shall be unlawful for more than three people, outside or inside of vehicles to congregate on any one parking lot in the city, except for the purposes of patronizing a business establishment which is actually open for business.~~

~~-(B) Enumeration of offenses. It shall be unlawful for any person on a parking lot in the city to do one or more of the following:~~

- ~~— (1) Talk in a loud or boisterous manner;~~
 - ~~— (2) Play loud music;~~
 - ~~— (3) Drink beer or any kind of alcoholic beverage;~~
 - ~~— (4) Throw any type of bottle, can, container, trash, or paper on the parking lot;~~
 - ~~— (5) Use profanity or cursing in such a manner that those standing in the immediate vicinity of the person may hear the profanity or cursing; or~~
 - ~~— (6) Make such noise or disturbances that citizens and motorists are disturbed and deprived of their peace and quiet.~~
- ~~(1997 Code, § 72.13) (Ord. passed —) Penalty, see § 72.99~~

TWO-HOUR PARKING ZONES

§ 72.25 ESTABLISHED.

Certain streets shall constitute a two-hour parking zone. See Ch. 74, Sch. I. (1997 Code, § 72.20) (Ord. passed 4-9-2002)

§ 72.26 HOURS WHEN TIME LIMITS EFFECTIVE.

The two-hour parking time limits shall be effective in parking zones as described in § 72.25 every day between the hours of 9:00 a.m. and 5:00 p.m. except Sundays and holidays as by law provided. See Ch. 74, Sch. I for those specific streets.

(1997 Code, § 72.21)

§ 72.27 DESIGNATION OF PARKING SPACES.

The Chief of Police is hereby directed and authorized to mark off individual parking spaces in the parking zones designated and described in § 72.25 and in such other zones as may be established. Such parking spaces are to be designated by lines painted or durably marked on the curbing or surface of the street.

(1997 Code, § 72.22)

ADMINISTRATION AND ENFORCEMENT

§ 72.40 VIOLATIONS.

It shall be unlawful and a violation of the provisions of this chapter for any person:

- (A) To cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking zone as herein described;
- (B) To park any vehicle across any line or marking of a parking space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings;
- (C) To cause a change of position of a vehicle from one point directly to another point in the same block shall be deemed one continuous parking period; and/or
- (D) To cause the removal of any mark from a vehicle tire for the purpose of parking beyond the designated time limit.

(1997 Code, § 72.35) (Ord. passed 4-9-2002) ~~Penalty, see § 72.99~~ Penalty, see § 70.99

§ 72.41 RESERVATION OF POWERS.

Nothing in this chapter shall be construed as prohibiting the city from providing for bus stops, for taxicab stands and other matters of similar nature, including the loading or unloading of trucks, vans or other commercial vehicles.

(1997 Code, § 72.36)

~~§ 72.99 PENALTY.~~

~~—(A) It shall be the duty of the Police Department to enforce the provisions of this chapter, and it shall be the duty of the police officers of the city, acting in accordance with instructions issued by the Chief of Police to report:~~

~~—(1) The state license number of such vehicle;~~

~~—(2) The time during which such vehicle is parking in violation of any of the provisions of this chapter; and~~

~~—(3) Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation. The police officer shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of a provision of this chapter and instructing the owner or operator to report to the Police Department of the city in regard to the violation. Each owner or operator may, within five working days of the time the notice was attached to such vehicle, pay the Police Department for and in full satisfaction of such violation the sum of \$10. For the purpose of § 72.40(C) and (D), the penalty will be \$25 and for § 72.05(A) and (I) the penalty shall be \$50. The failure of such owner or operator to make such payment as herein provided within five working days shall render the operator or owner subject to the penalties provided in § 70.99.~~

(1997 Code, § 72.99)

~~—(B) Any person who violates any of the provisions of § 72.10 shall, within 24 hours of the time notice of such violation is attached to the vehicle, pay into the office of the Chief of Police as a penalty for and in satisfaction of such violation the sum of \$5. The failure of such person to make such payment of \$5 within such 24 hours shall render such person subject to the penalties as provided by law.~~

(1997 Code, § 72.10) Penalty, see § 72.99

(Ord. passed 4-9-2002; Ord. 2008-15, passed 4-22-2008)

SECTION 4. Chapter 91 "Animals" be amended to read as follows:

TITLE IX: GENERAL REGULATIONS CHAPTER 91: ANIMALS

91.99 Penalties

§ 91.99 ~~PENALTY~~ PENALTIES.

- (A) (1) Pursuant to G.S. § 160A-175(c), a violation of any provision of this chapter shall subject the offender to a civil penalty to be recovered by the city in a civil action in the nature of debt if the offender does not pay the civil penalty within thirty days from the date of issuance of the citation for violation of this chapter.
- (2) Any Law Enforcement Officer may issue a citation for the violations listed in this chapter. This shall not preclude or limit in any way any law enforcement officer from exercising any authority, or otherwise carrying out any of their duties as a law enforcement officer.
- (3) Each person receiving a citation may, within thirty days of the time when issued the citation, submit to the violation and pay to the Police Department the applicable penalty listed in (B) for that violation. Said payment will be in full satisfaction for the violation, but will not preclude or limit in any way any law enforcement officer from issuing future citations for future violations.

(B) The following is a list of ~~finer~~ penalties for violations of this chapter:

~~—(A)(1) Violations; \$150:~~

~~(1)(a) Animals running at large: § 91.02;~~

~~(2)(b) Nuisance animals: § 91.03;~~

- ~~(3)(c)~~ Confinement of female animals in heat: § 91.04;
- ~~(4)(d)~~ Teasing and molesting animals: § 91.06;
- ~~(5)(e)~~ Dogs must wear rabies and identification tag: § 91.30;
- ~~(6)(f)~~ Keeping stray dogs and cats: § 91.31; and
- ~~(7)(g)~~ Acts resulting in injury or death of dogs: § 91.33. ~~(B)(2)~~
Violations; \$500:

- ~~(1)(a)~~ Vicious animals: § 91.05;
- ~~(2)(b)~~ Cruel treatment of animals: § 91.07;
- ~~(3)(c)~~ Animals prohibited at festivals, parades and events: § 91.12;
- ~~(4)(d)~~ Precautions against attacks by dangerous or potentially dangerous dogs: § 91.14;
- ~~(5)(e)~~ Interference with Animal Control Officer: § 91.53;
- ~~(6)(f)~~ Prohibition against tethering of dogs: § 91.32;
- ~~(7)(g)~~ Permit for three or more dogs/cats kept outside: § 91.35; and
- ~~(8)(h)~~ Improper care of animals: § 91.36.

~~—(C) Enforcement. Any Animal Control Officer or any Law Enforcement Officer may issue a citation for a violation of § 91.12 in the amount of \$50. This shall not preclude or limit in any way any law enforcement officer or Animal Control Officer from exercising any authority, or otherwise carrying out any of their duties as a law enforcement or Animal Control Officer.~~

~~Failure to remove any animal immediately upon the request of any Law Enforcement officer or any Animal Control Officer pursuant to § 91.12 shall result in the removal of the animal by any means necessary, including impoundment of the animal. Enforcement of an unpaid citation may be by issuance of a criminal summons.~~

(1997 Code, § 91.12)

SECTION 5. Chapter 94 "Fire Prevention and Protection" be amended to read as follows:

CHAPTER 94: FIRE PREVENTION AND PROTECTION

General Provisions

~~94.01—Right of way for fire equipment~~

Fire Prevention Code

94.18 Establishment of fire lanes on private property, devoted to public use

GENERAL PROVISIONS

~~§ 94.01—RIGHT OF WAY FOR FIRE EQUIPMENT.~~

~~In the event of an alarm of fire, the apparatus of the Fire Department shall have the right of way in and upon the streets, lanes, alleys and squares in going to any fire and being upon the same. Any person who shall obstruct or neglect to make way for any such apparatus shall be deemed guilty of a misdemeanor.~~

~~(1997 Code, § 94.01) Penalty, see § 94.99~~

FIRE PREVENTION CODE

§ 94.18 ESTABLISHMENT OF FIRE LANES ON PRIVATE PROPERTY, DEVOTED TO PUBLIC USE.

The fire lanes referred to in Chapter 6, § 602.6 of the Fire Prevention Code are hereby established as follows.

(A) The marking of fire lanes on private property, devoted to public use, shall be approved by the Chief of the Bureau of Fire Prevention and the Chief of Police.

(B) Parking of motor vehicles or otherwise obstructing fire lanes shall be prohibited at all times.
(1997 Code, § 94.18) (Ord. passed 3-11-1980) ~~Penalty, see § 94.99~~

SECTION 6. Chapter 95 "Littering" be amended to read as follows:

CHAPTER 95: LITTERING

95.99 ~~Penalty~~ Penalties

§ 95.99 ~~PENALTY~~ PENALTIES

~~(A) Whoever violates any of the provisions of this chapter for which no other penalty has been provided shall be subject to the penalty set forth in § 10.99.~~

~~(B) The violation of any of the provisions of §§ 95.02 and 95.04 shall be a misdemeanor and punished by fine not to exceed \$250 or imprisonment not to exceed 30 days or both in the discretion of the court.~~

~~(C) Violation of § 95.03 shall be punished by a fine of \$250 as provided in G.S. § 14-399.~~

(A)(1) Pursuant to G.S. § 160A-175(c), a violation of any provision of this chapter shall subject the offender to a civil penalty to be recovered by the city in a civil action in the nature of debt if the offender does not pay the civil penalty within thirty days from the date of issuance of the citation for violation of this chapter.

(2) Any Law Enforcement Officer may issue a citation for the violations listed in this chapter. This shall not preclude or limit in any way any law enforcement officer from exercising any authority, or otherwise carrying out any of their duties as a law enforcement officer.

(3) Each person receiving a citation may, within thirty days of the time when issued the citation, submit to the violation and pay to the Police Department the applicable penalty listed in (B) for that violation. Said payment will be in full satisfaction for the violation, but will not preclude or limit in any way any law enforcement officer from issuing future citations for future violations.

(B) The following is a list of penalties for violations of this chapter:

(1) For violations of any of the provisions of §§ 95.02, 95.03, and 95.04, the penalty is \$250.00.

(2) For all other violations of this chapter, the penalty is \$50.00.

SECTION 7. Chapter 96 "Nuisances" be amended to read as follows:

CHAPTER 96: NUISANCES

General Provisions

96.06 Cost of removal to be charged to owner; lien

96.07 ~~Provisions cumulative~~ Procedure is in addition to other authorized procedures

96.08 Application

96.99 Penalty

GENERAL PROVISIONS

§ 96.06 COST OF REMOVAL TO BE CHARGED TO OWNER; LIEN.

(A) The actual cost incurred by the city in removing or otherwise remedying a public nuisance, including

administrative costs, shall be charged to the owner of such lot or parcel of land, and it shall be the duty of the city to mail a statement of such charges to the owner or other person in possession of such premises with instructions that such charges are due and payable within 30 days from the receipt thereof.

~~-(B) In the event charges for the removal or abatement of a public nuisance are not paid within 30 days after the receipt of a statement of charges, such charges shall become a lien upon the land or premises where the public nuisance existed and shall be collected as unpaid taxes.~~

(B) In the event charges for the removal or abatement of a public nuisance are not paid within 30 days after the receipt of a statement of the charges, the expense of the action shall be paid by the person in default as set out in G.S. § 160A-193(a). If the expense is not paid, it is a lien on the land or premises where the public nuisance occurred. A lien established pursuant to this division (B) shall have the same priority and be collected as unpaid ad valorem taxes.

(C) As set out in G.S. § 160A-193(b), the expense of any action under this subchapter is also a lien on any other real property owned by the person in default within the city limits or within one mile of the city limits, except for the person's primary residence. A lien established pursuant to this division (C) is inferior to all prior liens and shall be collected as a money judgment. This division (C) shall not apply if the person in default can show that the nuisance was created solely by the actions of another.

~~§ 96.07 PROVISIONS CUMULATIVE.~~

~~-The procedure set forth in this subchapter shall be in addition to any other remedies that may now or hereafter exist under law for the abatement of public nuisances, and this subchapter shall not prevent the city from proceeding in a criminal action against any person violating the provisions of this subchapter, as provided in § 10.99.~~

§ 96.07 PROCEDURE IS IN ADDITION TO OTHER AUTHORIZED PROCEDURES.

The procedure set forth in §§ 96.01 through 96.08 shall be in addition to any other remedies that may now or hereafter exist under law for the abatement of public nuisances. Nothing herein shall be read to limit the city's authority under G.S. § 160A-193 to summarily remove, abate, or remedy everything in the city limits, or within one mile thereof, that is dangerous or prejudicial to the public health or safety; provided, however, that the procedures set out in §§ 96.01 through

96.08 shall be used at all times unless the City Manager or the City Manager's designee makes a written finding that the condition in question poses an imminent threat to the safety of persons and property such that the procedures set forth in §§ 96.01 through 96.08, if followed, unreasonably delay necessary action to remove, abate, or remedy the condition.

§ 96.08 APPLICATION.

While dwellings may constitute a public nuisance, the city will follow the procedures in G.S. § 160A-443 as stated in Chapter 152 whenever a dwelling is found to create a public nuisance.

Whenever a nonresidential structure is found to be a nuisance, the city will abide by the procedures set forth in G.S. § 160A-439 as stated in Chapter 150.

§ 96.99 PENALTY.

~~-(A) Unless otherwise specifically provided, violation of any provision of this chapter shall be punished as provided under § 10.99.~~

~~-(B) Any violation of §§ 96.20 through 96.22 shall be punished by a fine of \$250.~~

~~-(C) Any violation of §§ 96.35 through 96.37 shall be punished by a fine of \$150.~~

(A) (1) Pursuant to G.S. § 160A-175(c), a violation of any provision of this chapter besides those listed in §§ 96.01 through 96.08 shall subject the offender to a civil penalty to be recovered by the city in a civil action in the nature of debt if the offender does not pay the civil penalty within thirty days from the date of issuance of the citation for violation of this chapter.

- (2) Any Law Enforcement Officer may issue a citation for the violations listed in this chapter. This shall not preclude or limit in any way any law enforcement officer from exercising any authority, or otherwise carrying out any of their duties as a law enforcement officer.
 - (3) Each person receiving a citation may, within thirty days of the time when issued the citation, submit to the violation and pay to the Police Department the applicable penalty listed in (B) for that violation. Said payment will be in full satisfaction for the violation, but will not preclude or limit in any way any law enforcement officer from issuing future citations for future violations.
- (B) The following is a list of penalties for violations of this chapter:
- (1) For violations of any of the provisions of §§ 96.20 through 96.22, the penalty is \$250.00.
 - (2) For violations of any of the provisions of §96.35 through 96.37, the penalty is \$150.00.

SECTION 8. Chapter 97 "Parks and Recreation" be amended to read as follows:

CHAPTER 97: PARKS AND RECREATION

97.99 ~~Penalty~~ Penalties

§ 97.99 ~~PENALTY~~ PENALTIES

- (A) (1) Any violation of any provision of this chapter shall subject the violator to a civil penalty in the sum of \$25 per day.
- ~~———— (a) A citation for said civil penalty shall be issued by a police officer.~~
- ~~———— (b) Each citation for a civil penalty must be paid within 72 hours of issuance.~~
- (2) Each and every day that the violator continues in violation shall be a separate and distinct offense.
- (B) Any person who knowingly or willingly violates § 97.02 shall be subject to a civil penalty of \$500. (1997 Code, § 97.99)
- (C) Any violation of any provision of § 97.05 of this chapter shall subject the violator to a penalty in the sum of \$250 per day.
- ~~(D) — (1) Each person receiving a citation may, within five days of the time when issued the citation, submit to the violation and pay, as a penalty in full satisfaction of such violation, the sum of \$25 to the Police Department.~~
- ~~(2) The violation of any of the provisions of this chapter shall be a misdemeanor and punished by fine not to exceed \$50 or imprisonment not to exceed 30 days or both, in the discretion of the court.~~
- (D) (1) Pursuant to G.S. § 160A-175(c), a violation of any provision of this chapter shall subject the offender to a civil penalty to be recovered by the city in a civil action in the nature of debt if the offender does not pay the civil penalty within thirty days from the date of issuance of the citation for violation of this chapter.
- (2) Any Law Enforcement Officer may issue a citation for the violations listed in this chapter. This shall not preclude or limit in any way any law enforcement officer from exercising any authority, or otherwise carrying out any of their duties as a law enforcement officer.
- (3) Each person receiving a citation may, within thirty days of the time when issued the citation, submit to the violation and pay to the Police Department the applicable penalty listed in §§ 97.99 (A), (B), and (C) for that violation. Said payment will be in full satisfaction for the violation, but will not preclude or limit in any way any law enforcement officer from issuing future citations for future violations.

SECTION 9. Chapter 117 "Business Registration" be amended to read as follows:

TITLE XI: BUSINESS REGULATIONS

CHAPTER 117: BUSINESS REGISTRATION

117.24 Enforcement of ordinance

§ 117.24 ENFORCEMENT OF ORDINANCE.

~~(A) —Criminal remedies. Conducting business within this city without a valid registration issued in accordance with this chapter, or without posting a registration in compliance with § 117.23 of this chapter is a misdemeanor, punishable as provided in G.S. § 14-4. Each day that a person conducts business in violation of this chapter is a separate offense.~~

(A) (1) Pursuant to G.S. § 160A-175(c), conducting business within this city without a valid registration issued in accordance with this chapter, or without posting a registration in compliance with § 117.23 shall subject the offender to a civil penalty in the amount of \$50.00 to be recovered by the city in a civil action in the nature of debt if the offender does not pay the civil penalty within thirty days from the date of issuance of the citation for violation of this chapter.

(2) Any Law Enforcement Officer may issue a citation for the violations listed in this chapter. This shall not preclude or limit in any way any law enforcement officer from exercising any authority, or otherwise carrying out any of their duties as a law enforcement officer.

(3) Each person receiving a citation may, within thirty days of the time when issued the citation, submit to the violation and pay to the Police Department the applicable penalty listed in § 117.24 (A)(1) for that violation. Said payment will be in full satisfaction for the violation, but will not preclude or limit in any way any law enforcement officer from issuing future citations for future violations.

~~(B)~~ Equitable remedies. In addition to the ~~criminal remedies~~ civil penalties set ~~for the~~ out in subdivision (A) above and in compliance with G.S. § 160A-175(d), the city may seek an injunction against any person who conducts a business in violation of this chapter.

SECTION 10. Chapter 130 "Offences Against Public Property" be amended to read as follows:

TITLE XII: GENERAL OFFENSES

CHAPTER 130: OFFENSES AGAINST PUBLIC PROPERTY

130.99 Penalty

§ 130.99 PENALTY.

~~—(A) Any person who violates any provision of this chapter to which no other specific penalty applies shall be punished as provided in § 10.99.~~

~~—(B) Any person who knowingly or willingly violates § 130.03 shall be guilty of a misdemeanor, punishable by imprisonment not to exceed 30 days or a fine not to exceed \$100.~~

(A) (1) Pursuant to G.S. § 160A-175(c), a violation of any provision of this chapter shall subject the offender to a civil penalty to be recovered by the city in a civil action in the nature of debt if the offender does not pay the civil penalty within thirty days from the date of issuance of the citation for violation of this chapter.

(2) Any Law Enforcement Officer may issue a citation for the violations listed in this chapter. This shall not preclude or limit in any way any law enforcement officer from exercising any authority, or otherwise carrying out any of their duties as a law enforcement officer.

(3) Each person receiving a citation may, within thirty days of the time when issued the citation, submit to the violation and pay to the Police Department the applicable penalty listed in (B) for that violation. Said payment

will be in full satisfaction for the violation, but will not preclude or limit in any way any law enforcement officer from issuing future citations for future violations.

- (B) The following is a list of penalties for violations of this chapter:
- (1) For violations of any of the provisions of § 130.03, the penalty is \$100.00.
 - (2) For all other violations of this chapter, the penalty is \$50.00.

SECTION 11. Chapter 131 "Offenses Against Public Peace and Safety" be amended to read as follows:

CHAPTER 131: OFFENSES AGAINST PUBLIC PEACE AND SAFETY

131.99 Penalty

§ 131.99 PENALTY.

~~-(A) Whoever violates any of the provisions of this chapter for which no other penalty has been provided shall be subject to the penalty set forth in § 10.99.~~

~~-(B) Any person or persons violating the provisions of § 131.01 shall be guilty of a misdemeanor and shall be fined no more than \$100 or imprisoned for not more than 30 days.~~

~~-(C) Any person in violation of § 131.04 shall be guilty of a misdemeanor and, upon conviction, shall be fined \$500 or imprisoned for six months or both.~~

- (A) (1) Pursuant to G.S. § 160A-175(c), a violation of any provision of this chapter shall subject the offender to a civil penalty to be recovered by the city in a civil action in the nature of debt if the offender does not pay the civil penalty within thirty days from the date of issuance of the citation for violation of this chapter.
- (2) Any Law Enforcement Officer may issue a citation for the violations listed in this chapter. This shall not preclude or limit in any way any law enforcement officer from exercising any authority, or otherwise carrying out any of their duties as a law enforcement officer.
- (3) Each person receiving a citation may, within thirty days of the time when issued the citation, submit to the violation and pay to the Police Department the applicable penalty listed in (B) for that violation. Said payment will be in full satisfaction for the violation, but will not preclude or limit in any way any law enforcement officer from issuing future citations for future violations.
- (B) The following is a list of penalties for violations of this chapter:
- (1) For violations of any of the provisions of § 131.01, the penalty is \$100.00.
 - (2) For violations of any of the provisions of § 131.04, the penalty is \$500.00.
 - (3) For all other violations of this chapter, the penalty is \$50.00.

SECTION 12. Chapter 132 "Minors; Curfew" be amended to read as follows:

CHAPTER 132: MINORS; CURFEW

132.99 Penalty

§ 132.99 PENALTY.

- (A) A juvenile who violates any provision of this chapter is subject to being adjudicated delinquent. The court may, in its discretion, impose any dispositional alternative(s) that is/are provided to the State Juvenile Code for any juvenile who is delinquent.
- (B) Any person other than a juvenile who violates any provision of this chapter may be guilty of a the misdemeanor contributing to delinquency and neglect by parents and others under N.C. Gen. Stat. § 14-316.1, and said person will be charged and prosecuted for said violation through the State Courts of North Carolina. ~~and may be subject to a fine not to~~

~~exceed \$150 for the first offense, and for each subsequent offense the fine shall be increased by an additional \$150. For example, for the second offense the fine shall be \$300, for the third offense the fine shall be \$450, and the imprisonment in the discretion of the court in accordance with G.S. § 14-4.~~

SECTION 13. This ordinance shall become effective January 1, 2024.

Emery G. Doughtie, Mayor

Participation in the NC Local Government Debt Setoff Clearinghouse Program

Police Chief Guyant said the NCLM has a program called the Debt Setoff Clearinghouse. Due to the City's membership, the City is eligible to utilize the Debt Setoff Clearinghouse. The Debt Setoff Clearinghouse would serve as a representative collection agency for the City. When a violator is cited, they have 30 days to pay the fine. After 30 days, they will be sent a letter giving them 30 days to pay or appeal with the City. The Finance Director will handle those appeals. When that 30 days expires (total of 60 days), the violator's failure to pay will be reported to the Debt Setoff Clearinghouse. The Debt Setoff Clearinghouse has the ability to garner individuals state income taxes, lottery winnings, etc. to recover the fine amounts. He explained that if someone from out of state is issued a City ordinance the Debt Clearinghouse is not going to have any bite to that particular individual. It is not much they can do about that situation.

He said in order to do this, the City must enter into a Memorandum of Understanding with the NC Local Government Debt Setoff Clearinghouse Program. There is no fee for this. The debtor is responsible for the fees associated with this collection. The Debt Setoff Clearinghouse is essentially serving as a collection agency for the City in these particular matters. Several jurisdictions in NC use this program. Weldon and Halifax County use it.

Councilman Smith asked Attorney Davis to explain Section V- Compensation on page 5. He replied they do charge a fee, but it is not charged to the City, it is collected from the debtor. Every review he has heard from them has been fantastic and said it's a great process. The real motivation behind this is to give some real teeth to the City's ordinances so people can't ignore them and encourage compliance. He said there are a lot of penalties the City assesses whether it is for littering, junk in someone's yard, or for dogs. When there's an area with the population density of the City of Roanoke Rapids, they have to have things like this to encourage good, neighborly behavior.

Chief Guyant reported in 2022, they cited 243 ordinances violations in the city. This year alone, they have cited 324. Most of these are dealing with parking, traffic issues and animals.

Resolution No. 2023.16

Resolution to Participate in the
NC Local Government Debt Setoff Clearinghouse Program

Whereas, NCGS Chapter 105A, Setoff Debt Collection Act, authorizes the North Carolina Department of Revenue to cooperate in identifying debtors who owe money to qualifying local agencies and who are due refunds from the Department of Revenue; and

Whereas, the law authorizes the setting off of certain debts owed to qualifying local agencies against tax refunds; and

Whereas, the North Carolina Association of County Commissioners and the North Carolina League of Municipalities have jointly established a clearinghouse to submit debts on behalf of the City of Roanoke Rapids as defined in G.S 105A -2 (6), effective January 1, 2006 and thereafter as provided by law;

Now Therefore, be it Resolved that the City of Roanoke Rapids will participate in the debt setoff program and hereby designates the Finance Director as the person to hold hearings and conduct necessary proceedings.

Now Therefore, be it Further Resolved that the City Manager and Finance Director are hereby authorized to execute such documents and agreements as necessary to participate in the debt setoff program.

Adopted by the City of Roanoke Rapids City Council on this 17th day of October, 2023.

Emery G. Doughtie

ATTEST:

Traci V. Storey, City Clerk

Motion was made by Mayor Pro Tem Ferebee, seconded by Councilman Smith and unanimously carried to adopt Resolution No. 2023.16 approving the agreement to participate in the NC Local Government Debt Setoff Clearinghouse Program.

City Manager's Report

City Manager Traynham stated she would give a brief report because she's asked the department heads present to give City Council some brief updates.

She noted the next City Council meeting would be held on Wednesday, November 8th at 5:30 p.m. due to Election Day on that Tuesday. She stated they will hold a second public hearing as required for the 2023 CDBG-Neighborhood Revitalization application. She invited those wishing to participate in the program to submit their applications this week.

She said last week the Jo Story Senior Center, Police Department and Parks & Recreation Department added a medicine drop off at the Senior Center location. There is also a medicine drop off at City Hall. This is to help with the opioid epidemic to allow a safe place for people to dispose of medications they no longer have a use for with the exception of sharps and liquids.

City Manager Traynham announced the Police Department is recruiting volunteers to serve on its Citizens on Patrol program. Anyone interested should contact Captain Gorton Williams. Volunteers must be at least 21 years of age, a US citizen, be of good character, possess a driver's license, pass a background investigation and not been convicted and complete the training program for Citizens Police Academy.

She said the Parks & Recreation Department is accepting applications until October 31, 2023 for youth basketball for boys and girls ages 7 – 18 years old. No late registrations will be accepted. The library will start having toddler time on Fridays from 10-11 a.m. starting October 27th. With the Teacher Workday coming up for the Roanoke Rapids Graded Schools on October 30th, the Recreation Department will be having pumpkin carving/painting and games for children ages 6-10 years old. They need to sign up by October 24th.

City Manager Traynham said the City will have their traditional Halloween events. Trunk or Treat on 5th & Carolina Street from 5:30 – 8 p.m.; Halloween Party at Chaloner Recreation Center from 6 – 8 p.m.; Optimist Club will have candy and games inside TJ Davis from 6 – 8 p.m.

She stated on Thursday, November 2, 2023 from 5:30 – 7 p.m. at the Roanoke Canal Museum there will be a reception and short lecture about the importance of canals in Antebellum America. This is to help celebrate the anniversary of the Roanoke Canal Commission.

She reported other upcoming activities include Main Street is working with organizers for a Day of the Dead festival on Friday, November 3rd and Saturday, November 4th at 1026 Roanoke Avenue. Mariachi band, artwork, dancing, food etc. More information will be coming soon.

City Manager Traynham announced this month was Fire Prevention Month. The Fire Department has been busy every day with presentations for different groups.

She said last week a Flu Shot Clinic was held at City Hall where 40-45 employees participated.

Finance Director's Report

Finance Director Johnson for the month of September, General Fund year to date receipts totaled \$7,543,166.64. General Fund year to date expenditures totaled \$5,137,217.83. As a result, Year-To-Date Revenues exceeded Expenditures by \$2,405,948.81. After the month of September, 26.9% of the budget year has been completed.

She reported during the month of September, the City received the following revenues:

- Current and Prior Year Ad Valorem Tax
- Motor Vehicle Tax
- First Allocation of Sales Tax Revenue
- Hold Harmless Revenue
- Utility Franchise Tax
- First Allocation of Powell Bill Funds
- Residential Solid Waste Fees
- Commercial Solid Waste Fees
- Interest Revenue
- Grants & Donation Funds

She stated the City is in good financial standing for September 2023 with revenues exceeding expenditures by \$2,405,948.81. This is a normal trend for the month of September.

Finance Director Johnson said the audit was in the final review process. Mr. Redman should send it to her soon for review and then once it is accepted by the LGC, it will be presented to City Council.

Councilman Smith asked when the City makes the payment on the Theatre. Finance Director Johnson replied they pay it on a quarterly basis and they just paid the second quarter. He asked if they had decided or discussed with Bank of America how they will use the monies from the sale of the Theatre. She replied no, they have those funds in the NC Cash Management making money. City Manager Traynham said they

should set up a special meeting with Bank of America to discuss the use of those funds. Councilman Smith asked if they had been in touch with Davenport about it. City Manager Traynham replied yes. He said the reason he asked that question is because he would like to know if there was some way Davenport could help get some of the debt forgiven if they pay a lump sum of money. City Manager Traynham stated staff will look into that and get meetings set up. Staff will not do anything without City Council's direction.

Mayor Doughtie asked Finance Director Johnson how much the City owed on the Theatre debt. She replied roughly \$7.5 million. He agreed with Councilman Smith that they may be willing to make some kind of concession if the City could make a large payment or pay it off in a few years. It wouldn't hurt to ask. She replied they would work on that.

Departmental Reports

Police

Chief Guyant reported they were down to six vacancies. They hired two people last week. Mayor Doughtie asked how many vacancies were there when he came. Chief Guyant replied twelve.

He announced Trick or Treating will occur from 5:30 – 8:30 p.m. on Tuesday, October 31st. There will be three family friendly events. Two will be at TJ Davis Recreation Center and the other at Chaloner Recreation Center. He encouraged everyone to attend.

He expressed his appreciation for the support of the police department. They were getting a lot of positive comments on their Facebook page. It has grown to 10,000 followers from 6,000 when he came onboard in July.

Chief Guyant reported next Monday and Tuesday the road behind Sheetz going into Lowe's will be closed for some underground repairs.

Parks & Recreation

Parks & Recreation Director Simeon said the Halloween events were set and in place. He reiterated the youth basketball registration deadline was October 31st and they do not take late registrations because they start practice the very next day.

He announced the following upcoming events and activities:

- Christmas on the Avenue – Friday, December 1st at 6 p.m. in Centennial Park.

- Christmas Parade – Sunday, December 3rd at 2 p.m. (Please let City Clerk know if they plan to participate.)
- Swim Lessons begin in November at the Chris Wicker Aquatic Center.
- Lowe’s Employees Work Day – Friday, October 27th at Kirkwood Adams Community Center. They are donating materials and labor to plant beds around the center. Staff are working to get Kirkwood back in the state it once was. They are about halfway through.

Councilwoman Bryant stated she has received some calls thanking them for getting the heater fixed at the aquatic center.

Fire

Chief Patrick stated the department was experiencing shortages like the police department. As of this coming Sunday, they will be down nine firefighters. They do have four in the Fire Academy at Nash Community College. Hopefully, once they graduate it will help balance it out a little bit. They plan to run a physical agility test in the next month.

He reported for Fire Prevention Month they have been to all the schools. They have taken the Fire Safety House out and it has worked well.

He said since it was Fire Prevention Month, he wanted to remind everyone in attendance and watching television to check their smoke detectors. If they do not have smoke detectors and live within the city limits, please call the Fire Station and they will send some guys to install some for them. They do provide those for no charge through a grant they receive every year from the State of North Carolina. He advised not to leave cooking unattended. Cooking fires account for 50% of home fires throughout the nation. Since cooler weather was coming in, some people do not have central heat so they use space heaters. Space heaters are called space heaters for a reason – they need space. He advised they have a 3-foot clearance around the heater to prevent fires.

Chief Patrick announced the fire truck manufacturer said they have one truck that has hit the assembly line. That means within 60-90 days (end of January) they should have a truck coming off the assembly line in Florida. The last update on the other truck is still August 2024. He will be coming back to City Council in the coming months about purchasing the equipment needed for the trucks. Some of the equipment will take 20 weeks to receive so they will need to get it ordered soon.

Councilman Smith asked about the other grants they applied for. Chief Patrick replied they applied for a grant for new fire hose. Unfortunately, they received a turn-down

letter about three weeks ago. Fire department staff continuously looks for grants to try to offset the costs as much as they can.

City Manager Traynham added they appreciate the assembly line advancing this one fire engine especially because it is part of a performance agreement with the grant funding source. Once the truck comes in, the City will receive the final payment under the federal grant the City received for it. Chief Patrick said he was not 100% sure that is the grant truck, but if it is when they receive the truck the City will receive reimbursement from FEMA.

Mayor Doughtie asked how much did the City get from the grant. Chief Patrick replied over \$470,000. He did not have the figures in front of him but the truck cost about \$550,000 for paying upfront. They were looking at \$100,000 - \$150,000 for the equipment.

Public Works

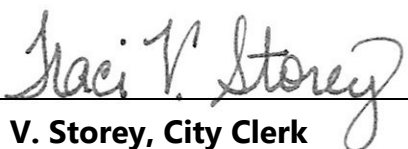
Public Works Director Chalker announced leaf collection will officially begin November 1st curbside and in the alleys. They collect in the alleys last.

He said they were in the City leaf and limb yard. When they pick the leaves up, they take them to this one yard. The leaves have to be quarantined for one year as required by the state. This is the time of year when they are grinding the limbs and making mulch so they are moving a lot things around to get ready for this season.

Public Works Director Chalker reported they have been working on a lot of sidewalks in the city. Citizens and/or city personnel identify trip hazards. It is a lot to keep up with when they have so many large trees with roots pushing sections of sidewalk up.

Adjournment

There being no further business, motion was made by Councilman Stainback, seconded by Councilman Strickland and unanimously carried to adjourn. The meeting was adjourned at 7:03 p.m.



Traci V. Storey, City Clerk

Approved by Council Action on: November 8, 2023