



## Ordinance 2022-37

### AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE 26<sup>th</sup> ANNUAL CAROLINA COUNTRY STAMPEDE

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of providing an annual Carolina Country Stampede Festival for the pleasure of its citizens; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from holding an annual Carolina Country Stampede Festival; and

**WHEREAS**, the downtown merchants are in cooperation with the Town to promote the 26<sup>th</sup> Annual Carolina Country Stampede; and

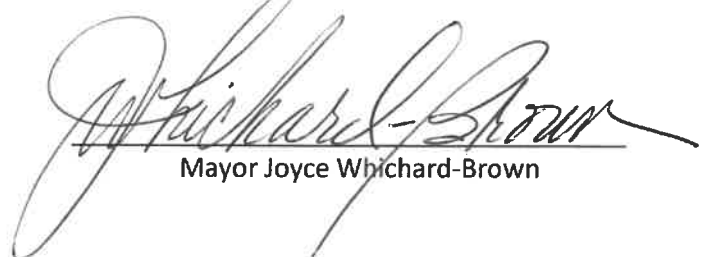
**WHEREAS**, the Town of Williamston plans to provide all necessary police and safety personnel for the event;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

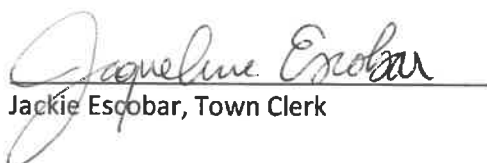
<b>Date:</b>	Friday, September 23, 2022 to Sunday, September 25, 2022
<b>Time:</b>	12 pm on Friday the 23 <sup>rd</sup> until 2 am Sunday the 25 <sup>th</sup>
<b>Route Description:</b>	The Intersection of Watts Street on Main to the intersection of Haughton and Main. Washington Street would be blocked from Railroad Street to Main.

This ordinance to become effective when signs are erected giving notice of the limits and times of the event, and implementation of adequate traffic control to guide through vehicles around the event.

Adopted this the 11<sup>th</sup> day of July, 2022 by the Board of Commissioners of the Town of Williamston.

  
Mayor Joyce Whichard-Brown

Attest:

  
Jackie Escobar, Town Clerk



ORDINANCE NO.: 2021-8

AN ORDINANCE TO AMEND THE ZONING ORDINANCE  
OF THE TOWN OF WILLIAMSTON

WHEREAS the Williamston Planning Board has recommended the following amendments to the Williamston Zoning Ordinance and the Town has held a public hearing on the 4<sup>th</sup> day of October 2021 to consider the amendments, no objection having been received to the proposed amendments;

BE IT THEREFORE ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WILLIAMSTON that the Zoning Ordinance of the Town of Williamston be amended as follows:

1. A new word definition is added as follows:

Self Storage Facility: A building or portion thereof segregated into small storage cubicles used exclusively for the dead storage of excess property. Such term shall not include the outside storage of property nor the conduct of business activities other than rental of storage units on the premises.

2. The following be added to Section 6-16.1 for Permitted Uses in the CH (Commercial Highway) Zone:

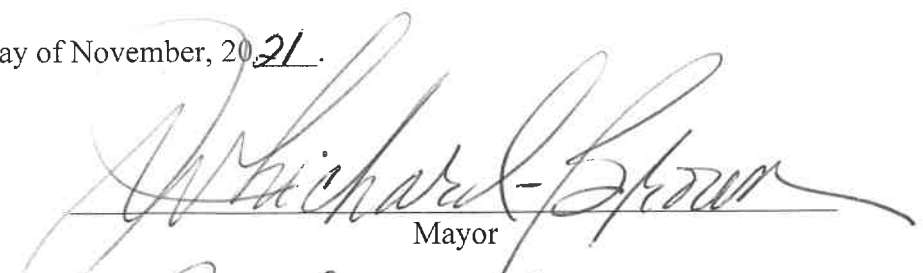
Self-Storage Facilities

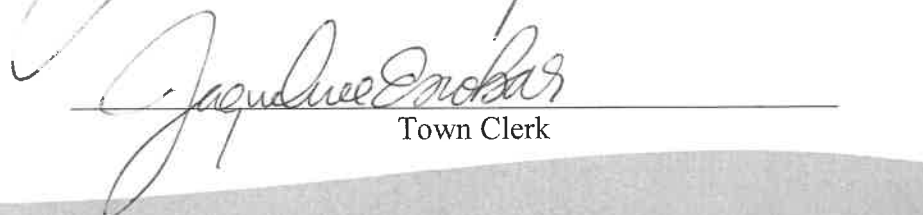
3. That 9-5.22 be added to Minimum Parking Requirements

9-5.22. Self Storage Facility – 1 space per 4 units or 4,000 square feet – whichever is greater.

This ordinance shall be effective upon final adoption.

Finally adopted this the 1<sup>st</sup> day of November, 2021.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Town Clerk



ORDINANCE NO.: 2021-9  
AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP  
OF THE TOWN OF WILLIAMSTON

WHEREAS the owner of the real property described herein in has requested that the ETJ Boundary line be amended as proposed in Appendix A;

WHEREAS the Williamston Planning Board has recommended the adoption of this amendment to the Board of Commissioners of the Town of Williamston as being consistent with the Town's comprehensive plan;



AND WHEREAS the said Board of Commissioners approves the amendment and finds that it is consistent with its comprehensive plan, that the amendment is reasonable and in the public interest in that it will allow for the continued development regulations to be followed along NC-125; and that adjacent property owners were notified; and that a public hearing was held by the Board of Commissioners on November 1, at 5:30 P.M. at the NC Telecenter, after notice was duly posted on the property and published in The Enterprise and at which no one objected to the amendment;

BE IT THEREFORE ORDAINED by the Board of Commissioners of the Town of Williamston that the ETJ Boundary on the following property be amended as shown in Appendix A:

The certain parcel of land owned by Indiantown Farm, LLC being Tax Parcel 0504927. These parcels were conveyed to Indiantown Farm, LLC in a deed recorded in Book C-28 Page 31, Martin County Registry.

This Ordinance shall be effective upon adoption.

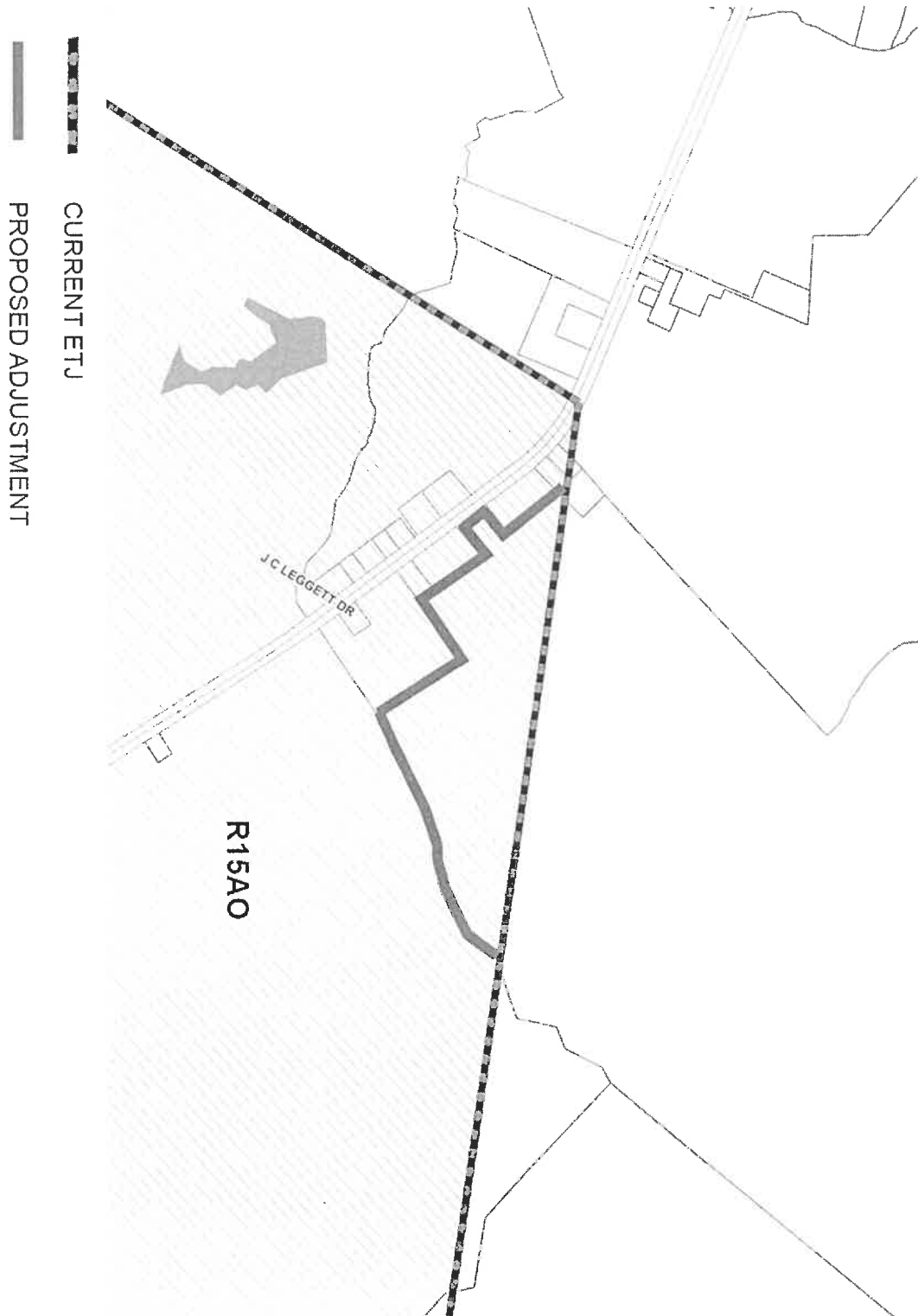
Adopted this the 1st day of November, 2021.

  
Mayor  
  
Clerk



APPENDIX A:

PROPOSED ETJ BOUNDARY ADJUSTMENT







ORDINANCE NO.: 2021-10  
AN ORDINANCE AMENDING THE OFFICIAL ZONING  
MAP OF THE TOWN OF WILLIAMSTON

WHEREAS the owner of the real property described herein has requested that this property be rezoned from CH (Commercial) to O&I (Office and Institutional);

WHEREAS the Williamston Planning Board has recommended the adoption of this amendment to the Board of Commissioners of the Town of Williamston although not consistent with the Town's comprehensive plan;

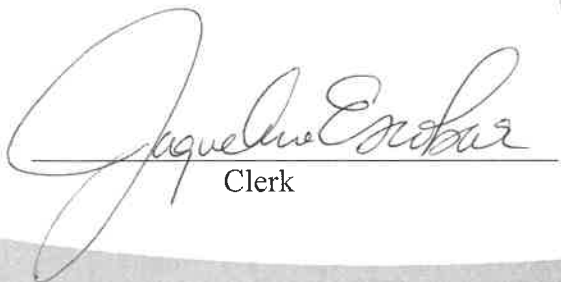
AND WHEREAS the said Board of Commissioners approves the amendment and finds that it is not consistent with its comprehensive plan, however the amendment is reasonable and in the public interest in that it will allow for the development of undeveloped land along a major thoroughfare without disruption of current surrounding businesses or residents; and that adjacent property owners were notified; and that a public hearing was held by the Board of Commissioners on November 1<sup>st</sup> at 5:30 P.M. at the NC Telecenter, after notice was duly posted on the property and published in The Enterprise and at which no one objected to the amendment;

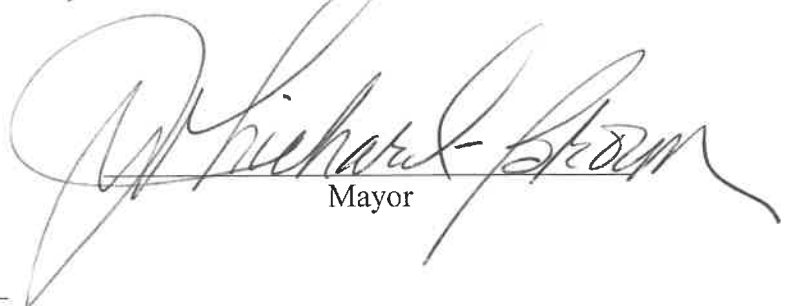
BE IT THEREFORE ORDAINED by the Board of Commissioners of the Town of Williamston that the following described area in the Town of Williamston be rezoned from CH (Commercial) to O&I (Office and Institutional):

The certain parcel of land owned by Ann H. Bagley Heirs being Tax Parcels 0502346. These parcels were conveyed to George V. & Ann H. Bagley in a deed recorded in Book H-21 Page 463, Martin County Registry.

This Ordinance shall be effective upon adoption.

Adopted this the 1st day of November 2021.

  
Clerk

  
Mayor

ORDINANCE NO. 2022-11

An Ordinance to Amend Title III, Chapter 36, Section 99 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A-175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§] 14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title III, Chapter 36, Section 01, Subpart G (Town Code §36.01 (G)) (Misdemeanor for Willful Violation);

WHEREAS, the amendment of Town Code §36-01 Subpart G is necessary to comply with State law.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

SECTION 1. Section 36-01 Subpart G (Misdemeanor for Willful Violation) of the Town of Williamston Code is amended so that it now reads as follows:

“Any person, firm, corporation or association who willfully attempts in any manner to evade a tax imposed herein or who willfully fails to pay the tax or make and file a return shall, in addition to the penalties provided by law and herein, be guilty of a Class 3 misdemeanor pursuant to G.S. 14-4 and G.S. 160A-175 and shall be punishable by a criminal fine not to exceed \$25.00. 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.”

SECTION 2: All ordinances or parts of ordinances in Section 36.01 in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3: Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the

ordinance.

**SECTION 4.** In accordance with Session Law 2021-138, Part XIII., Section 13.(b), this ordinance specifying a criminal penalty has been enacted at the meeting other than that in which it was first introduced.

**SECTION 5.** This ordinance will become effective \_\_\_\_\_, 2022.

This the 4th day of June, 2022.

  
Joyce Whichard Brown, Mayor

**ATTEST:**

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF MARTIN

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Christina Craft, Notary Public

My Commission Expires: \_\_\_\_\_

## ORDINANCE NO. 2022-18

An Ordinance to Amend Title IX, Chapter 93, Section 99 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A-175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§] 14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title IX, Chapter 93, Section 99 (Town Code §93-99).

WHEREAS, the amendment of Town Code §93-99 is necessary to comply with State law and address public safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

**SECTION 1.** Section 93-99 (Penalty) of the Town of Williamston Code is amended so that it now reads as follows:

“(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be guilty of a Class 3 misdemeanor punishable by a criminal fine not exceeding \$25.00 pursuant to G.S. 14-4 and G.S. 160A-175

(B) In addition to other remedies provided by law and this code, a violation of § 93.35 may subject the offender to a civil penalty in the amount of \$25.00, the penalty to be assessed and recovered by the town pursuant to § 10-99.

(C) The citation shall include:

- (1) The name and address (if known) of the violator;
- (2) The ordinance provision violated;
- (3) The date and location of the violation;
- (4) A description of the violation;

(5) The amount of the civil penalty; and  
(6) A statement that if the penalty is not paid to the town within 20 business days, a civil action or other remedies shall be sought against the violator to recover the penalty pursuant to § 10-99. The Town Administrator or his designee is authorized to sign the complaint on behalf of the town."

**SECTION 2:** All ordinances or parts of ordinances in Section 90-99 in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 3:** Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.


**SECTION 4.** In accordance with Session Law 2021-138, Part XIII., Section 13.(b), this ordinance specifying a criminal penalty has been enacted at the meeting other than that in which it was first introduced.

**SECTION 5.** This ordinance will become effective \_\_\_\_\_, 2022.

This the 25th day of June, 2022.

  
Joyce Whichard Brown, Mayor

ATTEST:

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF MARTIN

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Christina Craft, Notary Public

My Commission Expires: \_\_\_\_\_

ORDINANCE NO. 2022-19

An Ordinance to Amend Title IX, Chapter 94, Section 99 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A-175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§] 14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title IX, Chapter 94, Section 99 (Town Code §90-99).

WHEREAS, the amendment of Town Code §94-99 is necessary to comply with State law and address public safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

SECTION 1. Section 94-99 (Penalty) of the Town of Williamston Code is amended so that it now reads as follows:

“Any person violating the provisions of §§94.052 through 94.053 and §§ 94.070 through 94.071 shall be guilty of a Class 3 misdemeanor punishable by a criminal fine not exceeding \$25.00 pursuant to G.S. 14-4 and G.S. 160A-175. ”

SECTION 2: All ordinances or parts of ordinances in Section 94-99 in conflict herewith are hereby repealed to the extent of such conflict.

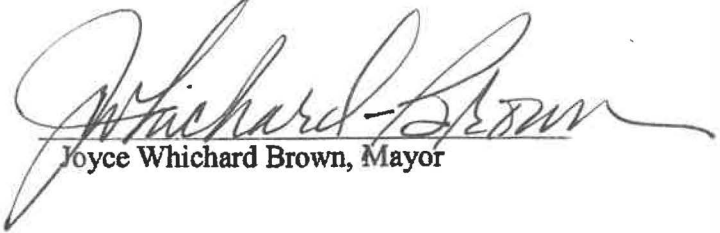
SECTION 3: Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

SECTION 4. In accordance with Session Law 2021-138, Part XIII., Section 13.(b), this ordinance specifying a criminal penalty has been enacted at the meeting other than that in which


it was first introduced.

SECTION 5. This ordinance will become effective \_\_\_\_\_, 2022.

This the 8th day of June, 2022.

  
Joyce Whichard Brown, Mayor

ATTEST:

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF MARTIN

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Christina Craft, Notary Public

My Commission Expires: \_\_\_\_\_

**ORDINANCE NO. 2022-20**

**An Ordinance to Amend Title IX, Chapter 95, Section 02 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138**

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A-175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§] 14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title IX, Chapter 95, Section 02 (Town Code §95-02).

WHEREAS, the amendment of Town Code §95-02 is necessary to comply with State law and address public safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

**SECTION 1.** Section 95-02 (Penalty) of the Town of Williamston Code is amended so that it now reads as follows:

“Any person violating the provisions of this chapter or to violate any term or condition of a permit issued pursuant to this section shall be guilty of a Class 3 misdemeanor punishable by a criminal fine not exceeding \$25.00 pursuant to G.S. 14-4 and G.S. 160A-175. Notwithstanding the criminal penalties provided herein, the Town shall also have the right to punish any violations of this chapter with a civil penalty as provided in §10-99.”

**SECTION 2:** All ordinances or parts of ordinances in Section 95-02 in conflict herewith are hereby repealed to the extent of such conflict.

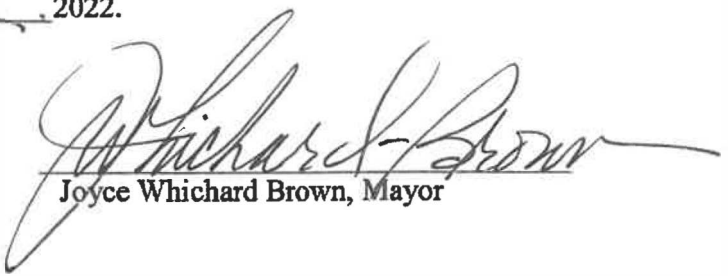
**SECTION 3:** Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.



SECTION 4. In accordance with Session Law 2021-138, Part XIII., Section 13.(b), this ordinance specifying a criminal penalty has been enacted at the meeting other than that in which it was first introduced.

SECTION 5. This ordinance will become effective \_\_\_\_\_, 2022.

This the 6th day of June, 2022.

  
Joyce Whichard Brown, Mayor

ATTEST:

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF MARTIN

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Christina Craft, Notary Public

My Commission Expires: \_\_\_\_\_

**ORDINANCE NO. 2022-21**

An Ordinance to Amend Title IX, Chapter 95, Section 03 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A-175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§] 14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title IX, Chapter 95, Section 03 (Town Code §95-03).

WHEREAS, the amendment of Town Code §95-03 is necessary to comply with State law and address public safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

**SECTION 1.** Section 95-03 (Penalty) of the Town of Williamston Code is amended so that it now reads as follows:

“Any person violating the provisions of this chapter or to violate any term or condition of a permit issued pursuant to this section shall be guilty of a Class 3 misdemeanor punishable by a criminal fine not exceeding \$25.00 pursuant to G.S. 14-4 and G.S. 160A-175.”

**SECTION 2:** All ordinances or parts of ordinances in Section 95-03 in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 3:** Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

**SECTION 4.** In accordance with Session Law 2021-138, Part XIII., Section 13.(b), this ordinance specifying a criminal penalty has been enacted at the meeting other than that in which

it was first introduced.

SECTION 5. This ordinance will become effective \_\_\_\_\_, 2022.

This the 14th day of June, 2022.

  
Joyce Whichard Brown, Mayor

ATTEST:

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF MARTIN

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Christina Craft, Notary Public

My Commission Expires: \_\_\_\_\_

ORDINANCE NO. 2022-26

An Ordinance to Amend Title XV, Chapter 152, Section 3, Subpart G of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A-175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§] 14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title XV, Chapter 152, Section 3, Subpart G, (Town Code §152-3);

WHEREAS, the amendment of Town Code §152-3 is necessary to comply with State law and address public health and safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

SECTION 1. Section 152-3 of the Town of Williamston Code is amended so that it now reads as follows:

(A) Any person violating any provision of this chapter may be assessed a civil penalty as provided in § 10.99 and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. Each day’s violation constitutes a separate and distinct offense

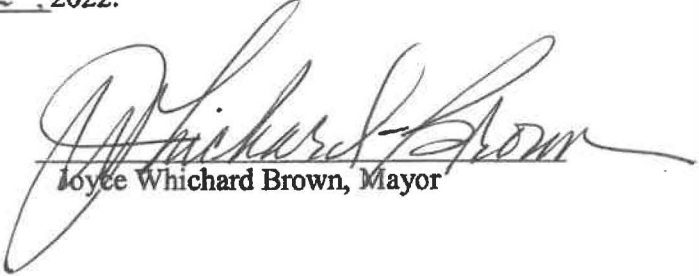
(B) Equitable remedies. In addition to the civil remedies set forth in division (A) above and pursuant to §160A-175 (d), the municipality through its Town Attorney, or other official designated by its local legislative body, may enjoin such transfer or sale by action for injunctive relief against any person who violates any provision of this chapter.

SECTION 2: All ordinances or parts of ordinances in Section 152-3 in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 3:** Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

**SECTION 4.** This ordinance will become effective \_\_\_\_\_, 2022.

This the 14th day of June, 2022.

  
Loyce Whichard Brown, Mayor

**ATTEST:**

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF MARTIN

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Christina Craft, Notary Public

My Commission Expires: \_\_\_\_\_

ORDINANCE NO. 2022-27

An Ordinance to Amend Title XV, Chapter 153, Section 99 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A-175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§] 14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title XV, Chapter 153, Section 12, Subpart 13, (Town Code §153-12-7);

WHEREAS, the amendment of Town Code §153-12-13 is necessary to comply with State law and address public health and safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

SECTION 1. Section 153-12-7 of the Town of Williamston Code is amended so that it now reads as follows:

(C) Any person violating any provision of this chapter may be assessed a civil penalty as provided in § 10.99. Each day’s violation constitutes a separate and distinct offense.

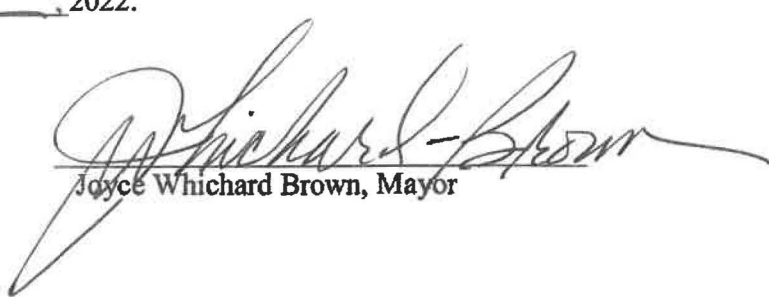
(D) Equitable remedies. In addition to the civil remedies set forth in division (A) above and pursuant to §160A-175 (d), the Town may seek injunctive relief against any person who violates any provision of this chapter.

SECTION 2: All ordinances or parts of ordinances in Section 152-12-7 in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3: Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

**SECTION 4.** This ordinance will become effective \_\_\_\_\_, 2022.

This the 14th day of June, 2022.

  
Joyce Whichard Brown, Mayor

**ATTEST:**

  
Jacqueline Escobar, Town Clerk

**STATE OF NORTH CAROLINA  
COUNTY OF MARTIN**

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Christina Craft, Notary Public

My Commission Expires: \_\_\_\_\_



## CAPITAL PROJECT ORDINANCE 2022-33

### GAYLORD PERRY PARK PARTF GRANT PROJECT

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the Gaylord Perry Park Renovation Project approved at the November 18, 2019 Town Board of Commissioner's meeting.

Listed are the renovations proposed:

- Picnic shelter with restrooms
- Accessible playground – structure and surfacing
- Skate Park
- Adult Fitness Area
- Outdoor basketball courts – renovation
- Accessible Routes (4' width sidewalks to amenities)
- Parking Lot – renovate existing and add approximately 16 spaces
- Utilities – electrical/lighting and plumbing/sewer
- Landscaping
- Site amenities – picnic tables, flag pole, benches, receptacles

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

Section 3. The following amounts are appropriated for the project:

Building and/or Renovating Costs	\$ 1,088,150
Contingency	\$ 23,025
Construction management, site planning, preliminary design, Survey and appraisals, application preparation cost	\$ 60,700
Total	<u>\$ 1,171,875</u>

Section 4. The following revenues are anticipated to be available to complete this project:

Town of Williamston	\$ 635,447
LWCF (Land & Water Conservation Fund) Grant	\$ 274,428
PARTF (Parks & Recreation Trust Fund) Grant	<u>\$ 262,000</u>
Total Revenues	<u>\$ 1,171,875</u>


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


Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Section 8. This ordinance supersedes a similarly title ordinance (2020-1) adopted on the 6th day of January 2020 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall and Capital Project Ordinance 2022-05, adopted on the 7<sup>th</sup> day of February 2022 during a regularly convened meeting of the Board of Commissioners held at the NC Telecenter in Williamston, NC.

Adopted this 15<sup>th</sup> day of June 2022 during a regularly convened meeting of the Board of Commissioners held at the NC Telecenter in Williamston, NC.

  
Jackie Escobar, Town Clerk  
(SEAL)

  
Joyce Whichard-Brown  
Mayor





**ORDINANCE 2022-34  
TOWN OF WILLIAMSTON  
FY 2022-2023 BUDGET ORDINANCE**

**BE IT ORDAINED** by the Governing Board of the Town of Williamston, North Carolina:

**Section 1:** The following amounts are hereby appropriated in the General Fund for the operation of the Town Government and its activities for the fiscal year beginning July 1, 2022, and ending June 30, 2023, in accordance with the chart of accounts heretofore established for this Town:

Administration	\$ 111,516
Board	59,038
Planning	190,353
Public Buildings	89,276
Police Department	2,151,541
Fire Department	632,626
Rescue/EMS Department	1,283,705
RRT Department	69,000
Street Department	438,898
Sanitation Department	580,055
Recreation Department	577,266
Cemetery	109,915
Garage	195,309
Cultural	119,000
Debt Retirement	327,534
Economic & Physical Development	<u>172,173</u>
	<b>\$ 7,107,205</b>

**Section 2.** It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2022 and ending June 30, 2023:

**Taxes and Licenses:**

Current Year's Property Taxes	\$ 2,890,403
Other Ad Valorem Tax Revenue	1,048,420
Local Option Sales Tax	1,040,000
Hold Harmless Reimbursements	332,000
Payment in Lieu of Taxes	8,200
Other Taxes and Licenses	<u>449,930</u>

<b>User Charges and Fees:</b>	
Recreation Activities	27,500
Cemetery Sales and Fees	115,000
EMS Service Charges	490,000
EMS Medicaid	100,000
Other Charges and Fees	23,500

<b>Intergovernmental Payments:</b>	
Total Government and Local Grants	304,277

<b>Other Income:</b>	
Investment Earnings	1,000
Installment Loan	240,000
Miscellaneous	36,975

<b>Fund Balance Appropriated:</b>	
Powell Bill – Street Sweeper	-0-
Undesignated Funds	<u>-0-</u>

**\$ 7,107,205**

**Section 3. The following amounts are hereby appropriated in the Enterprise Fund for the operation of the water and sewer utilities for the fiscal year beginning July 1, 2022, and ending June 30, 2023, in accordance with the chart of accounts heretofore approved for the Town:**

Water Operations	\$ 2,166,715
Sewer Operations	1,164,680
Capital Outlay	297,542
Debt Retirement	641,682
Reserve	-0-
Loans	-0-
Transfer from Other Funds	-0-
Contingencies	<u>-0-</u>
	<b>\$ 4,270,619</b>

**Section 4. It is estimated that the following revenues will be available in the Enterprise Fund for the fiscal year beginning July 1, 2022, and ending on June 30, 2023:**

Water Charges	\$ 2,491,957
Sewer Charges	1,571,129
Interest on Investments	6,000
Other Charges and Fees	56,000
Miscellaneous	1,500
Transfer from General Fund	22,614
Loan – Ambulance	121,419
Undesignated Fund Balance	<u>-0-</u>
	<b>\$ 4,270,619</b>

Section 5. It is estimated that the following expense will be available in the Storm Water Fund for the fiscal year beginning July 1, 2022, and ending on June 30, 2023:

Debt Service Payment	<u>\$55,000</u>
	\$ 55,000

Section 6. It is estimated that the following revenue will be available in the Storm Water Fund for the fiscal year beginning July 1, 2022, and ending on June 30, 2023:

Storm Water Fees	<u>\$55,000</u>
	\$ 55,000

Section 7. It is estimated that the following revenues will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2022, and ending on June 30, 2023:

License Plate Tax	\$ 81,250
Powell Bill Revenue	50.00
Powell Bill Funds	<u>176,138</u>
	\$ 257,438

Section 8. It is estimated that the following expenses will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2022, and ending on June 30, 2023:

Street - License Plate	\$81,250
Powell Bill Services	20,000
Powell Bill – Equipment/Operations	6,698
Powell Bill Loan	76,127
Powell Bill Interest	2,347
Powell Bill – Paving Project	<u>71,015</u>
	\$257,438

Section 9. The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

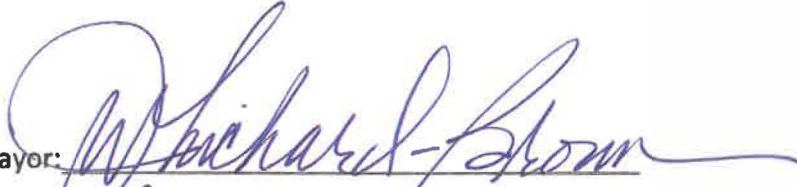
- a. He may transfer amounts between line item expenditures within a department without limitation and without a report being required.
- b. The Budget Officer shall be authorized to re-allocate departmental appropriations among the various objects of expenditures as he believes necessary provided such transfers shall be reported to the Board of Commissioners at its next regular meeting and shall be entered into the minutes.
- c. He may not transfer any amounts between funds, except as approved by the Governing Board in the Budget Ordinance as amended.

Section 10. The Budget Officer may make cash advances between funds for periods not to exceed 60 days without reporting to the Governing Board. Any advances that extend beyond 60 days must be approved by the Board. All advances that will be outstanding at the end of the fiscal year must be approved by the Board.

Section 11. Copies of this Budget Ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer to be kept on file by them for their discretion in the disbursement of funds.

Adopted this 6<sup>th</sup> day of June, 2022

Mayor:

A handwritten signature in blue ink, appearing to read "Richard Brown", written over a horizontal line.

Clerk:

A handwritten signature in blue ink, appearing to read "Jackie Enobar", written over a horizontal line.



AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF  
THE TOWN OF WILLIAMSTON ORDERING THE ZONING  
ADMINISTRATOR TO CAUSE THE DEMOLITION AND REMOVAL  
OF THAT CERTAIN DWELLING UNIT KNOWN AS 207 CENTER STREET,  
WILLIAMSTON, NC AND OWNED BY EULALIA H. FEGGINS

ORDINANCE NO.: 2022-35

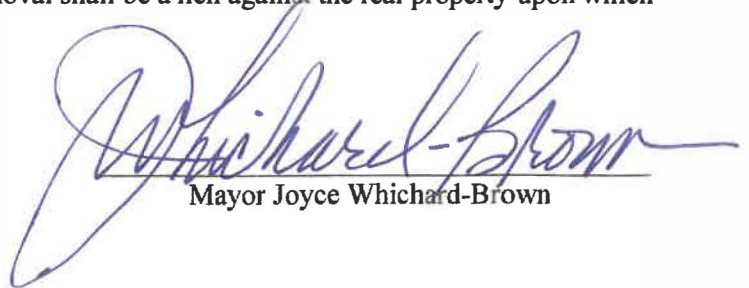
WHEREAS pursuant to Chapter 14 of the Code of the Town of Williamston and a proceeding entitled "In the matter of the dwelling unit located at 207 Center Street in the Town of Williamston, owned by the heirs of Geraldine Scott," the Zoning Administrator investigated the condition of that certain dwelling located at 207 Center Street, owned by Eulalia H. Feggins, and a hearing was duly held by the Zoning Administrator on April 1, 2022, after which the Zoning Administrator found that the house is dilapidated, unfit for human habitation and should be torn down due to the deterioration of wood sills, collapsed roof areas, and otherwise unsafe conditions and that this house is vacant and abandoned, attracting vermin, and that repair, alteration, or improvement cannot be made at a reasonable cost in relation to the value of the dwelling. Said Zoning Administrator has concluded as a matter of law that the dwelling is dilapidated and ordered that it be demolished by the owner;

AND WHEREAS the time for appeal of this decision has passed and no appeal has been taken and the dwelling has not been removed;

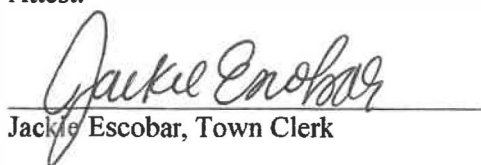
IT IS THEREFORE ORDERED by the Board of Commissioners of the Town of Williamston that the Zoning Administrator is authorized and directed to cause this dwelling to be removed and demolished and until then, to cause to be posted on the dwelling a placard stating, "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." This dwelling was conveyed to Eulalia H. Feggins in a Deed recorded in Book T-12, page 336, Martin County Registry.

BE IT FURTHER ORDAINED that this ordinance be recorded in the Office of the Martin County Register of Deed and indexed in the name of the property owner in the grantor index pursuant to G.S. 160D 1203(5); and that pursuant to G.S. 160D 1203(7)a. the amount of the cost of the demolition and removal shall be a lien against the real property upon which the cost was incurred.

Adopted this 6th day of June, 2022.

  
 Mayor Joyce Whichard-Brown

Attest:

  
 Jackie Escobar, Town Clerk



AN ORDINANCE OF THE BOARD OF COMMISSIONERS  
OF THE TOWN OF WILLIAMSTON ORDERING THE  
ZONING ADMINISTRATOR TO CAUSE THE DEMOLITION  
AND REMOVAL OF THAT CERTAIN DWELLING UNIT  
KNOWN AS 311 ROBERSON STREET, WILLIAMSTON, NC  
AND OWNED BY GERALDINE SCOTT HEIRS

ORDINANCE NO.: 2022-36

WHEREAS pursuant to Chapter 14 of the Code of the Town of Williamston and a proceeding entitled "In the matter of the dwelling unit located at 311 Roberson Street in the Town of Williamston, owned by the heirs of Geraldine Scott," the Zoning Administrator investigated the condition of that certain dwelling located at 311 Roberson Street, owned by the heirs of Geraldine Scott, and a hearing was duly held by the Zoning Administrator on April 1, 2022, after which the Zoning Administrator found that the house is dilapidated, unfit for human habitation and should be torn down because of deterioration, collapsed roof and walls, and otherwise unsafe conditions and that repair, alteration, or improvement cannot be made at a reasonable cost in relation to the value of the dwelling; and the said Zoning Administrator has concluded as a matter of law that the dwelling is dilapidated and ordered that it be demolished by the owner;

AND WHEREAS the time for appeal of this decision has passed and no appeal has been taken and the dwelling has not been removed;

IT IS THEREFORE ORDERED by the Board of Commissioners of the Town of Williamston that the Zoning Administrator is authorized and directed to cause this dwelling to be removed and demolished and until then, to cause to be posted on the dwelling a placard stating, "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." This dwelling was conveyed to Geraldine Scott in a Deed recorded in Book W-14, page 869, Martin County Registry.

BE IT FURTHER ORDAINED that this ordinance be recorded in the Office of the Martin County Register of Deed and indexed in the name of the property owner in the grantor index pursuant to G.S. 160D 1203(5); and that pursuant to G.S. 160D 1203(7)a. the amount of the cost of the demolition and removal shall be a lien against the real property upon which the cost was incurred.

Adopted this 6th day of June, 2022.

Mayor Joyce Whichard-Brown

Attest:

Jackie Escobar, Town Clerk



**Grant Project Ordinance 2022-32 for the Town of Williamston American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds**

**BE IT ORDAINED** by the town council of the Town of Williamston, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

**Section 1:** This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). The Town of Williamston (Town) has received the first tranche in the amount of \$828,932.05 of CSLFRF funds. The total allocation is \$1,657,864.10, with the remainder to be distributed to the Town within 12 months. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

**Section 2:** The Town has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and expend all its ARP/CSLFRF funds for the provision of government services.

**Section 3:** The following amounts are appropriate for the project and authorized for expenditure:

Internal Project Code	Project Description	Expenditure Category (EC)	Cost Object	Appropriation of ARP/CSLFRF Funds
001	Law enforcement services for period of July 1, 2021 through December 31, 2024	6.1	Salaries	\$1,657,864.1
	<b>TOTAL</b>			<b>\$1,657,864.10</b>



**Section 4:** The following revenues are anticipated to be available to complete the project:

**ARP/CSLFRF Funds:** \$1,657,864.10

**Total:** \$1,657,864.10

**Section 5:** The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the Town's Uniform Guidance Allowable Costs and Cost Principles Policy.

**Section 6:** The Finance Officer is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

**Section 7:** Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to Town Council.

**Section 8:** This grant project ordinance expires on December 31, 2026, or when all the ARP/CSLFRF funds have been obligated and expended by the Town, whichever occurs sooner.

**Section 9.** This ordinance supersedes a similarly title ordinance (2022-04) adopted on the 7th day of March 2022 during a regularly convened meeting of the Board of Commissioners held at the NC Telecenter located at 416 East Boulevard in Williamston, NC.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2022 during a special called meeting of the Board of Commissioners held at the NC Telecenter in Williamston, NC.

Attest:

  
Town Clerk

  
Mayor





## ORDINANCE NO. 2022-10

An Ordinance to Amend Title I, Chapter 10, Section 99 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Se

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A- 175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§]14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title I, Chapter 10, Section 99, Part A (Town Code §10.99) (General Penalty; Enforcement of Ordinances; Continuing Violations);

WHEREAS, the amendment of Town Code §10.99 to remove the criminal enforcement penalty along with the addition of a civil penalty is necessary to comply with State law.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

SECTION 1. Section 10-99 of the Town of Williamston Code is modified so that it now reads as follows:

“(A) *Enforcement by Civil Penalty.* Unless otherwise specifically provided, violation of any provision of this code of ordinances or other town ordinance may subject the offender to a civil penalty in the amount of \$25.00, to be recovered by the town in a civil action in the nature of a penalty within a prescribed period of time after he or she has been cited for that violation.”

(B) *Service of civil penalties.* Civil citations issued under this section shall be served personally upon the violating person, firm or corporation by a member of the Town of Williamston Police Department or by the Town Administrator, or his or her designee, who shall direct the same to the offending person, firm, or corporation by any other means authorized for the service of civil process by the North Carolina Rules of Civil Procedure.

(C) *Payment of civil penalties.* All civil citations issued under this section must be paid to the Town’s Finance Department within twenty business days from the date of issuance.



(D) *Appeals.* Any person assessed a civil penalty under this Section may present an appeal in writing to the Board of Commissioners within 30 days of the date the civil citation is served upon the violating party. No appeal to the Board of Commissioners may be had after enforcement actions have been initiated by the Town.

(D) *Methods of recovery of unpaid civil penalties.* If a civil penalty issued under this section is not paid within twenty business days from the date the violator has been cited for the violation, the Town may recover the unpaid civil penalty by any or all of the following methods: a civil action in the nature of a debt or any equitable remedy issued by any court of competent jurisdiction and in which 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, or by any other method authorized by law to secure, collect, satisfy, or otherwise recover any civil penalty owed.

(E) *Injunction and Abatement available.*

(1) 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 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.

(2) 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 improvement or repairs be made; or that any other action be taken that is necessary to bring the property into compliance with this code or the 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 or she 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 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.

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

(G) 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.

**SECTION 2:** All ordinances or parts of ordinances in Section 10-99 in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 3:** Any part of provision of this ordinance found by a court of competent jurisdiction to



be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

SECTION 4. This ordinance will become effective \_\_\_\_\_, 2022.

(G.S. § 14-4(a)) (Ord. passed \_\_\_\_\_)

This the 5<sup>th</sup> day of April, 2022

  
Joyce Whichard Brown, Mayor

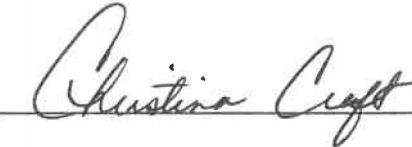
ATTEST:

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF ~~MARTIN~~ Washington

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the 5<sup>th</sup> day of April, 2022.

  
Christina Craft, Notary Public

My Commission Expires: 9-3-2025





## ORDINANCE NO. 2022-11

An Ordinance to Amend Title III, Chapter 36, Section 99 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A- 175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§]14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title III, Chapter 36, Section 01, Subpart G (Town Code §36.01 (G)) (Misdemeanor for Willful Violation);

WHEREAS, the amendment of Town Code §36-01 Subpart G is necessary to comply with State law.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

SECTION 1. Section 36-01 Subpart G (Misdemeanor for Willful Violation) of the Town of Williamston Code is amended so that it now reads as follows:

“Any person, firm, corporation or association who willfully attempts in any manner to evade a tax imposed herein or who willfully fails to pay the tax or make and file a return shall, in addition to the penalties provided by law and herein, be guilty of a Class 3 misdemeanor pursuant to G.S. 14-4 and G.S. 160A-175 and shall be punishable by a criminal fine not to exceed \$25.00. 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.”

SECTION 2: All ordinances or parts of ordinances in Section 36.01 in conflict herewith are hereby repealed to the extent of such conflict.

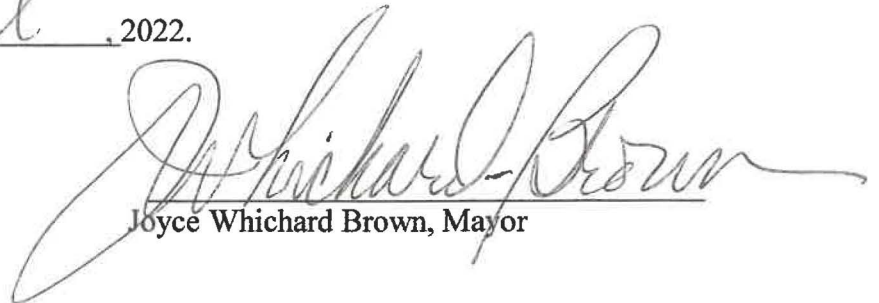
SECTION 3: Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.



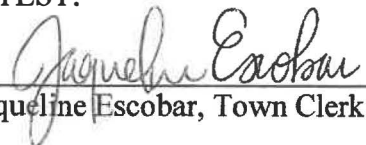
SECTION 4. In accordance with Session Law 2021-138, Part XIII., Section 13.(b), this ordinance specifying a criminal penalty has been enacted at the meeting other than that in which it was first introduced.

SECTION 5. This ordinance will become effective \_\_\_\_\_, 2022.

This the 5<sup>th</sup> day of April, 2022.

  
Joyce Whichard Brown, Mayor

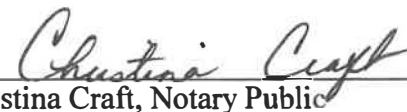
ATTEST:

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF ~~MARTIN~~ Washington

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the 5<sup>th</sup> day of April, 2022.

  
Christina Craft, Notary Public

My Commission Expires: 9-3-2025







## ORDINANCE NO. 2022-12

An Ordinance to Amend Title III, Chapter 37, Section 04 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A- 175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§]14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title III, Chapter 37, Section 04, Subpart B (Town Code §37.04 (B));

WHEREAS, the amendment of Town Code §37-04 is necessary to comply with State law and address the interest of public safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

SECTION 1. Section 37-04 Subpart B of the Town of Williamston Code is amended so that it now reads as follows:

“During the existence of a proclaimed state of emergency, it shall be unlawful for any person to violate any provision of any restriction imposed by any proclamation authorized by this chapter. Any person, firm, corporation or association who violates any such restriction shall be guilty of a Class 3 misdemeanor pursuant to G.S. 14-4 and G.S. 160A-175 and shall be punishable by a criminal fine not to exceed \$25.00. 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.”

SECTION 2: All ordinances or parts of ordinances in Section 37.04 in conflict herewith are hereby repealed to the extent of such conflict.

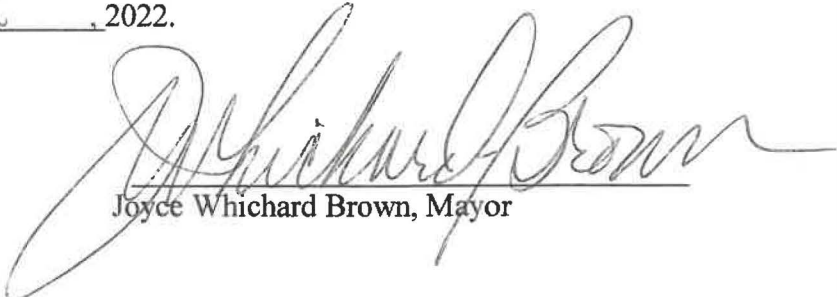
SECTION 3: Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.



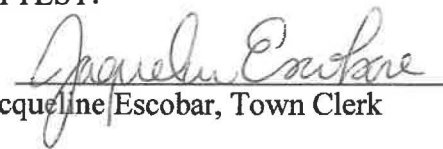
SECTION 4. In accordance with Session Law 2021-138, Part XIII., Section 13.(b), this ordinance specifying a criminal penalty has been enacted at the meeting other than that in which it was first introduced.

SECTION 5. This ordinance will become effective \_\_\_\_\_, 2022.

This the 5<sup>th</sup> day of April, 2022.

  
Joyce Whichard Brown, Mayor

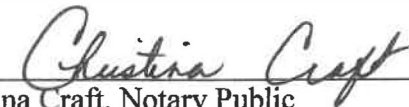
ATTEST:

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF ~~MARTIN~~ Washington

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the 5<sup>th</sup> day of April, 2022.

  
Christina Craft, Notary Public

My Commission Expires: 9-3-2025





## ORDINANCE NO. 2022-13

An Ordinance to Amend Title III, Chapter 38, Section 99 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A- 175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§]14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title III, Chapter 38, Section 99, Subpart G (Town Code §37.04;

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

SECTION 1. Section 38-99 of the Town of Williamston Code is amended so that it now reads as follows:

- (A) General. Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to a civil penalty as provided in § 10.99.
- (B) Regulating smoking in municipal buildings and vehicles. Violation of § 38.01 shall subject the offender to a civil penalty to be recovered by the Town as set forth in § 10.99 in all other respects except that the amount of said civil penalty shall be \$10.00 payable within 48 hours of being served with a written civil citation.

SECTION 2: All ordinances or parts of ordinances in Section 38.99 in conflict herewith are hereby repealed to the extent of such conflict.

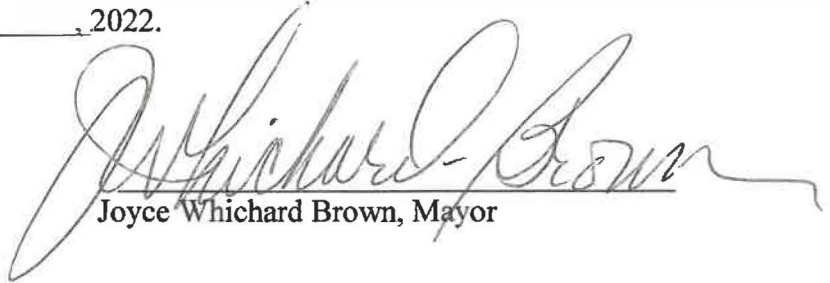




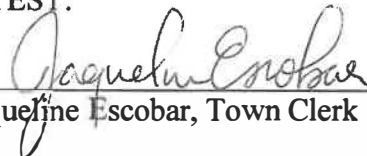
**SECTION 3:** Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

**SECTION 4.** This ordinance will become effective \_\_\_\_\_, 2022.

This the 5<sup>th</sup> day of April, 2022.

  
Joyce Whichard Brown, Mayor

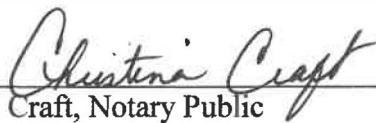
ATTEST:

  
Jacqueline Escobar, Town Clerk

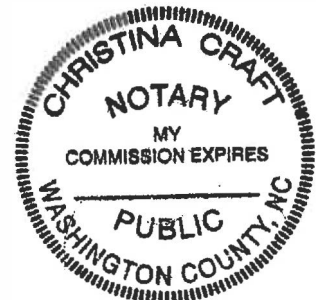
STATE OF NORTH CAROLINA  
COUNTY OF ~~MARTIN~~ Washington

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the 5<sup>th</sup> day of April, 2022.

  
Christina Craft, Notary Public

My Commission Expires: 9-3-2025





## ORDINANCE NO. 2022-14

An Ordinance to Amend Title V, Chapter 51, Section 99 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A- 175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§] 14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title V, Chapter 51, Section 99, (Town Code §51.99);

WHEREAS, the amendment of Town Code §51.99 is necessary to comply with State law and address public health and safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

SECTION 1. Section 51-99 of the Town of Williamston Code is amended so that it now reads as follows:

(A) Violation of any of the provisions of this chapter shall be subject to a civil penalty as provided in § 10.99. Each day of continuing violation of this Chapter shall constitute a separate offense.

(B) The provisions of this chapter shall in no way limit or restrict the Town’s enforcement of all remedies available at law.

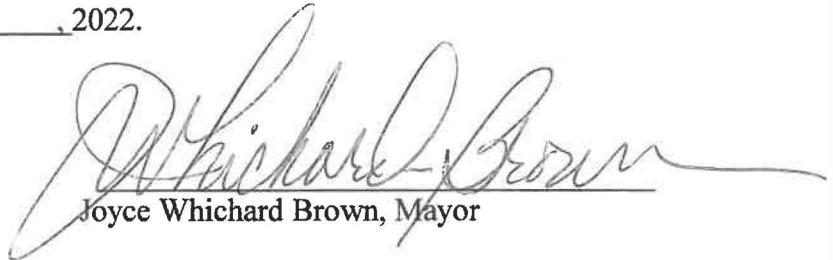
SECTION 2: All ordinances or parts of ordinances in Section 51.99 in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3: Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

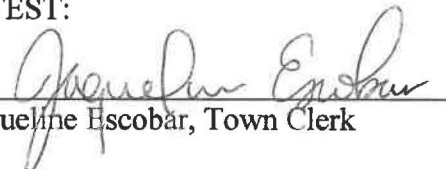


SECTION 4. This ordinance will become effective \_\_\_\_\_, 2022.

This the 5<sup>th</sup> day of April, 2022.

  
Joyce Whichard Brown, Mayor

ATTEST:

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF MARTIN

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the 5<sup>th</sup> day of April, 2022.

  
Christina Craft, Notary Public

My Commission Expires: 9-3-2025





## **ORDINANCE NO. 2022-15**

An Ordinance to Amend Title V, Chapter 52, Section 99 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A- 175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§]14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title V, Chapter 52, Section 99, (Town Code §51.99);

WHEREAS, the amendment of Town Code §52.99 is necessary to comply with State law and address public health and safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

**SECTION 1.** Section 52-99 of the Town of Williamston Code is amended so that it now reads as follows:

(A) Violation of any of the provisions of this chapter shall be subject to a civil penalty as provided in § 10.99. Each day of continuing violation of this Chapter shall constitute a separate offense.

(B) The provisions of this chapter shall in no way limit or restrict the Town’s enforcement of all remedies available at law.

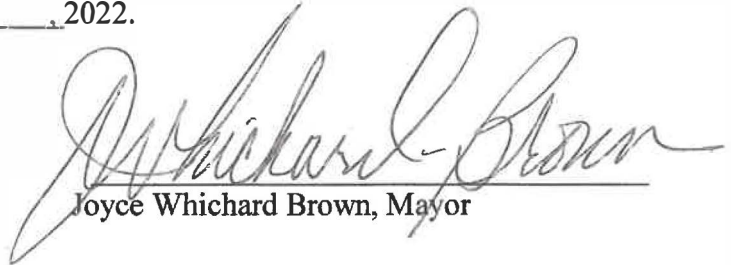
**SECTION 2:** All ordinances or parts of ordinances in Section 52.99 in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 3:** Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

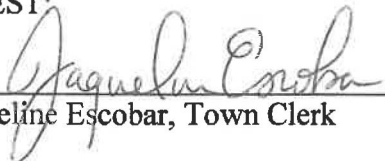


SECTION 4. This ordinance will become effective \_\_\_\_\_, 2022.

This the 5<sup>th</sup> day of April, 2022.

  
Joyce Whichard Brown, Mayor


ATTEST:

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF MARTIN

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the 5<sup>th</sup> day of April, 2022.

  
Christina Craft, Notary Public

My Commission Expires: 9-3-2025







## **ORDINANCE NO. 2022-16**

An Ordinance to Amend Title VI, Chapter 70, Section 999 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A- 175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§] 14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title IV, Chapter 70, Section 999, Subpart G (Town Code §36.01 (G)) (Misdemeanor for Willful Violation);

WHEREAS, the amendment of Town Code §70-999 Subpart G is necessary to comply with State law and address public safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

SECTION 1. Section 70-999 (Penalty) of the Town of Williamston Code is amended so that it now reads as follows:

“Any person violating any provision of this chapter for which no specific penalty is otherwise prescribed herein shall, in addition to the penalties provided by law and herein, be guilty of a Class 3 misdemeanor pursuant to G.S. 14-4 and G.S. 160A-175 and shall be punishable by a criminal fine not to exceed \$25.00.”

SECTION 2: All ordinances or parts of ordinances in Section 70-999 in conflict herewith are hereby repealed to the extent of such conflict.

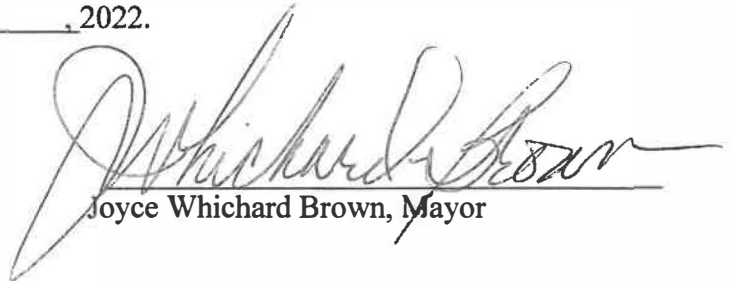
SECTION 3: Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.



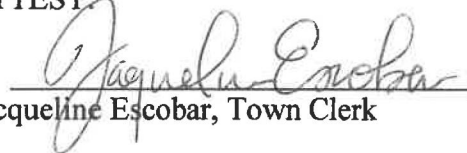
SECTION 4. In accordance with Session Law 2021-138, Part XIII., Section 13.(b), this ordinance specifying a criminal penalty has been enacted at the meeting other than that in which it was first introduced.

SECTION 5. This ordinance will become effective \_\_\_\_\_, 2022.

This the 5<sup>th</sup> day of April, 2022.

  
Joyce Whichard Brown, Mayor

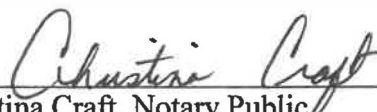
ATTEST:

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF MARTIN

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the 5<sup>th</sup> day of April, 2022.

  
Christina Craft, Notary Public

My Commission Expires: 9-3-2025





## ORDINANCE NO. 2022-17

An Ordinance to Amend Title IX, Chapter 90, Section 99 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A- 175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§] 14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title IX, Chapter 90, Section 999 (Town Code §90-99).

WHEREAS, the amendment of Town Code §90-999 is necessary to comply with State law and address public safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

**SECTION 1.** Section 90-999 (Penalty) of the Town of Williamston Code is amended so that it now reads as follows:

“Any person violating this chapter shall be guilty of a Class 3 misdemeanor punishable by a criminal fine not exceeding \$25.00 pursuant to G.S. 14-4 and G.S. 160A-175. In addition, enforcement may include all other remedies included in the Code of the Town of Williamston. Each day’s continuing act or conduct prohibited hereby and each day’s failure to comply shall constitute a separate and distinct offense.”

**SECTION 2:** All ordinances or parts of ordinances in Section 90-999 in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 3:** Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.





SECTION 4. In accordance with Session Law 2021-138, Part XIII., Section 13.(b), this ordinance specifying a criminal penalty has been enacted at the meeting other than that in which it was first introduced.

SECTION 5. This ordinance will become effective \_\_\_\_\_, 2022.

This the 4th day of April, 2022.

Joyce Whichard Brown  
Joyce Whichard Brown, Mayor

ATTEST:

Jacqueline Escobar  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF MARTIN

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the 5th day of April, 2022.

Christina Craft  
Christina Craft, Notary Public

My Commission Expires: 9-3-2025





## ORDINANCE NO. 2022-18

An Ordinance to Amend Title IX, Chapter 93, Section 99 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A- 175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§]14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title IX, Chapter 93, Section 99 (Town Code §93-99).

WHEREAS, the amendment of Town Code §93-999 is necessary to comply with State law and address public safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

**SECTION 1.** Section 93-99 (Penalty) of the Town of Williamston Code is amended so that it now reads as follows:

“(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be guilty of a Class 3 misdemeanor punishable by a criminal fine not exceeding \$25.00 pursuant to G.S. 14-4 and G.S. 160A-175

(B) In addition to other remedies provided by law and this code, a violation of § 93.35 may subject the offender to a civil penalty in the amount of \$25.00, the penalty to be assessed and recovered by the town pursuant to § 10-99.

(C) The citation shall include:

- (1) The name and address (if known) of the violator;
- (2) The ordinance provision violated;
- (3) The date and location of the violation;
- (4) A description of the violation;



(5) The amount of the civil penalty; and

(6) A statement that if the penalty is not paid to the town within 20 business days, a civil action or other remedies shall be sought against the violator to recover the penalty pursuant to § 10-99. The Town Administrator or his designee is authorized to sign the complaint on behalf of the town.”

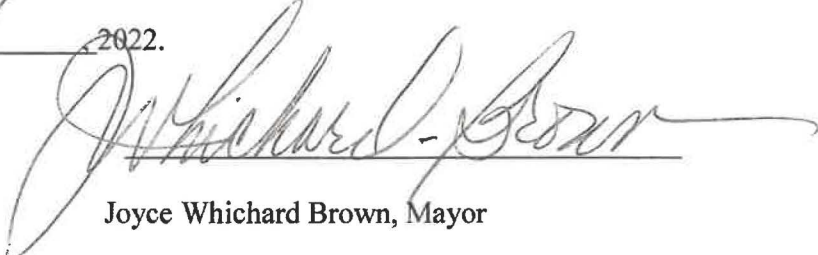
**SECTION 2:** All ordinances or parts of ordinances in Section 90-999 in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 3:** Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

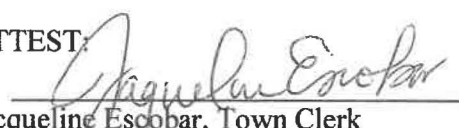
**SECTION 4.** In accordance with Session Law 2021-138, Part XIII., Section 13.(b), this ordinance specifying a criminal penalty has been enacted at the meeting other than that in which it was first introduced.

**SECTION 5.** This ordinance will become effective \_\_\_\_\_, 2022.

This the 5<sup>th</sup> day of April, 2022.

  
Joyce Whichard Brown, Mayor


ATTEST:

  
Jacqueline Escobar, Town Clerk

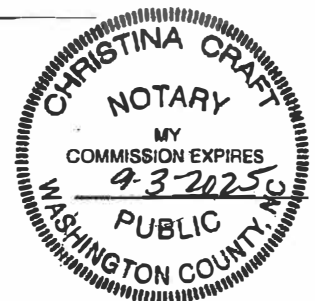
STATE OF NORTH CAROLINA  
COUNTY OF MARTIN

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the 5<sup>th</sup> day of April, 2022.

  
Christina Craft, Notary Public

My Commission Expires: 9-3-2025





## ORDINANCE NO. 2022-19

An Ordinance to Amend Title IX, Chapter 94, Section 99 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A- 175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§]14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title IX, Chapter 94, Section 999 (Town Code §90-99).

WHEREAS, the amendment of Town Code §94-99 is necessary to comply with State law and address public safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

**SECTION 1.** Section 94-999 (Penalty) of the Town of Williamston Code is amended so that it now reads as follows:

“Any person violating the provisions of §§94.052 through 94.053 and §§ 94.070 through 94.071 shall be guilty of a Class 3 misdemeanor punishable by a criminal fine not exceeding \$25.00 pursuant to G.S. 14-4 and G.S. 160A-175. ”

**SECTION 2:** All ordinances or parts of ordinances in Section 94-99 in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 3:** Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

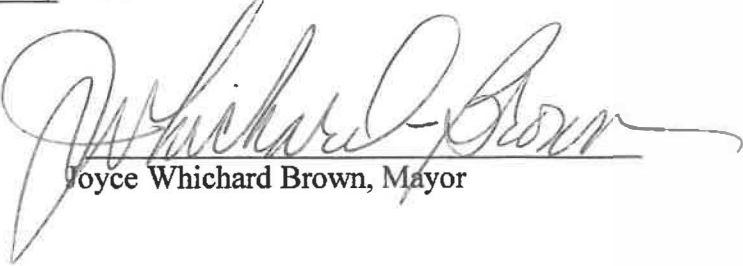
**SECTION 4.** In accordance with Session Law 2021-138, Part XIII., Section 13.(b), this



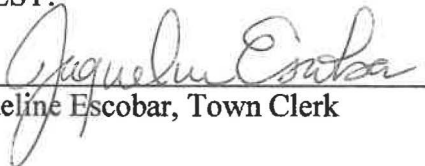
ordinance specifying a criminal penalty has been enacted at the meeting other than that in which it was first introduced.

SECTION 5. This ordinance will become effective \_\_\_\_\_, 2022.

This the 5<sup>th</sup> day of April, 2022.

  
Joyce Whichard Brown, Mayor

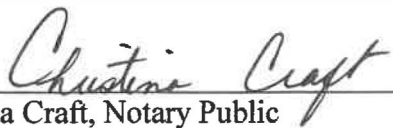
ATTEST:

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF MARTIN

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the 5<sup>th</sup> day of April, 2022.

  
Christina Craft, Notary Public

My Commission Expires: 9-3-2025







## ORDINANCE NO. 2022-20

An Ordinance to Amend Title IX, Chapter 95, Section 02 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A- 175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§]14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title IX, Chapter 95, Section 02 (Town Code §95-02).

WHEREAS, the amendment of Town Code §95-02 is necessary to comply with State law and address public safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

**SECTION 1.** Section 95-02 (Penalty) of the Town of Williamston Code is amended so that it now reads as follows:

“Any person violating the provisions of this chapter or to violate any term or condition of a permit issued pursuant to this section shall be guilty of a Class 3 misdemeanor punishable by a criminal fine not exceeding \$25.00 pursuant to G.S. 14-4 and G.S. 160A-175. Notwithstanding the criminal penalties provided herein, the Town shall also have the right to punish any violations of this chapter with a civil penalty as provided in §10-99.”

**SECTION 2:** All ordinances or parts of ordinances in Section 95-02 in conflict herewith are hereby repealed to the extent of such conflict.

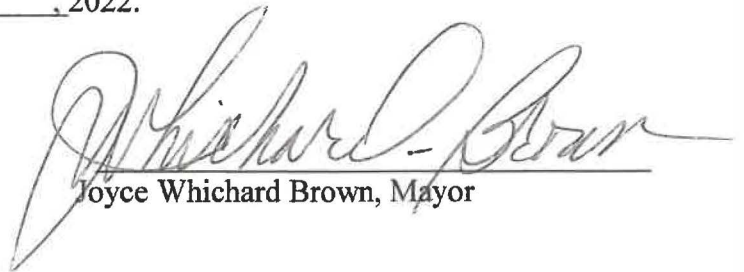
**SECTION 3:** Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.



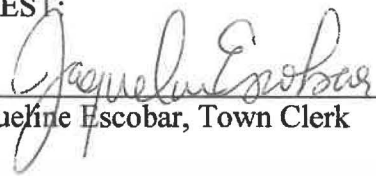
SECTION 4. In accordance with Session Law 2021-138, Part XIII., Section 13.(b), this ordinance specifying a criminal penalty has been enacted at the meeting other than that in which it was first introduced.

SECTION 5. This ordinance will become effective \_\_\_\_\_, 2022.

This the 5<sup>th</sup> day of April, 2022.

  
Joyce Whichard Brown, Mayor

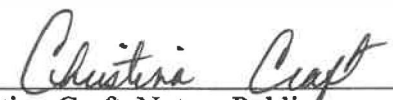
ATTEST:

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF MARTIN

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the 5<sup>th</sup> day of April, 2022.

  
Christina Craft, Notary Public

My Commission Expires: 9-3-2025





## **ORDINANCE NO. 2022-21**

An Ordinance to Amend Title IX, Chapter 95, Section 03 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A- 175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§] 14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title IX, Chapter 95, Section 03 (Town Code §95-03).

WHEREAS, the amendment of Town Code §95-03 is necessary to comply with State law and address public safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

SECTION 1. Section 95-03 (Penalty) of the Town of Williamston Code is amended so that it now reads as follows:

“Any person violating the provisions of this chapter or to violate any term or condition of a permit issued pursuant to this section shall be guilty of a Class 3 misdemeanor punishable by a criminal fine not exceeding \$25.00 pursuant to G.S. 14-4 and G.S. 160A-175.”

SECTION 2: All ordinances or parts of ordinances in Section 95-03 in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3: Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

SECTION 4. In accordance with Session Law 2021-138, Part XIII., Section 13.(b), this

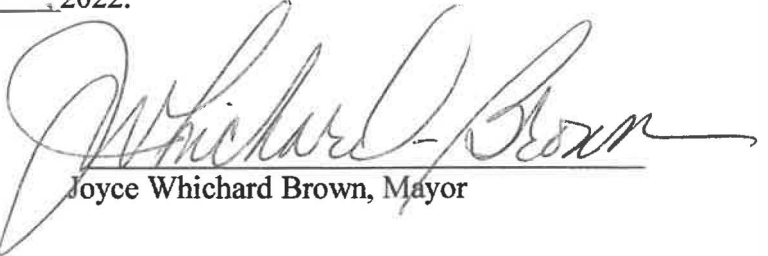




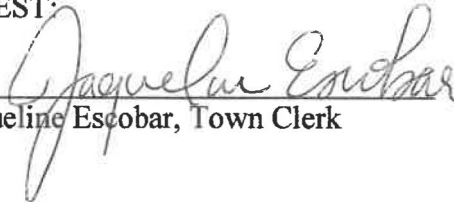
ordinance specifying a criminal penalty has been enacted at the meeting other than that in which it was first introduced.

SECTION 5. This ordinance will become effective \_\_\_\_\_, 2022.

This the 5<sup>th</sup> day of April, 2022.

  
Joyce Whichard Brown, Mayor

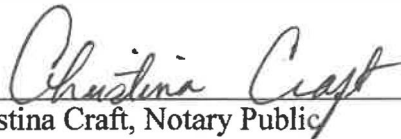
ATTEST:

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF MARTIN

I, Christina Craft, a Notary Public for said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the 5<sup>th</sup> day of April, 2022.

  
Christina Craft, Notary Public

My Commission Expires: 9-3-2025





## **ORDINANCE NO. 2022-23**

An Ordinance to Amend Title V, Chapter 114, Section 99 of the Code of Ordinances, Town of Williamston, North Carolina As Required by Session Law 2021-138

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(b) amends N.C.G.S. § 160A- 175(b) to state that “[e]xcept for the types of ordinances listed in [N.C.G.S. § 160A-175(b1)], a violation of a city ordinance “may be a misdemeanor or infraction as provided by [N.C.] G.S. [§]14-4 only if the city specifies such in the ordinance” and that “[a]n ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by [N.C.] G.S. [§] 14-4.”; and

WHEREAS, Session Law 2021-138, Part XIII. Section 13.(c) amends N.C.G.S. § 14-4(a) to state that “[e]xcept as provided in [N.C.G.S. § 14-4(b) or N.C.G.S. § 14-4(c)], if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00)” and that “[n]o fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).”; and

WHEREAS, based on the foregoing provisions found in Session Law 2021-138, Part XIII town ordinance enforcement has been decriminalized effective December 1, 2021, which includes Title V, Chapter 51, Section 69, (Town Code §51.99);

WHEREAS, the amendment of Town Code §114.99 is necessary to comply with State law and address public health and safety.

Be it ordained and enacted by the Board of Commissioners of the Town of Williamston, State of North Carolina, as follows:

SECTION 1. Section 114-99 of the Town of Williamston Code is amended so that it now reads as follows:

- (A) Violation of any of the provisions of this chapter shall be subject to a civil penalty as provided in § 10.99. Each day of continuing violation of this Chapter shall constitute a separate offense.
- (B) The provisions of this chapter shall in no way limit or restrict the Town’s enforcement of all remedies available at law.

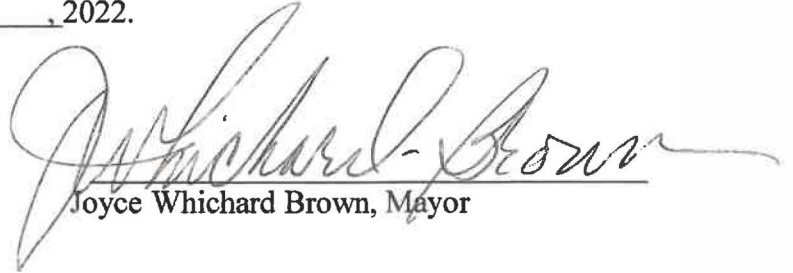
SECTION 2: All ordinances or parts of ordinances in Section 114.99 in conflict herewith are hereby repealed to the extent of such conflict.




**SECTION 3:** Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

**SECTION 4.** This ordinance will become effective \_\_\_\_\_, 2022.

This the 5<sup>th</sup> day of April, 2022.

  
Joyce Whichard Brown, Mayor

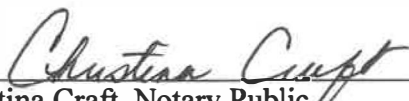
ATTEST:

  
Jacqueline Escobar, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF MARTIN

I, Christina Craft, a Notary Public fore said County and State, certify that Jacqueline Escobar, Town Clerk, personally came before this date and acknowledged that she is the Town Clerk of the Town of Williamston, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by the Mayor, sealed with the corporate seal, and attested by herself as its Town Clerk.

Witness my hand and official seal, this the 5<sup>th</sup> day of April, 2022.

  
Christina Craft, Notary Public

My Commission Expires: 9-3-2025





**ORDINANCE NO. 2022-08  
AN ORDINANCE RELATING TO A  
VACANCY ORDINANCE FOR THE CENTRAL BUSINESS DISTRICT**

The Board of Commissioners of the Town of Williamston, North Carolina does hereby ordain that the following is added to the Code of the Town of Williamston as the Central Business District Vacancy Ordinance:

**Central Business District Vacancy Ordinance**

**Sec. 1. Title**

This article shall be known and may be cited and referred to as the "Central Business District Vacancy Ordinance."

**Sec. 2. Purpose**

It is the purpose and intent of the Williamston Town Board of Commissioners, through the adoption of this Chapter, to establish a vacant property registration ordinance as a mechanism to preserve the historic integrity of Williamston's Historic District and to protect the Town's commercial districts from becoming blighted through the lack of adequate maintenance and security of abandoned and vacant properties. The Town finds that the presence of properties exhibiting evidence of vacancy pose special risks to the health, safety, and welfare of the community and therefore require heightened regulatory attention. The provisions of this Chapter shall apply to all properties in the CBD (Central Business District) Zone of the Town of Williamston as shown on the Official Zoning Map.

**Sec. 3. Definitions**

The following definitions shall apply in the interpretation and enforcement of this article:

(a) "Central Business District" or "CBD" means the zone encompassing downtown as defined by the official Zoning Map of the Town of Williamston.

(b) "Days" means consecutive calendar days.

(c) "Evidence of Vacancy" means any aesthetic condition that on its own or combined with other conditions present would lead a reasonable person to believe that the property is vacant. Such conditions include, but are not limited to, overgrown or dead vegetation, extensively chipped or peeling exterior paint, exterior walls in poor condition, porches and steps in poor condition, roof in poor condition, broken windows and other signs of general disrepair, accumulation of newspapers, circulars, flyers or mail, past due utility notices or disconnected utilities, accumulation of trash, junk or debris, the absence of window coverings such as curtains, blinds, or shutters, the absence of furnishings or personal items consistent with commercial habitation, statements by neighbors, passersby, delivery agents, government employees that the property is vacant.

(d) "Government Agency" means any public body having authority over the property and residents of the Town, including but not limited to the Town of Williamston, Williamston Police Department, Williamston Fire Department, Martin County, and Martin County Sheriff's Office.

(e) "Government Official" means any public official representing a public body which has authority over the Property and residents of the Town, including but not limited to the Town Administrator, Town Zoning Administrator, County Building Inspector, Town Police Chief, Town Fire Marshall.

(f) "Historic District" means the state-designated Williamston Historic District, as listed in the National Register of Historic Places.



(g) "Local" means located within forty (40) road or driving miles distance of the subject property.

(h) "Non-residential Property" means any real property used or intended to be used for anything other than residential property as defined herein.

(i) "Out of Area" means located in excess of forty (40) road or driving miles distance away from the subject Property.

(j) "Owner" means any person, partnership, association, corporation or fiduciary having a legal or equitable title or any interest in any real property. No trustee in any Deed of Trust shall be considered an owner.

(k) "Owner of Record" is the person or entity listed on recorded deed, probated will or heir by intestacy.

(l) "Property" means any unimproved or improved real property or portion thereof, situated in the Town and includes the buildings or structures located on the Property regardless of condition.

(m) "Residential Property" means a building, or portion thereof, designed exclusively for residential occupancy, including one-family, two-family, multiple dwellings, mobile homes, house trailers, boarding and lodging houses, apartment houses, and apartment hotels.

(n) "Town" means the Town of Williamston corporate limits and its Extra Territorial Jurisdiction.

(o) "Utilities" means water, sewer, telephone, natural and propane gas, and electricity services.

(p) "Vacant" means a Property that has not been occupied for thirty days or for 30 days, has had no obvious signs of occupancy including but not limited to no apparent human activity inside, no evidence of utility usage, inside storage of materials visible from the street, or boarded or otherwise covered windows and/or doors.

#### Sec. 4. Registration

(a) Any vacant commercial property located within the Town's CBD district must be registered by the Owner with the Town of Williamston's Planning Department, either (1) of the Owner of a Vacant Property's own accord before receiving a Notice of Registration Requirement, or (2) within 30 days of receiving a Notice of Registration Requirement from the Town.

(b) The Town will send a Notice of Registration Requirement to the Owner of Record of Properties that exhibit Evidence of Vacancy. Owner shall register Property within the time period set forth in Section 3(a) of this Chapter unless Owner can provide clear and convincing evidence to the Town Zoning Administrator, within such time period, that the Property is not Vacant.

(c) The Registration shall contain:

- (i) the name of the Owner (individual or otherwise),
- (ii) the direct street/office mailing address of the Owner and P.O. Box if applicable,
- (iii) a direct contact name and phone number
- (iv) the name, address and telephone number of any local property management company hired by the Owner to meet the Maintenance requirements of this Chapter if Owner's principal residence is not Local.

(d) Any changes in the information in (b)(i)-(b)(iv) of this Section shall be reported to the Town within thirty (30) days of such changes.

(e) Registration must be renewed annually.



(f) Vacant properties shall remain subject to the annual registration, maintenance, and security requirements of this Chapter as long as they remain Vacant.

(g) Once the Property is no longer Vacant or is sold, the owner must provide written proof of occupancy or sale to the Town Administrator.

Sec. 5. Fees

(a) The fee for registering a vacant property shall be \$15 annually, beginning on July 1. Fees will not be prorated.

(b) Registration fee may be waived by the Town Zoning Administrator if the owner can demonstrate with clear and convincing evidence that (1) the property has been sold, or (2) the property will be occupied within 30 days from the date of Notice of Registration Requirement.

Sec. 6. Maintenance Requirements

Properties subject to this Chapter shall be kept in compliance with the following maintenance requirements:

(a) The exteriors of building(s)/structure(s) on the property shall be painted and/or maintained in a way that does not exhibit any Evidence of Vacancy.

(b) The yard(s) (if applicable) of the property shall be maintained in a way that does not exhibit Evidence of Vacancy.

(c) The deck(s) and porch(s) (if applicable) located on the property shall be maintained in a way that does not exhibit Evidence of Vacancy.

(d) The window(s) and door(s) of building(s)/structure(s) of the property shall be intact and operable and shall be maintained in a way that does not exhibit Evidence of Vacancy.

(e) Instances of visible rotting of building(s)/structure(s) located on the Property or portion thereof shall be corrected in order to eliminate Evidence of Vacancy, with the exterior painted and/or kept in good aesthetic condition.

(f) The Property shall be maintained so as to exhibit no Evidence of Vacancy.

(g) The storefronts and facades of buildings shall be maintained in a way that does not exhibit Evidence of Vacancy.

(h) The interiors, when visible to passersby through storefront windows, shall be maintained in a way that does not exhibit Evidence of Vacancy.

Sec. 7. Security Requirements

Vacant properties subject to this Chapter shall comply with the following security requirements:

(a) The Property shall be maintained in a secure manner so as not to be accessible to unauthorized persons. This includes, without limitation, the closure and locking of windows, doors (including but not limited to walkthrough, sliding, and garage), gates, pet doors, and any other such opening of such size that it may allow access to the interior of the Property or structure(s).

(b) Broken windows shall be replaced and/or re-glazed; windows at street level shall not be boarded up.

Sec. 8. Requirements to Hire Local Property Management Company for Out of Area Owners

(a) If the Property Owner's principal residence is not Local, then a Local property management company shall be contracted to fulfill the maintenance and security requirements of this Chapter, set forth in Sections 5 and 6, and any other applicable laws.



(b) The Property shall be posted with the name and 24-hour contact phone number of the local property management company. The posting shall be no smaller than 18 inches by 24 inches and shall be of a font that is legible from a distance of 45 feet and shall contain along with the name and 24-hour contact number the words "THIS PROPERTY MANAGED BY" and "TO REPORT PROBLEMS OR CONCERNS CALL." The posting shall be placed in the interior of a window facing the street to the front of the Property so it is visible from the street, or secured to the exterior of the building/structure facing the street to the front of the Property so it is visible from the street or, if no such area exists, on a stake of sufficient size to support the posting in a location that is visible from the street to the front of the Property but not readily accessible to vandals. The exterior posting must be constructed of and printed with weather resistant materials.

(c) The requirement set forth in part (a) of this section may be waived by the Town Zoning Administrator for owners who (1) reliably demonstrate an ability to maintain the property and (2) have not received any citations for maintenance violations in the previous quarter. Upon the inability to maintain the property, the waiver of this section will no longer apply.

#### Sec. 9. Inspections

The Town shall have the authority and the duty to inspect properties subject to this Chapter for compliance and to issue citations for any violations. The Town shall have the discretion to determine when and how such inspections are to be made, provided that their policies are reasonably calculated to ensure that this Chapter is enforced.

#### Sec. 10. Enforcement, Violations, and Penalties

(a) The imposition of one penalty for any violation shall not excuse the violation, or authorize its continuance.

(b) All such persons shall be required to submit an acceptable plan of action to the Town Zoning Administrator within 15 business days of notification. This plan of action must include, but is not limited to, a description of the work to be done, by whom and a specific schedule. Plans shall be reviewed by the Town Zoning Administrator and work is to commence within 15 days of plan approval. When not otherwise specified, failure to meet any stated condition within 10 days of required action shall constitute a separate offense.

(c) Penalties for failure to comply: Any person who violates this ordinance shall be subject to an administrative civil penalty in the amount of \$50.00 to be recovered by the Town. The Town may initiate a civil action in the nature of debt if any person violating any provision of this Chapter fails to pay the penalty within 30 days after he has been served with notice of violation of this Chapter. Each day such violation continues constitutes a separate offense. The Zoning Administrator shall have the recourse to initiate through the Town Attorney such remedies in law and equity as may be necessary to ensure compliance with the provisions of these regulations.

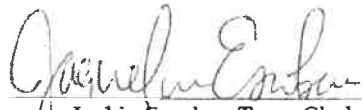
#### Sec. 11. Appeals

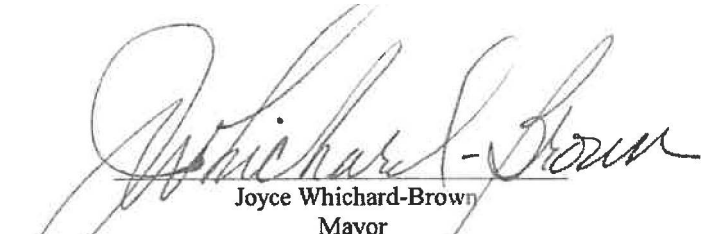
Any person aggrieved by any of the requirements of this Chapter may present an appeal in writing to the Board of Commissioners.

#### Sec. 12. Severability

Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.



  
Jackie Escobar, Town Clerk  
(SEAL)

  
Joyce Whichard-Brown  
Mayor





**Grant Project Ordinance 2022-04 for the Town of Williamston American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds**

**BE IT ORDAINED** by the town council of the Town of Williamston, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

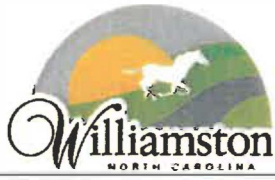
**Section 1:** This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). The Town of Williamston (Town) has received the first tranche in the amount of \$828,932.05 of CSLFRF funds. The total allocation is \$1,657,864.10, with the remainder to be distributed to the Town within 12 months. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

**Section 2:** The Town has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and expend all its ARP/CSLFRF funds for the provision of government services.

**Section 3:** The following amounts are appropriate for the project and authorized for expenditure:

Internal Project Code	Project Description	Expenditure Category (EC)	Cost Object	Appropriation of ARP/CSLFRF Funds
001	Law enforcement services for period of July 1, 2021 through December 31, 2024	6.1	Salaries	\$357,864.10



002	Water Department services for period of July 1, 2021 through December 31, 2024	6.1	Salaries	\$350,838
			Benefits	\$68,924
			Administrative Salary Expense	\$128,080
003	Sewer services for period of July 1, 2021 through December 31, 2024	6.1	Salaries	\$512,310
			Benefits	\$97,482
			Administrative Salary Expense	\$142,366
	TOTAL			\$1,657,864.10

**Section 4:** The following revenues are anticipated to be available to complete the project:

**ARP/CSLFRF Funds:** \$1,657,864.10

**Total:** \$1,657,864.10

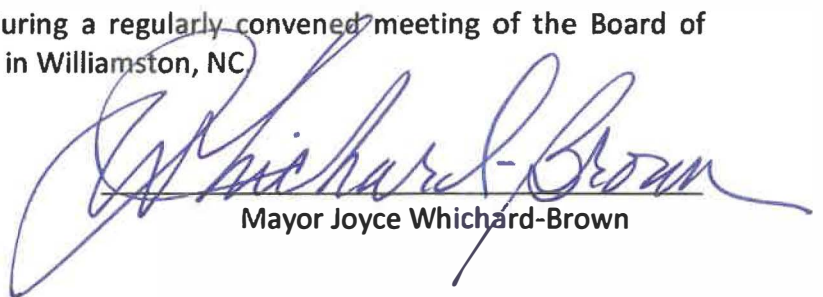
**Section 5:** The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the Town's Uniform Guidance Allowable Costs and Cost Principles Policy.

**Section 6:** The Finance Officer is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

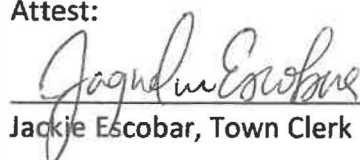
**Section 7:** Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to Town Council.

**Section 8:** This grant project ordinance expires on December 31, 2026, or when all the ARP/CSLFRF funds have been obligated and expended by the Town, whichever occurs sooner.

Adopted this 7th day of March, 2022 during a regularly convened meeting of the Board of Commissioners held at the NC Telecenter in Williamston, NC

  
Mayor Joyce Whichard-Brown

Attest:

  
Jackie Escobar, Town Clerk



**ORDINANCE NO. 2022-08**  
**AN ORDINANCE RELATING TO A**  
**VACANCY ORDINANCE FOR THE CENTRAL BUSINESS DISTRICT**

The Board of Commissioners of the Town of Williamston, North Carolina does hereby ordain that the following is added to the Code of the Town of Williamston as the Central Business District Vacancy Ordinance:

**Central Business District Vacancy Ordinance**

**Sec. 1. Title**

This article shall be known and may be cited and referred to as the “Central Business District Vacancy Ordinance.”

**Sec. 2. Purpose**

It is the purpose and intent of the Williamston Town Board of Commissioners, through the adoption of this Chapter, to establish a vacant property registration ordinance as a mechanism to preserve the historic integrity of Williamston’s Historic District and to protect the Town’s commercial districts from becoming blighted through the lack of adequate maintenance and security of abandoned and vacant properties. The Town finds that the presence of properties exhibiting evidence of vacancy pose special risks to the health, safety, and welfare of the community and therefore require heightened regulatory attention. The provisions of this Chapter shall apply to all properties in the CBD (Central Business District) Zone of the Town of Williamston as shown on the Official Zoning Map.

**Sec. 3. Definitions**

The following definitions shall apply in the interpretation and enforcement of this article:

(a) “Central Business District” or “CBD” means the zone encompassing downtown as defined by the official Zoning Map of the Town of Williamston.

(b) “Days” means consecutive calendar days.

(c) “Evidence of Vacancy” means any aesthetic condition that on its own or combined with other conditions present would lead a reasonable person to believe that the property is vacant. Such conditions include, but are not limited to, overgrown or dead vegetation, extensively chipped or peeling exterior paint, exterior walls in poor condition, porches and steps in poor condition, roof in poor condition, broken windows and other signs of general disrepair, accumulation of newspapers, circulars, flyers or mail, past due utility notices or disconnected utilities, accumulation of trash, junk or debris, the absence of window coverings such as curtains, blinds, or shutters, the absence of furnishings or personal items consistent with commercial habitation, statements by neighbors, passersby, delivery agents, government employees that the property is vacant.

(d) “Government Agency” means any public body having authority over the property and residents of the Town, including but not limited to the Town of Williamston, Williamston Police Department, Williamston Fire Department, Martin County, and Martin County Sheriff’s Office.

(e) “Government Official” means any public official representing a public body which has authority over the Property and residents of the Town, including but not limited to the Town Administrator, Town Zoning Administrator, County Building Inspector, Town Police Chief, Town Fire Marshall.

(f) “Historic District” means the state-designated Williamston Historic District, as listed in the National Register of Historic Places.



- (g) "Local" means located within forty (40) road or driving miles distance of the subject property.
- (h) "Non-residential Property" means any real property used or intended to be used for anything other than residential property as defined herein.
- (i) "Out of Area" means located in excess of forty (40) road or driving miles distance away from the subject Property.
- (j) "Owner" means any person, partnership, association, corporation or fiduciary having a legal or equitable title or any interest in any real property. No trustee in any Deed of Trust shall be considered an owner.
- (k) "Owner of Record" is the person or entity listed on recorded deed, probated will or heir by intestacy.
- (l) "Property" means any unimproved or improved real property or portion thereof, situated in the Town and includes the buildings or structures located on the Property regardless of condition.
- (m) "Residential Property" means a building, or portion thereof, designed exclusively for residential occupancy, including one-family, two-family, multiple dwellings, mobile homes, house trailers, boarding and lodging houses, apartment houses, and apartment hotels.
- (n) "Town" means the Town of Williamston corporate limits and its Extra Territorial Jurisdiction.
- (o) "Utilities" means water, sewer, telephone, natural and propane gas, and electricity services.
- (p) "Vacant" means a Property that has not been occupied for thirty days or for 30 days, has had no obvious signs of occupancy including but not limited to no apparent human activity inside, no evidence of utility usage, inside storage of materials visible from the street, or boarded or otherwise covered windows and/or doors.

#### Sec. 4. Registration

- (a) Any vacant commercial property located within the Town's CBD district must be registered by the Owner with the Town of Williamston's Planning Department, either (1) of the Owner of a Vacant Property's own accord before receiving a Notice of Registration Requirement, or (2) within 30 days of receiving a Notice of Registration Requirement from the Town.
- (b) The Town will send a Notice of Registration Requirement to the Owner of Record of Properties that exhibit Evidence of Vacancy. Owner shall register Property within the time period set forth in Section 3(a) of this Chapter unless Owner can provide clear and convincing evidence to the Town Zoning Administrator, within such time period, that the Property is not Vacant.
- (c) The Registration shall contain:
- (i) the name of the Owner (individual or otherwise),
  - (ii) the direct street/office mailing address of the Owner and P.O. Box if applicable,
  - (iii) a direct contact name and phone number
  - (iv) the name, address and telephone number of any local property management company hired by the Owner to meet the Maintenance requirements of this Chapter if Owner's principal residence is not Local.
- (d) Any changes in the information in (b)(i)-(b)(iv) of this Section shall be reported to the Town within thirty (30) days of such changes.
- (e) Registration must be renewed annually.



(f) Vacant properties shall remain subject to the annual registration, maintenance, and security requirements of this Chapter as long as they remain Vacant.

(g) Once the Property is no longer Vacant or is sold, the owner must provide written proof of occupancy or sale to the Town Administrator.

#### Sec. 5. Fees

(a) The fee for registering a vacant property shall be \$15 annually, beginning on July 1. Fees will not be prorated.

(b) Registration fee may be waived by the Town Zoning Administrator if the owner can demonstrate with clear and convincing evidence that (1) the property has been sold, or (2) the property will be occupied within 30 days from the date of Notice of Registration Requirement.

#### Sec. 6. Maintenance Requirements

Properties subject to this Chapter shall be kept in compliance with the following maintenance requirements:

(a) The exteriors of building(s)/structure(s) on the property shall be painted and/or maintained in a way that does not exhibit any Evidence of Vacancy.

(b) The yard(s) (if applicable) of the property shall be maintained in a way that does not exhibit Evidence of Vacancy.

(c) The deck(s) and porch(s) (if applicable) located on the property shall be maintained in a way that does not exhibit Evidence of Vacancy.

(d) The window(s) and door(s) of building(s)/structure(s) of the property shall be intact and operable and shall be maintained in a way that does not exhibit Evidence of Vacancy.

(e) Instances of visible rotting of building(s)/structure(s) located on the Property or portion thereof shall be corrected in order to eliminate Evidence of Vacancy, with the exterior painted and/or kept in good aesthetic condition.

(f) The Property shall be maintained so as to exhibit no Evidence of Vacancy.

(g) The storefronts and facades of buildings shall be maintained in a way that does not exhibit Evidence of Vacancy.

(h) The interiors, when visible to passersby through storefront windows, shall be maintained in a way that does not exhibit Evidence of Vacancy.

#### Sec. 7. Security Requirements

Vacant properties subject to this Chapter shall comply with the following security requirements:

(a) The Property shall be maintained in a secure manner so as not to be accessible to unauthorized persons. This includes, without limitation, the closure and locking of windows, doors (including but not limited to walkthrough, sliding, and garage), gates, pet doors, and any other such opening of such size that it may allow access to the interior of the Property or structure(s).

(b) Broken windows shall be replaced and/or re-glazed; windows at street level shall not be boarded up.

#### Sec. 8. Requirements to Hire Local Property Management Company for Out of Area Owners

(a) If the Property Owner's principal residence is not Local, then a Local property management company shall be contracted to fulfill the maintenance and security requirements of this Chapter, set forth in Sections 5 and 6, and any other applicable laws.





(b) The Property shall be posted with the name and 24-hour contact phone number of the local property management company. The posting shall be no smaller than 18 inches by 24 inches and shall be of a font that is legible from a distance of 45 feet and shall contain along with the name and 24-hour contact number the words "THIS PROPERTY MANAGED BY" and "TO REPORT PROBLEMS OR CONCERNS CALL." The posting shall be placed in the interior of a window facing the street to the front of the Property so it is visible from the street, or secured to the exterior of the building/structure facing the street to the front of the Property so it is visible from the street or, if no such area exists, on a stake of sufficient size to support the posting in a location that is visible from the street to the front of the Property but not readily accessible to vandals. The exterior posting must be constructed of and printed with weather resistant materials.

(c) The requirement set forth in part (a) of this section may be waived by the Town Zoning Administrator for owners who (1) reliably demonstrate an ability to maintain the property and (2) have not received any citations for maintenance violations in the previous quarter. Upon the inability to maintain the property, the waiver of this section will no longer apply.

#### Sec. 9. Inspections

The Town shall have the authority and the duty to inspect properties subject to this Chapter for compliance and to issue citations for any violations. The Town shall have the discretion to determine when and how such inspections are to be made, provided that their policies are reasonably calculated to ensure that this Chapter is enforced.

#### Sec. 10. Enforcement, Violations, and Penalties

(a) The imposition of one penalty for any violation shall not excuse the violation, or authorize its continuance.

(b) All such persons shall be required to submit an acceptable plan of action to the Town Zoning Administrator within 15 business days of notification. This plan of action must include, but is not limited to, a description of the work to be done, by whom and a specific schedule. Plans shall be reviewed by the Town Zoning Administrator and work is to commence within 15 days of plan approval. When not otherwise specified, failure to meet any stated condition within 10 days of required action shall constitute a separate offense.

(c) Penalties for failure to comply: Any person who violates this ordinance shall be subject to an administrative civil penalty in the amount of \$50.00 to be recovered by the Town. The Town may initiate a civil action in the nature of debt if any person violating any provision of this Chapter fails to pay the penalty within 30 days after he has been served with notice of violation of this Chapter. Each day such violation continues constitutes a separate offense. The Zoning Administrator shall have the recourse to initiate through the Town Attorney such remedies in law and equity as may be necessary to ensure compliance with the provisions of these regulations.

#### Sec. 11. Appeals

Any person aggrieved by any of the requirements of this Chapter may present an appeal in writing to the Board of Commissioners.

#### Sec. 12. Severability

Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.



*Jackie Escobar*

Jackie Escobar, Town Clerk  
(SEAL)

*Joyce Whichard-Brown*

Joyce Whichard-Brown  
Mayor



## CAPITAL PROJECT ORDINANCE 2022-07

### POLICE & FIRE DEPARTMENT RADIO PROJECT

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is for the purchase of new "VIPER" radios that will be required for all Police and Fire Department starting in 2025. Over the next three years as radios begin to break or lose functionality they will need to be replaced. The creation of Capital Project Ordinance 2020-14 allowed the town to set aside \$145,223 in funds for the purchase of radios limiting the impact on our annual budgets. The Ordinance 2020-14 anticipated an additional General Fund contribution of \$359,734 to complete the project. Radios have been found at a significantly reduced amount for an additional \$25,386.80 and an immediate purchase is anticipated to limit the impact on future budgets.

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

Section 3. The following amounts are appropriated for the project:

Radio Purchases	<u>\$ 170,609.80</u>
Total	\$ 170,609.80

Section 4. The following revenues are anticipated to be available to complete this project:

General Fund Contribution	\$ 25,386.80
General Fund Revenue	<u>\$ 145,223.00</u>
Total Revenues	\$ 170,609.80

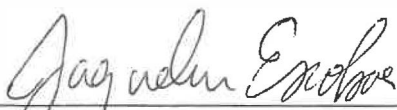
Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Local Government Commission.

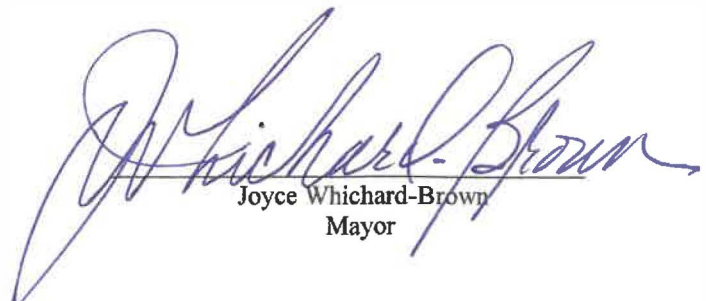
Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Section 8. This ordinance supersedes a similarly title ordinance (2020-13) adopted on the 14th day of September, 2020 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall and similarly title ordinance (2020-14) during a regularly convened meeting of the Board of Commissioners held at the NC Telecenter located at 416 East Boulevard in Williamston, NC.

Adopted this 7th day of March 2022 during a regularly convened meeting of the Board of Commissioners held at the NC Telecenter located at 416 East Boulevard in Williamston, NC.

  
Jackie Escobar, Town Clerk  
(SEAL)

  
Joyce Whichard-Brown  
Mayor





**Ordinance 2022-09**

**An ordinance amending Section §70.083, Handicapped Parking Spaces, of the  
Town of Williamston Code of Ordinance**

**Whereas** the Town of Williamston (Town) provides a handicap parking space immediately in front of the Williamston Town Hall located at 102 East Main Street; and

**Whereas** this space is provided to allow those persons with special needs to have immediate and easy access to Town Hall; and

**Whereas** it is the intent of the Town for this space to be available to as many persons as possible for Town Hall business;

Now Therefore **Be It Ordained** that Section §70.083 of the Williamston Code of Ordinances be amended to add the following subsection.

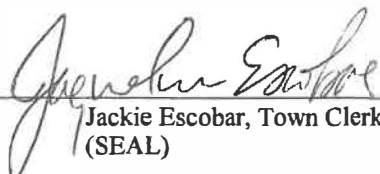
(c) The use of the parallel parking space located immediately in front of the Williamston Town Hall located at 102 East Main Street and presently marked as handicap accessible shall be limited to Town Hall Visitors only, which space shall permit persons with or without a qualifying handicapped placard to park for an unlimited period of time so long as they are visiting Town Hall.

Additionally, the Town hereby designates the second parking space from the southerly side of the Town Parking lot located along Smithwick Street as a handicap parking space. This parking space shall be properly marked with required signage and pavement markings to allow for proper ingress and egress from that parking space. ▯

For any vehicle violating this use of these parking spaces, the Town will make reasonable efforts to locate the registered owner (Owner) and request the vehicle be moved. Should the Owner refuse to move the vehicle or the Town is unable to contact the Owner for any reason, the Owner of said vehicle shall be subject to a fine of \$25 and the offending vehicle may be towed by any licensed towing service. The Owner of any vehicle that may be towed shall be responsible for any and all associated towing fees. The Town will not be held liable for any damages incurred during the course of the vehicle being towed or after.

Upon adoption of the above amendment, the Town shall add a sign to the space located on Main Street to clearly mark that this space is for Town Hall Visitors Only.

This Ordinance is adopted on the 7<sup>th</sup> day of March, 2022 and shall be in full force immediately upon the Town properly placing the appropriate signage at these locations.

  
Jackie Escobar, Town Clerk  
(SEAL)

  
Joyce Whichard-Brown  
Mayor



**CAPITAL PROJECT ORDINANCE 2022-24  
WATER SYSTEM  
ASSET INVENTORY ASSESSMENT PROJECT**

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is to update GPS Survey/GIS mapping of water distribution system assets; update hydraulic modeling and analysis of water system; update Asset Inventory Assessment, Capital Improvements Plan and Water Asset Management Plan; update Water/Sewer System User Rate Study, said project to be financed by a NC Department of Environmental Quality

mapping locations of valves and hydrants of the Williamston water system along with assessment of all water system infrastructure assets, a plan prioritizing capital improvements for the water system, and preparation of a water system asset management plan, said project to be financed by proceeds from the Water Enterprise Fund and a NC Department of Environmental Quality-Division of Water Infrastructure Grant.

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

Section 3. The following amounts are appropriated for the project:

AIA Project Consulting Fee	\$150,000
NC-DEQ Grant Fee	<u>\$2,250</u>
Sub-Total	\$152,250

Section 4. The following revenues are anticipated to be available to complete this project:

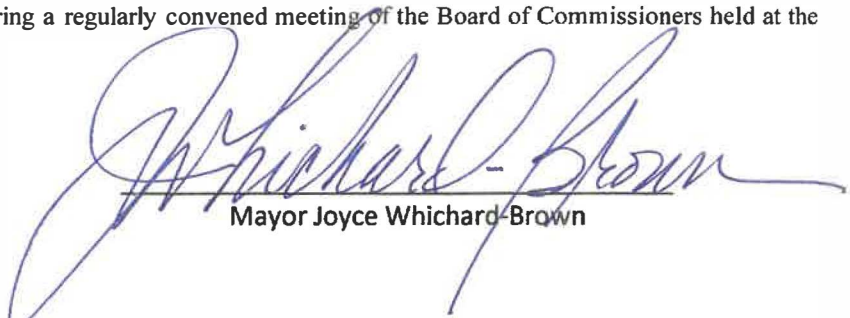
Transfer from Water Enterprise Fund	\$2,250
NCDEQ-DWI Grant	<u>\$150,000</u>
Total Revenues	\$152,250

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

Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Adopted this 7th day of March, 2022 during a regularly convened meeting of the Board of Commissioners held at the NC Telecenter in Williamston, NC.

  
Mayor Joyce Whichard-Brown

Attest:

  
Jackie Escobar, Town Clerk



## CAPITAL PROJECT ORDINANCE 2022-05

### GAYLORD PERRY PARK GRANT PROJECT

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the Gaylord Perry Park Renovation Project approved at the November 18, 2019 Town Board of Commissioner's meeting.

Listed are the renovations proposed:

- Picnic shelter with restrooms
- Accessible playground – structure and surfacing
- Skate Park
- Adult Fitness Area
- Outdoor basketball courts – renovation
- Accessible Routes (4' width sidewalks to amenities)
- Parking Lot – renovate existing and add approximately 16 spaces
- Utilities – electrical/lighting and plumbing/sewer
- Landscaping
- Site amenities – picnic tables, flag pole, benches, receptacles

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

Section 3. The following amounts are appropriated for the project:

Building and/or Renovating Costs	\$ 585,856
Contingency	\$ 23,025
Construction management, site planning, preliminary design, Survey and appraisals, application preparation cost	<u>\$ 60,700</u>
Total	<u>\$ 669,581</u>

Section 4. The following revenues are anticipated to be available to complete this project:

Town of Williamston	\$ 133,153
LWCF (Land & Water Conservation Fund) Grant	\$ 274,428
PARTF (Parks & Recreation Trust Fund) Grant	<u>\$ 262,000</u>
Total Revenues	<u>\$ 669,581</u>

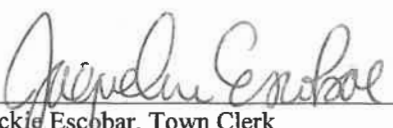
Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Local Government Commission.

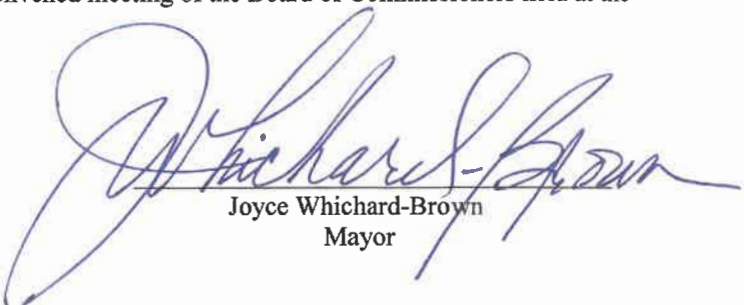
Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Section 8. This ordinance supersedes a similarly title ordinance (2020-1) adopted on the 6th day of January 2020 \during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

Adopted this 7<sup>th</sup> day of February 2022 during a regularly convened meeting of the Board of Commissioners held at the NC Telecenter in Williamston, NC.

  
Jackie Escobar, Town Clerk  
(SEAL)

  
Joyce Whichard-Brown  
Mayor



**AN ORDINANCE 2021-7 ESTABLISHING ZONING REGULATIONS FOR WILLIAMSTON, NORTH CAROLINA AND THE LEGALLY ADOPTED EXTRATERRITORIAL AREA\*: PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF: AND CREATING A BOARD OF ADJUSTMENT IN ACCORDANCE WITH THE STATUTES OF NORTH CAROLINA GOVERNING MUNICIPAL ZONING**

BE IT ORDAINED AND ENACTED BY THE TOWN COMMISSIONERS OF WILLIAMSTON, STATE OF NORTH CAROLINA, the Zoning Ordinance be replaced in its entirety

**1-1 Conflicting Ordinances**

All prior ordinances, or parts of ordinances, and amendments thereto conflicting with this Ordinance are hereby suspended.

**1-2 Adoption and Effective Date**

This Ordinance shall be effective after review and recommendation by the Planning Board, publication or posting as provided by law, public hearing, and adoption by the Board of Commissioners.


Originally adopted this 7<sup>th</sup> day of August 1978.

*And as subsequently amended according to statutory and procedural authority, Amendments to the ordinance are listed and described individually in the front of this book.*

Readopted this 12<sup>th</sup> day of July 2021.

  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
Clerk, Town of Williamston



## **ORDINANCE 2021-5 PROHIBITING PARKING ON A PORTION OF RHODES STREET**

**WHEREAS** the Town Board finds that the public safety and convenience of the citizens of the Town requires that there be no parking of motor vehicles along the easterly side of a portion of Rhodes Street in the Town of Williamston, as described below;

A strip of zone along the easterly side of Rhodes street beginning at the intersection of West Liberty St running north-westerly along Rhodes St to the intersection of West Pine Street a distance of 341 feet.

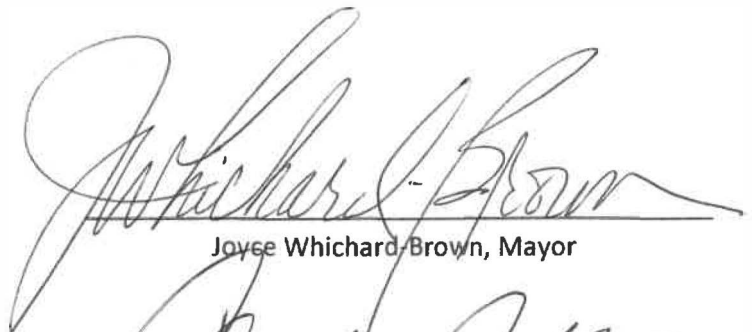
**BE IT THEREFORE ORDAINED** by the Board of Commissioners of the Town of Williamston that it shall be unlawful to park or leave unattended a car, truck or any other motor vehicle on the easterly side of Rhodes Street at the following location:


A strip of zone along the easterly side of Rhodes street beginning at the intersection of West Liberty St running north-westerly along Rhodes St to the intersection of West Pine Street a distance of 341 feet.

A violation of this Ordinance shall be punishable as set out in Section 70.071, Section 70.999(B) and Section 70.999(C) of the Code of the Town of Williamston.

This Ordinance shall be effective upon the placement by the Town of signage or paintings indicating "No Parking" along said street.

Adopted this the 7th day of June, 2021.

  
Joyce Whichard Brown, Mayor

  
Christina Craft, Town Clerk





ORDINANCE 2021-5  
TOWN OF WILLIAMSTON  
FY 2021-2022 BUDGET ORDINANCE

BE IT ORDAINED by the Governing Board of the Town of Williamston, North Carolina:

Section 1: The following amounts are hereby appropriated in the General Fund for the operation of the Town Government and its activities for the fiscal year beginning July 1, 2021, and ending June 30, 2022, in accordance with the chart of accounts heretofore established for this Town:

Town Board of Commissioners	\$ 64,990
Administration	\$ 64,800
Planning	192,815
Public Buildings	51,122
Police Department	1,928,845
Fire Department	566,584
Rescue/EMS Department	987,119
RRT Department	69,000
Street Department	499,286
Sanitation Department	477,179
Recreation Department	497,570
Cemetery	132,846
Garage	186,488
Cultural	119,000
Debt Retirement	357,283
Economic & Physical Development	170,177
	\$ 6,365,104

Section 2. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

Taxes and Licenses:

Current Year's Property Taxes	\$ 2,708,507
Other Ad Valorem Tax Revenue	930,870
Local Option Sales Tax	1,020,000
Hold Harmless Reimbursements	332,000
Payment in Lieu of Taxes	8,000
Other Taxes and Licenses	451,450

User Charges and Fees:

Recreation Activities	22,900
Cemetery Sales and Fees	65,000
EMS Service Charges	425,000
EMS Medicaid	75,000
Other Charges and Fees	23,000

Intergovernmental Payments:	
Total Government and Local Grants	272,277
Other Income:	
Investment Earnings	2,000
Miscellaneous	29,100
Fund Balance Appropriated:	
Undesignated Funds	<u>0</u>
	\$6,365,104

Section 3. The following amounts are hereby appropriated in the Enterprise Fund for the operation of the water and sewer utilities for the fiscal year beginning July 1, 2021, and ending June 30, 2022, in accordance with the chart of accounts heretofore approved for the Town:

Water Operations	\$2,176,850
Sewer Operations	1,130,573
Capital Outlay	473,137
Debt Retirement	515,056
Reserve	-0-
Loans	-0-
Transfer from Other Funds	-0-
Contingencies	<u>-0-</u>
	\$ 4,295,616

Section 4. It is estimated that the following revenues will be available in the Enterprise Fund for the fiscal year beginning July 1, 2021, and ending on June 30, 2022:

Water Charges	\$2,453,000
Sewer Charges	1,571,000
Interest on Investments	6,000
Other Charges and Fees	56,000
Miscellaneous	1,500
Transfer from General Fund	22,614
Installment Financing	185,502
Undesignated Fund Balance	<u>-0-</u>
	\$ 4,295,616

Section 5. It is estimated that the following expense will be available in the Storm Water Fund for the fiscal year beginning July 1, 2021, and ending on June 30, 2022:

Uncollectible	5,000
Debt Reserve	10,000
Future Project	674
Debt Service Payment	<u>\$39,326</u>
	\$ 55,000

Section 6. It is estimated that the following revenue will be available in the Storm Water Fund for the fiscal year beginning July 1, 2021, and ending on June 30, 2022:

Storm Water Fees	<u>\$55,000</u>
	\$ 55,000



Section 7. It is estimated that the following expenses will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2021, and ending on June 30, 2022:

License Plate – Annexation Street Loan	\$ 81,250
Powell Bill – Annexation Street Loan	\$38,750
Powell Bill Interest – Annexation Street Loan	\$2,076
Powell Bill – Sweeper Loan & Interest	\$78,476
Powell Bill Services	\$20,000
Powell Bill Paving Projects	\$25,000
Powell Bill – Equipment/Operation	<u>\$6,698</u>
	\$ 252,250

Section 8. It is estimated that the following revenues will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2021, and ending on June 30, 2022:

License Plate Tax	\$81,250
Powell Bill Revenue	\$165,000
Powell Bill Funds Investing Earnings	<u>\$6,000</u>
	\$252,250

Section 9. The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

- a. He may transfer amounts between line item expenditures within a department without limitation and without a report being required.
- b. The Budget Officer shall be authorized to re-allocate departmental appropriations among the various objects of expenditures as he believes necessary provided such transfers shall be reported to the Board of Commissioners at its next regular meeting and shall be entered into the minutes.
- c. He may not transfer any amounts between funds, except as approved by the Governing Board in the Budget Ordinance as amended.

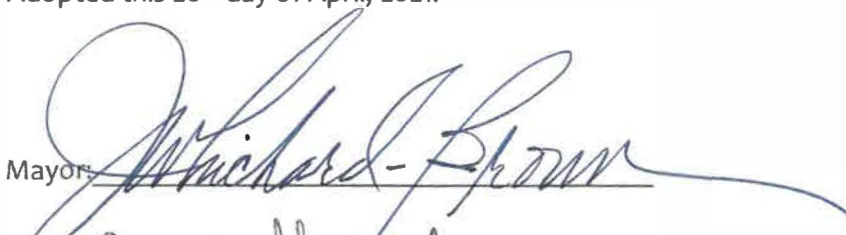

Section 10. The Budget Officer may make cash advances between funds for periods not to exceed 60 days without reporting to the Governing Board. Any advances that extend beyond 60 days must be approved by the Board. All advances that will be outstanding at the end of the fiscal year must be approved by the Board.

Section 11. Copies of this Budget Ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer to be kept on file by them for their discretion in the disbursement of funds.

Adopted this 26<sup>th</sup> day of April, 2021.

Mayor:

Clerk:



## **ORDINANCE 2021-4 TO CLOSE TANK STREET AND A PORTION OF HUNTER STREET**

WHEREAS, the Town of Williamston Board of Commissioners have been requested to consider permanently closing of Tank Street, beginning at its intersection with South Martin Luther King Jr. Drive and extending approximately 400' until its terminus at Hunter Street, and a portion of Hunter Street, beginning at its intersection of Tank Street and extending approximately 100' extending the length of the Town's property's street frontage on Hunter Street as shown on the attached Exhibit A, and the Board deems it advisable to consider doing so; and

WHEREAS, the Board adopted a resolution on March 8, 2021 declaring its intent to consider permanently closing of Tank Street, beginning at its intersection with South Martin Luther King Jr. Drive and extending approximately 400' until its terminus at Hunter Street, and a portion of Hunter Street, beginning at its intersection of Tank Street and extending approximately 100' extending the length of the Town's property's street frontage on Hunter Street as shown on the attached Exhibit A, and the Board deems it advisable to consider doing so, and calling for a public hearing on the question to be held at 5:30 pm on May 3, 2021; and

WHEREAS, the duly advertised public hearing was conducted by the Board of Commissioners on May 3, 2021, at which time all interested parties were given an opportunity to be heard; and

WHEREAS, it has been made to appear to the satisfaction of the Board of Commissioners that no owner of property in the vicinity of Tank Street, beginning at its intersection with South Martin Luther King Jr. Drive and extending approximately 400' until its terminus at Hunter Street, and a portion of Hunter Street, beginning at its intersection of Tank Street and extending approximately 100' extending the length of the Town's property's street frontage on Hunter Street as shown on the attached Exhibit A is not contrary to the public interest; and that the same should be closed.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF WILLIAMSTON BOARD OF COMMISSIONERS:

Section 1: That the closing of Tank Street and a portion of Hunter Street, beginning at its intersection of Tank Street and extending approximately 100' extending the length of the Town's property's street frontage on Hunter Street as shown on Exhibit A attached hereto, is not contrary



to the public interest, and no person, firm, or corporation owning property in the vicinity of Tank Street, beginning at its intersection with South Martin Luther King Jr. Drive and extending approximately 400' until its terminus at Hunter Street, and a portion of Hunter Street, beginning at its intersection of Tank Street and extending approximately 100' extending the length of the Town's property's street frontage on Hunter Street as shown on the attached Exhibit A, would thereby be deprived of reasonable means of ingress, egress and regress to his, its, or their property.

Section 2: That of Tank Street, beginning at its intersection with South Martin Luther King Jr. Drive and extending approximately 400' until its terminus at Hunter Street, and a portion of Hunter Street, beginning at its intersection of Tank Street and extending approximately 100' extending the length of the Town's property's street frontage on Hunter Street as shown on Exhibit A attached hereto, be and the same is hereby closed pursuant to the authority granted to the Board of Commissioners by Section 160A-299 of the North Carolina General Statutes.

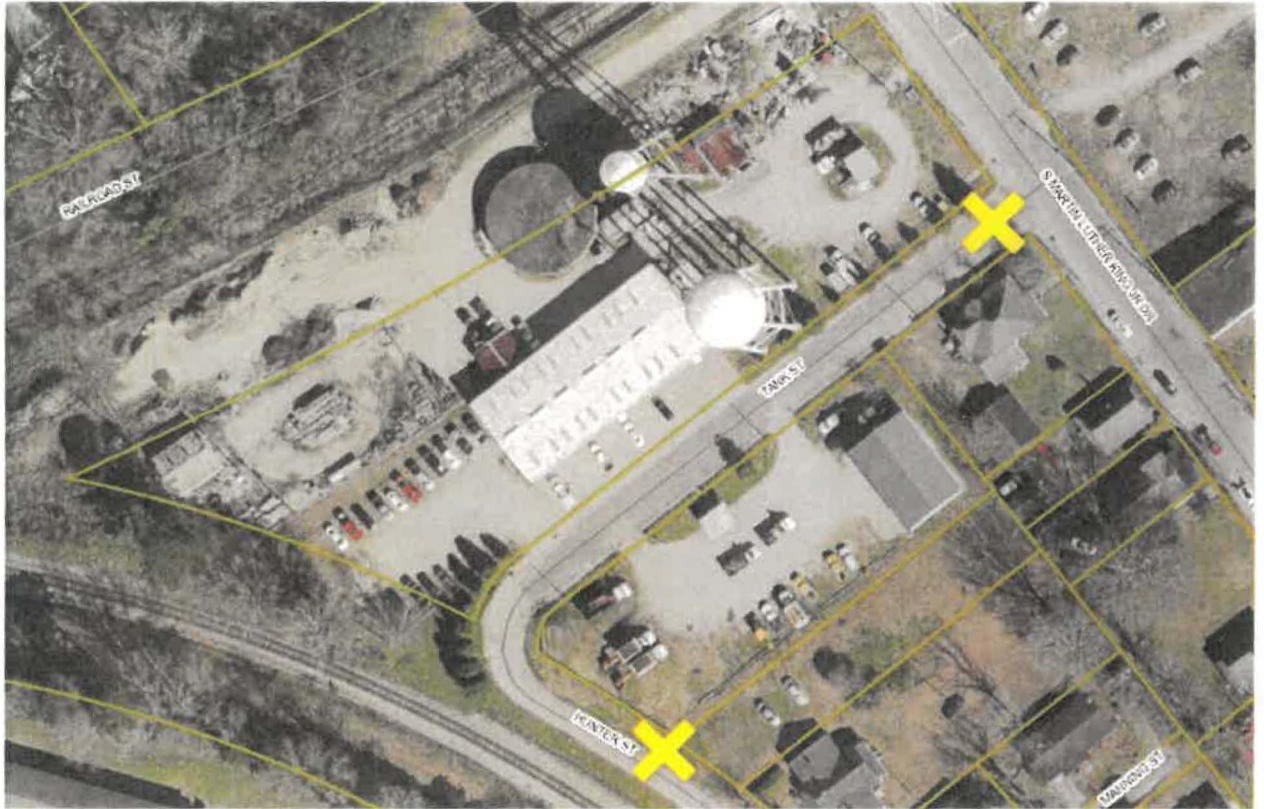
Section 3: That the Town of Williamston hereby reserves its right, title and interest in any and all utility improvements and easements within Tank Street and that portion of Hunter Street being closed by this ordinance, so that it may locate or relocate utility improvements and drainage easements within said portion of said street.

Section 4: That this ordinance shall be in full force and effect from and after its adoption and publication, as required by law, and its recordation in the Office of the Register of Deeds of Martin County.

Adopted this the 14th day of June, 2021.

  
CLERK

  
MAYOR







ORDINANCE NO. 2021-3  
AN ORDINANCE AMENDING THE ZONING  
ORDINANCE OF THE TOWN OF WILLIAMSTON

WHEREAS the owner of that certain property known as 7002 West Main Street, Williamston NC, has requested, pursuant to Section 14 of the ordinance, that the property be rezoned from R-8 (Residential) to O&I (Office and Institutional);

WHEREAS the Williamston Planning Board has recommended the adoption of this amendment to the Board of Commissioners of the Town of Williamston as being consistent with the Town's comprehensive plan;

AND WHEREAS the said Board of Commissioners approves the amendment and finds that it is consistent with its comprehensive plan, that the amendment is reasonable and in the public interest in that it will allow for commercial activity of the Town; that notices have duly been sent to abutting land owners; and that a public hearing was held by the Board of Commissioners on February 1, 2020 at 5:30 P.M. at the NC Telecenter located at 415 East Boulevard #130, Williamston, NC, after notice duly published in The Enterprise and at which no one objected to the amendment;

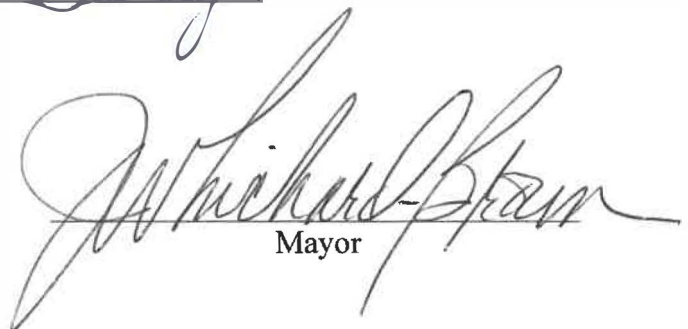
BE IT THEREFORE ORDAINED by the Board of Commissioners of the Town of Williamston that the following described area in the Town of Williamston be rezoned from R-8 (Residential) to O&I (Office and Institutional):

The certain parcel of land owned by Lula S. Brown being Tax Parcel 05-00254.  
The parcel was conveyed to Lula S. Brown in a deed recorded in Book X-07 page 639, Martin County Registry.

This Ordinance shall be effective upon adoption.

Adopted this the 1<sup>st</sup> day of February, 2021.

  
Clerk

  
Mayor



ORDINANCE 2021-2

AN ORDINANCE SETTING THE  
SPEED LIMIT ON WOODLAWN DRIVE

BE IT ORDAINED by the Board of Commissioners of the Town of Williamston that it shall be unlawful for any person, firm or corporation to operate a motor vehicle on Woodlawn Drive in the Town of Williamston between Liberty Street and School Drive in the Town of Williamston in excess of twenty (20) miles per hour. This Ordinance shall be effective upon the posting of a sign or signs giving notice of this speed limit.

A violation of this Ordinance shall be an infraction carrying a penalty of not more than fifty dollars (\$50.00).

Adopted this the 1<sup>st</sup> day of February, 2021.

Rustan Cuyt  
Clerk

Richard Sprou  
Mayor



## ORDINANCE 2021-1

### AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR USE OF THE TOWN'S SKATEBOARD FACILITIES

WHEREAS the Town of Williamston contemplates the construction of a skateboarding facility as a part of the Town's recreation programs;

WHEREAS Article 3 of Chapter 99E of the General Statutes of North Carolina entitled "Hazardous Recreation Parks Safety and Liability" encourages governmental owners to make such a facility available;

AND WHEREAS the Town desires to establish rules and regulations governing the use of such facility upon its construction;

BE IT THEREFORE ORDAINED by the Board of Commissioners of the Town of Williamston as follows:

#### Section 1. Definitions.

- (A) Hazardous recreational activity. Skateboarding, inline skating, or freestyle bicycling.
- (B) Inherent risk. Those dangers or conditions that are characteristic of, intrinsic to, or an integral part of skateboarding, inline skating, and freestyle bicycling.
- (C) Skateboard park. A facility established on Town-owned property which is designed for the purpose of engaging in hazardous recreational activities, and which is specifically designated by the Town for such use.

#### Section 2. Responsibilities of Users.

- (A) All users of a skateboard park shall wear a helmet, elbow pads, and kneepads at all times while engaging in hazardous recreational activities.
- (B) Any person who observes, participates in or assists in hazardous recreational activities assumes the known and unknown inherent risks in these activities, irrespective of age, and is legally responsible for all damages, injury, or death to himself or herself or other persons or property that results from these activities.
- (C) While engaged in hazardous recreational activities, irrespective of where such activities occur, a participant is responsible for doing all of the following:
  - (i) Acting within the limits of his or her ability and the purpose and design of the equipment used.
  - (ii) Maintaining control of his or her person and equipment used.
  - (iii) Refraining from acting in any manner that may cause or contribute to death or injury of himself or herself or other persons or property.
  - (iv) Failure to comply with the requirements of this Section 2 shall constitute negligence, as provided in North Carolina General Statute 99E-24(c).





### Section 3. Notice.

The Town shall post signage at its skateboard park, affording reasonable notice to all users, as follows:

(A) Any person engaged in a hazardous recreational activity at the skateboard park must wear a helmet, elbow pads, and kneepads at all times;

(B) The Town does not provide regular supervision of the skateboard park;

(C) Users of the skateboard park assume all risks associated with the use of the skateboard park; and

(D) Failure to comply with these requirements for use may subject the violator to sanctions as provided in this Ordinance.

### Section 4. Sanctions.

In addition to any other penalties provided for in the Code of Ordinances for the Town of Williamston, any person who violates the provisions of this Ordinance may be subject to sanctions imposed by the Town, through its Recreation Department, including, but not limited to, suspension or permanent revocation of the privilege to use the skateboard park and assessment for the full costs of any damage to the skateboard park caused by the person.

### Section 5. Town immune from liability.

The Town of Williamston, including its officials, employees, and agents, shall not be liable to any person who voluntarily participates in hazardous recreational activities for any damage or injury to property or persons that arises out of the person's participation in the activity and that takes place at a skateboard park.

### Section 6. Hours of Operation.

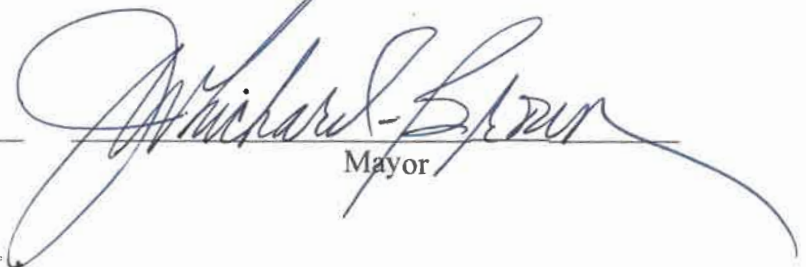
It shall be unlawful for any person to be present on the premises of the Town's skateboard park and recreation facility outside of the posted normal hours of operation, except for Town employees conducting Town business thereon and for emergency and law enforcement personnel on official business.

### Section 7. Effective Date

This Ordinance shall be effective upon the completion and official opening of a skateboard park and the posting of the signage required by this Ordinance.

Adopted this the 21<sup>st</sup> day of February, 2021.

  
Clerk

  
Mayor



ORDINANCE 2020-16 AMENDING THE ZONING ORDINANCE  
OF THE TOWN OF WILLIAMSTON TO ALLOW THE CONVERSION OF  
RESIDENTIAL STRUCTURES IN ORDER TO PROVIDE ADDITIONAL LIVING  
UNITS AS A SPECIAL USE IN R-8, R-15 AND R-20 RESIDENTIAL DISTRICTS

BE IT ORDAINED by the Board of Commissioners of the Town of Williamston that the Zoning Ordinance of the Town of Williamston be amended as follows:

1. That Section 6-2 (R-8 Residential District) be amended to add as a special use a new Subsection 8 to read as follows:

“The conversion of any residential structure in order to provide additional units will be allowed as a special use provided 1) each dwelling unit has a minimum of 450 square feet of usable floor area with adequate sanitary facilities; 2) the area and bulk regulations of Section 6-2.3 can be satisfied; 3) minimum parking requirements of Section 9-5.23 or Section 9-5.1 be met (two spaces for each unit); 4) the character of the structure and neighborhood are maintained.”

And that Subsection 6-2.3 h (Conversion of Residences) be deleted.

2. That Section 6-4 (R-15 Residential District) be amended to add as a special use a new Subsection i to read as follows:

“The conversion of any residential structure in order to provide one (1) additional unit will be allowed as a special use provided 1) each dwelling unit has a minimum of 450 square feet of usable floor area with adequate sanitary facilities; 2) area and bulk regulations of Section 6-2.3 are met; 3) the parking requirements of Section 9-5.23 or Section 9-5.1 (two spaces for each dwelling unit) are met; 4) the character of the structure is maintained to housing code standards.”

And that Subsection 6-4.3 h (Conversion of Residences) be deleted.

3. That Section 6-5 (R-20 Residential District) be amended to add as a special use a new Subsection j to read as follows:

“The conversion of any residential structure in order to provide one (1) additional unit will be allowed as a special use provided 1) each dwelling unit has a minimum of 450 square feet of usable floor area with adequate sanitary facilities; 2) area and bulk regulations of Section 6-2.3 are met; 3) the parking requirements of Section 9-5.23 or Section 9-5.1 (two spaces for each dwelling unit) are met; 4) the character of the structure is maintained to housing code standards.”



And that Subsection 6-5.3 h (Conversion of Residences) be deleted.

Adopted this 4<sup>th</sup> day of January, 2020.

Christine Cuff  
Clerk

Michael Brown  
Mayor



ORDINANCE 2020-15 AMENDING CHAPTER 117  
OF THE CODE OF THE TOWN OF WILLIAMSTON  
ENTITLED "MOBILE FOOD VENDORS"

BE IT ORDAINED by the Board of Commissioners of the Town of Williamston that the following amendments be made to Chapter 117 of the Code of the Town of Williamston:

1. Section 117.01 INTENT. That the words "and tax" in the second sentence be deleted and that the last sentence of this Section (which states "The requirements of this Section apply to mobile food vendors who return to the same location or service area daily or on a set schedule within the city limits of Williamston and its ETJ") be deleted.
2. Section 117.03 REQUIREMENTS FOR MOBILE FOOD VENDORS. That paragraph (B) be deleted; that the words "a Business License" be deleted from paragraph (J), and that the respective paragraphs of Section 117.03 be re-lettered appropriately.
3. Section 117.06 PERMIT FEES. That Section 117.06 be deleted and replaced with a new Section 117.06 entitled "PERMIT FEES AND LIMITATIONS ON NUMBER OF MOBILE FOOD VENDORS."
  - (A) A permit fee of \$200.00 for a Mobile Food Vendor which is valid for one year starting the date of issue of the permit.
    - (1) No more than five (5) active annual mobile food vendors shall be allowed at any given time. Annual Mobile Food Vendor permits shall be issued to qualified applicants on a first come, first served basis.
  - (B) A one-time permit may be issued to Mobile Food Vendors attending a local business event for a fee of \$50.00.
    - (1) A one-time Mobile Food Vendor permit shall only be valid for the day specified on the permit.
    - (2) Consecutive day events shall be permitted at separate days and will require a separate permit for each day.
    - (3) No more than three (3) one-time permits shall be issued for the same day.
4. That Section 117.07 entitled "LIMITATION ON NUMBER OF MOBILE FOOD VENDORS" be deleted and Section 117.07 now be as follows: Section 117.07 SUSPENSION OR REVOCATION. Enforcement of this Ordinance shall be as provided in Section 10.99 of Title 1, Chapter 10 of the Code of Ordinances of the Town of Williamston.

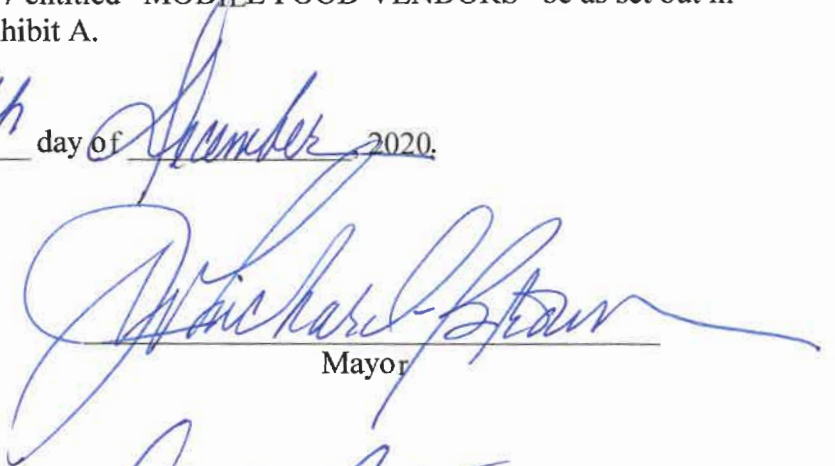
In addition, a violation of the terms and provisions of this Ordinance is cause for a permit to be revoked or suspended after a hearing before the Town Zoning and Enforcement Officer, held upon ten days notice, except that in emergency situations revocation or



suspension may be made without prior notice. Revocations and suspensions may be appealed to the Town Board if notice of appeal is given within ten days of revocation or suspension.

5. And that the amended Chapter 117 entitled "MOBILE FOOD VENDORS" be as set out in the attachment hereto marked Exhibit A.

Adopted this the 7th day of December, 2020.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk





## CAPITAL PROJECT ORDINANCE 2020-14

### POLICE & FIRE DEPARTMENT RADIO PROJECT

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is for the purchase of new "VIPER" radios that will be required for all Police and Fire Department starting in 2025. Over the next three years as radios begin to break or lose functionality they will need to be replaced. The creation of this project ordinance will allow the town to set aside funds for the purchase of radios limiting the impact on our annual budgets. This will also allow staff additional time to work to obtain grant funding.

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

Section 3. The following amounts are appropriated for the project:

Radio Purchases	<u>\$ 504,957</u>
Total	\$ 504,957

Section 4. The following revenues are anticipated to be available to complete this project:

General Fund Contribution	\$ 359,734
General Fund Revenue	<u>\$ 145,223</u>
Total Revenues	\$ 504,957

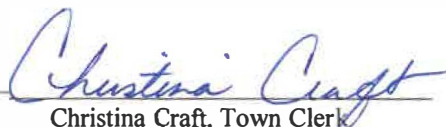
Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Local Government Commission.

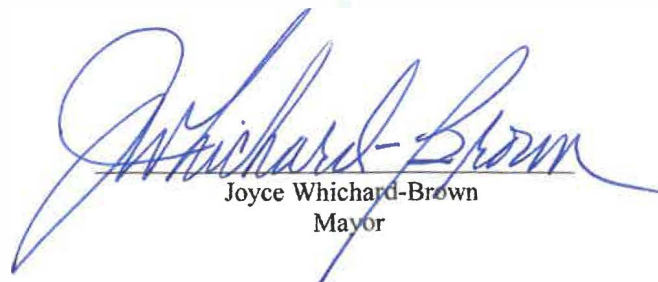
Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Section 8. This ordinance supersedes a similarly titled ordinance (2020-13) adopted on the 14th day of September, 2020 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

Adopted this 9th day of November, 2020 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

  
Christina Craft, Town Clerk  
(SEAL)

  
Joyce Whichard-Brown  
Mayor



## CAPITAL PROJECT ORDINANCE 2020-13

### POLICE & FIRE DEPARTMENT RADIO PROJECT

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is for the purchase of new "VIPER" radios that will be required for all Police and Fire Department starting in 2025. Over the next three years as radios begin to break or lose functionality they will need to be replaced. The creation of this project ordinance will allow the town to set aside funds for the purchase of radios limiting the impact on our annual budgets. This will also allow staff additional time to work to obtain grant funding.

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

Section 3. The following amounts are appropriated for the project:

Radio Purchases	<u>\$ 504,957</u>
Total	\$ 504,957

Section 4. The following revenues are anticipated to be available to complete this project:


General Fund Contribution	\$ 359,734
General Fund Allocation	<u>\$ 142,791</u>
Total Revenues	\$ 504,957

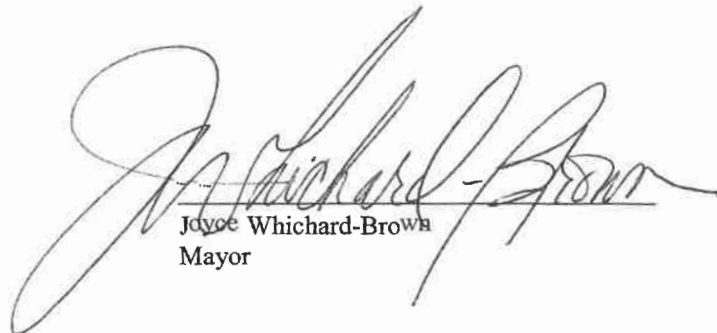
Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Local Government Commission.

Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Adopted this 14th day of September, 2020 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

  
Christina Craft, Town Clerk  
(SEAL)

  
Joyce Whichard-Brown  
Mayor





ORDINANCE 2020-12  
TOWN OF WILLIAMSTON  
FY 2020-2021 BUDGET ORDINANCE

BE IT ORDAINED by the Governing Board of the Town of Williamston, North Carolina:

Section 1: The following amounts are hereby appropriated in the General Fund for the operation of the Town Government and its activities for the fiscal year beginning July 1, 2020, and ending June 30, 2021, in accordance with the chart of accounts heretofore established for this Town:

Town Board of Commissioners	\$ 58,505
Administration	\$ 33,820
Planning	189,894
Public Buildings	46,091
Police Department	1,826,529
Fire Department	537,964
Rescue/EMS Department	895,513
RRT Department	69,000
Street Department	485,336
Sanitation Department	596,672
Recreation Department	587,066
Cemetery	114,524
Garage	208,198
Cultural	119,000
Debt Retirement	165,106
Economic & Physical Development	377,924
	\$ 6,311,142

Section 2. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Taxes and Licenses:

Current Year's Property Taxes	\$ 2,737,565
Other Ad Valorem Tax Revenue	666,470
Local Option Sales Tax	890,000
Hold Harmless Reimbursements	300,000
Payment in Lieu of Taxes	4,000
Other Taxes and Licenses	473,450

User Charges and Fees:

Recreation Activities	22,900
Cemetery Sales and Fees	55,000
EMS Service Charges	500,000
EMS Medicaid	70,000
Other Charges and Fees	23,000

Intergovernmental Payments:	
Total Government and Local Grants	296,237
Other Income:	
Investment Earnings	75,000
Installment Loan	96,920
Miscellaneous	23,600
Fund Balance Appropriated:	
Undesignated Funds	<u>77,000</u>
	\$6,311,142

Section 3. The following amounts are hereby appropriated in the Enterprise Fund for the operation of the water and sewer utilities for the fiscal year beginning July 1, 2020, and ending June 30, 2021, in accordance with the chart of accounts heretofore approved for the Town:

Water Operations	\$2,149,581
Sewer Operations	1,168,970
Capital Outlay	266,558
Debt Retirement	834,507
Reserve	-0-
Loans	-0-
Transfer from Other Funds	-0-
Contingencies	<u>-0-</u>
	\$ 4,419,616

Section 4. It is estimated that the following revenues will be available in the Enterprise Fund for the fiscal year beginning July 1, 2020, and ending on June 30, 2021:

Water Charges	\$2,453,000
Sewer Charges	1,571,000
Interest on Investments	130,000
Other Charges and Fees	56,000
Miscellaneous	1,500
Transfer from General Fund	22,614
Installment Financing	185,502
Undesignated Fund Balance	<u>-0-</u>
	\$ 4,419,616

Section 5. It is estimated that the following expense will be available in the Storm Water Fund for the fiscal year beginning July 1, 2020, and ending on June 30, 2021:

Uncollectible	5,000
Debt Reserve	10,000
Future Project	674
Debt Service Payment	<u>\$39,326</u>
	\$ 55,000

Section 6. It is estimated that the following revenue will be available in the Storm Water Fund for the fiscal year beginning July 1, 2020, and ending on June 30, 2021:

Storm Water Fees	<u>\$55,000</u>
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\$ 55,000

Section 7. It is estimated that the following revenues will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2020, and ending on June 30, 2021:

License Plate Tax	\$ 81,250
Powell Bill Revenue	171,000
Powell Bill Funds	<u>234,000</u>
	\$ 486,250

Section 8. It is estimated that the following expenses will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2020, and ending on June 30, 2021:

Street - License Plate	\$81,250
Powell Bill Services	43,098
Powell Bill – Equipment/Operations	234,000
Powell Bill Loan	38,750
Powell Bill Interest	4,152
Powell Bill – Paving Project	<u>85,000</u>
	\$486,250

Section 9. The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

- a. He may transfer amounts between line item expenditures within a department without limitation and without a report being required.
- b. The Budget Officer shall be authorized to re-allocate departmental appropriations among the various objects of expenditures as he believes necessary provided such transfers shall be reported to the Board of Commissioners at its next regular meeting and shall be entered into the minutes.
- c. He may not transfer any amounts between funds, except as approved by the Governing Board in the Budget Ordinance as amended.

Section 10. The Budget Officer may make cash advances between funds for periods not to exceed 60 days without reporting to the Governing Board. Any advances that extend beyond 60 days must be approved by the Board. All advances that will be outstanding at the end of the fiscal year must be approved by the Board.

Section 11. Copies of this Budget Ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer to be kept on file by them for their discretion in the disbursement of funds.

Adopted this 4<sup>th</sup> day of June, 2020.

Mayor:

Clerk:



ORDINANCE NO. 2020-10

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE TOWN OF WILLIAMSTON

WHEREAS the Williamston Planning Board has recommended the following amendments to the Williamston Zoning Ordinance and the Town has held a public hearing on the 2<sup>nd</sup> day of March, 2020 to consider these amendments, no objection having been received to the proposed amendments;

BE IT THEREFORE ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WILLIAMSTON that the Zoning Ordinance of the Town of Williamston be amended as follows:

1. A new word definition is added as follows:

Micro-distillery: a facility for the production of less than 50,000 U.S. gallons of craft distilled spirits of alcoholic beverages per year that is limited in its location, size, and operation in accordance with the provisions of Section 6-14.1(f).

2. A new word definition is added as follows:

Micro-winery: A facility for the production of less than 50,000 gallons of wine that is limited in its location, size, and operation in accordance with the provisions of Section 6-14.1(f).

3. That Section 6-14.1(f) be added to Permitted Uses for a CBD (Central Business District) as follows:

f. Micro-breweries, Micro-distilleries, Micro-Wineries and Brewpubs:

1. The principal use shall be the production of malt beverages, distilled spirits, or wine for retail sales for on-premises and off-premises consumption in accordance with ABC permit requirements set forth in G.S. 18B-1001 as amended and issuance of on-premises malt beverage, distilled spirit, or wine permit for breweries, distilleries, or wineries as authorized by G.S. 18B-1104 as amended and all other laws pursuant to G.S. 18B as amended.
2. Accessory uses may include and are limited only to: retail sales, food and beverage consumption, live entertainment, tasting room, event room, and loading area.
  - 2a. Loading area must be located on side or rear of structure.



3. The portion of the building devoted to operating equipment shall not exceed 5,000 square feet.
4. A minimum of 25% of the floor area shall have operating equipment that produces malt beverages, distilled spirits, or wine for retail sales. This percentage shall be satisfied at the time a Zoning and Fire inspection is conducted and shall be manufactured thereafter.
5. A micro-brewery, micro-distillery, winery, or brewpub shall not require a membership, cover or minimum charge for admittance or service.
6. No outside storage is allowed.
- 7 Existing conforming use conventional restaurants may add, subject to an additional permit, a brewpub operation as an accessory use provided they comply with the following:
  - (a) The restaurant must be located within the CBD (Central Business District) zoning district, subject to an approved special use permit.
  - (b) The area of the restaurant devoted to operating brewing equipment shall not exceed 30% of the area of the restaurant including the area devoted to operating brewing equipment.
  - (c) Malt beverages produced for retail sales for on-premises and off-premises consumption shall comply with ABC permit requirements set forth in G.S. 18B-1001 as amended and issuance of on-premises malt beverage permit for breweries as authorized by G.S. 18B-1104 as amended and all other laws pursuant to G.S. 18B as amended.
  - (d) The restaurant and the microbrewery accessory use shall not require a membership, cover or minimum charge for admittance or service.
4. The following provisions pertaining to outdoor dining and gathering areas shall be added to and apply to Section 6-12.1 (Office and Institutional), Section 6-13.1 (Neighborhood Commercial), Section 6-14.1 (Central Business District), Section 6-15.1 (Downtown Commercial), Section 6-16.1 (Highway Commercial), and Section 6-17.1 (Commercial Highway Mixed Use):
  - (A) Outdoor dining or gathering areas including tables, chairs, and other furnishings for restaurants or other businesses shall be located no closer than ten feet to any property line or right of way and shall not obstruct any exits from the premises.





- (B) Plans for outdoor dining or gathering areas shall be approved by the Zoning Administrator prior to installation and should include a scaled drawing or site plan illustrating the proposed boundary for the outdoor dining or gathering area of the associated restaurant, including but not limited to property lines, sidewalks, curb lines, lighting, trees, planters, street signs, benches, and fire hydrants. The drawing shall illustrate the section of sidewalk, public alley, or personal property to be used for the outdoor dining or gathering area and the section to be kept clear for pedestrian use, and depict the proposed materials and placement of tables, chairs, and barriers on the sidewalk or public alley.
- (C) The business owner shall provide evidence of a valid insurance policy that will indemnify the Town for any damage to the sidewalk or public alley and for any damages for which the Town might incur liability because of property damage or personal injury arising out of the use of the sidewalk or public alley for seating purposes.
- (D) The business owner shall indemnify and hold harmless the Town and its officers, agents, and employees from any claim arising from the operation of the outdoor dining and gathering area.

#### ALCOHOLIC CONSUMPTION IN OUTDOOR DINING AND GATHERING AREAS

- (A) Alcoholic beverage consumption may be allowed in outdoor dining or gathering areas for restaurants, microbreweries, or brewpubs with a valid zoning permit issued by the Town of Williamston and applicable ABC permits which allow on-site consumption and include the outdoor dining and gathering areas within the premises of the ABC permit(s).
  - (B) All outdoor dining or gathering areas allowing alcoholic beverage consumption shall meet the following requirements:
    - (1) The portion of the outdoor dining or gathering area where alcohol is or may be served shall be delineated by clearly visible barriers made of wood, rope, or other suitable material and shall not have more than two designated points of ingress and egress.
    - (2) Signs shall be posted, visible at all designated exit points from the outdoor dining or gathering area, that it is unlawful to remove alcoholic beverages in open or unsealed containers from the premises. The restaurant, microbrewery, or brewpub operators shall be responsible for insuring that no alcohol is served or consumed outside the designated area.
5. The following provisions shall be added to and apply to Section 6-14.1 pertaining to CBD (Central Business District):




## OUTDOOR DINING AND GATHERING AREAS IN THE DOWNTOWN DISTRICT.

Notwithstanding any other provision to the contrary:

- (A) For outdoor dining or gathering areas located on sidewalks in front of restaurants or other businesses located in the Central Business District Zone, tables, chairs, and other furnishings shall be placed a minimum of six feet from any travel lane.
- (B) Tables, chairs, and other furnishings shall be placed in such a manner that at least five feet of unobstructed paved space of the sidewalk, measured from any permanent or semi-permanent object, remains clear for the passage of pedestrians and provides adequate passing space that complies with the Americans with Disabilities Act.
- (C) Restaurants or other businesses located on a DOT maintained street must also follow all applicable requirements set forth by G.S. 136-27.4.

Adopted this the 2<sup>nd</sup> day of June, 2020.

  
Mayor

  
Clerk





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Section 11. Copies of this Budget Ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer to be kept on file by them for their discretion in the disbursement of funds.

Adopted this 4<sup>th</sup> day of June, 2020.

Mayor:

Clerk:



ORDINANCE NO. 2020-11  
AN ORDINANCE RELATING TO A  
NONRESIDENTIAL BUILDING OR STRUCTURE CODE

The Board of Commissioners of the Town of Williamston, North Carolina does hereby ordain that the following is added to the Code of the Town of Williamston as the Nonresidential Building or Structure Code:

Nonresidential Building or Structure Code

Sec. 1. Title.

This article shall be known and may be cited and referred to as the “Nonresidential Building or Structure Code.”

Sec. 2. Purpose.

In order to protect the health, safety and welfare of the city and its citizens, it is the purpose of this article to establish minimum standards of maintenance, sanitation, and safety relating to nonresidential buildings or structures, as expressly authorized by North Carolina ‘General Statute § 160A-439. This article provides for the repair, closing or demolition of nonresidential buildings or structures as a result of a public necessity caused by conditions that are dangerous to the public health, safety, and welfare.

Sec. 3. Definitions.

The following definitions shall apply in the interpretation and enforcement of this article:

(a) “*Basic structural elements*” means the parts of a building which provide the principal strength, stability, integrity, shape and safety of the building, including, but not limited to plates, studs, joists, rafters, stringers, stairs, sub-flooring, flooring, sheathing, lathing, roofing, siding, window frames, door frames, porches, railings, eaves, chimneys, flashing, masonry and all other essential components.

(b) “*Building*” means any structure, place, or any other construction built for the shelter or enclosure of persons, animals, chattels or property of any kind or any part of such structure, shelter or property.

(c) “*Enforcement Officer*” means a Town of Williamston code enforcement officer, building inspector, fire code inspector, zoning administrator or other employee designated by the Town Administrator to enforce the provisions of this article.

(d) “*Nonresidential*” means any building or structure or portion of a building or structure, occupied, formerly occupied, or intended to be occupied, in whole or in part, for a use other than a



dwelling, home, residing place, living space or sleeping space for one (1) or more human beings, either permanently or transiently.

(e) “*Occupant*” means any person who is a tenant or has actual possession of a nonresidential building or structure or part thereof.

(f) “*Operator*” means any person who has charge, care, or control of a nonresidential building or structure, or part thereof.

(g) “*Owner*” means any person, firm, association or legal entity who alone, or jointly, or severally with others:

- (1) Shall have title in fee simple to any nonresidential building or structure, with or without accompanying actual possession thereof; or
- (2) Shall have charge, care or control of any nonresidential building or structure as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this article and of rules and regulations adopted pursuant thereto, to the same extent as if he were the owner.

(h) “*Parties or interest*” means all individuals, associations, and corporations who have interests of record in a nonresidential building or structure and any who are in possession thereof.

(i) “*Premises*” means any lot or parcel of land inclusive of any building or improvements located thereon.

(j) “*Safe*” means a condition which is not likely to do harm to humans or to real or personal property.

(k) “*Structure*” means anything construed or placed upon a property which is supported by the ground or which is supported by any other structure, except a currently operable licensed vehicle.

(l) “*Structurally sound*” means substantially free from flaw, defect, decay or deterioration to the extent that the building or structure or structural member is capable of adequately or safely accomplishing the purpose for which it was intended or designed.

(m) “*Unsafe*” means a condition which is reasonably likely to do harm to humans or to real or personal property if not corrected or stopped.





(n) “*Vacant manufacturing facility*” means any building or structure previously used for the lawful production or manufacturing of goods, which has not been used for that purpose for at least one year and has not been converted to another use.

(o) “*Vacant industrial warehouse*” means any building or structure designed for the storage of goods or equipment in connection with manufacturing processes, which has not been used for that purpose for at least one year and has not been converted to another use.

#### Section 4. Applicability and compliance.

(a) The provisions of this article shall apply to all nonresidential buildings or structures which are now in existence or which may be built within the corporate limits of the Town.

(b) Every nonresidential building or structure and the premises on which it is situated shall comply with the provisions of this article, whether or not such building or structure shall have been constructed, altered, or repaired before or after the enactment of this article, and irrespective of any permits or licenses which have been issued for the use or occupancy of the building or structure or for the installment or repair of equipment or facilities. This article establishes minimum standards for all nonresidential buildings and structures and does not replace or modify standards otherwise established for the construction, repair, alteration, or use of the building or structure, equipment or facilities contained therein.

#### Section 5. Maintenance standards for nonresidential building and structures.

All nonresidential buildings and structures shall be free of all conditions that are dangerous and injurious to the public health, safety, and welfare of occupants or members of the general public. Without limitation of the foregoing requirement, the existence of any of the following conditions shall be deemed to be dangerous to the public health, safety and welfare for which a public necessity exists for the repair, closing, or demolition of such building or structure and must be corrected in accordance with the provisions of this article:

- (1) Interior walls, vertical studs, partitions, supporting members, sills, joists, rafters, or other basis structural members that list, lean, or buckle to such an extent as to render the building unsafe, that are rotted, deteriorated or damaged, and that have holes or cracks which might admit rodents.
- (2) Exterior walls that are not structurally sound, free from defects and damages and capable of bearing imposed loads safely. Where a wall of a building has become exposed as a result of demolition of adjacent buildings, such wall must have all doors, windows, vents, or other similar openings closed with material of the type comprising the wall. The exposed wall shall be painted, stuccoed, or bricked and sufficiently weatherproofed to prevent deterioration of the wall.
- (3) Floors or roofs which have improperly distributed loads, which are overloaded, or which have insufficient strength to be reasonably safe for the purpose used. Floors or





roofs shall have adequate supporting members and strength to be reasonably safe for the purpose used. Roofs shall be kept structurally sound and shall be maintained in such a manner so as to prevent rain or other objects from penetrating into the interior of the building.

- (4) Such damage by fire, wind, or other causes as to render the building unsafe.
- (5) Dilapidation, decay, unsanitary conditions, or disrepair, which is dangerous to the health and safety of the occupants or members of the general public.
- (6) Lack of adequate ventilation, light, heating, or sanitary facilities to such extent as to endanger the health, safety or general welfare of the occupants or members of the general public.
- (7) Buildings and structures including their environs that have accumulations of garbage, trash, or rubbish, which creates health and sanitation problems. All garbage and solid waste shall be in approved containers or stored in a safe and sanitary manner.
- (8) Buildings and structures that have loose and insufficiently anchored overhanging objects, which constitute a danger of falling on persons or property.
- (9) Buildings and structures including their environs that have insufficiently protected holes, excavations, breaks, projections, obstructions, and other such dangerous impediments on and around walks, driveways, parking lots, alleyways, and other areas which are accessible to and generally used by persons on or around the premises.
- (10) Buildings and structures that have cracked or broken glass, loose shingles, loose wood, crumbling stone or brick, loose or broken plastic, or other dangerous objects or similar hazardous conditions. Exterior surfaces shall be maintained in such material or treated in such a manner as to prevent deterioration and repaired or replaced with like or similar material according to its original use.
- (11) Buildings and structures that have objects and elements protruding from building walls or roofs, which are unsafe or not properly secured or which can create a hazard such as abandoned electrical boxes and conduits, wires, sign brackets and other brackets, and similar objects.
- (12) Chimneys, flues, and vent attachments thereto which are not structurally sound. Chimneys, flues, gas vents, or other draft-producing equipment which are in use shall provide sufficient draft to develop the rated output of the connected equipment, shall be structurally safe, durable, smoke-tight, and capable of withstanding the action of flue gases.



- (13) Exterior porches, landings, balconies, stairs, or fire escapes which are not structurally sound. All exterior porches, landings, balconies, stairs, and fire escapes shall be provided with banisters or railings properly designed and maintained to minimize the hazard of falling, and the same shall be kept sound, in good repairs, and free of defects.
- (14) Cornices which are not structurally sound. Rotten or weakened portions shall be repaired and/or replaced. All exposed wood shall be treated or painted.
- (15) Improperly attached gutters or down-spouts that are located so as to cause a hazard to pedestrian, vehicular traffic, or adjacent property.
- (16) Advertising sign structures, attached or freestanding awnings, marquees and their supporting members, and other similar attachments and structures that cause a safety hazard to the occupants or members of the general public.
- (17) All exterior surfaces that may cause unsafe conditions due to a lack of maintenance. Exterior surfaces shall be painted or sealed in order to protect the underlying surface from deterioration. All exterior surfaces that have been painted shall be maintained generally free of peeling and flaking. Where fifty percent (50%) or more of the aggregate of any painted surface shall have peeling or flaking or previous paint worn away, the entire surface shall be repainted in order to prevent further deterioration.
- (18) Windows containing broken or cracked glass that could be in danger of falling or shattering. All windows must be tight-fitting and have sashes of proper size and design and free from rotten wood, broken joints, or broken or loose mullions.
- (19) All openings originally designed as windows, doors, loading docks, or other means of egress or ingress which have been temporarily closed by boarding or other manner in a non-secure manner so as to allow unauthorized admittance. If an opening is temporarily closed by boarding to secure the building or structure, the boarding shall be trim fit, sealed to prevent water intrusion, and painted or stained to properly conform with the other exterior portions of the building and the building or structure shall be maintained in a state that secures the building or structure from any unauthorized admittance from humans, animals, or birds.
- (20) Any combination of conditions which in the judgment of the enforcement officer renders any building or structure dangerous or injurious to the health, safety, or general welfare of occupants or members of the general public.

Section 6. Duties of Enforcement Officer.



The enforcement officer is hereby designated as the public officer to enforce the provisions of this article and to exercise the duties and powers herein prescribed. It shall be the duty of the enforcement officer.

- (1) To investigate the conditions of nonresidential buildings and structures in the city and to inspect nonresidential buildings and structures located in the city in order to determine which nonresidential buildings and structures are not being maintained so that the health and safety of its occupants or members of the general public are jeopardized and for the purpose of carrying out the objectives of this article with respect to such nonresidential buildings and structures;
- (2) To take such action, together with other appropriate departments and agencies, public and private, as may be necessary to effect the repair or demolition of nonresidential buildings and structures, which have not been properly maintained in compliance with minimum standards established by this article;
- (3) To keep a record of the results of inspections made under this article and an inventory of those non-residential buildings and structures which have not been properly maintained in compliance with the minimum standards established b this article; and
- (4) To perform such other duties as may be herein prescribed.

#### Sec. 7. Powers of the Enforcement Officer.

The enforcement officer is authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purpose and provisions of this article, including the following powers in addition to others herein granted:

- (1) To investigate nonresidential buildings and structures in the city to determine whether they have been properly maintained in compliance with the minimum standards established by this article so that the safety or health of the occupants or members of the general public are not jeopardized.
- (2) To administer oaths and affirmations, examine witnesses and receive evidence.
- (3) To enter upon premises for the purpose of making examinations and inspections provided that such entries shall be made in accordance with law and in such manner as to cause the least possible inconvenience to the persons in possession; and
- (4) To appoint and fix duties of such officers, agents, and employees as the enforcement officer deems necessary to carry out the purposes of this article.

#### Sec. 8. Inspections.





For the purpose of making inspections, the enforcement officer is hereby authorized to enter, examine, and survey at all reasonable times, nonresidential buildings and structures. If entry upon the premises for purposes of investigation is necessary, such entry shall be made pursuant to a duly issued administrative search warrant in accordance with G.S. 15-27.2 or with permission of the owner, the owner's agent, a tenant, or other person legally in possession of the premises.

Sec. 9. Procedure for enforcement.

(a) Preliminary investigation. Whenever it appears to the enforcement officer that any nonresidential building or structure has not been properly maintained so that the safety or health of its occupants or members of the general public are jeopardized for failure of the property to meet the minimum standards established by this article, the enforcement officer shall undertake a preliminary investigation.

(b) Complaint and Hearing. If the preliminary investigation discloses evidence of a violation of the minimum standards established by this article, the enforcement officer shall issue and cause to be served upon the owner of and parties in interest in the nonresidential building or structure a complaint. The complaint shall state the charges and contain a notice that a hearing will be held before the enforcement officer at a place therein fixed, not less than ten (10) days nor more than thirty (30) days after the serving of the complaint; that the owner and parties in interest shall be given the right to answer the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the enforcement officer.

(c) Procedure after Hearing.

- (1) If, after notice and hearing, the enforcement officer determines that the nonresidential building or structure has been maintained in that the property meets the minimum standards established by this article, the enforcement officer shall state in writing findings of fact in support of that determination and shall issue and cause to be served upon the owner thereof a copy of said determination.
- (2) If, after notice and hearing, the enforcement officer determines the nonresidential building or structure has not been properly maintained so that the safety or health of its occupants or members of the general public is jeopardized for failure of the property to meet the minimum standards established by this article, the enforcement officer shall state in writing findings of fact in support of that determination and shall issue and cause to be served upon the owner thereof an order in accordance with the provisions of subsection (c) (3) and (c) (4) of this section and subject to the limitations set forth in section 10.
- (3) If the enforcement officer determines that the cost of repair, alteration, or improvement of the building or structure would not exceed fifty percent (50%) of its then current value, then the enforcement officer shall state in writing the findings of



fact in support of such determination and issue an order that requires the owner, within a reasonable time specified in the order, to either (i) repair, alter, or improve the nonresidential building or structure in order to bring it into compliance with the minimum standards established by this article or (ii) vacate and close the nonresidential building or structure for any use.

- (4) If the enforcement officer determines that the cost of repair, alteration, or improvement of the building or structure would exceed fifty percent (50%) of its then current value, then the enforcement officer shall state in writing the findings of fact in support of such determination and issue an order that requires the owner, within a reasonable time specified in the order, to either (i) remove or demolish the nonresidential building or structure or (ii) repair, alter or improve the nonresidential building or structure to bring it into compliance with the minimum standards established by this article.

(d) Failure to Comply with Order and Ordinances.

- (1) If the owner fails to comply with an order to either (i) repair, alter, or improve the nonresidential building or structure or (ii) vacate and close the nonresidential building or structure, the enforcement officer shall submit to the city council an ordinance ordering the enforcement officer to cause such nonresidential building or structure to be repaired, altered, or improved in order to bring it into compliance with the minimum standards established by this article or to be vacated and closed for any use. The property shall be described in the ordinance. If city council adopts the ordinance, the enforcement officer shall cause the building or structure to be vacated and closed for any use.
- (2) If the owner fails to comply with an order to either (i) remove or demolish the nonresidential building or structure or (ii) repair, alter, or improve the nonresidential building or structure, the enforcement officer shall submit to the city council an ordinance ordering the enforcement officer to cause such nonresidential building or structure to be removed or demolished. No ordinance shall be adopted to require removal or demolition of a nonresidential building or structure until the owner has first been given a reasonable opportunity to bring it into conformity with the minimum standards established by the city council. The property shall be described in the ordinance. If city council adopts the ordinance, the enforcement officer shall cause the building or structure to be removed or demolished.

Sec. 10. Limitations on Orders and Ordinances – Historic Landmark or Historic District.

Notwithstanding any other provision of this article, if the nonresidential building or structure is designated as a local historic landmark, listed in the National Register of Historic





Places, or located in a locally designated historic district or in a historic district listed in the National Register of Historic Places and the city council determines, after a public hearing, that the nonresidential building or structure is of individual significance or contributes to maintaining the character of the district, and the nonresidential building or structure has not been condemned as unsafe, an order issued by the enforcement officer pursuant to Section 9 (c) (3) and an ordinance approved by city council pursuant to Section 9 (d) (1) may only require that the nonresidential building or structure be vacated and closed until it is brought into compliance with the minimum standards established by this article.

**Sec. 11. Limitations on Orders and Ordinances – Vacant Manufacturing Facility or Vacant Industrial Warehouse.**

Notwithstanding any other provision of this article, an order issued by the enforcement officer pursuant to Section 9 (c) (3) and an ordinance approved by city council pursuant to Section 9 (d) (1) may not require repairs, alterations or improvements to be made to a vacant manufacturing facility or a vacant industrial warehouse to preserve the original use. The order and ordinance may require such building or structure to be vacated and closed, but repairs may be required only when necessary to maintain structural integrity or to abate a health or safety hazard that cannot be remedied by ordering the building or structure closed for any use.

**Sec. 12. Vacated and Closed Nonresidential Buildings or Structures.**

(a) If the city council has adopted an ordinance or the enforcement officer has issued an order requiring the building or structure to be repaired, altered, or improved or vacated and closed and the building or structure as been vacated and closed for a period of two (2) years pursuant to the ordinance or order, then if the city council finds that the owner has abandoned the intent and purpose to repair, alter, or improve the building or structure and that the continuation of the building or structure in its vacated and closed status would be inimical to the health, safety, and welfare of the city in that it would continue to deteriorate, would create a fire or safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, or would cause or contribute to blight and the deterioration of property values in the area, then city council may, after the expiration of the two (2) year period, adopt an ordinance and serve such ordinance on the owner, setting forth the following:

- (1) The ordinance shall require that the owner either (i) demolish and remove the nonresidential building or structure within ninety (90) days or (ii) repair, alter, or improve the nonresidential building or structure to bring it into compliance with the minimum standards established by this article within ninety (90) days.
- (2) The ordinance shall require that if the owner does not either (i) demolish and remove the nonresidential building or structure within ninety (90) days or (ii) repair, alter, or improve the nonresidential building or structure to bring it into compliance with the minimum standards established by this article within ninety (90) days, then the





coordinator or officer shall demolish and remove the nonresidential building or structure.

(b) In the case of a vacant manufacturing facility or a vacant industrial warehouse, the building or structure must have been vacated and closed pursuant to an order or ordinance for a period of five (5) years before city council may take action under this section.

(c) If the owner fails to comply with the requirements of the ordinance within ninety (90) days, the enforcement officer shall demolish and remove the nonresidential building or structure.

#### Sec. 13. Methods of service of complaints and orders.

(a) Complaints or orders issued by the enforcement officer under this article shall be served either personally or by registered or certified mail and, in conjunction therewith, may be served by regular mail. When the manner of service is by regular mail in conjunction with registered or certified mail, and the registered or certified mail is unclaimed or refused, but the regular mail is not returned by the post office within ten (10) days after mailing, service shall be deemed sufficient. The person mailing the complaint or order by regular mail shall certify that fact and the date thereof, and such certificate shall be conclusive in the absence of fraud. If regular mail is used, a notice of the pending proceedings shall be posted in a conspicuous place on the premises thereby affected.

(b) If the identities of any owner or the whereabouts of persons are unknown and cannot be ascertained by the enforcement officer in the exercise of reasonable diligence, and the enforcement officer makes an affidavit to that effect, then the serving of the complaint or order upon the unknown owners or other persons may be made by publication in a newspaper having general circulation in that city at least once no later than the time at which personal service would be required under the provisions of this article. When service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises thereby affected.

#### Sec. 14. In rem action by the enforcement officer.

After failure of an owner of a nonresidential building or structure to comply with an order of the enforcement officer issued pursuant to the provisions of this article and upon adoption by the city council of an ordinance authorizing and directing the owner to do so, as provided by G.S. 160A-439(f) and Section 9 (d) of this article, the enforcement officer shall proceed to cause such nonresidential building or structure to be repaired, altered, or improved to comply with the minimum standards established by this article, or to be vacated and closed or to be removed or demolished, as directed by the ordinance of the city council. The enforcement officer may cause to be posted on the main entrance of any nonresidential building or structure which is to be vacated and closed a placard with the following words: "This building is unfit for any use; the use or occupation of this building for any purpose is prohibited and unlawful." Any person who



occupies or knowingly allows the occupancy of a building or structure so posted shall be guilty of a Class 3 misdemeanor.

Sec. 15. Costs, a lien on premises.

(a) As provided by G.S. 160A-439(i), the amount of the cost of any repairs, alterations, or improvements, or vacating and closing, or removal or demolition, caused to be made or done by the enforcement officer pursuant to this ordinance shall be a lien against the real property upon which such costs were incurred. Such lien shall be filed, have the same priority, and be enforced and the costs collected as provided by Article 10, Chapter 160A of the North Carolina General Statutes. The amount of the costs shall also be a lien on any other real property of the owner located within the city limits except for the owner's primary residence. The additional lien provided in this subdivision is inferior to all prior liens and shall be collected as a money judgment.

(b) If the nonresidential building or structure is removed or demolished by the enforcement officer, the enforcement officer shall offer for sale the recoverable materials of the building or structure and any personal property, fixtures, or appurtenances found in or attached to the building or structure and shall credit the proceeds of the sale, if any, against the costs of the removal or demolition, and any balance remaining shall be deposited in the superior court by the enforcement officer, shall be secured in a manner directed by the court, and shall be disbursed by the court to the person found to be entitled thereto by final order or decree of the court. Nothing in this section shall be construed to impair or limit in any way the power of the governing body to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

Sec. 16. Ejectment.

If any occupant fails to comply with an order to vacate a nonresidential building or structure, the enforcement officer may file a civil action in the name of the city to remove the occupant. The action to vacate shall be in the nature of summary ejectment and shall be commenced by filing a complaint naming as parties-defendant any person occupying the nonresidential building or structure. The clerk of superior court shall issue a summons requiring the defendant to appear before a magistrate at a certain time, date, and place not to exceed 10 days from the issuance of the summons to answer the complaint. The summons shall be returned according to its tenor, and if on its return it appears to have been duly served and if at the hearing the enforcement officer produces a certified copy of an ordinance adopted by the city council pursuant to G.S. 160A-439(f) and Section 9 (d) to vacate the occupied nonresidential building or structure, the magistrate shall enter judgment ordering that the premises be vacated and all persons be removed. The judgment ordering that the nonresidential building or structure be vacated shall be enforced in the same manner as the judgment for summary ejectment entered under G.S. 42-30. An appeal from any judgment entered under this subsection by the magistrate may be taken as provided in G.S. 7A-228, and the execution of the judgment may be stayed as provided in G.S.





7A-227. An action to remove an occupant of a nonresidential building or structure who is a tenant of the owner may not be in the nature of a summary ejectment proceeding pursuant to this subsection unless the occupant was served with notice, at least thirty (30) days before the filing of the summary ejectment proceeding, that the city council has ordered the enforcement officer to proceed to exercise his duties under G.S. 160A-439(f) and Section 9 (d) to vacate and close or remove and demolish the nonresidential building or structure.

Sec. 17. Filing of ordinances.

An ordinance adopted by city council pursuant to Section 9 (d) or 12 of this article shall be recorded in the office of the Register of Deeds of Martin County and shall be indexed in the name of the property owner in the grantor index, as provided by G.S. 160A-439(f) and (g).

Sec. 18. Alternative remedies.

Neither this article nor any of its provisions shall be construed to impair or limit in any way the power of the Town of Williamston to define and declare nuisances and to cause their abatement by summary action or otherwise, or to enforce this article by criminal process as authorized by G.S. 14-4, and Section 22 of this article, and the enforcement of any remedy provided herein or in other ordinances or laws.

Sec. 19. Board of adjustment to hear appeals.

(a) All appeals which may be taken from decisions or orders of the enforcement officer pursuant to this article shall be heard and determined by the board of adjustment. As the appeals body, the board shall have the power to fix the times and places of its meetings, to adopt necessary rules of procedure and any other rules and regulations which may be necessary for the proper discharge of its duties.

(b) Appeals shall be subject to the following:

- (1) An appeal from any decision or order of the enforcement officer may be taken by any person aggrieved thereby. Any appeal from the enforcement officer shall be taken within ten (10) days from the rendering of the decision or service of the order, and shall be taken by filing with the enforcement officer and with the board of adjustment a notice of appeal which shall specify the grounds upon which the appeal is based. Upon the filing of any notice of appeal, the enforcement officer shall forthwith transmit to the board all the papers constituting the record upon which the decision appealed from was made. When the appeal is from a decision of the enforcement officer refusing to allow the person aggrieved thereby to do any act, the enforcement officer's decision shall remain in force until modified or reversed. When any appeal is from a decision of the enforcement officer requiring the person aggrieved to do any act, the appeal shall have the effect of suspending the requirement until the hearing by



the board, unless the enforcement officer certifies to the board, after the notice of appeal is filed, that by reason of the facts stated in the certificate (a copy of which shall be furnished the appellant) a suspension of the requirement would cause imminent peril to life or property, in which case the requirement shall not be suspended except by a restraining order, which may be granted for due cause shown upon not less than one (1) day's written notice to the enforcement officer, by the board, or by a court of record upon petition made pursuant to G.S. 160A-446(f) and Sec. 19.

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

Sec. 20. Temporary Injunction Remedy for Aggrieved Person

Any person aggrieved by an order issued by the enforcement officer or a decision rendered by the board of adjustment shall have the right within thirty (30) days after issuance of the order or rendering of the decision, to petition the Superior Court for a temporary injunction restraining the enforcement officer pending a final disposition of the cause, as provided by G.S. 160A-446(f).

Sec. 21. Conflict with other provisions.

In the event any provision, standard, or requirement of this article is found to be in conflict with any other ordinance or code of the city, the provisions which establishes the higher standard or more stringent requirement for the promotion and protection of health and safety of the citizens of the city shall prevail.

Sec. 22. Violations; penalty.

(a) It shall be unlawful for the owner of any nonresidential building or structure to fail, neglect, or refuse to repair, alter, or improve the same, or to vacate and close and remove or



demolish the same, upon order of the enforcement officer duly made and served in accordance with the provisions of this article, within the time specified in such order, and each day that any such failure, neglect or refusal to comply with such order continues shall constitute a separate and distinct offense. It shall be unlawful for the owner of any nonresidential building or structure, with respect to which an order has been issued pursuant to section 9 (c) of this article, to occupy or permit the occupancy of the same after the time prescribed in such order for its repair, alteration, improvement, or its vacation and closing, and each day that such occupancy continues after such prescribed time shall constitute a separate and distinct offense.

(b) The violation of any provision of this article shall constitute a misdemeanor, as provided by G.S. 14-4.

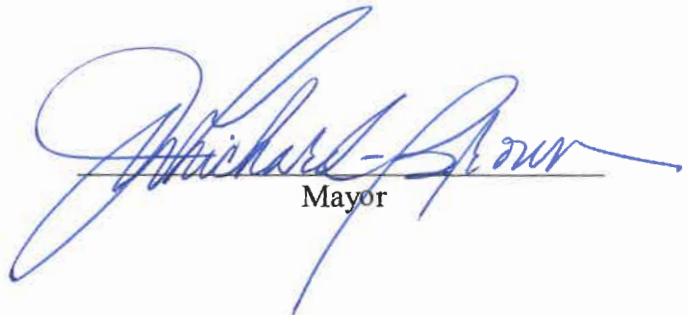
(c) In addition to or in lieu of the other remedies provided by this article, any owner of a nonresidential building or structure that fails to comply with an order of the enforcement officer within the time specified therein, shall be subject to a civil penalty in the amount of fifty dollars (\$50.00) for the first offense, one hundred dollars (\$100.00) for the second offense in the calendar year, and two hundred fifty dollars (\$250.00) for the third and subsequent offenses in the calendar year. Each subsequent offense after the third will be subject to a civil penalty of \$250.00. Each thirty (30) day period or part thereof in which a violation is allowed to persist will constitute a separate and distinct offense.

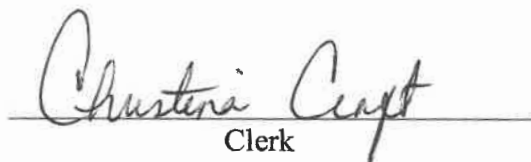
Sec. 23. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Sec. 24. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Sec. 25. This ordinance shall become effective upon its adoption.

Adopted this the 4<sup>th</sup> day of June, 2020.

  
Mayor

  
Clerk





ORDINANCE NO. 2020-10

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE TOWN OF WILLIAMSTON

WHEREAS the Williamston Planning Board has recommended the following amendments to the Williamston Zoning Ordinance and the Town has held a public hearing on the 2<sup>nd</sup> day of March, 2020 to consider these amendments, no objection having been received to the proposed amendments;

BE IT THEREFORE ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WILLIAMSTON that the Zoning Ordinance of the Town of Williamston be amended as follows:

1. A new word definition is added as follows:

Micro-distillery: a facility for the production of less than 50,000 U.S. gallons of craft distilled spirits of alcoholic beverages per year that is limited in its location, size, and operation in accordance with the provisions of Section 6-14.1(f).

2. A new word definition is added as follows:

Micro-winery: A facility for the production of less than 50,000 gallons of wine that is limited in its location, size, and operation in accordance with the provisions of Section 6-14.1(f).

3. That Section 6-14.1(f) be added to Permitted Uses for a CBD (Central Business District) as follows:

f. Micro-breweries, Micro-distilleries, Micro-Wineries and Brewpubs:

1. The principal use shall be the production of malt beverages, distilled spirits, or wine for retail sales for on-premises and off-premises consumption in accordance with ABC permit requirements set forth in G.S. 18B-1001 as amended and issuance of on-premises malt beverage, distilled spirit, or wine permit for breweries, distilleries, or wineries as authorized by G.S. 18B-1104 as amended and all other laws pursuant to G.S. 18B as amended.
2. Accessory uses may include and are limited only to: retail sales, food and beverage consumption, live entertainment, tasting room, event room, and loading area.

2a. Loading area must be located on side or rear of structure.





3. The portion of the building devoted to operating equipment shall not exceed 5,000 square feet.
4. A minimum of 25% of the floor area shall have operating equipment that produces malt beverages, distilled spirits, or wine for retail sales. This percentage shall be satisfied at the time a Zoning and Fire inspection is conducted and shall be manufactured thereafter.
5. A micro-brewery, micro-distillery, winery, or brewpub shall not require a membership, cover or minimum charge for admittance or service.
6. No outside storage is allowed.
7. Existing conforming use conventional restaurants may add, subject to an additional permit, a brewpub operation as an accessory use provided they comply with the following:
  - (a) The restaurant must be located within the CBD (Central Business District) zoning district, subject to an approved special use permit.
  - (b) The area of the restaurant devoted to operating brewing equipment shall not exceed 30% of the area of the restaurant including the area devoted to operating brewing equipment.
  - (c) Malt beverages produced for retail sales for on-premises and off-premises consumption shall comply with ABC permit requirements set forth in G.S. 18B-1001 as amended and issuance of on-premises malt beverage permit for breweries as authorized by G.S. 18B-1104 as amended and all other laws pursuant to G.S. 18B as amended.
  - (d) The restaurant and the microbrewery accessory use shall not require a membership, cover or minimum charge for admittance or service.
4. The following provisions pertaining to outdoor dining and gathering areas shall be added to and apply to Section 6-12.1 (Office and Institutional), Section 6-13.1 (Neighborhood Commercial), Section 6-14.1 (Central Business District), Section 6-15.1 (Downtown Commercial), Section 6-16.1 (Highway Commercial), and Section 6-17.1 (Commercial Highway Mixed Use):
  - (A) Outdoor dining or gathering areas including tables, chairs, and other furnishings for restaurants or other businesses shall be located no closer than ten feet to any property line or right of way and shall not obstruct any exits from the premises.



- (B) Plans for outdoor dining or gathering areas shall be approved by the Zoning Administrator prior to installation and should include a scaled drawing or site plan illustrating the proposed boundary for the outdoor dining or gathering area of the associated restaurant, including but not limited to property lines, sidewalks, curb lines, lighting, trees, planters, street signs, benches, and fire hydrants. The drawing shall illustrate the section of sidewalk, public alley, or personal property to be used for the outdoor dining or gathering area and the section to be kept clear for pedestrian use, and depict the proposed materials and placement of tables, chairs, and barriers on the sidewalk or public alley.
- (C) The business owner shall provide evidence of a valid insurance policy that will indemnify the Town for any damage to the sidewalk or public alley and for any damages for which the Town might incur liability because of property damage or personal injury arising out of the use of the sidewalk or public alley for seating purposes.
- (D) The business owner shall indemnify and hold harmless the Town and its officers, agents, and employees from any claim arising from the operation of the outdoor dining and gathering area.

#### ALCOHOLIC CONSUMPTION IN OUTDOOR DINING AND GATHERING AREAS

- (A) Alcoholic beverage consumption may be allowed in outdoor dining or gathering areas for restaurants, microbreweries, or brewpubs with a valid zoning permit issued by the Town of Williamston and applicable ABC permits which allow on-site consumption and include the outdoor dining and gathering areas within the premises of the ABC permit(s).
  - (B) All outdoor dining or gathering areas allowing alcoholic beverage consumption shall meet the following requirements:
    - (1) The portion of the outdoor dining or gathering area where alcohol is or may be served shall be delineated by clearly visible barriers made of wood, rope, or other suitable material and shall not have more than two designated points of ingress and egress.
    - (2) Signs shall be posted, visible at all designated exit points from the outdoor dining or gathering area, that it is unlawful to remove alcoholic beverages in open or unsealed containers from the premises. The restaurant, microbrewery, or brewpub operators shall be responsible for insuring that no alcohol is served or consumed outside the designated area.
5. The following provisions shall be added to and apply to Section 6-14.1 pertaining to CBD (Central Business District):

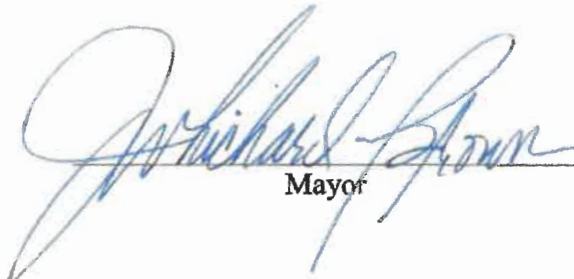


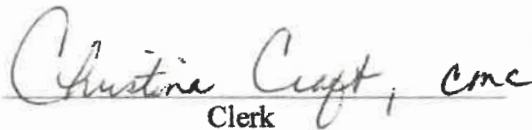
## OUTDOOR DINING AND GATHERING AREAS IN THE DOWNTOWN DISTRICT.

Notwithstanding any other provision to the contrary:

- (A) For outdoor dining or gathering areas located on sidewalks in front of restaurants or other businesses located in the Central Business District Zone, tables, chairs, and other furnishings shall be placed a minimum of six feet from any travel lane.
- (B) Tables, chairs, and other furnishings shall be placed in such a manner that at least five feet of unobstructed paved space of the sidewalk, measured from any permanent or semi-permanent object, remains clear for the passage of pedestrians and provides adequate passing space that complies with the Americans with Disabilities Act.
- (C) Restaurants or other businesses located on a DOT maintained street must also follow all applicable requirements set forth by G.S. 136-27.4.

Adopted this the 2<sup>nd</sup> day of June, 2020.

  
Mayor

  
Clerk



## CAPITAL PROJECT ORDINANCE 2020-5

### POLICE DEPARTMENT FACILITY PROJECT

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the purchase of Randy Stalls Building and renovations of that building for the Williamston Police Department approved at January Retreat. The Town is seeking funding through USDA with a 40 year loan. Oakley Collier Architects are the engineering firm.

The facility will house all services required to provide a complete and functional Police Department for the Town.

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

Section 3. The following amounts are appropriated for the project:

Legal / Administrative/ Other Fees	\$ 29,600
Building Purchase	\$ 212,026
Equipment (Technology Wiring/ Furnishings)	\$ 468,989
Engineering Fees – Oakley Collier	\$ 122,000
Construction	\$ 2,055,550
Interim Financing	\$ 35,000
Contingency	<u>\$ 102,777</u>
Total	\$ 3,025,942

Section 4. The following revenues are anticipated to be available to complete this project:

Fund Balance	\$ 716,998
Loan Funds from USDA	<u>\$ 2,308,944</u>
Total Revenues	\$ 3,025,942

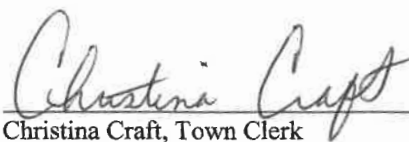
Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Local Government Commission.

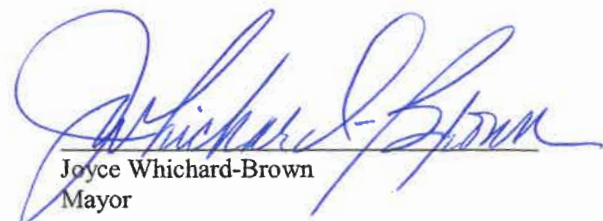
Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Section 8. This ordinance supersedes a similarly title ordinance (2019-110) adopted on the 6<sup>th</sup> day of August, 2019 and at the 6<sup>th</sup> day of January 2020 (CPO 2020-3) during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

Adopted this 2<sup>nd</sup> day of March, 2020 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

  
Christina Craft, Town Clerk  
(SEAL)

  
Joyce Whichard-Brown  
Mayor





### CAPITAL PROJECT ORDINANCE 2020-3

#### POLICE DEPARTMENT FACILITY PROJECT

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the purchase of Randy Stalls Building and renovations of that building for the Williamston Police Department approved at January Retreat. The Town is seeking funding through USDA with a 40 year loan. Oakley Collier Architects are the engineering firm.

The facility will house all services required to provide a complete and functional Police Department for the Town.

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

Section 3. The following amounts are appropriated for the project:

Legal / Administrative/ Other Fees	\$ 29,600
Building Purchase	\$ 212,026
Equipment (Technology Wiring/ Furnishings)	\$ 468,989
Engineering Fees – Oakley Collier	\$ 122,200
Construction	<u>\$ 2,055,550</u>
Total	\$ 3,025,942

Section 4. The following revenues are anticipated to be available to complete this project:

Fund Balance	\$ 626,998
Loan Funds from USDA	<u>\$ 2,308,944</u>
Total Revenues	\$ 2,935,942

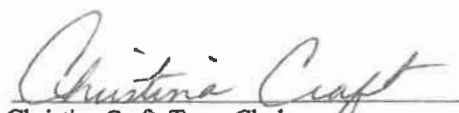
Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Local Government Commission.

Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Section 8. This ordinance supersedes a similarly title ordinance (2019-110) adopted on the 6<sup>th</sup> day of August, 2019 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

Adopted this 6th day of January, 2020 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

  
Christina Craft, Town Clerk  
(SEAL)

  
Joyce W. Richard-Brown  
Mayor

BA #12





**CAPITAL PROJECT ORDINANCE 2020-2  
FIRE DEPARTMENT RENOVATION PROJECT**

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the Renovations of the Williamston Fire Department Facility approved at January Retreat. The Town is seeking funding through USDA with a 40-year loan. Oakley Collier Architects are the engineering firm.

Listed are the renovations proposed:

- Approximately 60' x 60' SF addition, located at the southwest side of the facility, adjacent to the existing bays
- Double apparatus bay to house (2) large fire apparatus
- Fire Department Archive Records Storage Room
- Training Room approximately 800SF with adjacent kitchen
- Required storage for additional medical supplies for EMS
- Other minor renovations to existing facility

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

Section 3. The following amounts are appropriated for the project:

Legal / Administrative/ Other Fees	\$ 30,900
Engineering Fees – Oakley Collier	\$ 74,000
Construction	\$ 1,704,569
Equipment (Technology Wiring/ furnishings)	\$ 186,482
Contingencies	\$ 84,601
Financing	\$ 35,000
Total	\$ 2,115,552

Section 4. The following revenues are anticipated to be available to complete this project:

Loan Funds from USDA	\$ 2,042,595
Fund Balance	\$ 72,957
Total Revenues	\$ 2,115,552

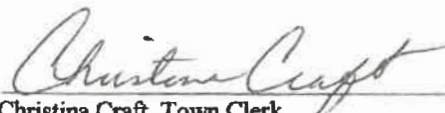
Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Local Government Commission.

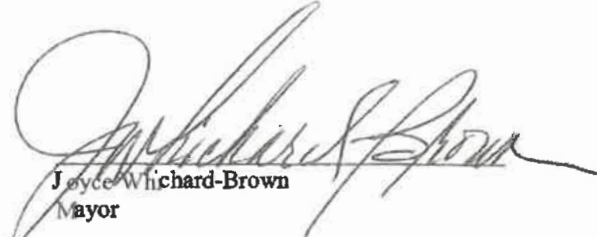
Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Section 8. This ordinance supersedes a similarly title ordinance (2019-109) adopted on the 6<sup>th</sup> day of August, 2019 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

Adopted this 6th day of January, 2020 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

  
Christina Craft, Town Clerk  
(SEAL)

  
Joyce Whitchard-Brown  
Mayor

BA # 11



**CAPITAL PROJECT ORDINANCE 2020-1**  
**GAYLORD PERRY PARK PARTF GRANT PROJECT**

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the Gaylord Perry Park Renovation Project approved at the November 18, 2019 Town Board of Commissioner's meeting.

Listed are the renovations proposed:

- Picnic shelter with restrooms
- Accessible playground – structure and surfacing
- Skate Park
- Adult Fitness Area
- Outdoor basketball courts – renovation
- Accessible Routes (4' width sidewalks to amenities)
- Parking Lot – renovate existing and add approximately 16 spaces
- Utilities – electrical/lighting and plumbing/sewer
- Landscaping
- Site amenities – picnic tables, flag pole, benches, receptacles

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

Section 3. The following amounts are appropriated for the project:

Building and/or Renovating Costs	\$ 460,500
Contingency	\$ 23,025
Construction management, site planning, preliminary design, Survey and appraisals, application preparation cost	\$ 41,000
<b>Total</b>	<b>\$ 524,525</b>

Section 4. The following revenues are anticipated to be available to complete this project:

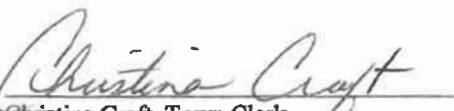
Town of Williamston	\$ 262,525
PARTF Grant	\$ 262,000
<b>Total Revenues</b>	<b>\$ 524,525</b>

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

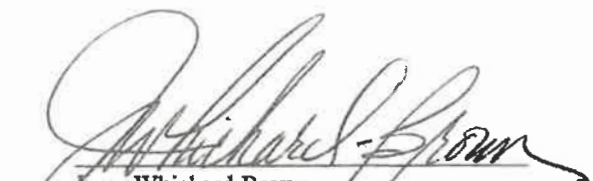
Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Adopted this 6th day of January 2020 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

  
 Christina Craft, Town Clerk  
 (SEAL)

BA #10

  
 Joyce Whichard-Brown  
 Mayor



## Ordinance 2019-120

### AN ORDINANCE DECLARING A ROAD CLOSURE FOR A CHRISTMAS PARADE

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of providing an annual Christmas parade for the pleasure of its citizens; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from holding an annual Christmas parade; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a parade requires approximately two (2) hours to install signing and traffic control, and also requires approximately two (2) hours for removing signs, traffic control, and litter;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

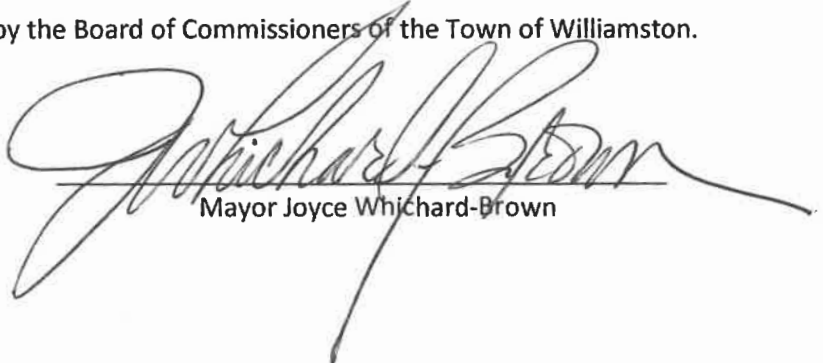
**Date:** Thursday, December 5, 2019

**Time:** 3 pm to 8:30 pm

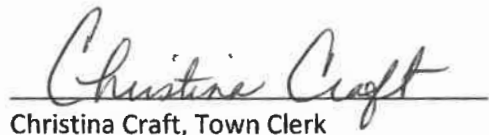
**Route Description:** Washington Street at the Carolina Avenue intersection to the intersection of Main Street and Watts Street

This ordinance to become effective when signs are erected giving notice of the limits and times of the parade, and implementation of adequate traffic control to guide through vehicles around parade route.

Adopted this the 7th day of October, 2019 by the Board of Commissioners of the Town of Williamston.

  
Mayor Joyce Whichard-Brown

Attest:

  
Christina Craft, Town Clerk



## **Ordinance 2019-117**

### **AN ORDINANCE DECLARING A ROAD CLOSURE FOR WILLIAMSTON PARADE**

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of Four churches hosting an annual homecoming that brings thousands "back home" for a weekend of fellowship and reunion; and,

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from allowing an annual homecoming parade; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a parade requires approximately two (2) hours to install signing and traffic control, and also requires approximately two (2) hours for removing signs, traffic control, and litter;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

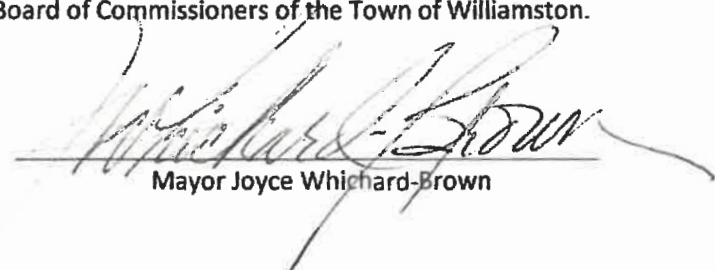
**Date:** Saturday, September 14, 2019

**Time:** 9:00 am to 1:00 pm

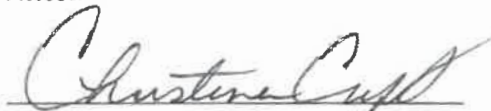
**Route Description:** Washington Street at the Carolina Avenue intersection to the intersection of Main Street and Watts Street

This ordinance to become effective when signs are erected giving notice of the limits and times of the parade, and implementation of adequate traffic control to guide through vehicles around parade route.

Adopted this the 3rd day of June, 2019 by the Board of Commissioners of the Town of Williamston.

  
Mayor Joyce Whichard-Brown

Attest:

  
Christina Craft, Town Clerk





## **Ordinance 2019-118**

### **AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE 23<sup>rd</sup> ANNUAL CAROLINA COUNTRY STAMPEDE**

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of providing an annual Carolina Country Stampede Festival for the pleasure of its citizens; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from holding an annual Carolina Country Stampede Festival; and

**WHEREAS**, the downtown merchants are in cooperation with the Town to promote the 23<sup>rd</sup> Annual Carolina Country Stampede; and

**WHEREAS**, the Town of Williamston plans to provide all necessary police and safety personnel for the event;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

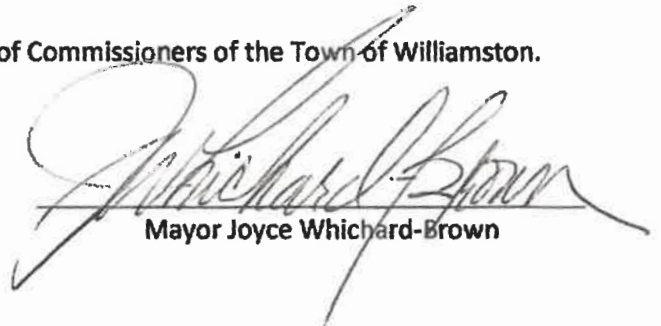
**Date:** Friday, September 27, 2019 to Sunday, September 29, 2019

**Time:** 12 pm on Friday the 27<sup>th</sup> until 2 am Sunday the 29<sup>th</sup>

**Route Description:** The Intersection of Watts Street on Main to the Intersection of Haughton and Main. Washington Street would be blocked from Railroad Street to Main.

This ordinance to become effective when signs are erected giving notice of the limits and times of the event, and implementation of adequate traffic control to guide through vehicles around the event.

Adopted this the 3<sup>rd</sup> day of June, 2019 by the Board of Commissioners of the Town of Williamston.

  
Mayor Joyce Whichard-Brown

Attest:

  
Christina Craft, Town Clerk





ORDINANCE 2019-116  
TOWN OF WILLIAMSTON  
FY 2019-2020 BUDGET ORDINANCE

BE IT ORDAINED by the Governing Board of the Town of Williamston, North Carolina:

Section 1: The following amounts are hereby appropriated in the General Fund for the operation of the Town Government and its activities for the fiscal year beginning July 1, 2019, and ending June 30, 2020, in accordance with the chart of accounts heretofore established for this Town:

Administration	\$ 130,595
Planning	193,416
Public Buildings	48,507
Police Department	1,702,628
Fire Department	512,005
Rescue/EMS Department	923,100
RRT Department	69,000
Street Department	469,388
Sanitation Department	471,829
Recreation Department	514,497
Cemetery	102,633
Garage	206,157
Cultural	119,000
Debt Retirement	196,503
Economic & Physical Development	<u>135,713</u>

\$ 5,794,971

Section 2. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2019 and ending June 30, 2020:

Taxes and Licenses:

Current Year's Property Taxes	\$ 2,415,000
Other Ad Valorem Tax Revenue	639,170
Local Option Sales Tax	855,000
Hold Harmless Reimbursements	295,000
Payment in Lieu of Taxes	4,000
Other Taxes and Licenses	486,920

User Charges and Fees:

Recreation Activities	23,350
Cemetery Sales and Fees	55,000
EMS Service Charges	474,000
EMS Medicaid	66,000
Other Charges and Fees	3,,000

Intergovernmental Payments:

Total Government and Local Grants	288,097
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Other Income:	
Investment Earnings	77,000
Installment Loan	90,834
Miscellaneous	22,600

Fund Balance Appropriated:	
Powell Bill – Street Sweeper	-0-
Undesignated Funds	<u>-0-</u>

\$ 5,794,971

Section 3. The following amounts are hereby appropriated in the Enterprise Fund for the operation of the water and sewer utilities for the fiscal year beginning July 1, 2019, and ending June 30, 2020, in accordance with the chart of accounts heretofore approved for the Town:

Water Operations	\$2,122,477
Sewer Operations	1,082,664
Capital Outlay	179,239
Debt Retirement	848,734
Reserve	-0-
Loans	-0-
Transfer from Other Funds	-0-
Contingencies	<u>-0-</u>

\$ 4,233,114

Section 4. It is estimated that the following revenues will be available in the Enterprise Fund for the fiscal year beginning July 1, 2019, and ending on June 30, 2020:

Water Charges	\$2,480,000
Sewer Charges	1,581,500
Interest on Investments	110,000
Other Charges and Fees	36,500
Miscellaneous	2,500
Transfer from General Fund	22,614
Undesignated Fund Balance	<u>-0-</u>

\$ 4,233,114

Section 5. It is estimated that the following expense will be available in the Storm Water Fund for the fiscal year beginning July 1, 2019, and ending on June 30, 2020:

Uncollectible	5,000
Debt Reserve	6,600
Future Project	4,074
Debt Service Payment	<u>\$39,326</u>

\$ 55,000

Section 6. It is estimated that the following revenue will be available in the Storm Water Fund for the fiscal year beginning July 1, 2019, and ending on June 30, 2020:

Storm Water Fees	<u>\$55,000</u>
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\$ 55,000

Section 7. It is estimated that the following revenues will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2019, and ending on June 30, 2020:

License Plate Tax	\$ 81,250
Powell Bill Revenue	168,363
Powell Bill Funds	<u>253,941</u>
	\$ 503,554

Section 8. It is estimated that the following expenses will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2019, and ending on June 30, 2020:

Street - License Plate	\$81,250
Powell Bill Services	48,385
Powell Bill - Equipment/Operations	253,941
Powell Bill Loan	38,750
Powell Bill Interest	6,228
Powell Bill - Paving Project	<u>75,000</u>
	\$503,554

Section 9. The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

- a. He may transfer amounts between line item expenditures within a department without limitation and without a report being required.
- b. The Budget Officer shall be authorized to re-allocate departmental appropriations among the various objects of expenditures as he believes necessary provided such transfers shall be reported to the Board of Commissioners at its next regular meeting and shall be entered into the minutes.
- c. He may not transfer any amounts between funds, except as approved by the Governing Board in the Budget Ordinance as amended.

Section 10. The Budget Officer may make cash advances between funds for periods not to exceed 60 days without reporting to the Governing Board. Any advances that extend beyond 60 days must be approved by the Board. All advances that will be outstanding at the end of the fiscal year must be approved by the Board.

Section 11. Copies of this Budget Ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer to be kept on file by them for their discretion in the disbursement of funds.

Adopted this 3rd day of June, 2019

Mayor:

Clerk:



**ORDINANCE # 2019-114**

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS  
OF THE TOWN OF WILLIAMSTON ORDERING THE  
TOWN PLANNER AND ZONING ADMINISTRATOR  
TO CAUSE THE DEMOLITION AND REMOVAL OF THAT CERTAIN  
DWELLING UNIT KNOWN AS 406 MARTIN STREET  
AND OWNED BY NICHOLAS EDWARD LEATHERS  
AND KIMBERLY LEATHERS RAYNOR**

WHEREAS pursuant to Section 154.48 of the Code of the Town of Williamston the Town's Code Enforcement Officer investigated the condition of that certain dwelling located at 406 Martin Street in the Town of Williamston, owned by Nicholas Edward Leathers and Kimberly Leathers Raynor and a hearing was duly held by the Town Planner and Zoning Administrator on February 26, 2019 at 11:00 A.M. after which he found that this house was dilapidated, unfit for human habitation and should be torn down because of total destruction by a fire and that repair, alteration or improvement cannot be made at a reasonable cost in relation to the value of the dwelling; and the Town Planner and Zoning Administrator concluded as a matter of law that the dwelling is dilapidated and ordered that it be demolished by the owners within the time stated in the order;

AND WHEREAS the owners and spouses of the owners (if married) were duly served and the time for appealing or otherwise contesting the order has passed and the dwelling has not been removed;

IT IS THEREFORE ORDERED by the Board of Commissioners of the Town of Williamston that the Town Planner and Zoning Administrator is authorized and directed to cause this dwelling to be vacated, removed and demolished and until then to cause to be posted on the dwelling a placard stating "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful". This property is more particularly described in a deed recorded in Book Q-6 page 238, Martin County Registry.



BE IT FURTHER ORDAINED that this ordinance be recorded in the office of the Martin County Register of Deeds and indexed in the name of the property owners in the grantor index pursuant to G.S. 160A-443(5); and that pursuant to G.S. 160A-443(6) the amount of the cost of the demolition and removal shall be a lien against the real property upon which the cost was incurred.

Adopted this the 1<sup>st</sup> day of April, 2019.

Mayor

Clerk





ORDINANCE # 2019-113

AN ORDINANCE OF THE BOARD OF COMMISSIONERS  
OF THE TOWN OF WILLIAMSTON ORDERING THE  
TOWN PLANNER AND ZONING ADMINISTRATOR  
TO CAUSE THE DEMOLITION AND REMOVAL OF THAT CERTAIN  
DWELLING UNIT KNOWN AS 117 S. PEARL STREET  
AND OWNED BY ISIAH R. TURNER (AND SPOUSE, IF MARRIED)

WHEREAS pursuant to Section 154.48 of the Code of the Town of Williamston the Town's Code Enforcement Officer investigated the condition of that certain dwelling located at 117 S. Pearl Street in the Town of Williamston, owned by Isiah R. Turner (and Spouse, if married) and a hearing was duly held by the Town Planner and Zoning Administrator on February 26, 2019 at 11:00 A.M. after which he found that this house was dilapidated, unfit for human habitation and should be torn down because of total destruction by a fire and that repair, alteration or improvement cannot be made at a reasonable cost in relation to the value of the dwelling; and the Town Planner and Zoning Administrator concluded as a matter of law that the dwelling is dilapidated and ordered that it be demolished by the owners within the time stated in the order;

AND WHEREAS the owners and spouses of the owners (if married) were duly served and the time for appealing or otherwise contesting the order has passed and the dwelling has not been removed;

IT IS THEREFORE ORDERED by the Board of Commissioners of the Town of Williamston that the Town Planner and Zoning Administrator is authorized and directed to cause this dwelling to be vacated, removed and demolished and until then to cause to be posted on the dwelling a placard stating "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful". This property is more particularly described in a deed recorded in Book G-22 page 560, Martin County Registry.

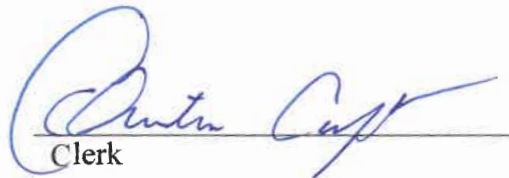
BE IT FURTHER ORDAINED that this ordinance be recorded in the office of the Martin County Register of Deeds and indexed in the name of the property owners in the grantor index pursuant to G.S. 160A-443(5); and that pursuant to G.S. 160A-443(6) the amount of the cost of the demolition and removal shall be a lien against the real property upon which the cost was incurred.



Adopted this the 1st day of April, 2019.



Joyce Whichard-Brown  
Mayor



Clerk



**ORDINANCE 2019-112 RELATING STREET NAME CHANGE**

**WHEREAS**, East Woodlawn Drive is located within the Town of Williamston City Limits and are Town maintained streets; and

**WHEREAS**, East Woodlawn Drive is a segmented street, separated by approximately .04 mile; and

**WHEREAS**, the Town has been advised by the Martin County 911 Operations Center that due to the address conflicts on Woodlawn Drive, public safety services may be delayed; and

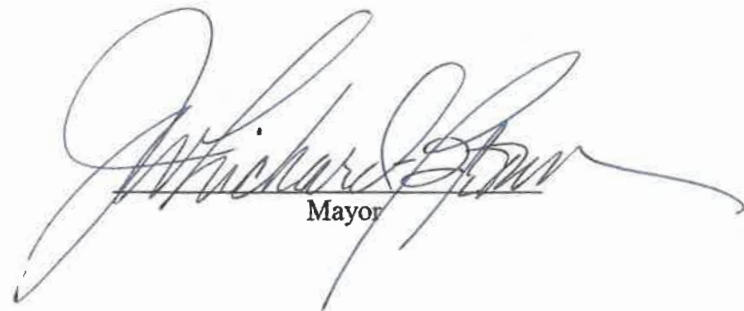
**AND WHEREAS**, the Town Board of Commissioners finds that the western segment of Woodlawn Drive, located between School Drive and Lee Street, should be renamed to West Woodlawn Drive;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WILLIAMSTON THAT:**

The section of Woodlawn Drive, located between School Drive and Lee Street, be named West Woodlawn Drive, effective April 30, 2019.

Read, approved and adopted this 1<sup>st</sup> day of April, 2019.

  
Town Clerk

  
Mayor



## Ordinance 2018-111

### AN ORDINANCE DECLARING A ROAD CLOSURE FOR A CHRISTMAS PARADE

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of providing an annual Christmas parade for the pleasure of its citizens; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from holding an annual Christmas parade; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a parade requires approximately two (2) hours to install signing and traffic control, and also requires approximately two (2) hours for removing signs, traffic control, and litter;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

**Date:** Thursday, December 6, 2018

**Time:** 3 pm to 8:30 pm

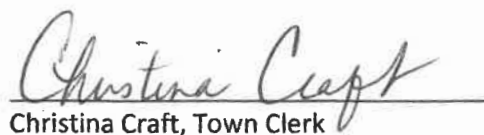
**Route Description:** Washington Street at the Carolina Avenue intersection to the intersection of Main Street and Watts Street

This ordinance to become effective when signs are erected giving notice of the limits and times of the parade, and implementation of adequate traffic control to guide through vehicles around parade route.

Adopted this the 5th day of November, 2018 by the Board of Commissioners of the Town of Williamston.

  
Mayor Joyce Whichard-Brown

Attest:

  
Christina Craft, Town Clerk



# **CAPITAL PROJECT ORDINANCE 2019-110**

## **POLICE DEPARTMENT FACILITY PROJECT**

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the purchase of Randy Stalls Building and renovations of that building for the Williamston Police Department approved at January Retreat. The Town is seeking funding through USDA with a 30 year loan. Oakley Collier Architects are the engineering firm.

The facility will house all services required to provide a complete and functional Police Department for the Town.

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

Section 3. The following amounts are appropriated for the project:

Legal / Administrative Fees	\$ 4,000
Building Purchase	\$ 200,000
Engineering Fees – Oakley Collier	\$ 126,400
Construction	<u>\$ 1,500,000</u>
Total	\$ 1,830,400

Section 4. The following revenues are anticipated to be available to complete this project:

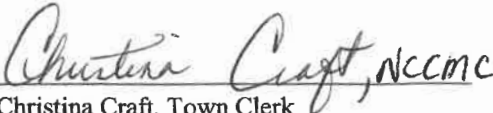
General Fund Contribution	\$ 200,000
Loan Funds from USDA	<u>\$ 1,630,400</u>
Total Revenues	\$ 1,830,400

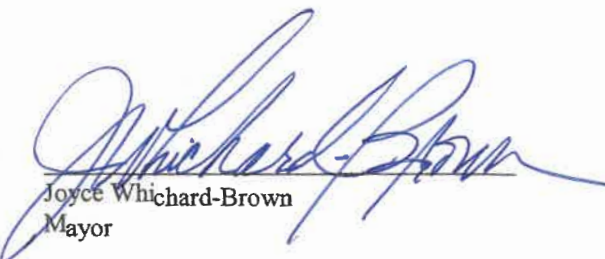
Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Local Government Commission.

Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Adopted this 6th day of August, 2018 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

  
Christina Craft, Town Clerk  
(SEAL)

  
Joyce Whitchard-Brown  
Mayor





## CAPITAL PROJECT ORDINANCE 2019-109

### FIRE DEPARTMENT RENOVATION PROJECT

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the Renovations of the Williamston Fire Department Facility approved at January Retreat. The Town is seeking funding through USDA with a 30 year loan. Oakley Collier Architects are the engineering firm.

Listed are the renovations proposed:

- Approximately 60' x 60' SF addition, located at the southwest side of the facility, adjacent to the existing bays
- Double apparatus bay to house (2) large fire apparatus
- Fire Department Archive Records Storage Room
- Training Room approximately 800SF with adjacent kitchen
- Required storage for additional medical supplies for EMS
- Other minor renovations to existing facility

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

Section 3. The following amounts are appropriated for the project:

Legal / Administrative Fees	\$ 4,000
Engineering Fees – Oakley Collier	\$ 78,400
Construction	<u>\$ 1,000,000</u>
Total	\$ 1,082,400

Section 4. The following revenues are anticipated to be available to complete this project:

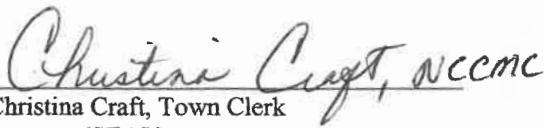
Loan Funds from USDA	<u>\$ 1,082,400</u>
Total Revenues	\$ 1,082,400

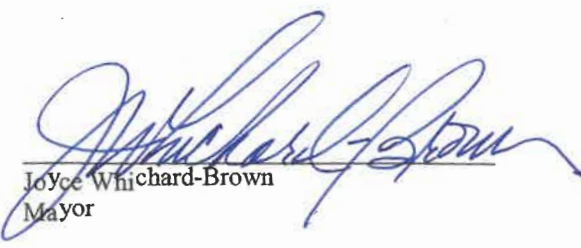
Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Local Government Commission.

Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Adopted this 6th day of August, 2018 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

  
Christina Craft, Town Clerk  
(SEAL)

  
Joyce Whichard-Brown  
Mayor



## Ordinance 2018-108

### AN ORDINANCE DECLARING A ROAD CLOSURE FOR WILLIAMSTON PARADE

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of Four churches hosting an annual homecoming that brings thousands "back home" for a weekend of fellowship and reunion; and,

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from allowing an annual homecoming parade; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a parade requires approximately two (2) hours to install signing and traffic control, and also requires approximately two (2) hours for removing signs, traffic control, and litter;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

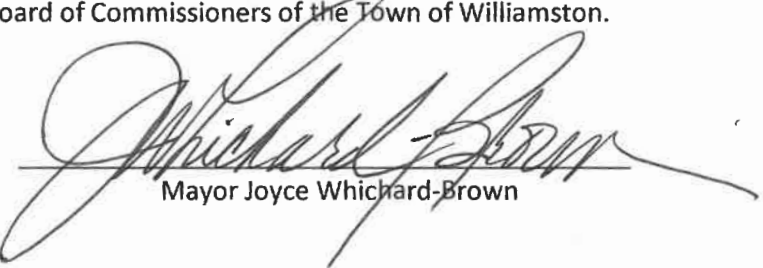
**Date:** Saturday, September 15, 2018

**Time:** 9:00 am to 1:00 pm

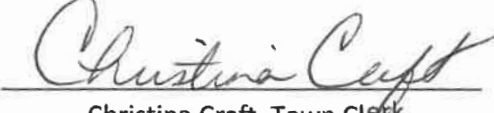
**Route Description:** Washington Street at the Carolina Avenue intersection to the intersection of Main Street and Watts Street

This ordinance to become effective when signs are erected giving notice of the limits and times of the parade, and implementation of adequate traffic control to guide through vehicles around parade route.

Adopted this the 9th day of July, 2018 by the Board of Commissioners of the Town of Williamston.

  
Mayor Joyce Whichard-Brown

Attest:

  
Christina Craft, Town Clerk



## Ordinance 2018-107

### AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE 22nd ANNUAL CAROLINA COUNTRY STAMPEDE

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of providing an annual Carolina Country Stampede Festival for the pleasure of its citizens; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from holding an annual Carolina Country Stampede Festival; and

**WHEREAS**, the downtown merchants are in cooperation with the Town to promote the 22nd Annual Carolina Country Stampede; and

**WHEREAS**, the Town of Williamston plans to provide all necessary police and safety personnel for the event;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

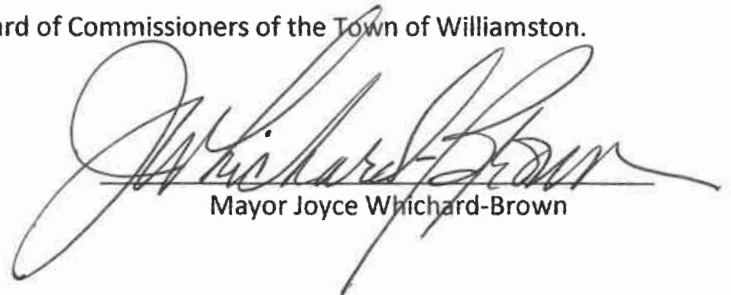
**Date:** Friday, September 28, 2017 to Sunday, October 1, 2017

**Time:** 12 pm on Friday the 28<sup>th</sup> until 2 am Sunday September 30<sup>th</sup>

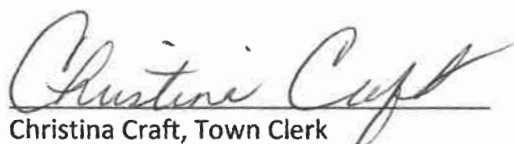
**Route Description:** The Intersection of Watts Street on Main to the intersection of Haughton and Main. Washington Street would be blocked from Railroad Street to Main.

This ordinance to become effective when signs are erected giving notice of the limits and times of the event, and implementation of adequate traffic control to guide through vehicles around the event.

Adopted this the 9<sup>th</sup> day of July, 2018 by the Board of Commissioners of the Town of Williamston.

  
Mayor Joyce Whichard-Brown

Attest:

  
Christina Craft, Town Clerk



ORDINANCE 2018-6  
TOWN OF WILLIAMSTON  
FY 2018-2019 BUDGET ORDINANCE

BE IT ORDAINED by the Governing Board of the Town of Williamston, North Carolina:

Section 1: The following amounts are hereby appropriated in the General Fund for the operation of the Town Government and its activities for the fiscal year beginning July 1, 2018, and ending June 30, 2019, in accordance with the chart of accounts heretofore established for this Town:

Administration	\$ 138,692
Planning	228,021
Public Buildings	51,621
Police Department	1,718,022
Fire Department	579,444
Rescue/EMS Department	976,353
RRT Department	69,000
Street Department	465,908
Sanitation Department	501,996
Recreation Department	560,560
Cemetery	102,123
Garage	216,423
Cultural	120,190
Debt Retirement	109,977
Economic & Physical Development	<u>134,328</u>

\$ 5,972,658

Section 2. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

Taxes and Licenses:

Current Year's Property Taxes	\$ 2,410,000
Other Ad Valorem Tax Revenue	610,270
Local Option Sales Tax	918,000
Hold Harmless Reimbursements	305,000
Payment in Lieu of Taxes	3,500
Other Taxes and Licenses	471,560

User Charges and Fees:

Recreation Activities	23,550
Cemetery Sales and Fees	50,000
EMS Service Charges	475,000
EMS Medicaid	60,000
Other Charges and Fees	12,200

Intergovernmental Payments:

Total Government and Local Grants	292,370
Other Income:	
Investment Earnings	50,000
Installment Loan	279,928
Miscellaneous	11,280
Fund Balance Appropriated:	
Future Economic Development	-0-
Undesignated Funds	<u>-0-</u>
	\$ 5,972,658

Section 3. The following amounts are hereby appropriated in the Enterprise Fund for the operation of the water and sewer utilities for the fiscal year beginning July 1, 2018, and ending June 30, 2019, in accordance with the chart of accounts heretofore approved for the Town:

Water Operations	\$ 2,118,514
Sewer Operations	1,069,321
Capital Outlay	45,477
Debt Retirement	935,188
Reserve	-0-
Loans	-0-
Transfer from Other Funds	-0-
Contingencies	<u>56,114</u>
	\$ 4,224,614

Section 4. It is estimated that the following revenues will be available in the Enterprise Fund for the fiscal year beginning July 1, 2018, and ending on June 30, 2019:

Water Charges	\$2,482,000
Sewer Charges	1,596,500
Interest on Investments	75,000
Other Charges and Fees	46,000
Miscellaneous	2,500
Transfer from General Fund	22,614
Undesignated Fund Balance	<u>-0-</u>
	\$ 4,224,614

Section 5. It is estimated that the following expense will be available in the Storm Water Fund for the fiscal year beginning July 1, 2018, and ending on June 30, 2019:

Debt Service Payment	<u>\$55,000</u>
	\$ 55,000

Section 6. It is estimated that the following revenue will be available in the Storm Water Fund for the fiscal year beginning July 1, 2018, and ending on June 30, 2019:

Storm Water Fees	<u>\$55,000</u>
	\$ 55,000



Section 7. It is estimated that the following revenues will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2018, and ending on June 30, 2019:

License Plate Tax	\$81,250
Powell Bill Revenue	<u>173,201</u>
	\$254,451

Section 8. It is estimated that the following expenses will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2018, and ending on June 30, 2019:

Street - License Plate	\$81,250
Powell Bill Services	45,000
Powell Bill - Equipment	8,223
Powell Bill Loan	44,978
Powell Bill - Paving Project	<u>75,000</u>
	\$254,451

Section 9. The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

- a. She may transfer amounts between line item expenditures within a department without limitation and without a report being required.
- b. The Budget Officer shall be authorized to re-allocate departmental appropriations among the various objects of expenditures as she believes necessary provided such transfers shall be reported to the Board of Commissioners at its next regular meeting and shall be entered into the minutes.
- c. She may not transfer any amounts between funds, except as approved by the Governing Board in the Budget Ordinance as amended.

Section 10. The Budget Officer may make cash advances between funds for periods not to exceed 60 days without reporting to the Governing Board. Any advances that extend beyond 60 days must be approved by the Board. All advances that will be outstanding at the end of the fiscal year must be approved by the Board.

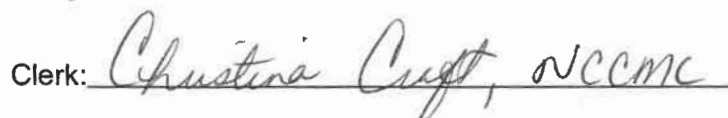
Section 11. Copies of this Budget Ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer to be kept on file by them for their discretion in the disbursement of funds.

Adopted this 18th day of June, 2018

Mayor:



Clerk:





**CAPITAL PROJECT ORDINANCE 2018-5  
PIERCE MANUFACTURING  
ENFORCER CUSTOM PUMPER PROJECT**

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the contract to build a Pierce Enforcer Custom Pumper, with Atlantic Emergency Solutions, Inc., said project to be financed by proceeds from local banks through bidding. The project is initiated in 2017/2018 year because it will take 10 – 12 months to build. There is a savings of \$12,020 to issue a purchase order in April to avoid a steel price increase from vendor effective May 1<sup>st</sup>. In early months of 2018/2019 year, we will seek funding from local banks. Competitive bidding for purchase was done through HGACBuy Interlocal Contract for Cooperative Purchasing.

Listed is a description of pumper being purchased:

Base price of pumper - \$565,395.00 due at delivery. (If ordered after April 30, 2018; add \$12,020.)

- 2019 Pierce Enforcer Custom Pumper
- 1500 gpm Waterous Pump
- 500-gallon water tank
- Integrated Foam System
- Frontal impact and side roll airbags (safety)
- LED emergency and scene lighting (safety)
- Full height and depth compartments for increased equipment storage

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

Section 3. The following amounts are appropriated for the project:

Pierce Enforcer Custom Pumper	<u>\$ 565,395</u>
Total	\$ 565,395

Section 4. The following revenues are anticipated to be available to complete this project:

Loan Funds from Local Bank	<u>\$ 565,395</u>
Total Revenues	\$ 565,395

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


Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Adopted this 30th day of April, 2018 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

  
Christina Craft, Town Clerk  
(SEAL)



  
Joyce Whichard-Brown  
Mayor

## LEGAL DESCRIPTION FOR ANNEXATION PURPOSES

### EXHIBIT A

That certain tract or parcel of land lying and being in Williamston Township, Martin County, North Carolina, and being described and defined as follows:

Start at the intersection of the centerline of Cedar Lane and the centerline of the Northbound lane of U. S. Highway 17; thence and running along the centerline of the Northbound lane of U. S. Highway 17 South 26 degrees 41 minutes 53 seconds West 225.21 feet to a PK nail; thence turning and running South 65 degrees 45 minutes 00 seconds East 46.15 feet to an iron pipe in the Eastern edge of the right of way of U. S. Highway 17, the POINT OF BEGINNING; thence South 65 degrees 45 minutes 00 seconds East 1,051.83 feet to an iron pipe in the northwest corner of a lot owned, now or formerly, by William C. Lilley; thence and running along the line of said Lilley lot South 25 degrees 18 minutes 29 seconds West 119.95 feet to an iron pipe; thence turning and continuing along the line of said Lilley lot South 63 degrees 39 minutes 47 seconds East 156.10 feet to an iron pipe in the Western edge of the right of way of a 40-foot soil farm path; thence leaving the line of said Lilley lot and running along the Western edge of said soil farm path South 27 degrees 09 minutes 08 seconds West 116.59 feet to an iron pipe within the right of way of a power line easement; thence and continuing along the Western edge of said soil farm path South 22 degrees 48 minutes 13 seconds West 330.38 feet to an iron pipe in the Northeastern corner of a tract owned, now or formerly, by Roland B. Lilley; thence turning and running along the Northern line of the Roland B. Lilley tract North 65 degrees 56 minutes 47 seconds West 1,253.08 feet to an iron in the Eastern edge of the right of way of U. S. Highway 17; thence turning and running along the Eastern edge of said right of way (and crossing a ditch and power line right of way) North 28 degrees 42 minutes 14 seconds East 578.79 feet, more or less, to the POINT OF BEGINNING, consisting of 15.74 acres, more or less.

A plat of the said tract, entitled "Survey for J. Elmo Lilley", prepared by Speight and Associates, P. A. Surveying and Engineering, and dated March 17, 1980, is recorded in the Office of the Martin County Register of Deeds in Map Book 13, Page 25, and is referenced and made a part hereof for purposes of further description.

## LEGAL DESCRIPTION FOR ANNEXATION PURPOSES

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**ORDINANCE 2018-2 RELATING TO SPEED LIMITS ON GARRETT ROAD**

**WHEREAS**, the speed limit on Garrett Road within the corporate limits of the Town of Williamston, beginning at the intersection of US 17 Business to approximately 200 feet west of the Cedar Hill Subdivision entrance, as established by the North Carolina Department of Transportation is now 55 miles per hour; and

**WHEREAS**, recent commercial development along this section of Highway 17 Business has resulted in significant increase in vehicular traffic on Garrett Road;

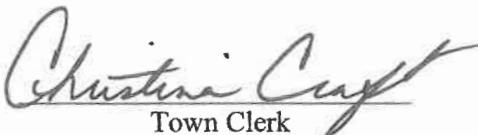
**WHEREAS**, the area along Garrett Road is heavily populated residential development and bordered by Riverside High School;

**AND WHEREAS**, this board feels that the speed limit along this section of Garrett Road should be revised downward in order to promote highway safety in this increasingly congested area;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WILLIAMSTON THAT:**

the North Carolina Department of Transportation be requested to revise its speed limit along this section of Garrett Road to not more than 35 miles per hour.

Read, approved and adopted this 5<sup>th</sup> day of March, 2018.

  
Town Clerk

  
Mayor



AN ORDINANCE OF THE BOARD OF COMMISSIONERS  
OF THE TOWN OF WILLIAMSTON ORDERING THE  
ZONING ADMINISTRATOR TO CAUSE THE DEMOLITION  
AND REMOVAL OF THAT CERTAIN DWELLING UNIT  
KNOWN AS 817 W. MAIN STREET, WILLIAMSTON, NC  
AND OWNED BY MARK McLENDON  
Ordinance 2018-1

WHEREAS pursuant to Chapter 14 of the Code of the Town of Williamston and a proceeding entitled "In the matter of the dwelling located at 817 W. Main Street in the Town of Williamston, owned by Mark McLendon", the Director of Planning and Zoning investigated the condition of that certain dwelling located at 817 West Main Street in the Town of Williamston, and a hearing was duly held by the Director of Planning and Zoning on October 17, 2017, after due notice to Mark McLendon (and Mrs. Mark McLendon, if married), after which the said Director found that the house was dilapidated, unfit for human habitation and should be torn down because of extreme deterioration and that this house was vacant and abandoned and attracting vermin, and that repair, alteration or improvement cannot be made at a reasonable cost in relation to the value of the dwelling; and the said Director concluded as a matter of law that the dwelling is dilapidated and ordered that it be demolished by the owner;

AND WHEREAS the time for appeal of this decision has passed and no appeal has been made and the dwelling has not been removed;

IT IS THEREFORE ORDERED by the Board of Commissioners of the Town of Williamston that the Zoning Administrator is authorized and directed to cause this dwelling to be vacated, removed and demolished and until then to cause to be posted on the dwelling a placard stating "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." This dwelling was conveyed to Mark McLendon in a Deed recorded in Book V-23 Page 501, Martin County Registry, reference to which is made for a more definite description.

BE IT FURTHER ORDAINED that this ordinance be recorded in the Office of the Martin County Register of Deeds and indexed in the name of the property owner, Mark McLendon (and Mrs. Mark McLendon, if married), in the grantor index pursuant to G.S. 160A-443(5); and that pursuant to G.S. 160A-443(6) the amount of the cost of the demolition and removal shall be a lien against the real property upon which the cost was incurred.

Adopted this the 5<sup>th</sup> day of February, 2018.

  
MAYOR

  
CLERK



ORDINANCE 2017-113

AN ORDINANCE AMENDING THE  
ZONING ORDINANCE OF THE TOWN OF WILLIAMSTON  
ALLOWING VETERINARIAN CLINICS AND KENNELS  
IN AGRICULTURAL OVERLAY DISTRICTS  
AS A PERMITTED USE


WHEREAS the Planning Board of the Town of Williamston has determined that the amendment as set out herein to the Williamston Zoning Ordinance is consistent with the comprehensive plan of the Town and has recommended its adoption;

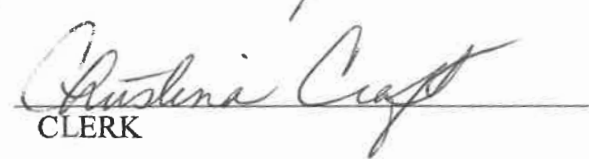
AND WHEREAS the Town Board of Commissioners finds, after due notice given, that said amendment is consistent with the plan and is reasonable and in the public interest in that such change promotes the public health, safety and welfare;

BE IT THEREFORE ORDAINED by the Board of Commissioners of the Town of Williamston that the Zoning Ordinance of the Town of Williamston be amended as follows: to allow veterinarian clinic and kennels as a permitted use within the Agricultural Overlay (AO) District.

This Ordinance shall take effect upon adoption.

Adopted this the 6<sup>th</sup> day of November, 2017.

  
MAYOR

  
CLERK

AN ORDINANCE OF THE BOARD OF COMMISSIONERS  
OF THE TOWN OF WILLIAMSTON ORDERING THE  
ZONING ADMINISTRATOR TO CAUSE THE DEMOLITION  
AND REMOVAL OF THAT CERTAIN DWELLING UNIT  
KNOWN AS 925 W. MAIN STREET, WILLIAMSTON, NC  
AND OWNED BY DOROTHY C. BAGGETT

*Ordinance 112*

WHEREAS pursuant to Chapter 14 of the Code of the Town of Williamston and a proceeding entitled "In the matter of the dwelling located at 925 W. Main Street in the Town of Williamston, owned by Dorothy C. Baggett, her Attorneys-in-Fact being Irma Baggett Fowden and Leslie Thurston Fowden, the Director of Planning and Zoning investigated the condition of that certain dwelling located at 925 West Main Street in the Town of Williamston, owned by Dorothy C. Baggett, and a hearing was duly held by the Director of Planning and Zoning on August 17, 2017, after which the said Director found that the house was dilapidated, unfit for human habitation and should be torn down because of deterioration of wood sills, rotten and decayed wall and floor structures and collapsing floors and that this house was vacant and abandoned and attracting vermin, and that repair, alteration or improvement cannot be made at a reasonable cost in relation to the value of the dwelling; and the said Director concluded as a matter of law that the dwelling is dilapidated and ordered that it be demolished by the owner;

AND WHEREAS the time for appeal of this decision has passed and no appeal has been made and the dwelling has not been removed;

IT IS THEREFORE ORDERED by the Board of Commissioners of the Town of Williamston that the Zoning Administrator is authorized and directed to cause this dwelling to be vacated, removed and demolished and until then to cause to be posted on the dwelling a placard stating "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." This dwelling was conveyed to Dorothy C. Baggett in a Deed recorded in Book N-12 Page 494, Martin County Registry.

BE IT FURTHER ORDAINED that this ordinance be recorded in the Office of the Martin County Register of Deeds and indexed in the name of the property owner in the grantor index pursuant to G.S. 160A-443(5); and that pursuant to G.S. 160A-443(6) the amount of the cost of the demolition and removal shall be a lien against the real property upon which the cost was incurred.

Adopted this the 5<sup>th</sup> day of October, 2017.

  
MAYOR

  
CLERK

NORTH CAROLINA  
TOWN OF WILLIAMSTON

ORDER

IN THE MATTER OF THE DWELLING LOCATED AT 925 W. MAIN STREET IN THE TOWN OF WILLIAMSTON OWNED BY DOROTHY C. BAGGETT, HER ATTORNEYS-IN-FACT BEING IRMA BAGGETT FOWDEN AND LESLIE THURSTON FOWDEN.

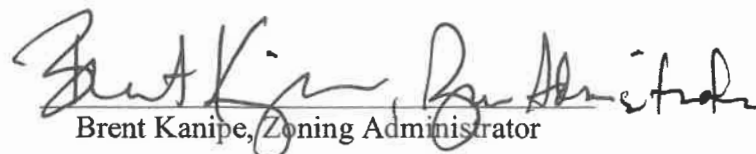
This matter coming on for hearing by the undersigned Zoning Administrator of the Town of Williamston on the 17<sup>th</sup> day of August, 2017 at 11 o'clock A.M. at the Town Hall, Williamston, North Carolina: present were the undersigned and Leslie Thurston Fowden, Tommy E. Roberson and Town Attorney Dan Manning.

Having visited the premises and made an inspection of same, having received complaints that the house should be torn down because it is dilapidated and unfit for human habitation, and having heard evidence as to the condition of this dwelling, the undersigned finds as a fact:

That the above parties have been served personally with complaint and notice of hearing as required by ordinance and law; that the dwelling at 925 W. Main Street in the Town of Williamston is in fact dilapidated and unfit for human habitation and is in bad condition and state of repair; that this property has been vacant for quite some time, appears abandoned, and is so dilapidated that it is incapable of being repaired to comply with the minimum standards required by law and that it is in fact attracting vermin and is in a falling down condition specifically the following deficiencies and conditions exist with regard to this dwelling: deteriorated wood sills, rotten and decayed wall and floor structures and collapsing floors. Leslie Thurston Fowden agreed as to the condition of the house and that it should be demolished.

Based on the above findings of fact, the undersigned concludes as a matter of law that this dwelling is dilapidated within the meaning of Chapter 14 of the Code of the Town of Williamston and orders that the owner demolishes and removes same within 30 days of the date of this order.

This the 17<sup>th</sup> day of August, 2017.

  
Brent Kanipe, Zoning Administrator



925 W Main St







ORDINANCE 2017-110

AN ORDINANCE OF THE TOWN OF WILLIAMSTON  
PERTAINING TO UNMANNED AIRCRAFT SYSTEMS  
DURING THE FESTIVAL KNOWN AS CAROLINA COUNTRY STAMPEDE

WHEREAS THE TOWN OF WILLIAMSTON will host a festival known as Carolina Country Stampede during the period of September 29, 2017 through September 30, 2017, which festival will attract large crowds of people concentrated in the Town's downtown area;

AND WHEREAS the health, safety and welfare of its citizens and others attending the festival are of prime concern to the Town such that the Town desires to minimize the possibility for inappropriate use of unmanned aircraft systems during the period of the festival and G.S. 160A-180 authorizes the regulation of aircraft operation over the Town;

BE IT THEREFORE ORDAINED by the Board of Commissioners of the Town of Williamston that the operation of unmanned aircraft as defined herein be regulated as set out herein:


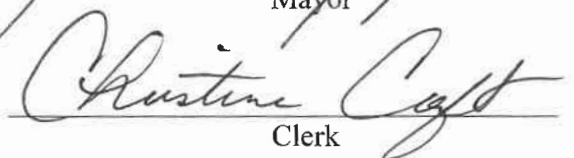
1. DEFINITION:

- (A) UNMANNED AIRCRAFT. An aircraft that is operated without the possibility of human intervention from within or on the aircraft.
- (B) UNMANNED AIRCRAFT SYSTEM. An unmanned aircraft and associated elements, including communication links and components that control the unmanned aircraft that are required for its operation in the national airspace system.
- (C) MODEL AIRCRAFT. An unmanned aircraft limited to not more than ten pounds flown within the visual line of sight of the person operating the aircraft for recreational and hobby purposes only.

2. RESTRICTION ON USE. No person shall operate an unmanned aircraft system within 0.25 mile of the festival area in the Town of Williamston during the period of September 29, 2017 through September 30, 2017. This restriction shall not apply to the operation of a model aircraft as defined above or to festival authorized users.

A violation of this Ordinance shall be a misdemeanor punishable as provided in Chapter 10 Section 10.99 of the Code of the Town of Williamston.

Adopted this the 11th day of September, 2017.

  
Mayor  
  
Clerk



## Ordinance 2017-109

### AN ORDINANCE DECLARING A ROAD CLOSURE FOR A CHRISTMAS PARADE

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of providing an annual Christmas parade for the pleasure of its citizens; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from holding an annual Christmas parade; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a parade requires approximately two (2) hours to install signing and traffic control, and also requires approximately two (2) hours for removing signs, traffic control, and litter;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

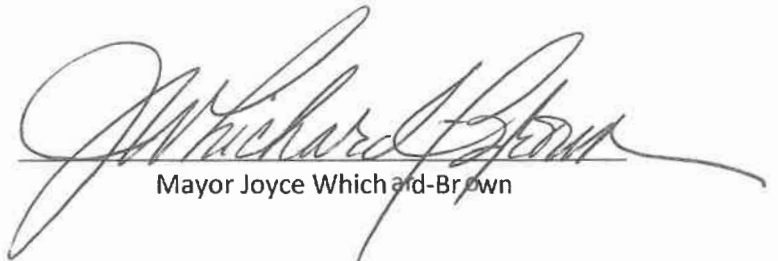
**Date:** Thursday, December 7, 2017

**Time:** 3 pm to 8:30 pm

**Route Description:** Washington Street at the Carolina Avenue intersection to the intersection of Main Street and Watts Street

This ordinance to become effective when signs are erected giving notice of the limits and times of the parade, and implementation of adequate traffic control to guide through vehicles around parade route.

Adopted this the 11<sup>th</sup> day of September, 2017 by the Board of Commissioners of the Town of Williamston.

  
Mayor Joyce Whichard-Brown

Attest:

  
Christina Craft, Town Clerk



## Ordinance 2017-108

### AN ORDINANCE DECLARING A ROAD CLOSURE FOR WILLIAMSTON HOMECOMING PARADE

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of Four churches hosting an annual homecoming that brings thousands "back home" for a weekend of fellowship and reunion; and,

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from allowing an annual homecoming parade; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a parade requires approximately two (2) hours to install signing and traffic control, and also requires approximately two (2) hours for removing signs, traffic control, and litter;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

**Date:** Saturday, September 16, 2017

**Time:** 9:00 am to 4:00 pm

**Route Description:** Washington Street at the Carolina Avenue intersection to the intersection of Main Street and Watts Street

This ordinance to become effective when signs are erected giving notice of the limits and times of the parade, and implementation of adequate traffic control to guide through vehicles around parade route.

Adopted this the 11<sup>th</sup> day of September, 2017 by the Board of Commissioners of the Town of Williamston.

Mayor Joyce Whichard-Brown

Attest:

Christina Craft, Town Clerk



## Ordinance 2017-107

### AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE 21<sup>st</sup> ANNUAL CAROLINA COUNTRY STAMPEDE

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of providing an annual Carolina Country Stampede Festival for the pleasure of its citizens; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from holding an annual Carolina Country Stampede Festival; and

**WHEREAS**, the downtown merchants are in cooperation with the Town to promote the 21<sup>st</sup> Annual Carolina Country Stampede; and

**WHEREAS**, the Town of Williamston plans to provide all necessary police and safety personnel for the event;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

**Date:** Friday, September 29, 2017 to Sunday, October 1, 2017

**Time:** 12 pm on Friday the 29<sup>th</sup> until 2 am Sunday the 1<sup>st</sup>

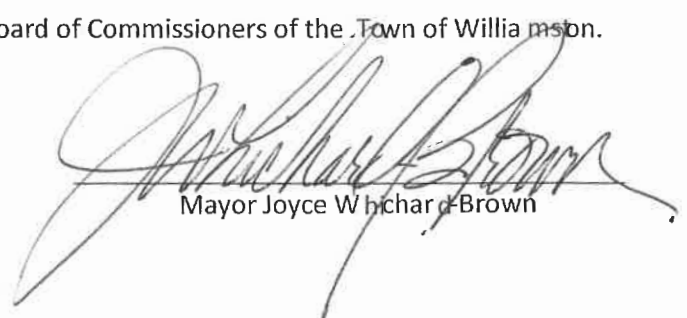
**Route Description:** The Intersection of Watts Street on Main to the intersection of Haughton and Main. Washington Street would be blocked from Railroad Street to Main.

This ordinance to become effective when signs are erected giving notice of the limits and times of the event, and implementation of adequate traffic control to guide through vehicles around the event.

Adopted this the 7<sup>th</sup> day of August, 2017 by the Board of Commissioners of the Town of Williamston.

Attest:

  
Christina Craft, Town Clerk

  
Mayor Joyce W. Brown

ORDINANCE NO. 2017-105

ANNEXATION ORDINANCE

WHEREAS the owners have petitioned the Town of Williamston for the following tract of land to be annexed pursuant to North Carolina General Statute 160A-31 entitled "Annexation By Petition" pertaining to annexation by petition of property contiguous to the Town's boundaries;

WHEREAS the City Clerk has investigated the petition and has certified the validity of the petition and the Town has held a hearing as required by law, notice of same having been published at least 10 days before the date of hearing, which hearing date was June 19, 2017 at 5:30 P.M. at the Town Hall;

AND WHEREAS the Board has found and determined and herein does so find and determine that (1) the area described in the petition meets the requirements of G.S. 160A-31, (2) the petition bears the signatures of all the owners of real property described herein, namely Jesse Elmo Lilley, Jr., Mary P. Lilley and Mary P. Lilley, Trustee of the Stephen C. Lilley Trust, and (3) the petition is otherwise valid;

BE IT THEREFORE ORDAINED By the Board of Commissioners of the Town of Williamston that the following described parcel of land be annexed to and become a part of the Town of Williamston as authorized by the above referred statutes:

That certain tract of land consisting of 15.74 acres, more or less, adjoining the northbound lane of U. S. Highway 17 and more particularly described in Exhibit A attached hereto.

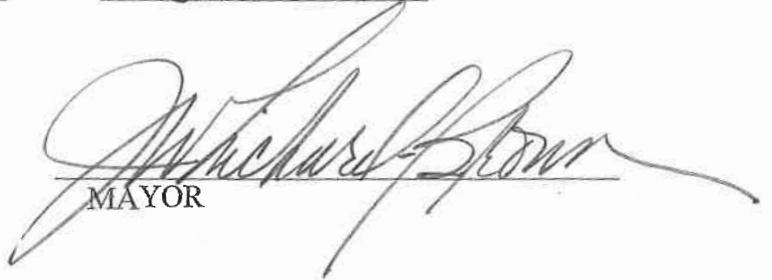
BE IT ALSO ORDAINED that the above tract, for purposes of municipal elections, be a part of District 2 of the Town of Williamston.

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be recorded in the office of the Martin County Register of Deeds and filed with the office of the North Carolina Secretary of State.

This Ordinance shall be effective as of June 30, 2017.



Adopted this the 19<sup>th</sup> day of June, 2017.

  
MAYOR

  
CLERK





ORDINANCE 2017-104

AN ORDINANCE AMENDING CHAPTER 53, SECTION 53.01  
OF THE CODE OF THE TOWN OF WILLIAMSTON  
ENTITLED "WATER AND SEWERS"

BE IT ORDAINED by the Board of Commissioners of the Town of Williamston that Section 53.01 of the Code of the Town of Williamston be amended by adding the language as indicated herein, so that Section 53.01 shall now provide as follows:

Section 53.01 TOWN REQUIRED CONNECTION TO WATER AND SEWER LINES

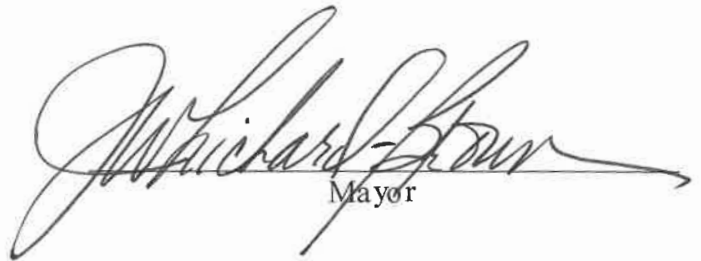
- (A) Any owner of improved property located within the Town limits of the Town of Williamston and upon or within a reasonable distance of any water line or sewer collection line owned, leased and operated by the Town of Williamston shall be required to connect his or her premises with the water line, sewer line or both; except that pursuant to North Carolina General Statute 160A-317(a), in lieu of connection there shall be a periodic availability charge not to exceed the minimum periodic charge for properties that are connected.
- (B) Charges shall be made in accordance with the specifications and schedules of the town then in effect. Fees for water and sewer shall be on the same bill as well as fees for storm water and Martin County Water and Sewer Authority charges and partial payment shall be applied in the following order: first to storm water, second to sewer, third to Martin County Water and Sewer Authority charges, and last to water. Failure to pay a bill in full by the due date shall result in delinquency. In addition to any other remedy provided by law for collection of delinquent accounts, water or sewer services, or both, will be discontinued.
- (C) Any connections shall be made in accordance with the specifications of the town, and it shall be unlawful for any person without authority from the town to make any excavation in any street or other right-of-way for the purpose of connecting with a water line or sewer line or for any other purpose.
- (D) The town's providing its water or sewer line at or within close proximity of the owner's property line shall be considered "a reasonable distance" as that term is used herein.

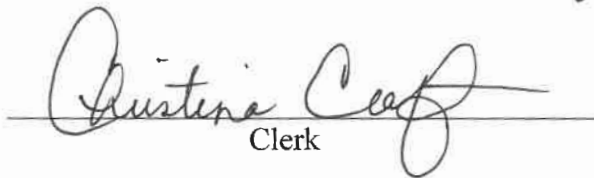


This Ordinance shall supersede any prior ordinances or practice not consistent herewith.

This Ordinance shall be effective upon adoption.

Adopted this the 5<sup>th</sup> day of June, 2017.

  
Mayor

  
Clerk



ORDINANCE 2017-103  
TOWN OF WILLIAMSTON  
FY 2017-2018 BUDGET ORDINANCE

BE IT ORDAINED by the Governing Board of the Town of Williamston, North Carolina:

Section 1: The following amounts are hereby appropriated in the General Fund for the operation of the Town Government and its activities for the fiscal year beginning July 1, 2017, and ending June 30, 2018, in accordance with the chart of accounts heretofore established for this Town:

Administration	\$ 127,080
Planning	229,964
Public Buildings	47,443
Police Department	1,597,722
Fire Department	619,745
Rescue/EMS Department	806,467
RRT Department	69,000
Street Department	423,232
Sanitation Department	448,333
Recreation Department	551,209
Cemetery	112,272
Garage	188,924
Cultural	115,595
Debt Retirement	126,316
Economic & Physical Development	<u>128,442</u>
	\$ 5,591,744

Section 2. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

Taxes and Licenses:

Current Year's Property Taxes	\$ 2,400,000
Other Ad Valorem Tax Revenue	624,170
Local Option Sales Tax	787,000
Hold Harmless Reimbursements	268,000
Payment in Lieu of Taxes	3,000
Other Taxes and Licenses	495,160

User Charges and Fees:

Recreation Activities	23,950
Cemetery Sales and Fees	55,000
EMS Service Charges	450,000
EMS Medicaid	60,000
Other Charges and Fees	13,700

Intergovernmental Payments:

Total Government and Local Grants	269,527
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Other Income:	
Investment Earnings	16,000
Installment Loan	86,457
Miscellaneous	39,780

Fund Balance Appropriated:	
Future Economic Development	-0-
Undesignated Funds	<u>-0-</u>

\$ 5,591,744

Section 3. The following amounts are hereby appropriated in the Enterprise Fund for the operation of the water and sewer utilities for the fiscal year beginning July 1, 2017, and ending June 30, 2018, in accordance with the chart of accounts heretofore approved for the Town:

Water Operations	\$ 2,308,536
Sewer Operations	1,089,290
Capital Outlay	46,566
Debt Retirement	907,524
Reserve	20,000
Loans	-0-
Transfer from Other Funds	-0-
Contingencies	<u>66,892</u>

\$ 4,438,808

Section 4. It is estimated that the following revenues will be available in the Enterprise Fund for the fiscal year beginning July 1, 2017, and ending on June 30, 2018:

Water Charges	\$2,773,294
Sewer Charges	1,561,500
Interest on Investments	32,400
Other Charges and Fees	46,500
Miscellaneous	2,500
Transfer from General Fund	22,614
Undesignated Fund Balance	<u>-0-</u>

\$ 4,438,808

Section 5. It is estimated that the following expense will be available in the Storm Water Fund for the fiscal year beginning July 1, 2017, and ending on June 30, 2018:

Debt Service Payment	<u>\$53,000</u>
----------------------	-----------------

\$ 53,000

Section 6. It is estimated that the following revenue will be available in the Storm Water Fund for the fiscal year beginning July 1, 2017, and ending on June 30, 2018:

Storm Water Fees	<u>\$53,000</u>
------------------	-----------------

\$ 53,000



Section 7. It is estimated that the following revenues will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2017, and ending on June 30, 2018:

License Plate Tax	\$81,250
Powell Bill Revenue	<u>174,000</u>
	\$255,250

Section 8. It is estimated that the following expenses will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2017, and ending on June 30, 2018:

Street - License Plate	\$81,250
Powell Bill Services	24,870
Powell Bill Loan	49,130
Powell Bill – Paving Project	<u>100,000</u>
	\$255,250

Section 9. The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

- a. He may transfer amounts between line item expenditures within a department without limitation and without a report being required.
- b. The Budget Officer shall be authorized to re-allocate departmental appropriations among the various objects of expenditures as he believes necessary provided such transfers shall be reported to the Board of Commissioners at its next regular meeting and shall be entered into the minutes.
- c. He may not transfer any amounts between funds, except as approved by the Governing Board in the Budget Ordinance as amended.

Section 10. The Budget Officer may make cash advances between funds for periods not to exceed 60 days without reporting to the Governing Board. Any advances that extend beyond 60 days must be approved by the Board. All advances that will be outstanding at the end of the fiscal year must be approved by the Board.

Section 11. Copies of this Budget Ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer to be kept on file by them for their discretion in the disbursement of funds.

Adopted this 5<sup>th</sup> day of June, 2017

Mayor: \_\_\_\_\_

Clerk: \_\_\_\_\_



**CAPITAL PROJECT ORDINANCE 2017-102  
WATER SYSTEM  
ASSET INVENTORY ASSESSMENT PROJECT**

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is mapping locations of valves and hydrants of the Williamston water system along with assessment of all water system infrastructure assets, a plan prioritizing capital improvements for the water system, and preparation of a water system asset management plan, said project to be financed by proceeds from the Water Enterprise Fund and a NC Department of Environmental Quality-Division of Water Infrastructure Grant.

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

Section 3. The following amounts are appropriated for the project:

AIA Project Consulting Fee	\$154,000
State Grant Fee	\$ 2,250
Contingency	<u>\$ 1,250</u>
Sub-Total	\$157,500

Section 4. The following revenues are anticipated to be available to complete this project:

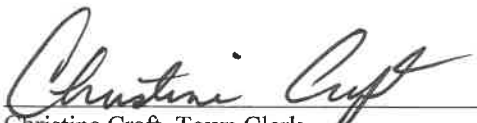
Transfer from Water Enterprise Fund	\$ 7,500
NCDEQ-DWI Grant	<u>\$150,000</u>
Total Revenues	\$157,500

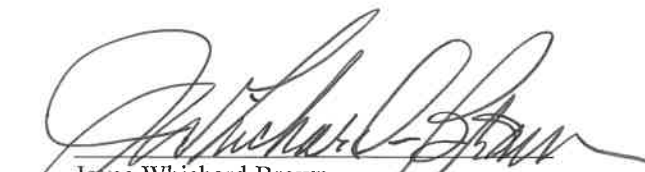
Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Local Government Commission.

Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Adopted this 17th day of January, 2017 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

  
Christina Craft, Town Clerk  
(SEAL)

  
Joyce Whichard-Brown  
Mayor



**Ordinance 2016-101**  
**Capital Project Ordinance Skewarkee Canal Phase IV-A Railroad Culvert**  
**Improvements Project**

**BE IT ORDAINED** by the Board of Commissioners of the Town of Williamston that Ordinance 2016-86 is hereby repealed and in its place and stead Ordinance 2016-101.

**BE IT ORDAINED** by the governing Board of the town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the construction of storm drainage improvements under the CSXT railroad adjacent to the Main Street railroad overpass within the corporate boundary of the Town of Williamston, said improvements to be financed by proceeds from the General Fund, a NC Division of Water Resource Grant and long-term debt financing.

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

Section 3. The following amounts are appropriated for the project:

Construction	\$	935,000
Contingency	\$	134,940
Right-of-Way Acquisition	\$	5,000
Technical Services	\$	221,500
CSXT Engineering & Inspection	\$	18,000
CSXT Track Panel Removal/Re-Installation	\$	62,000
Project Administration & Permitting	\$	15,000
Legal Services	\$	5,000
Sub-Total	\$	1,396,440

Section 4. The following revenues are anticipated to be available to complete this project:

Transfer from Other Projects Skewarkee Canal Project	\$	125,000
Transfer from Sewer Fund Skewarkee Canal	\$	41,440
NCDEQ-DWR Grant	\$	200,000
USDA Long-Term Debt Financing	\$	1,030,000
Total Revenues	\$	1,396,440

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



Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Adopted this 5th day of December, 2016 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.



Mayor Joyce Whichard-Brown

Attest:



Christina Craft, Town Clerk



**ORDINANCE 2016-100 TO ESTABLISH A GRANT PROJECT FUND  
NC DEPARTMENT OF COMMERCE  
NC RURAL DEVELOPMENT URBAN GRANT  
TOWN OF WILLIAMSTON DOWNTOWN REDEVELOPMENT GRANT  
TOWN OF WILLIAMSTON, N.C.  
FOR FISCAL YEAR 2016-2017**

**BE IT ORDAINED**, by the Board of Commissioners of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project is hereby established:

Section 1. The grant project authorized is for the Commerce Downtown redevelopment Grant which provides infrastructure upgrades of downtown buildings in order to meet code requirements within the town of Williamston.

Section 2. To complete the grant project, the Board of Commissioners of the Town of Williamston adopts this project ordinance with the following estimated revenues and expenses:

Revenues:

CDBG Grant Revenue	\$335,500
Building Owners	\$ 34,000
Town of Williamston	\$ 17,500
Williamston Downtown	\$ 6,000
Williamston Committee of 100	<u>\$ 6,000</u>
Total	\$399,000

Expenses:

Building Up-fit	\$375,500
Application Preparation	\$ 3,500
Administration	<u>\$ 20,000</u>
Total	\$399,000



Section 3. Funds may be advanced by the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the grant agencies in an orderly and timely manner.

Section 4. The officers of this unit are hereby directed to proceed with the project within the terms of the grant agreements.

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to satisfy the requirements of the grant agreements.

Section 6. The Finance Officer is directed to report on the financial status of each element in Section 2 and on the total grant revenues received or claimed.

Section 7. The Budget Officer is directed to include a detail analysis of past and future costs and revenues on this grant project in every budget submission made to the Town Commissioners.

Section 8. Copies of this grant project ordinance shall be furnished to the Town Clerk, Budget Officer, and to the Finance Officer for direction in carrying out this project.

Section 9. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 10. This ordinance shall become effective upon its adoption.

This the \_\_ day of October, 2016.

  
Mayor

Attest:

  
Clerk



**TOWN OF WILLIAMSTON  
CAPITAL PROJECT ORDINANCE 2016-99  
2010 ANNEXATION CAPITAL IMPROVEMENTS PROJECT**

**BE IT ORDAINED** by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

**Section 1.** The project authorized is the construction of certain water, sewer, street, and street lighting improvements along various existing public roads, streets and other rights-of-way to be acquired within geographical areas annexed into the corporate boundary of the Town of Williamston, said area identified as "Area A" to be financed by proceeds from the General Fund, Powell Bill Fund, Water/Sewer Enterprise Fund and long-term debt financing.

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

**Section 3.** The following amounts are appropriated for the project:

Construction	\$4,334,000
Easement Preparation & Acquisition	\$ 100,000
Technical Services	\$ 650,000
Contingency	\$ 758,000
Project Administration & Permitting	\$ 110,000
Legal Services	<u>\$ 20,000</u>
Sub-Total	\$5,972,000

**Section 4.** The following revenues are anticipated to be available to complete this project:

Transfer from Water/Sewer Enterprise Fund	\$ 749,500
Transfer from General Fund	\$ 163,000
Transfer from Powell Bill Fund	\$ 229,200
Long-Term Debt Financing (sewer)	\$4,230,300
Long-Term Debt Financing (street)	<u>\$ 600,000</u>
Total Revenues	\$5,972,000


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

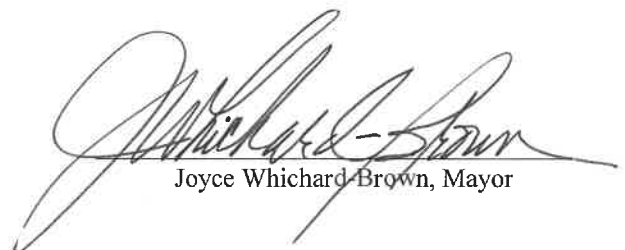
**Section 6.** The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

**Section 8.** This ordinance supersedes a similarly titled ordinance adopted on the 7th day of December, 2015 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

Adopted this 12th day of September, 2016 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

  
Christina Craft, Town Clerk  
(SEAL)

  
Joyce Whichard Brown, Mayor



## Ordinance 2016-98

### AN ORDINANCE DECLARING A ROAD CLOSURE FOR WILLIAMSTON HOMECOMING PARADE

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of Four churches hosting an annual homecoming that brings thousands "back home" for a weekend of fellowship and reunion; and,

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from allowing an annual homecoming parade; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a parade requires approximately two (2) hours to install signing and traffic control, and also requires approximately two (2) hours for removing signs, traffic control, and litter;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

**Date:** Saturday, September 17, 2016

**Time:** 9 am to 1:30 pm

**Route Description:** Washington Street at the Carolina Avenue intersection to the intersection of Main Street and Watts Street

This ordinance to become effective when signs are erected giving notice of the limits and times of the parade, and implementation of adequate traffic control to guide through vehicles around parade route.

Adopted this the 12<sup>th</sup> day of September, 2016 by the Board of Commissioners of the Town of Williamston.

  
Mayor Joyce Whichard-Brown

Attest:

  
Christina Craft, Town Clerk

AN ORDINANCE OF THE BOARD OF COMMISSIONERS  
OF THE TOWN OF WILLIAMSTON ORDERING THE  
ZONING ADMINISTRATOR TO CAUSE THE DEMOLITION  
AND REMOVAL OF THAT CERTAIN DWELLING UNIT  
KNOWN AS 405 WARREN STREET AND OWNED BY  
BARBARA R. CARTWRIGHT (WHO IS MARRIED TO ROBERT CARTWRIGHT),  
ALVIN L. CORBIN (HEIR OF EVELYN R. CORBIN),  
WAYNE REARDON (WHO IS MARRIED TO AMBER REARDON),  
TERESA COPELAND (WHO IS MARRIED TO CARL COPELAND), AND  
BEVERLY HARRIS (WHO IS MARRIED TO LARRY D. HARRIS)

ORDINANCE 2016-97

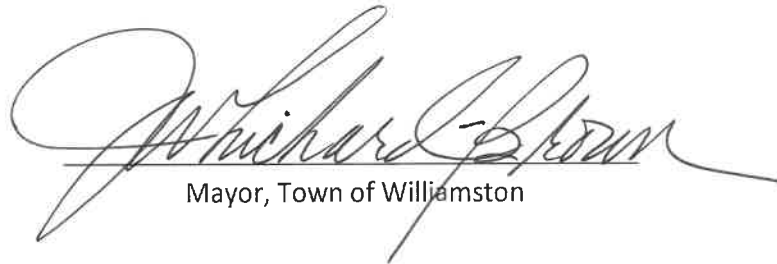
WHEREAS pursuant to Chapter 14 of the Code of the Town of Williamston, the Zoning Administrator investigated the condition of that certain dwelling located at 405 Warren Street in the Town of Williamston, owned by Barbara R. Cartwright (who is married to Robert Cartwright), Alvin L. Corbin (Heir of Evelyn R. Corbin), Wayne Reardon (who is married to Amber Reardon), Teresa Copeland (who is married to Carl Copeland) and Beverly Harris (who is married to Larry D. Harris), and a hearing was duly held by the Zoning Administrator on May 12, 2016, after which the Zoning Administrator found that the house was dilapidated, unfit for human habitation and should be torn down because of dilapidation and that repair, alteration or improvement cannot be made at a reasonable cost in relation to the value of the dwelling; and the Zoning Administrator concluded as a matter of law that the dwelling is dilapidated and ordered that it be demolished by the owner within 45 days;

AND WHEREAS the time for appealing this decision to the Board of Adjustment has passed and no petition has been made and the dwelling has not been removed;

IT IS THEREFORE ORDERED by the Board of Commissioners of the Town of Williamston that the Zoning Administrator is authorized and directed to cause this dwelling to be vacated, removed and demolished and until then to cause to be posted on the dwelling a placard stating "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful";

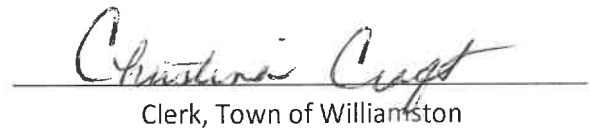
BE IT FURTHER ORDAINED that this ordinance be recorded in the Office of the Martin County Register of Deeds and indexed in the name of the property owners in the grantor index pursuant to G.S. 160A-443(5); and that pursuant to G.S. 160A-443(6) the amount of the cost of the demolition and removal shall be a lien against the real property upon which the cost was incurred.

Adopted this the 12<sup>th</sup> day of September, 2016.



Richard Brown

Mayor, Town of Williamston



Christina Cragg

Clerk, Town of Williamston





## Ordinance 2016-98

### AN ORDINANCE DECLARING A ROAD CLOSURE FOR WILLIAMSTON HOMECOMING PARADE

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of Four churches hosting an annual homecoming that brings thousands "back home" for a weekend of fellowship and reunion; and,

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from allowing an annual homecoming parade; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a parade requires approximately two (2) hours to install signing and traffic control, and also requires approximately two (2) hours for removing signs, traffic control, and litter;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

**Date:** Saturday, September 17, 2016

**Time:** 9 am to 1:30 pm

**Route Description:** Washington Street at the Carolina Avenue intersection to the intersection of Main Street and Watts Street

This ordinance to become effective when signs are erected giving notice of the limits and times of the parade, and implementation of adequate traffic control to guide through vehicles around parade route.

Adopted this the 12<sup>th</sup> day of September, 2016 by the Board of Commissioners of the Town of Williamston.

  
Mayor Joyce Whichard-Brown

Attest:

  
Christina Craft, Town Clerk



## Ordinance 2016-96

### AN ORDINANCE DECLARING A ROAD CLOSURE FOR A CHRISTMAS PARADE

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of providing an annual Christmas parade for the pleasure of its citizens; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from holding an annual Christmas parade; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a parade requires approximately two (2) hours to install signing and traffic control, and also requires approximately two (2) hours for removing signs, traffic control, and litter;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

**Date:** Thursday, December 1, 2016

**Time:** 3 pm to 8:30 pm

**Route Description:** Washington Street at the Carolina Avenue intersection to the intersection of Main Street and Watts Street

This ordinance to become effective when signs are erected giving notice of the limits and times of the parade, and implementation of adequate traffic control to guide through vehicles around parade route.

Adopted this the 12<sup>th</sup> day of September, 2016 by the Board of Commissioners of the Town of Williamston.

  
Mayor Joyce Whichard-Brown

Attest:

  
Christina Craft, Town Clerk



## Ordinance 2016-96

### AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE 20<sup>TH</sup> ANNUAL CAROLINA COUNTRY STAMPEDE

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of providing an annual Carolina Country Stampede Festival for the pleasure of its citizens; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from holding an annual Carolina Country Stampede Festival; and

**WHEREAS**, the downtown merchants are in cooperation with the Town to promote the 20<sup>th</sup> Annual Carolina Country Stampede; and

**WHEREAS**, the Town of Williamston plans to provide all necessary police and safety personnel for the event;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:


**Date:** Friday, September 23, 2016 to Sunday, September 25, 2016

**Time:** 12 pm on Friday the 23<sup>rd</sup> until 2 am Sunday the 25<sup>th</sup>

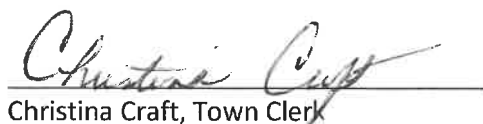
**Route Description:** The Intersection of Watts Street on Main to the intersection of Haughton and Main. Washington Street would be blocked from Railroad Street to Main.

This ordinance to become effective when signs are erected giving notice of the limits and times of the event, and implementation of adequate traffic control to guide through vehicles around the event.

Adopted this the 12<sup>th</sup> day of September, 2016 by the Board of Commissioners of the Town of Williamston.

  
Mayor Joyce Whichard-Brown

Attest:

  
Christina Craft, Town Clerk



## **Ordinance 2016-93 Establishing Rate for Annual Motor Vehicle Tax**

**Whereas** Ordinance 2016-93 Establishing Rate for Annual Motor Vehicle Tax was adopted unanimously by the Commissioners of the Town of Williamston; and

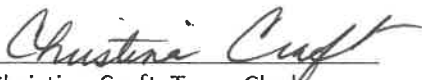
**Whereas** North Carolina General Statute 20-97 (c) was mistakenly referenced as the proper NCGS 20-97 (b1) is the correct reference; and

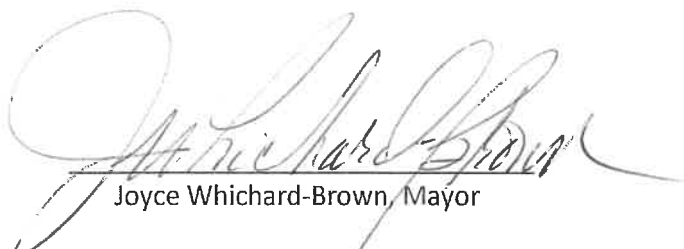
**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WILLIAMSTON, NORTH CAROLINA:**

THAT SECTION §70.095 ANNUAL MOTOR VEHICLE TAX, Subsection (A) is deleted in its entirety and replaced with the following:

(A) Each self-propelled motor vehicle licensed by the state which is resident within the Town of Williamston on January 1 of each year shall be subject to an annual Motor Vehicle Tax of \$30.

**ADOPTED THIS 11<sup>TH</sup> DAY OF JULY, 2016.**

  
Christina Craft, Town Clerk

  
Joyce Whichard-Brown, Mayor



ORDINANCE NO. 2016-94

AN ORDINANCE PROHIBITING PARKING ON A PORTION OF NORTH EDGEWOOD STREET

**WHEREAS** the Town Board finds that the public safety and convenience of the citizens of the Town requires that there be no parking of motor vehicles along the westerly side of a portion of North Edgewood Street in the town of Williamston, as described below;


**BE IT THEREFORE ORDAINED** by the Board of Commissioners of the Town of Williamston that it shall be unlawful to park or leave unattended a car, truck or any other motor vehicle on the westerly side of North Edgewood Street at the following location:


A strip of zone along the westerly side of North Edgewood Street beginning at a point approximately 117 feet northerly from where the westerly edge of North Edgewood Street intersects the northerly edge of West Main Street and running in a northerly direction along the westerly side of North Edgewood Street a distance of 38 feet.

A violation of this Ordinance shall be punishable as set out in Section 70.071, Section 70.999(B) and Section 70.999(C) of the Code of the Town of Williamston.

This Ordinance shall be effective upon the placement by the Town of signage or paintings indicating "No Parking" along said street.

Adopted this the 11<sup>th</sup> day of July, 2016.

  
Joyce Whichard-Brown, Mayor

  
Christina Craft, Town Clerk





## **Ordinance 2016-92 Establishing Rate for Annual Motor Vehicle Tax**

**WHEREAS**, the Town of Williamston from time to time sets rates the annual municipal vehicle tax; and

**WHEREAS**, the Town now desires to set the following tax as approved by the Town of Williamston Board on June 6, 2016:

**WHEREAS**, North Carolina General Statute 20-97 (c) authorizes an annual municipal vehicle tax of \$30 per vehicle resident in the city and places any local authorizations under the \$30 cap, and \$5 maximum can be used for any lawful purpose and the \$25 must be used for maintaining, repairing, constructing, reconstructing, widening, or improving public streets that are not a State highway, effective July 1, 2016.

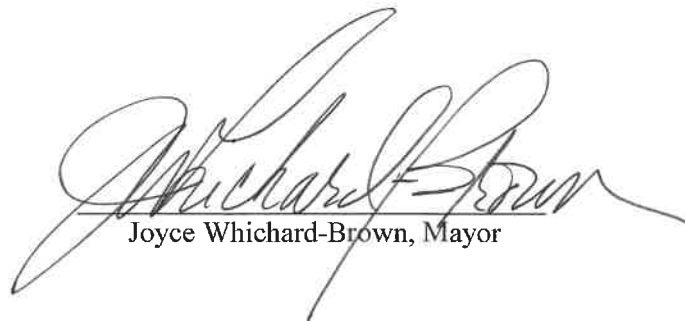
**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WILLIAMSTON, NORTH CAROLINA:**

THAT SECTION §70.095 ANNUAL MOTOR VEHICLE TAX, Subsection (A) is deleted in its entirety and replaced with the following:

(A) Each motor vehicle licensed by the state which is resident within the Town of Williamston on January 1 of each year shall be subject to an annual Motor Vehicle Tax of \$30.

This ordinance shall become effective on July 1, 2016.

**ADOPTED THIS 20<sup>th</sup> DAY OF JUNE, 2016.**



Joyce Whichard-Brown, Mayor



Christina Craft, Town Clerk



ORDINANCE NO. 2016-91  
AN ORDINANCE PROHIBITING PARKING ON HILTON

WHEREAS the Town of Williamston has accepted this date a new street in the Town, known as Hilton Road, which runs in a northerly-southern direction between Hampton Court and Spencer Drive;

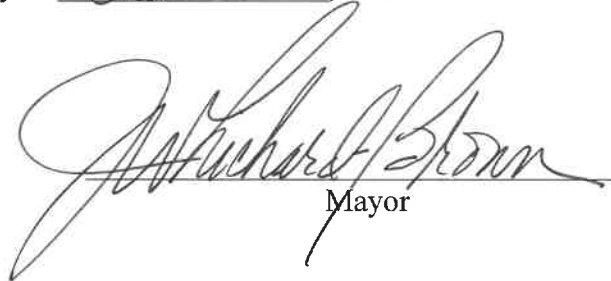
AND WHEREAS the Town finds that the public safety and convenience of the citizens of the Town requires that there be no parking of motor vehicles on either side of Hilton Road;

BE IT THEREFORE ORDAINED by the Board of Commissioners of the Town of Williamston that it shall be unlawful to park or leave unattended a car, truck or any other motor vehicle on Hilton Road, between Hampton Court and Spencer Drive, or on either side thereof.

A violation of this Ordinance shall be punishable as set out in Section 70.071, Section 70.999(B) and Section 70.999(C) of the Code of the Town of Williamston.

This Ordinance shall be effective upon the placement by the Town of signage or paintings indicating "No Parking" along said street.

Adopted this the 6<sup>th</sup> day of June, 2016.

  
Mayor

  
Clerk



## **ORDINANCE 2016-90 ESTABLISHING A STORMWATER MANAGEMENT UTILITY AND AUTHORIZING THE IMPOSITION OF STORMWATER UTILITY CHARGES**

### **SECTION 1. PURPOSE.**

This ordinance establishes a stormwater management utility as an identified fiscal and accounting fund for the purpose of addressing the stormwater management needs of the Town including to pay for all or part of the construction, reconstruction, repair, enlargement, improvement, acquisition, maintenance, operation, administration and use of the stormwater utility within the jurisdiction.

### **SECTION 2. ESTABLISHMENT OF A STORMWATER MANAGEMENT UTILITY AND STORMWATER ENTERPRISE FUND.**

(A) There is hereby established a stormwater management utility which shall be responsible for stormwater management programs and which shall provide for the management, protection, control, regulation, use and enhancement of stormwater and drainage systems owned by the Town.

(B) Just and reasonable charges for use, access, connection, and availability of stormwater drainage facilities shall be calculated and determined based on expected and typical stormwater runoff as may be calculated within reasonable and practical limits.

(C) There is hereby established a Stormwater Enterprise Fund for the Town for the purpose of dedicating and protecting all funding applicable to the purposes and responsibilities of the stormwater management utility, including but not limited to rents, rates, fees, charges and penalties as may be established, after notice and a public hearing, by the Governing Body and other funds that may be transferred or allocated to the stormwater management utility. All revenues and receipts of the stormwater management utility shall be placed in the Stormwater Enterprise Fund and all expenses of the utility shall be paid from the Stormwater Enterprise

Fund, except that other revenues, receipts and resources not accounted for in the Stormwater Enterprise Fund may be applied to stormwater management programs, and stormwater and drainage systems as deemed appropriate by Governing Body.

### **SECTION 3. JURISDICTION.**

The boundaries and jurisdiction of the stormwater management utility shall include all areas of the corporate limits of the Town, including all areas hereafter annexed thereto.

### **SECTION 4. DEFINITIONS.**

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

*Credits.* Ongoing reductions in the stormwater service charge applicable to a given property in recognition of on-site or off-site systems, facilities, measures and actions taken by customers to reduce or mitigate the impact of their properties or actions on quantity or quality impacts that would otherwise be managed in the public system. “Credits” shall be conditioned on the continuing performance of the systems, facilities, measures or actions in reference to standards adopted by the utility upon which the credits are granted, and may be revised or rescinded. In no case shall “credits” exceed the amount of the stormwater service charge.

*Developed land.* Property altered from a natural state that contains impervious surface.

*Equivalent Residential Unit (ERU).* A value assigned to the estimated impervious coverage of residential use developed land serving as the basis for rate assessment, including comparative analysis, for non-residential land uses.

*Governing Body.* The Board of Commissioners for the Town of Williamston.

*Impervious coverage.* The amount of impervious coverage of real property is a key factor in the peak rate of stormwater runoff and the pollutant loadings of stormwater runoff discharged to the structural and natural drainage systems and facilities. Therefore, the approximate weighted average intensity of impervious coverage for similar categorized parcels of developed land shall be the primary parameter for establishing the rate structure to distribute the cost of systems and facilities through a schedule of rates, fees, charges and penalties related to the use and operation of the stormwater utility and public enterprise.

*Impervious surfaces.* Those areas within developed land which prevent or significantly impede the infiltration of stormwater into the soil. Common “impervious surfaces” include but are not limited to roof tops, sidewalks, walkways, patio areas, roads, driveways, parking lots, storage areas, brick or concrete pavers, compacted gravel surfaces (roads, driveways, walks, parking and storage areas), and other surfaces which prevent or significantly impede the natural infiltration of stormwater into the soil.

*Institutional category.* Billing category consisting of developed land for which the primary use is non-residential, non-commercial and the parcel size is one (1) acre or larger. Parcels in this category are generally characterized as sites that contain large amounts of open space and are less heavily developed in terms of intensity of impervious coverage. Examples of this use in this category include educational and medical campuses.

*Large commercial category.* Billing category consisting of developed land for which the primary use is non-residential and the parcel size is one (1) acre or larger. Parcels in this category are generally characterized as sites containing pervious open space and are less heavily developed than small commercial category sites in terms of impervious coverage. Examples of this use in this category include single-parcel shopping centers and manufacturing.

*Planning Director.* Director of the Planning Department for the Town of Williamston.

*Public Works Director.* Director of the Public Works Department for the Town of Williamston.

*Residential category.* Billing category consisting of developed land containing one or more structures which the primary use is as a dwelling unit designed for occupancy by one or more families and shall include single-family houses, duplex units, manufactured homes, mobile homes, and other multiple unit residential properties.

*Service charge.* The stormwater service charge applicable to a parcel of developed land which is generally reflective of a parcel’s impact on the cost of providing services and facilities to properly control stormwater runoff quantity and/or quality. The “service charge” will vary from one category of developed land to another based upon the ratio of the percent of weighted average impervious coverage versus that for the residential category.

*Single family residential.* Developed land containing one structure which is not attached to another dwelling unit and which contains one or more rooms with a bathroom and kitchen



facilities designed for occupancy by one family and shall include single-family houses, single duplex units, manufactured homes, and mobile homes located on individual lots or parcels of lands. Developed land may be classified as “residential” despite the presence of incidental structures associated with residential uses such as garages, carports or small storage buildings. “Residential” shall not include developed land containing structures used primarily for non-residential purposes.

*Small commercial category.* Billing category consisting of developed land for which the primary use is non-residential and the parcel size is less than one (1) acre. Parcels in this category are generally characterized as containing little to no open space and are heavily developed in terms of impervious coverage.

*Stormwater.* The runoff from precipitation that travels over natural or developed surfaces to the nearest stream, other conduit, or impoundment and appears in lakes, rivers, ponds or other bodies of water.

*Stormwater and drainage systems.* Natural and structural channels, swales, ditches, swamps, rivers, streams, creeks, branches, reservoirs, ponds, drainage ways, inlets, catch basins, pipes, head walls, storm sewers, lakes, and other physical works, properties and improvements which transfer, control, convey or otherwise influence the movement of stormwater runoff.

*Stormwater management programs.* Programs designed to protect water quality by controlling the level of pollutants in, and the quantity and flow of, stormwater.

*Stormwater utility.* A management structure that is responsible solely and specifically for the stormwater management program and system that is supported through a rate structure that is based on the amount of stormwater generated by individual properties.

*Town.* Town of Williamston.

*Undeveloped land.* Any land that does not meet the definition of developed lands.

## **SECTION 5. EQUIVALENT RESIDENTIAL UNIT.**

(A) *Establishment of the Equivalent Residential Unit (ERU).* The area of impervious coverage for the residential category shall be the basis of one Equivalent Residential Unit (ERU). The rate unit is based upon an analysis of the intensity of the weighted average impervious

surface of various single family residential use developed land parcels throughout the jurisdiction.

(B) *Application of the Equivalent Residential Unit (ERU).* Differences in the level and cost of services and facilities across the jurisdiction constitute sufficient reason to differentiate in the application of the Equivalent Residential Unit (ERU) for individual developed land properties based upon the defined billing categories.

## **SECTION 6. SCHEDULE OF FEES AND CHARGES.**

(A) *Fee schedule adopted.* The schedule of fees and charges for use of the stormwater utility shall apply to all developed land properties within the jurisdiction.

(1) *Residential Category.* Each residential property shall be billed and shall pay based upon an Equivalent Residential Unit (ERU) value equal to one (1.0).

(2) *Small Commercial Category.* Each Small Commercial property shall be billed and shall pay based upon a value equal to three and one-tenth (3.1) Equivalent Residential Units (ERUs).

(3) *Large Commercial Category.* Each Large Commercial property shall be billed and shall pay based upon a value equal to two and five-tenths (2.5) Equivalent Residential Units (ERUs).

(4) *Institutional Category.* Each Institutional property shall be billed and shall pay based upon a value equal to one and five-tenths (1.5) Equivalent Residential Units (ERUs).

(B) *Charge per Equivalent Residential Unit.* The monthly service charge for use of the stormwater utility shall be the service charge per Equivalent Residential Unit (ERU) as may be amended from time to time by the Governing Body after public hearing.

(C) *Classification of land use.* The Planning Director shall determine whether properties are developed land per this ordinance and classify properties by assigning them to the most similar billing category from the standpoint of land use, size of parcel area and probable hydrologic response.

## **SECTION 7. ADJUSTMENT OF EQUIVALENT RESIDENTIAL UNIT (ERU).**

(A) The Governing Body may by resolution, from time to time, adopt policies providing for the adjustment of stormwater drainage charges from parcels, or groups of parcels, based upon hydrologic data supplied by affected property owners, demonstrating an actual hydrologic response substantially different from the Equivalent Residential Unit (ERU) being used for the parcel or parcels. Such adjustment shall be made only after receiving the recommendation of the Planning Director.

(B) If the adjustment would have the effect of changing the Equivalent Residential Unit (ERU) for all or substantially all of the land uses in a particular category, such adjustment shall be accomplished by amending the Equivalent Residential Unit (ERU) in conjunction with adoption of the Stormwater Enterprise Fund annual budget.

(C) Any adjustment of fees, or Equivalent Residential Unit (ERU) that may impact fees charged, shall not be made effective retroactively.

#### **SECTION 8. CREDITS AND EXEMPTIONS.**

(A) Except as provided in this section, no public or private property shall be exempt from stormwater service charges or receive a credit against such service charges.

(B) The following exemptions shall be allowed:

(1) Undeveloped land.

(2) Improved public road rights-of-way which have been conveyed to and accepted for maintenance by the North Carolina Department of Transportation and are available for use in common for vehicular transportation by the general public shall be exempt from the stormwater service charge.

(3) Improved public road rights-of-way which have been conveyed to and accepted for maintenance by the Town and are available for use in common for vehicular transportation by the general public shall be exempt from the stormwater service charge.

(4) Railroad rights-of-way used exclusively for trackage and related safety appurtenances shall be exempted from the stormwater service charge.

#### **SECTION 9. BILLING AND COLLECTION.**

(A) *Method of billing.* Billing of the stormwater service charge and any other rents, rates, fees, charges and penalties for stormwater management services and facilities will be computed each month and billed in conjunction with other utilities such as water and sewer. Any prepayment or overpayment shall be retained and applied against future subsequent monthly charges.

(B) *Delinquencies.* A stormwater utility service charge billing or other billing for rents, rates, fees, charges and penalties associated with the stormwater utility shall be declared delinquent if not paid in accordance with ordinances and policies adopted for payment of water and sewer utility accounts. A delinquent billing shall accumulate an additional penalty at the rate as established for delinquent, unpaid water and sewer utilities and shall run from the date of the original billing. This penalty shall be termed a delinquency penalty charge.

(C) *Appeal of disputed bills, adjustments.* If any customer disputes the stormwater utility service charge or any other rents, rates, fees, charges, or penalties adopted pursuant to this ordinance, that customer must appeal the billing in accordance with ordinances and policies adopted for payment of water and sewer utility accounts, stating the reasons for the appeal, and providing information pertinent to the calculation of the bill.

#### **SECTION 10. DISPOSITION OF SERVICE CHARGES AND FEES.**

Stormwater management utility service charge and fee revenues shall be assigned and dedicated solely to the Stormwater Enterprise Fund in the Town budget and accounting system, which shall be and remain separate from other funds, and shall be used only to fund stormwater management programs and structural and natural stormwater and drainage systems. The service charges and fees paid to and collected by virtue of the provision of this ordinance shall not be used for general or other governmental or proprietary purposes of the Town, except to pay for costs incurred by the Town in rendering services to the stormwater management utility.

#### **SECTION 11. SUPPLYING INFORMATION.**

The owner, occupant or person in charge of any developed land within the jurisdiction shall supply the Public Works Director and/or Planning Director with such information as may be reasonably requested related to the use, development and area of the premises. Willful failure to provide such information or to falsify it is a violation of this ordinance.

**SECTION 12. SEVERENCE.**

Should any portion of this ordinance be adjudged invalid, all other portions of the ordinance shall remain valid.

**SECTION 13. EFFECTIVE DATE.**

This ordinance shall become effective July 1, 2016.

Adopted this the 6th day of June, 2016 by a vote of the Board of Commissioners for the Town of Williamston during a regularly convened meeting held at the Town of Williamston Town Hall.

Adopted this the 6<sup>th</sup> day of June, 2016.

  
Mayor

  
Clerk





## **Ordinance 2016-88**

### **Specifying Order of Application of Partial Payments for Enterprise Services**

**WHEREAS**, the Town of Williamston Board of Commissioners (Town) owns and operated a Water and Sewer Enterprise Fund and a Stormwater Enterprise Fund; and

**WHEREAS**, the Town wishes to establish the order in which partial payments for enterprise services are applied; and

**WHEREAS**, NCGS 160A-314(a3)(b) authorizes and empowers the Town to establish the order in which partial payments are to be applied among the various enterprise services covered by a bill for the services;

**NOW, THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners that for any payment whether payment in full or a partial payment shall be applied in the following numerical order:

- (1) Stormwater Fee
- (2) Sewer Fee
- (3) MCRWASA Fee
- (4) Water Fee

Any unpaid amount for any of these fees shall subject the utility customer to late fees and penalties as defined with the Water and Sewer ordinances of the Town and to discontinuance of services for an account remaining delinquent for more than ten (10) days.

**ADOPTED THIS 6<sup>th</sup> DAY OF JUNE, 2016.**

  
Joyce Whichard-Brown, Mayor

  
Christina Craft, Town Clerk



ORDINANCE 2016-87  
TOWN OF WILLIAMSTON  
FY 2016-2017 BUDGET ORDINANCE

BE IT ORDAINED by the Governing Board of the Town of Williamston, North Carolina:

Section 1: The following amounts are hereby appropriated in the General Fund for the operation of the Town Government and its activities for the fiscal year beginning July 1, 2016, and ending June 30, 2017, in accordance with the chart of accounts heretofore established for this Town:

Administration	\$ 119,945
Planning	218,978
Public Buildings	70,503
Police Department	1,700,257
Fire Department	534,795
Rescue/EMS Department	773,274
RRT Department	69,000
Street Department	483,805
Sanitation Department	451,905
Recreation Department	653,739
Cemetery	104,317
Garage	188,189
Cultural	117,261
Debt Retirement	163,070
Economic & Physical Development	<u>207,718</u>
	\$ 5,856,756

Section 2. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

Taxes and Licenses:

Current Year's Property Taxes	\$ 2,550,000
Other Advalorem Tax Revenue	648,030
Local Option Sales Tax	777,000
Hold Harmless Reimbursements	260,000
Payment in Lieu of Taxes	2,000
Other Taxes and Licenses	481,060

User Charges and Fees:

Recreation Activities	24,900
Cemetery Sales and Fees	60,000
EMS Service Charges	470,000
EMS Medicaid	30,000
Other Charges and Fees	13,700

Intergovernmental Payments:	
Total Government and Local Grants	278,023
Other Income:	
Investment Earnings	231,773
Miscellaneous	30,270
Fund Balance Appropriated:	
Future Economic Development	-0-
Undesignated Funds	<u>-0-</u>
	\$ 5,856,756

Section 3. The following amounts are hereby appropriated in the Enterprise Fund for the operation of the water and sewer utilities for the fiscal year beginning July 1, 2016, and ending June 30, 2017, in accordance with the chart of accounts heretofore approved for the Town:

Water Operations	\$ 2,327,254
Sewer Operations	1,130,964
Capital Outlay	174,830
Debt Retirement	995,791
Reserve	20,000
Loans	-0-
Transfer from Other Funds	-0-
Contingencies	<u>92,561</u>
	\$ 4,741,400

Section 4. It is estimated that the following revenues will be available in the Enterprise Fund for the fiscal year beginning July 1, 2016, and ending on June 30, 2017:

Water Charges	\$2,960,000
Sewer Charges	1,732,000
Interest on Investments	5,000
Other Charges and Fees	41,900
Miscellaneous	2,500
Transfer from General Fund	-0-
Undesignated Fund Balance	<u>-0-</u>
	\$ 4,741,400

Section 5. It is estimated that the following expense will be available in the Storm Water Fund for the fiscal year beginning July 1, 2016, and ending on June 30, 2017:

Debt Service Payment	<u>\$46,260</u>
	\$ 46,260

Section 6. It is estimated that the following revenue will be available in the Storm Water Fund for the fiscal year beginning July 1, 2016, and ending on June 30, 2017:

Storm Water Fees	<u>\$46,260</u>
	\$ 46,260

Section 7. It is estimated that the following revenues will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2016, and ending on June 30, 2017:

License Plate Tax	\$81,250
Powell Bill Funds	220,856
Powell Bill Revenue	<u>165,000</u>
	\$467,106

Section 8. It is estimated that the following expenses will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2016, and ending on June 30, 2017:

Street - License Plate	\$81,250
Powell Bill Operation/Street	<u>385,856</u>
	\$467,106

Section 9. The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

- a. He may transfer amounts between line item expenditures within a department without limitation and without a report being required.
- b. The Budget Officer shall be authorized to re-allocate departmental appropriations among the various objects of expenditures as he believes necessary provided such transfers shall be reported to the Board of Commissioners at its next regular meeting and shall be entered into the minutes.
- c. He may not transfer any amounts between funds, except as approved by the Governing Board in the Budget Ordinance as amended.

Section 10. The Budget Officer may make cash advances between funds for periods not to exceed 60 days without reporting to the Governing Board. Any advances that extend beyond 60 days must be approved by the Board. All advances that will be outstanding at the end of the fiscal year must be approved by the Board.

Section 11. Copies of this Budget Ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer to be kept on file by them for their discretion in the disbursement of funds.

Adopted this 6<sup>th</sup> day of June, 2016

Mayor:



Clerk:





**Ordinance 2016-86**  
**Capital Project Ordinance Skewarkee Canal Phase IV-A Railroad Culvert**  
**Improvements Project**

**Be it Ordained** by the governing Board of the town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the construction of storm drainage improvements under the CSXT railroad adjacent to the Main Street railroad overpass within the corporate boundary of the Town of Williamston, said improvements to be financed by proceeds from the General Fund, a NC Division of Water Resource Grant and long-term debt financing.

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

Section 3. The following amounts are appropriated for the project:

Construction	\$	935,000
Contingency	\$	93,500
Right-of-Way Acquisition	\$	5,000
Technical Services	\$	221,500
CSXT Engineering & Inspection	\$	18,000
CSXT Track Panel Removal/Re-Installation	\$	62,000
Project Administration & Permitting	\$	15,000
Legal Services	\$	5,000
Sub-Total	\$	1,355,000

Section 4. The following revenues are anticipated to be available to complete this project:

Proceeds from Insurance Settlement	\$	125,000
NCDEQ-DWR Grant	\$	200,000
USDA Long-Term Debt Financing	\$	1,030,000
Total Revenues	\$	1,355,000

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

Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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





Adopted this 2<sup>nd</sup> day of May, 2016 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

Mayor Joyce Whichard-Brown

Attest:

Christina Craft, Town Clerk



## **Ordinance 2016-85**

### **Amending Section XII of the Williamston Water Use Ordinance – Changing the Due Date for Town of Williamston Utility Bills**

**Be it Ordained** by the Williamston Town Board of Commissioners that SECTION XII BILLING, Subsection 2 is deleted in its entirety and replaced with the following:

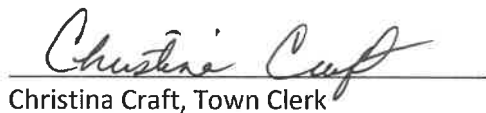
Bills are due on the 10<sup>th</sup> day of every month. Persons not having paid their bills by the 10<sup>th</sup> day of the month will be delinquent. No exception will be made for due dates falling on weekends and holidays. For any bill remaining unpaid on the 20<sup>th</sup> day of the month, a late fee will be assigned. For any bill remaining unpaid on the 21<sup>st</sup> day of the month, the connection with the water system serving the premises will be severed and will only be reconnected after the delinquent bill, including late fee, is paid in full. Reconnection shall be made at the contracting party's expense as stated in Section X of this ordinance.

This ordinance is adopted this the 7<sup>th</sup> day of March, 2016.



Mayor Joyce Whichard-Brown

Attest:



Christina Craft, Town Clerk



**TOWN OF WILLIAMSTON  
CAPITAL PROJECT ORDINANCE  
ORDINANCE 2015-84 2010 ANNEXATION CAPITAL IMPROVEMENTS PROJECT**

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the construction of certain water, sewer, street, and street lighting improvements along various existing public roads, streets and other rights-of-way to be acquired within geographical areas to be annexed into the corporate boundary of the Town of Williamston, said area identified as "Area A" to be financed by proceeds from the General Fund, Powell Bill Fund, Water/Sewer Enterprise Fund and long-term debt financing.

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

Section 3. The following amounts are appropriated for the project:

Construction	\$3,850,500
Easement Preparation & Acquisition	\$ 100,000
Technical Services	\$ 650,000
Contingency	\$ 502,900
Project Administration & Permitting	\$ 110,000
Legal Services	<u>\$ 20,000</u>
Sub-Total	\$5,233,400

Section 4. The following revenues are anticipated to be available to complete this project:

Transfer from Water/Sewer Enterprise Fund	\$ 465,600
Transfer from General Fund	\$ 163,000
Transfer from Powell Bill Fund	\$ 374,500
Long-Term Debt Financing	<u>\$4,230,300</u>
Total Revenues	\$5,233,400

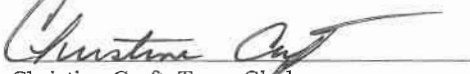
Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Local Government Commission.


Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

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

Section 8. This ordinance supersedes a similarly titled ordinance adopted on the 7th day of September, 2010 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

Adopted this 7th day of December, 2015 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

  
Christina Craft, Town Clerk  
(SEAL)

  
Tommy E. Roberson  
Mayor



### Ordinance 2015-83

#### AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE 19<sup>TH</sup> ANNUAL CAROLINA COUNTRY STAMPEDE

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of providing an annual Carolina Country Stampede Festival for the pleasure of its citizens; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from holding an annual Carolina Country Stampede Festival; and

**WHEREAS**, the downtown merchants are in cooperation with the Town to promote the 19<sup>th</sup> Annual Carolina Country Stampede; and

**WHEREAS**, the Town of Williamston plans to provide all necessary police and safety personnel for the event;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

**Date:** Friday, September 25, 2015 to Sunday, September 27, 2015

**Time:** 12 pm on Friday the 25<sup>th</sup> until 2 am Sunday the 27<sup>th</sup>

**Route Description:** The Intersection of Watts Street on Main to the intersection of Haughton and Main. Washington Street would be blocked from Railroad Street to Main.

This ordinance to become effective when signs are erected giving notice of the limits and times of the event, and implementation of adequate traffic control to guide through vehicles around the event.

Adopted this the 14 day of September, 2015 by the Board of Commissioners of the Town of Williamston.

  
Mayor Tommy Roberson

Attest:

  
Christina Craft, Town Clerk



## Ordinance 2015-82

### AN ORDINANCE DECLARING A ROAD CLOSURE FOR A CHRISTMAS PARADE

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a long tradition of providing an annual Christmas parade for the pleasure of its citizens; and

**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges its citizens realize a financial benefit from holding an annual Christmas parade; and

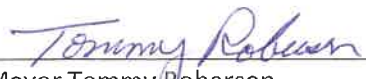
**WHEREAS**, the Town of Williamston Board of Commissioners acknowledges a parade requires approximately two (2) hours to install signing and traffic control, and also requires approximately two (2) hours for removing signs, traffic control, and litter;

**NOW THEREFORE BE IT ORDAINED** by the Town of Williamston Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

<b>Date:</b>	Thursday, December 3, 2015
<b>Time:</b>	3 pm to 8:30 pm
<b>Route Description:</b>	Washington Street at the Carolina Avenue intersection to the intersection of Main Street and Watts Street

This ordinance to become effective when signs are erected giving notice of the limits and times of the parade, and implementation of adequate traffic control to guide through vehicles around parade route.

Adopted this the 14 day of September, 2015 by the Board of Commissioners of the Town of Williamston.

  
Mayor Tommy Roberson

Attest:

  
Christina Craft, Town Clerk



## **Ordinance 2015-81**

**An Ordinance of the Board of Commissioners of the Town of Williamston Ordering the Zoning Administrator to Cause the Demolition and Removal of that Certain Dwelling Unit Known as 101 Morris Street and Owned by Johnny M. Daniels, Jr. and Jarrett Daniels**

Whereas pursuant to Chapter 14 of the Code of the Town of Williamston, the Zoning Administrator investigated the condition of that certain dwelling located at 101 Morris Street in the Town of Williamston, owned by Johnny M. Daniels, Jr. (who is married to Carolyn H. Daniels) and Jarrett Daniels, and a hearing was duly held by the Zoning Administrator on May 19, 2015, after which the Zoning Administrator found the house was dilapidated, unfit for human habitation and should be torn down because of deterioration and that repair, alteration or improvement cannot be made at a reasonable cost in relation to the value of the dwelling; and the Zoning Administrator concluded as a matter of law that the dwelling is dilapidated and ordered that it be demolished by the owner; and

Whereas the time for appealing this decision to the Board of Adjustment has passed and no petition has been made and the dwelling has not been removed;

It is therefore ordered by the Board of Commissioners of the Town of Williamston that the Zoning Administrator is authorized and directed to cause this dwelling to be vacated, removed and demolished and until then to cause to be posted on the dwelling a placard stating "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful";

Be it further Ordained that this ordinance be recorded in the Office of the Martin County Register of Deeds and indexed in the name of the property owners in the grantor index pursuant to G.S. 160A-4435); and that pursuant to G.S. 160A-443(6) the amount of the cost of the demolition and removal shall be a lien against the real property upon which the cost was incurred.

Adopted this the 14 day of September, 2015 by the Board of Commissioners of the Town of Williamston.

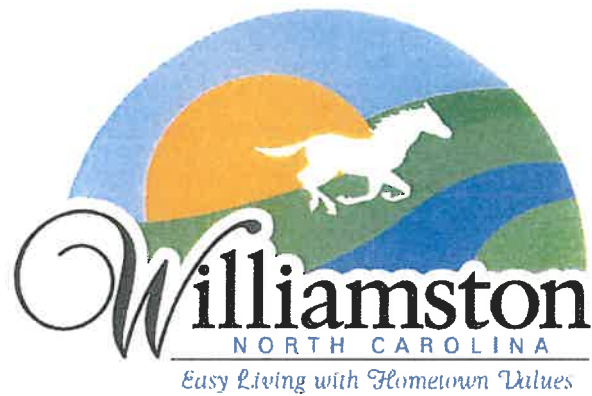
  
Mayor Tommy Roberson

Attest:

  
Christina Craft, Town Clerk



# TOWN OF WILLIAMSTON



## WATER USE ORDINANCE

**ADOPTED AT THE  
JULY 13, 2015 MEETING  
OF THE TOWN OF WILLIAMSTON BOARD OF  
COMMISSIONERS**

# Town of Williamston

Office of the Mayor



## ORDINANCE 2015-80

### BILLING CYCLE CHANGES FOR WATER AND SEWER BILLING

**Whereas** the Town of Williamston restructured the Water and Sewer billing process;

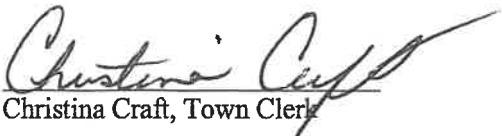
**Be it ordained** that Sections II Subchapter 8 and XII Subchapter 2 be repealed in their entirety and replaced with the following:

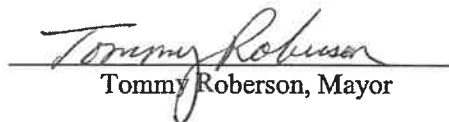
8. Where service is furnished to a home or business, the property owner shall be responsible for the initial service installation charge and shall connect to the system within 90 days of availability. If the home owner or business has not connected to the system within 90 days of availability, there will be a monthly minimum fee for water service availability. The owner will be required to make a deposit and pay any meter installation fee prior to the time they receive service.

#### SECTION XII. BILLING

2. Persons not having paid their bills by the 15th day of the month will be delinquent. No exception will be made for due dates falling on weekends and holidays. For any bill remaining unpaid on the 20th day of the month, a late fee will be assessed as established from time to time determined by the Board of Commissioners. For any bill remaining unpaid on the 21st day of the month, the connection with the water system serving the premises will be severed and will only be reconnected after the delinquent bill, including late fee, is paid in full. Reconnection shall be made at the contracting party's expense as stated in Section X of this ordinance.

**ADOPTED THIS 13<sup>th</sup> DAY OF July, 2015 AT WILLIAMSTON, NORTH CAROLINA.**

  
Christina Craft, Town Clerk

  
Tommy Roberson, Mayor

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1. Approving Authority. The Director of Public Works of the Town of Williamston, or his designated representative.
2. Complete Water Works System. All of the works necessary involved in: (1) the transport of water to individual homes, buildings, in other authorized discharge points from a plant or facility where treatment or storage of the water is accomplished; (2) the supply of and treatment of the waters to remove impurities; and (3) the storage of the waters from the treatment process.
3. Construction. Any one or more of the following: Preliminary planning to determine the feasibility of supply facilities, treatment works, storage or public water mains, engineering, architectural, legal, fiscal, or economic investigations or studies, surveys, designs, plans, working drawings, specifications, procedures, or other necessary actions, erection, building, acquisition, alteration, remodeling, improvements, or extension of supply facilities, treatment works, storage facilities or public water mains, or the inspection or supervision of any of the foregoing items.
4. Distribution Main. A water main intended to carry waters to residences, commercial buildings, industrial plants, and institutions.
5. Industrial user. (1) Any nongovernmental, nonresidential user of a publicly owned treatment works which consumes the equivalent of 25,000 gallons per day of water and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented.
6. Interference. Disruption of the publicly owned treatment works operations, which contributes to a violation of any of the Safe Drinking Water Standards.
7. Main. A pipe or conduit for carrying water.
8. mg/l. (denoting milligrams per liter) Parts per million by weight. (1 part per million = 1 milligram per liter)
9. Person. Any individual, business entity, partnership, corporation, governmental Agency or political subdivision.
10. Publicly Owned Water Works. (POWW) Water supply, treatment, storage and any mains that transport waters to the consumers. The municipality which owns the treatment works has jurisdiction over all components of and use of the POWW.
11. Public Water Main. A water main which is controlled by the Town and in which all owners of abutting properties have equal rights.
12. Replacement. Expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the POWW to maintain the capability and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.
13. Shall is mandatory; May is permissive.

14. Town. The Town of Williamston.
15. Trunk Main. A water main whose primary purpose is to transport waters to Distribution Mains from a treatment supply or storage facilities.
16. Useful Life. Estimated period during which a treatment works will be operated.
17. User. Any person, including the party contracting for the account, utilizing the Town water works for water supply; and any person using a lot, parcel of land, building or other premises connected to and consuming water from the water distribution system of the Town, and who pays, or who is or would be legally responsible for the payment of utility rates or charges made against said premises upon its connection to the water distribution system of the Town.
18. User Charge. A charge levied on users of a publicly owned treatment works.
19. Water. Waters that have been treated so as to be drinkable in accordance with the standards of the Federal Safe Drinking Water Act.

## SECTION II. APPLICATION FOR SERVICE

1. Service will be supplied only to those who have made application and have paid the deposit.
2. The user will make application for service in person, at the Town Hall and at the same time, make any deposit guarantee required by Section XI.
3. The Town may reject any application for service when the applicant is delinquent in payment of bills incurred for services previously supplied at any location.
4. The Town may reject any application for service not available under a standard rate of which involves excessive service cost, or which may affect the supply of service to other customers or for other good and sufficient reasons.
5. Normal service size shall be  $\frac{3}{4}$  inch unless the applicant has special water demand requirements, in which case the service size must be approved by the Approving Authority.
6. Trailer courts and multi-dwelling water service size to be required:
  - a. 

3/4" Service	1 Trailer/1 Dwelling
1" Service	2-5 Trailers/ 2-5 Apartments/Hotel Rooms
2" Service	6-20 Trailers/6-20 Apartments/Motel Rooms
  - b. Service size for more than 20 units to be determined on case-by-case basis.
  - c. Cost of service installation shall be paid by Owner.
7. Where service is furnished to rental property, the property owner shall be

responsible for the initial service installation charge and shall connect to the system within 90 days of availability after which time there will be a monthly minimum bill for water service availability. Tenants will be required to make a deposit and pay any meter installation fee prior to the time they receive service. Upon termination of occupancy of rental property, the tenant or owner shall notify the Town, who will make a final reading and may remove the meter. The deposit will be applied by the Town toward the final billing. Any balance will be refunded to the tenant. Property owner(s) will be responsible for water usage and damages to Town water system in cases where there is not a tenant account.

8. Where service is furnished to a home or business, the property owner shall be responsible for the initial service installation charge and shall connect to the system within 90 days of availability after which time there will be a monthly minimum fee for water service availability. The owner will be required to make a deposit and pay any meter installation fee prior to the time they receive service.

### SECTION III. CONNECTIONS

1. The construction of laterals for the connection of the water pipes on any lot with public water mains and the necessary excavation thereof shall be performed only by the Town.
2. Every house or building abutting any water main shall have a separate connection. The Town may construct a single water service lateral of sufficient size to the property or curb line; provided, that each house or business is connected through a separate water meter. Approved complexes, such as mobile home parks and Housing Authority projects may be served with a single master water meter if approved by the Approving Authority and shall be billed based on the number of individual users served. Users that do not share common facilities (restrooms, etc.) or are constructed or situated in such a way as to be recognizable as a separate user shall be billed as an individual user.

When two or more meters are to be installed on the same premises for different consumers, they shall be closely grouped and each shall be clearly designated to which consumer it applies. Apartments, mobile homes, or other structures with living quarters shall be considered a separate user and shall require a separate service and account.

3. All water meters, meter boxes, pipes and other equipment furnished and used by the Town in installing any water connection shall be and remain the property of the Town.
4. The Town may install its meter at the property line or, at the Town's option, on the consumer's property or in a location mutually agreed upon.
5. Piping on the consumer's premises must be so arranged that the connections are conveniently located with respect to the Town's lines or mains.
6. If the consumer's piping on his premises is so arranged that the Town is called upon to provide additional meters, a separate account shall be established for



each meter.

7. A suitable place shall be provided by the consumer for placing his meter unobstructed and accessible at all times to the meter reader.
8. The consumer's piping and apparatus shall be installed and maintained by the consumer at the consumer's expense in a safe and efficient manner and in accordance with the Town's rules and in full compliance with the sanitary regulations of the North Carolina Division of Health Services.
9. The consumer shall furnish and maintain a private cut-off and appropriate backflow prevention device on his side of the meter, and the Town will provide a cut-off valve on the Town's side of such meter.
10. Water connections shall be made into existing taps constructed by the City to serve a lot. In the event a tap is not existing, one will be provided as close as possible to the location requested by the customer. When lines are constructed by the city, water service lines shall be constructed to the point where the meter box will be set.
11. Each user shall grant or convey, or shall cause to be granted or conveyed, to the Town, a perpetual easement and right-of-way across any property owned or controlled by the user whenever said perpetual easement and right-of-way is necessary for the Town water facilities and lines, so as to be able to furnish services to the user.

#### SECTION IV. OUTSIDE CONNECTIONS

Connections may be made outside the corporate limits of the Town in accordance with the policies and users fees from time to time adopted by the Town.

#### SECTION V. OPERATIONS.

1. No person, except the director of public works or chief of the fire department, or persons authorized to act by them, shall take or in any way use water from public hydrants, unless such person shall first apply to the Approving Authority for permission to do so and such approval is granted, in writing, including any conditions for such approval. Any person using or obtaining water from a public fire hydrant except as herein authorized, shall be assessed a penalty as set forth in the fee schedule in addition to the charge for water actually used or obtained.
2. All meters, except such as are required to be furnished or maintained by particular users of water or those damaged by customer intent or negligence, shall be kept in good repair and working order by and at the expense of the Town. Meters furnished or maintained by particular users of water shall be kept in good repair and working order by the user. It shall be unlawful for any person to break, or in any way damage, or cause to be broken (or damaged) or to make inaccessible, any public fire hydrant, water meter, meter box, or gate valve box connected to the Town's water system. It shall be the duty of the person having caused such damage to report the incident to the Police Department or Public Works Department. If any of the above are damaged

through any means other than by a Town employee, the customer responsible for payment of the account shall be responsible for repair or replacement costs.

3. The Town reserves the right at any time to shut off the water in case of accident or for the purpose of making connections or repairs.
4. No person, except the director of public works or chief of the fire department, or persons authorized to act by them, shall open, close, or in any way operate any valve on the water distribution system, unless such person shall first apply to the Approving Authority for permission to do so and such approval is granted, in writing, including any conditions of such approval. It shall be unlawful for any person to operate, tamper with, by-pass, damage, cause to be damaged, or otherwise render ineffective any meter, valve, or locking device.
5. Persons requesting water service activation shall ensure that plumbing is properly connected, secure, and all fixtures or faucets are closed to prevent flooding or other damage to building or dwelling. The Town will not be liable for any damages caused by flooding occurring through private plumbing.

#### SECTION VI. PROHIBITED ENTRY

No person shall be permitted to enter the water supply, treatment, or storage facilities nor any pumping station unless accompanied by the person in charge, and under no circumstances shall any person handle or in any way come in contact with any part of the machinery or other equipment.

#### SECTION VII. POWERS AND AUTHORITY FOR INSPECTION

The duly authorized employees and representatives of the Town, shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provision of this ordinance.

#### SECTION VIII. INTERCONNECTIONS

No private water piping system shall be connected nor remain connected to the publicly owned water works if it is also connected to another water supply source (public or private), whether said source is valved or not.

#### SECTION IX. MEASUREMENT OF FLOW

The volume of flow used in computing water use charges shall be based upon metered water consumption as shown in the records of meter reading maintained by the Town.

#### SECTION X. WATER USE CHARGES AND FEES

1. User charge shall be the charge levied on all users including, but not limited to, persons, firms, corporations or governmental entities that consume, cause or permit the consumption of water from the publicly owned water works. The minimum charge, according to a schedule of charges as from time to time set by the Town, shall be applied for temporary turn-ons.
2. The user charge shall at a minimum, reflect the costs of operation and

maintenance (including replacement) of the publicly owned water works.

3. Each user shall pay his proportionate share of operation and maintenance (including replacement) costs based on volume of flow.
4. The Town of Williamston Board of Commissioners shall review not less than annually the water consumption of users, the total costs of operation and maintenance (including replacement) of the complete water works system, and the user charge system. The user charge shall be revised if necessary, to accomplish the following.
  - a. Maintain the proportionate distribution of operation and maintenance costs among users as provided herein.
  - b. Generate sufficient revenue to pay the total operation and maintenance costs necessary to the proper operation and maintenance (including replacement) of the publicly owned water works.
5. The Town, to the extent practicable, will record usage not directly attributable to customers (such as flushing and firefighting) in order to include this usage in the setting of rates.
6. Each user shall be notified, at least annually, in conjunction with a regular bill, of the rate.
7. Determination of the user charge rates shall be as calculated in accordance with the Town of Williamston User Charge System.
8. Connection charges and Deposits shall be payable in advance according to a schedule of charges as from time to time set by the town.
9. For violation of any of the provisions of this ordinance relating to service the Town may at the expiration of 15 days after mailing a written notice to the address of the customer, as reflected on the Town's records, remove the meter and discontinue service. Where the meter is thereafter reinstalled, the customer shall first pay to the Town a reinstallation fee according to a schedule of charges as from time to time set by the Town.

No reinstallation will be made unless all delinquent service bills and the reinstallation fee have been paid in full.

10. Fees for permits shall be payable in advance in amounts as from time to time set by the Town.
11. All fees and charges are subject to review and adjustment by the Board of Commissioners from time to time.

#### SECTION XI. DEPOSIT REQUIRED

1. Deposits shall be required in amounts as from time to time set by the Town. Deposits shall not draw interest.

2. Upon discontinuance of service and after satisfactory payment of outstanding water bills, the remainder of initial deposit shall be refunded to the contracting party or his authorized agent.
3. The person in whose name the deposit is made shall be responsible for payment of all bills for water consumed.
4. Where a deposit is required, a separate deposit shall be made for each meter installed.
5. The deposit may be transferred in the event a contracting party moves to another location served with town water and sewer; however deposits may not be transferred to another contracting party.
6. The contracting party, either in person or through his duly authorized representative or agent, shall apply for and discontinue water and sewer service. Property owners shall provide evidence of sole ownership or, in cases of multiple ownership, of an ownership interest. Tenants shall provide evidence of the authority or permission from the owner to occupy the property as a tenant. In cases where the property served is leased or rented to more than one tenant and services rendered to more than one tenant are measured by the same meter, the owner or owners shall be the contracting party and are legally obligated to pay the water and sewer fees.
7. The contracting party shall provide government issued identification and proof of address as a condition for establishing a water and sewer service. Acceptable forms of identification include drivers' license, state identification cards, military identifications and passports.
8. The contracting party, either in person or through his duly authorized representative or agent, shall

## SECTION XII. BILLING

1. Bills will be sent through the United State mail notifying all persons of the amount and date due.
2. Persons not having paid their bills by the 15<sup>th</sup> day of the month will be delinquent. No exception will be made for due dates falling on weekends and holidays. For any bill remaining unpaid on the 20<sup>th</sup> day of the month, a late fee will be assigned. For any bill remaining unpaid on the 21<sup>st</sup> day of the month, the connection with the water system serving the premises will be severed and will only be reconnected after the delinquent bill, including late fee, is paid in full. Reconnection shall be made at the contracting party's expense as stated in Section X of this ordinance.
3. Charge for services commences when the meter is installed.
4. Readings from different meters will not be combined for billing, irrespective of the fact that said meters may be for the same or different premises, or for the same or different users, or for the same or difference services.

5. At the discretion of the Approving Authority, a letter may be sent to each delinquent patron on the advising that service will be discontinued if the bill is not paid by a date certain, and that the delinquent fee will be charged before service is restored.
6. Customers are responsible for knowing when bills are due and failure of the consumer to receive a bill shall not constitute a defense to a delinquent charge.

#### SECTION XIII. CHANGE OF OCCUPANCY

1. Not less than three days notice shall be given, in person or writing, to the Town office to discontinue service or to change occupancy.
2. The contracting party or the owner if more than one tenant is served by one meter, shall be responsible for all water consumed up to the time of departure or the time specified for departure, whichever period is longest.

#### SECTION XIV. EXTENSIONS TO MAINS AND SERVICES

1. The Town may construct extensions to its water lines to points which are within its service area but the Town shall not be required to make such installation unless the consumer makes application for service and advances to the Town the entire cost of the installation.
2. All line extensions shall be evidenced by contract signed by the Town and the person advancing funds for said extension, but each contract shall be null and void unless approved by the Town Board of Commissioners.
3. No refund shall be made from any revenue received from any lines leading up to or beyond the particular line extension covered by contract.
4. Water distribution lines to serve subdivisions will be handled as follows:
  - a. The developer will submit plans and specifications sealed by an engineer licensed to practice in North Carolina for review and approval by the Town, its engineer and the North Carolina Division of Health Services.
  - b. Materials, methods, and procedures shall be consistent with those of the Town.
  - c. The developer will install the lines in accordance with the approved plans.
  - d. Upon completion of the new extension, the developer will deed the complete facility, to include all right-of-ways, instruments needed, for the operation and maintenance of the facility to the Town. (The Town will provide 40% of water/sewer line costs and engineering/survey costs not to exceed \$200.00 per running foot of street center line for qualified housing development in city limits or areas petitioned for annexation. These costs would be re-imbursed after the developer has completed sub-division construction and homes have been built on at least 51% of the lots in the sub-division.)
  - e. The determination of feasibility of service shall be determined by the Board of Commissioners, including but not limited to the following circumstances:

Availability of Town funds  
Availability of developer funds  
Number of signed users  
Availability of water supply  
Number of potential users  
Anticipated future growth of area  
Approval of funding agencies

#### SECTION XV. CONSTRUCTION/RECONSTRUCTION OR ABANDONMENT OF BUILDING SERVICE AND CONNECTIONS

Any person who shall construct or cause to be constructed new buildings with water system piping or additions with water piping within the corporate limits of the Town of Williamston shall meet the following requirements.

1. A permit to install new connections, or piping from existing connection to building, or piping from an existing building to a new building, shall be obtained from the Town. Such permits may be issued after the Town's determination that each separate dwelling or business unit shall have separate connections to the water distribution system. The Town may waive this requirement in unusual cases (i.e. multi-story apartment complex).
2. Responsibility for the proper installation of water piping in accordance with approved plans shall be with the property owner, or his agent or contractor. The responsible person shall be designated upon applying for the required permit.
3. The cost of processing permits shall be included in the connection charge or applicable fee.
4. Piping and connections to new or existing service connections shall be inspected by the Approving Authority or a designated representative. Existing services proposed for reuse shall be inspected by the Approving Authority or a designated representative prior to connections.
5. Any person who shall demolish or cause to be demolished any existing building with water service shall be required to notify the Approving Authority.

#### SECTION XVI. SUSPENSION OF SERVICE

1. The Town reserves the right to discontinue its service without notice for the following reasons:
  - a. To prevent fraud or abuse. The connection by a user of his or her water supply to separate premises which has had its water service discontinued shall be considered fraud or abuse.
  - b. Consumer willful disregard of the Town's rules.
  - c. Emergency repairs.
  - d. Insufficiency of supply due to circumstances beyond the Town's control.
  - e. Legal processes.
  - f. Direction of public authorities.



- g. Strike, riot, fire, flood, accident, or any unavoidable cause.
2. The Town may, in addition to exercising any and all other remedies provided by law, permanently refuse service to any person, firm or corporation which has violated the provisions of North Carolina General Statute 14 – 151.1. As an alternative, the Town may require a bond in accordance with the provisions of its Sanitary Sewer Use Ordinance.
3. Each water service account shall be treated as a separate entity for purposes of cut-off for nonpayment, regardless of the name in which the account is registered.

#### SECTION XVII. COMPLAINTS/ADJUSTMENTS

1. If the user believes his bill to be in error, he shall present his claim, in person, to the town before the bill becomes delinquent. Such claims, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service. The user may pay such bill under protest and said payment shall not prejudice his claim.
2. The Town may make special meter readings at the request of the user for a fee as from time to time set by the Town, provided that if such special readings disclose that the meter was over read, no charge will be made.
3. Meters will be tested at the request of the user upon payment to the Town of a fee as from time to time set by the Town, provided that if the meter is found to over-register beyond 5 per centum of the correct volume, no charge will be made.
4. If the seal of a meter is broken by other than the Town's representatives, or if the meter fails to register correctly or is stopped for any cause, the user shall pay an amount estimated by the Town from the record of his previous bills and from other data considered relevant by the Town.

#### SECTION XVIII. PROTECTION FROM DAMAGES

It shall be a misdemeanor to intentionally or willfully break, damage, destroy, uncover, deface, or tamper with any equipment or materials of the Town of Williamston used for the purpose of making tests or examinations and left upon the premises of a user; and it shall be a misdemeanor to intentionally or willfully break, damage, destroy, uncover, deface, or tamper with any portion or part of the publicly owned water works.

#### SECTION XIX. ABRIDGMENT OR MODIFICATION

1. No promise, agreement or representation of any employee of the Town shall be binding upon the Town unless it shall have been agreed upon in writing and signed by the proper officers of the Town.
2. Modifications of any charges or of any portion of this ordinance shall be made only by the Board of Commissioners of the Town.

SECTION XX. REPEALING CLAUSE

All ordinances or parts of ordinances or rules and regulations, in conflict with this ordinance are hereby repealed. If any section, paragraph, subdivision, clause, or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to such section, paragraph, subdivision, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

SECTION XXI. EFFECTIVE DATE

This ordinance shall take effect and be in full force to include all existing and future users from and after the 13<sup>th</sup> day of July, 2015.

\_\_\_\_\_  
Mayor, Town of Williamston

ATTEST:

\_\_\_\_\_  
Town Clerk

ORDINANCE 2015-76  
TOWN OF WILLIAMSTON  
FY 2015-2016 BUDGET ORDINANCE

BE IT ORDAINED by the Governing Board of the Town of Williamston, North Carolina:

Section 1: The following amounts are hereby appropriated in the General Fund for the operation of the Town Government and its activities for the fiscal year beginning July 1, 2015, and ending June 30, 2016, in accordance with the chart of accounts heretofore established for the Town:

Administration	\$ 102,886
Planning	592,271
Public Buildings	53,937
Police Department	1,558,924
Fire Department	588,027
Rescue/EMS Department	605,685
RRT Department	57,000
Street Department	424,471
Sanitation Department	453,550
Recreation Department	557,136
Cemetery	110,146
Garage	186,760
Cultural	114,231
Debt Retirement	348,716
Economic & Physical Development	<u>147,132</u>
	<u>\$ 5,900,872</u>

Section 2. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

Taxes and Licenses:

Current Year's Property Taxes	\$ 2,500,000
Other Advalorem Tax Revenue	628,000
Local Option Sales Tax	755,000
Hold Harmless Reimbursements	235,000
Payment in Lieu of Taxes	3,000
Other Taxes and Licenses	458,060

User Charges and Fees:

Recreation Activities	24,400
Cemetery Sales and Fees	66,000
EMS Service Charges	450,000
EMS Medicaid	60,000
Other Charges and Fees	11,189

Intergovernmental Payments:

Total Government and Local Grants	604,677
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Other Income:

Investment Earnings	83,591
Miscellaneous	21,955

Fund Balance Appropriated:

Future Economic Development	-0-
Undesignated Funds	-0-
Powell Bill Funds	<u>-0-</u>

\$ 5,900,872

Section 3. The following amounts are hereby appropriated in the Enterprise Fund for the operation of the water and sewer utilities for the fiscal year beginning July 1, 2015, and ending June 30, 2016, in accordance with the chart of accounts heretofore approved for the Town:

Water Operations	\$ 2,391,526
Sewer Operations	1,128,191
Capital Outlay	145,135
Debt Retirement	807,432
Reserve	20,000
Loans	-0-
Transfer from Other Funds	-0-
Contingencies	<u>67,929</u>

\$ 4,560,213

Section 4. It is estimated that the following revenues will be available in the Enterprise Fund for the fiscal year beginning July 1, 2013, and ending on June 30, 2014:

Water Charges	\$3,106,849
Sewer Charges	1,418,964
Interest on Investments	4,000
Other Charges and Fees	27,900
Miscellaneous	2,500
Transfer from General Fund	-0-
Undesignated Fund Balance	-0-

\$ 4,560,213

Section 5. The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

- a. He may transfer amounts between line item expenditures within a department without limitation and without a report being required.
- b. The Budget Officer shall be authorized to re-allocate departmental appropriations among the various objects of expenditures as he believes necessary provided such transfers shall be reported to the Board of Commissioners at its next regular meeting and shall be entered into the minutes.
- c. He may not transfer any amounts between funds, except as approved by the Governing Board in the Budget Ordinance as amended.

Section 6. The Budget Officer may make cash advances between funds for periods not to exceed 60 days without reporting to the Governing Board. Any advances that extend beyond 60 days must be approved by the Board. All advances that will be outstanding at the end of the fiscal year must be approved by the Board.

Section 7. Copies of this Budget Ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer to be kept on file by them for their discretion in the disbursement of funds.

Adopted this 1<sup>st</sup> day of June, 2015

Mayor: Tommy Robuse

Clerk: Christina Cuyt

ORDINANCE NO. 2015-79AN ORDINANCE ANNEXING A NONCONTIGUOUS AREA  
TO THE TOWN OF WILLIAMSTON

WHEREAS Joseph Brown Wynn, Jr. pursuant to G.S. 160A-58.1 has petitioned the Town of Williamston for the annexation by the Town of the following described area which is noncontiguous to the primary corporate limits of the Town:

BEGINNING at a point on the Southwest side of the said highway at a stake located 37.75 feet Westerly from a culvert, said stake being the corner of the, now or formerly, J. Claude Leggett property; thence South 50 degrees West 160.5 feet to a concrete monument; thence North 40 degrees West along the, now or formerly, Claude Leggett line 171 feet to a concrete monument, a corner; thence North 46 degrees 25 minutes East 134 feet to an iron stake located on the edge of the right of way of N.C. Highway No. 125; thence along the edge of the right of way of N.C. Highway No. 125 South 46 degrees 30 minutes East 63.17 feet to an iron stake set in a can of cement; thence continuing along the edge of the right of way of said N.C. Highway No. 125 South 49 degrees East 118.75 feet to the point of beginning, being the same property shown on map made by L.S. Manning, Registered Surveyor, on May 3, 1962. And being the same property conveyed to Russell C. Bowen and wife, Ann N. Bowen by Deed from Charlie Ann Nicholson (Widow), dated November 2, 1984, of record in Book S-11, Page 747, in the office of the Register of Deeds of Martin County. This property is now owned by Joseph Brown Wynn, Jr. and is Martin County Tax Parcel 05-02079.

WHEREAS the City Clerk pursuant to G.S. 160A-58.2 has investigated the petition and certified that the petition is valid and satisfies the requirements of G.S. 160-58.1;

AND WHEREAS the Town has held a public hearing, after due notice, on this satellite annexation and has determined pursuant to G.S. 160A-58.2, that (i) the area described above meets all the standards set out in G.S. 160-58.1(b), (ii) the petition bears the signature of all of the owners of real property within the area proposed for annexation, (iii) the petition is otherwise valid, and (iv) the public health, safety and welfare of the inhabitants of the Town and of the area proposed for annexation will be best served by the annexation;

BE IT THEREFORE ORDAINED by the Board of Commissioners of the Town of Williamston that: the above described area be and it is hereby annexed to the Town of Williamston as an area noncontiguous to the corporate limits of the Town and (subject to G.S. 160-58.5) this annexed area and its citizens and property are subject to all debts, laws, ordinances and regulations of the Town of Williamston and are entitled to the same privileges and benefits as other parts of the Town.

This property shall be and lie in District 1 for the purpose of municipal elections for the Town of Williamston.

This Ordinance shall be effective upon adoption.

Adopted this the 29<sup>th</sup> day of June, 2015.



Tommy Roberson  
Mayor

Christina Craft  
Clerk



This Ordinance shall be effective upon adoption.

Adopted this the 29<sup>th</sup> day of June, 2015.

Tommy Roberson  
Mayor

Christene Craft  
Clerk

# Town of Williamston

Office of the Mayor



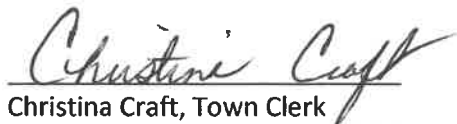
ORDINANCE NO. 2015-78

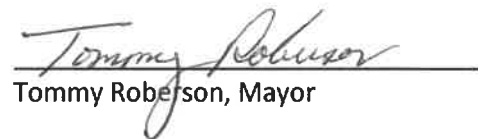
AN ORDINANCE AS TO AUTHORITY OF TOWN TO PROMOTE SAFE, CLEAN TAXIS DRIVEN BY SAFE, COURTEOUS AND QUALIFIED DRIVERS FOR THE BENEFIT OF THE PUBLIC.

**Whereas** Ordinance 2015-74 Taxicab was mistakenly adopted as Chapter 27;

**BE IT ORDAINED** by the Board of Commissioners of the Town of Williamston that Ordinance 2015-74 is hereby repealed and in its place and stead Chapter 111: Taxicab shall be enacted.

**ADOPTED THIS 13<sup>th</sup> DAY OF July, 2015 AT WILLIAMSTON, NORTH CAROLINA.**

  
Christina Craft, Town Clerk

  
Tommy Roberson, Mayor

## CHAPTER 111: TAXICABS

### Section

#### *General Provisions*

- 111.1 Definitions
- 111.2 Fare; rate; rate card
- 111.3 Receipt
- 111.4 Refusal of passenger to pay
- 111.5 Solicitation, acceptance and discharge of passengers
- 111.6 Cruising
- 111.7 Additional passengers
- 111.8 Restriction on number of passengers
- 111.9 Refusal to carry orderly passenger prohibited

# TOWN OF WILLIAMSTON



## Town Code of Ordinances: Chapter 111: **TAXICAB ORDINANCE**

ADOPTED AT THE  
JULY 13, 2015 MEETING  
OF THE TOWN OF WILLIAMSTON BOARD OF  
COMMISSIONERS

# Town of Williamston

Office of the Mayor



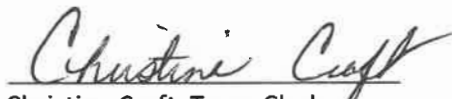
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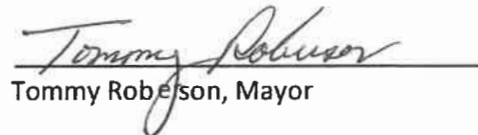
AN ORDINANCE AS TO AUTHORITY OF TOWN TO PROMOTE SAFE, CLEAN TAXIS DRIVEN BY SAFE, COURTEOUS AND QUALIFIED DRIVERS FOR THE BENEFIT OF THE PUBLIC.

**Whereas** Ordinance 2015-74 Taxicab was mistakenly adopted as Chapter 27;

**BE IT ORDAINED** by the Board of Commissioners of the Town of Williamston that Ordinance 2015-74 is hereby repealed and in its place and stead Chapter 111: Taxicab shall be enacted.

**ADOPTED THIS 13<sup>th</sup> DAY OF July, 2015 AT WILLIAMSTON, NORTH CAROLINA.**

  
Christina Craft, Town Clerk

  
Tommy Roberson, Mayor

**Taxicabs**  
**CHAPTER 111: TAXICABS**

Section

***General Provisions***

- 111.1 Definitions
- 111.2 Fare; rate; rate card
- 111.3 Receipt
- 111.4 Refusal of passenger to pay
- 111.5 Solicitation, acceptance and discharge of passengers
- 111.6 Cruising
- 111.7 Additional passengers
- 111.8 Restriction on number of passengers
- 111.9 Refusal to carry orderly passenger prohibited
- 111.10 Compliance with state and local rules and regulations
- 111.11 Inspection; maintenance
- 111.12 Designation of vehicles as taxicab
- 111.13 Limitation on number of taxis

***Certificate of Public Convenience and Necessity***

- 111.25 Required
- 111.26 Application; contents
- 111.27 Public hearing
- 111.28 Issuance; qualification generally
- 111.29 Contingent on proof of financial responsibility
- 111.30 Payment of license fees
- 111.31 Transfer
- 111.32 Suspension and revocation

***Driver's Licenses***

- 111.50 Required
- 111.51 Application; contents
- 111.52 Fee
- 111.53 Investigation of applicant
- 111.54 Issuance
- 111.55 Term
- 111.56 Display
- 111.57 Suspension and revocation

- 111.99 Penalty

***Statutory reference:***

*As to authority to license and regulate all vehicles operated for hire in town, see G.S. § 160A-304*

*As to proof of financial responsibility of taxicab driver, see G.S. § 20-280*

*For state law as to authority of town to license, regulate and control drivers and operators of taxicabs, see G.S. § 20-37*

## **Taxicabs**

### ***GENERAL PROVISIONS***

#### **§ 111.01 DEFINITIONS.**

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

***CERTIFICATE.*** A certificate of public convenience and necessity, issued by the Town Board of Commissioners, authorizing the holder thereof to conduct a taxicab business in the town.

***CRUISING.*** The driving of a taxicab on the streets, alleys or public places of the town in search of, or soliciting prospective passengers for hire.

***DRIVER'S LICENSE.*** The permission granted by the Chief of Police to a person to drive a taxicab upon the streets of the town.

***HOLDER.*** A person to whom a certificate of public convenience and necessity has been issued.

***MANIFEST.*** A daily record prepared by a taxicab driver or dispatcher of all trips made by each driver of the holder showing time and place of origin, destination, number of passengers and the amount of fare for each trip.

***RATE CARD.*** A card issued by the Chief of Police for display in each taxicab which contains the rates of fare then in force.

***TAXICAB.*** A motor vehicle regularly engaged in the business of carrying passengers for hire, having a seating capacity of not more than six passengers as prescribed by G.S. § 62-260(2) and not operated on a fixed route.



## **Taxicabs**

***WAITING TIME.*** The time when a taxicab is not in motion from the time of acceptance of a passenger or passengers to the time of discharge, but does not include any time that the taxicab is not in motion if due to any cause other than the request, act or fault of the passenger or passengers.  
(1992 Code, § 27-1)

### **§ 111.02 FARE; RATE; RATE CARD.**

(A) No owner or driver of a taxicab shall charge a sum for the use of a taxicab within the corporate limits of the town or within a five mile radius in excess of the rates approved by the Town Board of Commissioners, a copy of which will be furnished by the Police Department to each holder upon request.

(B) The rate card is to be conspicuously displayed inside the taxicab in such a place as to be in full view of the passengers occupying the rear seat.  
(1992 Code, § 27-2)

### **§ 111.03 RECEIPT.**

The driver of any taxicab shall, upon demand by any passenger, render to the passenger a receipt for the amount charged, on which shall be the name of the owner, license number, amount of charges and the date of the transaction.  
(1992 Code, § 27-3)

### **§ 111.04 REFUSAL OF PASSENGER TO PAY.**

It shall be unlawful for any person to refuse to pay the legal fare of any of the vehicles mentioned in this chapter after having hired the same, and it shall be unlawful for any person to hire any vehicle herein defined with intent to defraud the person from whom it is hired of the value of the service.  
(1992 Code, § 27-4) Penalty, see § 111.99

### **§ 111.05 SOLICITATION, ACCEPTANCE AND DISCHARGE OF PASSENGERS.**

(A) No driver shall solicit patronage in a loud or annoying tone of voice or by sign or in any manner annoy any person or obstruct the movement of any person for the purpose of soliciting passengers.

(B) No driver shall receive or discharge passengers except on the right-hand sidewalk or the extreme right-hand side of the roadway, and shall at no time receive or discharge passengers on the traveled portion or traffic lane of any street or roadway.  
(1992 Code, § 27-5) Penalty, see § 111.99

## **Taxicabs**

### **§ 111.06 CRUISING.**

No driver shall cruise in search of passengers except in the areas and at the time as shall be designated by the Town Board of Commissioners. The areas and times shall only be designated when the Board of Commissioners determines that taxicab cruising would not congest traffic or be dangerous to pedestrians and other vehicles.

(1992 Code, § 27-6) Penalty, see § 111.99

### **§ 111.07 ADDITIONAL PASSENGERS.**

No driver shall permit any other person to occupy or ride in the taxicab, unless the person or persons first occupying and employing the taxicab shall consent to the acceptance of an additional passenger or passengers.

(1992 Code, § 27-7) Penalty, see § 111.99

### **§ 111.08 RESTRICTION ON NUMBER OF PASSENGERS.**

No driver shall permit more persons to be carried in a taxicab than as stated in the license for the vehicle issued by the Police Department. A child in arms shall not be counted as a passenger.

(1992 Code, § 27-8) Penalty, see § 111.99

### **§ 111.09 REFUSAL TO CARRY ORDERLY PASSENGER PROHIBITED.**

(A) No driver shall refuse or neglect to convey any orderly person or persons upon request, unless previously engaged, unable or forbidden by the provisions of this chapter to do so.

(B) The holder of a certificate of public convenience shall be responsible for maintaining a manifest for each vehicle. The manifest shall be made available for inspection at reasonable times by the Chief of Police or Town Administrator.

(1992 Code, § 27-9) (Ord. passed 8-4-1997) Penalty, see § 111.99

### **§ 111.10 COMPLIANCE WITH STATE AND LOCAL RULES AND REGULATIONS.**

Vehicles used as taxicabs must be properly licensed. Prior to the use and operation of any vehicle under the provisions of this chapter, the vehicle shall be thoroughly examined by the Police Department and found to comply with all rules and regulations that are now or later prescribed by the state or the town. These rules and regulations shall be promulgated to provide safe transportation and the safety devices as the state and the town may require.

(1992 Code, § 27-26)

## **Taxicabs**

### **§ 111.11 INSPECTION; MAINTENANCE.**

(A) Every vehicle operating under this chapter shall be periodically inspected by the Police Department biannually before April 15 and October 16 to insure the continued maintenance of safe operating conditions and sanitary conditions. (Ord. passed 4-6-2015)

(B) Vehicles must be kept in a clean and sanitary condition.  
(1992 Code, § 27-27)

### **§ 111.12 DESIGNATION OF VEHICLES AS TAXICAB.**

Each taxicab shall bear on the outside of each side of the vehicle a sign of the proportions so as to be legible from a distance of 50 feet. The sign is to contain the company name, the word taxi, the name of the holder and the telephone number of the company.  
(1992 Code, § 27-28)

### **§ 111.13 LIMITATION ON NUMBER OF TAXIS.**

The number of taxi franchises shall be as from time to time determined by the Board of Commissioners.  
(Ord. passed 7-6-1992)

## ***CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY***

### **§ 111.25 REQUIRED.**

No person shall operate, or permit to be operated, a taxicab owned or controlled by him or her as a vehicle for hire upon the streets of the town without having first obtained a certificate of public convenience and necessity from the Board of Commissioners.  
(1992 Code, § 27-10) Penalty, see § 111.99

### **§ 111.26 APPLICATION; CONTENTS.**

An application for a certificate shall be filed with the Chief of Police upon forms provided by the town, and the applicant shall have verified, under oath, the following information:

- (A) The name and address of the applicant;
- (B) The names and addresses of five individuals for the purpose of character references;
- (C) The financial status of the applicant;

## **Taxicabs**

- (D) The experience of the applicant in transporting passengers;
  - (E) The number of vehicles to be operated by the applicant;
  - (F) A full and accurate statement as to the criminal record of the applicant;
  - (G) The proposed color scheme or insignia to be used on the vehicle or vehicle;
  - (H) The fingerprint of the applicant; and
  - (I) The further information as the Board of Commissioners may require.
- (1992 Code, § 27-11) (Ord. passed 4-6-2015) (Ord. passed 7-13-2015)

### **§ 111.27 PUBLIC HEARING.**

Upon filing of an application, the Town Administrator shall fix a time and place for a public hearing thereon. Notice of the hearing shall be given to the applicant and to all persons to whom certificates have been theretofore issued. Due notice shall be given to the general public by posting a notice of the hearing in the Town Hall. Any interested person may file with the Town Administrator a memorandum in support of or opposition to the issuance of a certificate.

(1992 Code, § 27-12)

### **§ 111.28 ISSUANCE; QUALIFICATION GENERALLY.**

- (A) If the Town Board of Commissioners finds that further taxicab service is required by the public convenience and necessity and that the applicant is properly qualified to operate a taxicab business, certificate may be issued.
  - (B) The certificate shall be in effect from the time of issuance until midnight on the following January 31 at which time it will be subject to renewal for one year periods from February 1 to January 31 of each succeeding year.
- (1992 Code, § 27-13) (Ord. passed 8-4-1997)

### **§ 111.29 CONTINGENT ON PROOF OF FINANCIAL RESPONSIBILITY.**

No certificate shall be issued or continued until and unless the person or holder has complied or continues to comply with the provisions of G.S. § 20-280 relating to financial responsibility as now written or hereafter amended.

(1992 Code, § 27-14)

## **Taxicabs**

### **§ 111.30 PAYMENT OF LICENSE FEES.**

No certificate shall be issued or continued in effect unless the holder thereof has paid an annual license fee in an amount as from time to time set by the Town Board for the right to engage in the business of taxicab services. That annual license fee in an amount as from time to time set by the Town Board shall cover the use of one vehicle and an additional \$15 shall be paid for each additional vehicle operated under the issued certificate. The fees shall be due and paid yearly in advance on or before February 1 of the yearly period of the certificate.

(1992 Code, § 27-15) (Ord. passed 8-4-1997)

### **§ 111.31 TRANSFER.**

No certificate of public convenience and necessity may be sold, assigned, mortgaged or otherwise transferred without the consent of the Town Board of Commissioners.

(1992 Code, § 27-16)

### **§ 111.32 SUSPENSION AND REVOCATION.**

A certificate issued under the provisions of this subchapter may be revoked or suspended by the Town Board of Commissioners if the holder thereof has:

(A) Violated any of the provisions of this subchapter, including the failure to pay any fee required by this chapter;

(B) Discontinued operations for a period of more than 30 days without the permission of the Board of Commissioners;

(C) Has violated any of the ordinances of the town or the laws of the state or the United States, the violations of which reflect unfavorably on the fitness of the holder to offer public transportation; and

(D) No revocation or suspension shall occur until reasonable notice and an opportunity for hearing has been given to the holder.

(1992 Code, § 27-17) (Ord. passed 8-4-1997)

## **Taxicabs**

### ***DRIVER'S LICENSES***

#### **§ 111.50 REQUIRED.**

No person shall operate a taxicab for hire upon the streets of the town, person who owns or controls a taxicab shall permit it to be so driven and no taxicab licensed by the town shall be driven at any time for hire, unless the driver of the taxicab shall have first obtained and shall have then in force a taxicab driver's license issued under the provisions of this subchapter.

(1992 Code, § 27-18) Penalty, see § 111.99

#### **§ 111.51 APPLICATION; CONTENTS.**

An application for a driver's license shall be filed with the Chief of Police on forms provided by the town which shall contain the following information:

- (A) The names and addresses of five individuals of the town for the purpose of character references; (Ord. passed 4-6-2015)
- (B) The experience of the applicant in the transportation of passengers;
- (C) The educational background of the applicant;
- (D) A concise history of the applicant's employment;
- (E) All information regarding state driver's license and chauffeur's license; and
- (F) A reliable statement as the applicant's physical and mental condition. (This may be required to be substantiated by reputable physician's examination, in the discretion of the Chief of Police.)  
(1992 Code, § 27-19)
- (G) Fingerprint of driver. (Ord. passed 7-13-15)

#### **§ 111.52 FEE.**

A fee of in an amount as from time to time set by the Town Board for processing the application for a taxicab driver's license shall be paid by the driver at the time of application.  
(1992 Code, § 27-20) (Ord. passed 8-4-1997)



## **Taxicabs**

### **§ 111.53 INVESTIGATION OF APPLICANT.**

The Chief of Police shall be responsible for conducting an investigation of the applicant's background including all information furnished by the applicant, and a copy of the investigation report shall be attached to the application.

(1992 Code, § 27-21) (Ord. Passed 4-6-2015)

### **§ 111.54 ISSUANCE.**

Upon approval of an application for a taxicab driver's license by the Chief of Police, the Town Clerk shall issue a license to the applicant of which will bear the name, address, age, date of birth, photograph, and signature of the applicant. If the Chief of Police denies the applicant a license, the Chief of Police shall provide a written explanation for denial to Town Administrator detailing the reasons for such denial. Denial may be appealed to the town Administrator within ten days of the notice of denial.

(1992 Code, § 27-22) (Ord. passed 4-6-2015) (Ord. passed 7-13-2015)

### **§ 111.55 TERM.**

The license shall be in effect from time of issuance until midnight on the following January 31, at which time it will be subject to renewal of one year periods from February 1 through January 31 of each succeeding year. An annual license fee in an amount as from time to time set by the Town Board shall be due in advance on or before February 1 of the yearly licensing period.

(1992 Code, § 27-23) (Ord. passed 8-4-1997) (Ord. passed 4-6-2015)

### **§ 111.56 DISPLAY.**

Every driver licensed under this subchapter shall post his or her driver's license in such a place as to be in full view of all passengers while the driver is operating the taxicab.

(1992 Code, § 27-24)

### **§ 111.57 SUSPENSION AND REVOCATION.**

(A) Upon reasonable notice given and an opportunity for a hearing, the Chief of Police may suspend, for up to 60 days, any driver's license issued under this chapter for failure to comply with the provisions of this chapter, the ordinances of the Town of Williamston and the laws of the State of North Carolina relating to the fitness of the licensee to provide public transportation and to the regulation of public transportation. The suspension may be appealed to the Town Administrator within ten days of the notice of suspension.

(B) Upon reasonable notice given and an opportunity for a hearing, the Town Administrator may revoke any driver's license issued under this chapter for failure to comply with the provisions of this

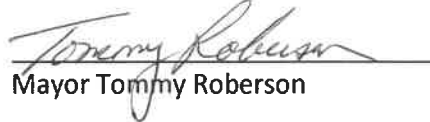
chapter, the ordinances of the Town of Williamston and the laws of North Carolina relating to the fitness of the licensee to provide public transportation and to the regulation of public transportation. (1992 Code, § 27-25) (Ord. passed 8-4-1997) (Ord. passed 4-6-2015)

**§ 111.99 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) The fine for violation for provisions of § 111.13 may exceed \$50, up to a maximum of \$500, as allowed by G.S. § 14-4.  
(Ord. passed 7-6-1992)

Adopted this the 13<sup>th</sup> day of July, 2015 by the Board of Commissioners of the Town of Williamston.

  
Mayor Tommy Roberson

Attest:

  
Christina Craft, Town Clerk



## Ordinance 2015-77

### An Ordinance Amending the Williamston Town Code of Ordinances, Sections 32.076

**Whereas** the Williamston Community Appearance Commission is defined under Section 32.076 of the Williamston Code of Ordinances; and.

**Be it Ordained** that Section 32.076 shall be repealed in their entirety and replaced with the following:

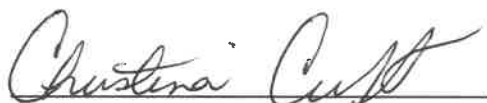
#### **32.076 APPOINTMENT; TERMS.**

The Williamston Community Appearance Commission shall consist of six members, who are appointed to a four-year term and may be re-appointed to serve two additional terms.

Adopted this the 13<sup>th</sup> day of July, 2015 by the Board of Commissioners of the Town of Williamston.

  
Mayor Tommy Roberson

Attest:

  
Christina Craft, Town Clerk

**WILLIAMSTON FY 11 COMMUNITY DEVELOPMENT PROGRAM  
CLOSEOUT GRANT PROJECT ORDINANCE 2015-75**

Be it ordained by the Town of Williamston Board of Commissioners that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Ordinance is hereby adopted:

Section 1. The project authorized is the Community Development Project described in the work statement contained in Grant Agreement 11-C-2384 between the Town of Williamston and the North Carolina Department of Commerce. This project is more familiarly known as the Williamston NC Catalyst-E J Hayes Special Project.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents, the rules and regulations of the North Carolina Department of Commerce and the budget contained herein.

Section 3. The following revenues were received to complete this project:

Community Development Block Grant (C-1)	\$ 534,718.00
EJ Hayes Match	5,972.00
Town Match	2,500.00
Town Sales Tax	<u>2,766.64</u>
Total	\$ 545,956.64

Section 4. The following amounts were expended for the project:

Neighborhood Facilities	\$ 486,457.24
EJ Hayes Match	3,472.00
Town Match	5,000.00
Town Sales Tax	2,766.64
Planning	7,000.00
Administration	<u>41,260.76</u>
Total	\$ 545,956.64

Section 5. The Director of Finance is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the Grant Agreement and Federal and State regulations.


Section 6. Funds were requisitioned periodically from the State after submission of documentation to the Town. Disbursement of funds was made by the Town upon actual receipt of invoice from the vendor. Compliance with all federal and state procurement regulations was required.

Section 7. The Director of Finance reported monthly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.


Section 8. The Director of Finance was directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this Board.

Section 9. Copies of this Grant Project Ordinance shall be made available to the Director of Finance for direction to closeout this project.

Adopted this 4th day of May, 2015.

  
Tommy E. Roberson, Mayor

ATTEST:

  
Christina Craft, Town Clerk/Executive Assistant

# **TOWN OF WILLIAMSTON FY 11 COMMUNITY DEVELOPMENT PROGRAM**

## **NC CATALYST – E J HAYES SPECIAL PROJECT**

### **GRANT PROJECT ORDINANCE**

**REVISED 2014 - 72**

Be it ordained by the Williamston Town Board of Commissioners that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Ordinance is hereby adopted:

Section 1. The project authorized is the Community Development Project described in the work statement contained in Grant Agreement 11-C-2384 between the Town and the North Carolina Department of Commerce. This project is known as the E J Hayes Special Project.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents, the rules and regulations of the North Carolina Department of Commerce and the budget contained herein.

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

Community Development Block Grant	\$ 534,718
Local Funds	\$ 5,000
Total	\$ 539,718

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

Neighborhood Facilities	\$ 484,718
Neighborhood Facilities-Local	5,000
Planning	7,000
Administration	<u>43,000</u>
Total	\$ 539,718

Section 5. The Finance Director is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the Grant Agreement and Federal and State regulations.

Section 6. Funds will be requisitioned from the State after submission of documentation to the Town. The Town upon actual receipt of CDBG funds will make



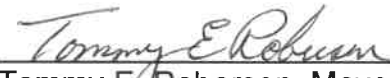
disbursement of funds from the State. Compliance with all federal and state procurement regulations is required.

Section 7. The Finance Director is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.


Section 8. The Finance Director is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to the Board of Commissioners.

Section 9. Copies of this Grant Project Ordinance shall be made available to the Finance Director for direction in carrying out this project.

Adopted this \_3rd\_\_day of November, 2014.

  
\_\_\_\_\_  
Tommy E. Roberson, Mayor

ATTEST:

  
\_\_\_\_\_  
Glinda W. Fox, Town Clerk

ORDINANCE NO. 2014-71

AN ORDINANCE OF THE TOWN OF WILLIAMSTON  
PERTAINING TO UNMANNED AIRCRAFT SYSTEMS  
DURING THE FESTIVAL KNOWN AS STAMPEDE

WHEREAS THE TOWN OF WILLIAMSTON will host a festival known as Stampede during the period of September 26, 2014 through September 27, 2014, which festival will attract large crowds of people concentrated in the Town's downtown area;

AND WHEREAS the health, safety and welfare of its citizens and others attending the festival are of prime concern to the Town such that the Town desires to minimize the possibility for inappropriate use of unmanned aircraft systems during the period of the festival and G.S. 160A-180 authorizes the regulation of aircraft operation over the Town;

BE IT THEREFORE ORDAINED by the Board of Commissioners of the Town of Williamston that the operation of unmanned aircraft as defined herein be regulated as set out herein:

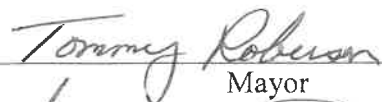
1. DEFINITION:

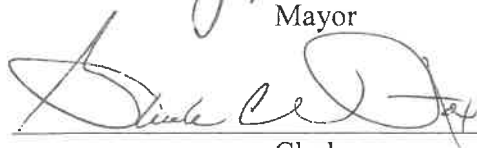
- (A) UNMANNED AIRCRAFT. An aircraft that is operated without the possibility of human intervention from within or on the aircraft.
- (B) UNMANNED AIRCRAFT SYSTEM. An unmanned aircraft and associated elements, including communication links and components that control the unmanned aircraft that are required for its operation in the national airspace system.
- (C) MODEL AIRCRAFT. An unmanned aircraft limited to not more than ten pounds flown within the visual line of sight of the person operating the aircraft for recreational and hobby purposes only.

2. RESTRICTION ON USE. No person shall operate an unmanned aircraft system in the corporate limits of the Town of Williamston during the period of September 26, 2014 through September 27, 2014. This restriction shall not apply to the operation of a model aircraft as defined above.

A violation of this Ordinance shall be a misdemeanor punishable as provided in Chapter 10 Section 10.99 of the Code of the Town of Williamston.

Adopted this the 8<sup>th</sup> day of September, 2014.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

## **ORDINANCE NO. 2014-70**

### **AN ORDINANCE TO ADD YARD SALES TO THE TOWN OF WILLIAMSTON CODE OF ORDINANCES**

BE IT ORDAINED by the Board of Commissioners of the Town of Williamston that Chapter 96 entitled Yard Sales be added to Title IX in the Code of the Town of Williamston as follows:

#### **TITLE IX**

#### **Chapter 96: YARD SALES**

##### **96.01 Purpose**

These rules and regulations are designed to control and restrict yard sales in order to protect the public health, safety, convenience and general welfare and to restrict such sales to casual and/or occasional occurrences only, in keeping with the character of the neighborhood where this activity is carried on. The intent of this article is to eliminate perpetual, prolonged and extended garage and yard sales in The Town of Williamston. Such sales, if continued indefinitely, tend to become retail businesses in residential areas and zones, create a nuisance and violate the zoning regulations of The Town of Williamston. The provisions of this article arise from the need to limit, regulate, restrict and control garage and yard sales.

##### **96.02 DEFINITIONS:**

For the purpose of this chapter, the following terms shall have the meanings indicated:

##### **YARD SALE:**

- A. The sale or offering for sale of new, used or secondhand items of personal property at any residential premises.
- B. Includes all sales in residential areas entitled "garage sale," "yard sale," "tag sale," "porch sale," "lawn sale," "attic sale," "basement sale," "rummage sale," "flea market sale" or any similar casual sale of tangible personal property.

##### **GOODS:**

Any goods, warehouse merchandise or other personal property capable of being the object of a sale regulated hereunder.

##### **PERSONS:**

Individuals, partnerships, family groups, voluntary associations, and corporations.

##### **96.03 CONDITIONS FOR SALES:**

- A. Yard sales shall be limited to no more than four (4) yard sales in any calendar year at the same residential property.
- B. Yard sales shall be limited in time to no more than the daylight hours of three consecutive days.

C. It shall be unlawful to conduct any yard sale with a duration exceeding three (3) consecutive days.

D. Personal property offered for sale may be displayed within the residence, in a garage, in a carport or in a yard, but only in such areas. No personal property offered for sale at a yard sale shall be displayed in any public right-of-way.

E. Any and all items that remain from the yard sale after the third day must be removed or stored in an enclosed area within 48 hours after said yard sale.

#### **96.04 SIGNS:**

A. Only the following specified signs may be displayed in relation to a pending yard sale:

1. No sign or other form of advertisement shall be exhibited for more than seven (7) days prior to the day such sale is to commence.

2. Signs must be removed at the close of the yard sale activities or by the end of daylight, whichever first occurs.

#### **96.05 RESPONSIBILITIES OF ~~PERMIT HOLDER AND~~ OWNER:**

The individual, the owner, or tenant of the premises on which such sale or activity is conducted shall be responsible for the maintenance of good order and decorum on the premises during all hours of such sale or activity. No such individual shall permit any loud or boisterous conduct on said premises nor permit vehicles to impede the passage of traffic on any roads or streets in the area of such premises. All such individuals shall obey the reasonable orders of any member of the Police or Fire Departments of The Town of Williamston and the Williamston Police Department in order to maintain the public health, safety and welfare. A police officer, zoning inspector, fire prevention inspector or any other official designated by The Town of Williamston to make inspections shall have the right of entry to any premises showing evidence of a yard sale for the purpose of enforcement or inspection.

#### **96.06 PARKING:**

All parking of vehicles shall be conducted in compliance with all applicable laws.

#### **96.07 EXEMPTIONS:**

This article shall not be applicable to:

A. Persons selling goods pursuant to an order or process or a court of competent jurisdiction.

B. Persons acting in accordance with their powers and duties as public officials.

C. Any person selling a single item of personal property which is specifically named or described in an advertisement offering the item for sale.

D. Any publisher of a newspaper, magazine or other publication or other communications media which publishes or broadcasts anything in good faith without knowledge of its false, deceptive or misleading character or without knowledge that the provisions of this article

have not been met.

E. Any sale conducted by any legitimate business or commercial or industrial establishment on property zoned for that business under the zoning regulations of The Town of Williamston with or without the protection of the nonconforming use section of the zoning laws, or any sale conducted by any other vendor or dealer when the sale is conducted in a properly zoned area and not otherwise prohibited.

F. Any public auction conducted by a licensed auctioneer.

#### 96.08 PENALTIES

The fine for violation of the provisions of this chapter may exceed \$50, up to a maximum of \$500, as allowed by G.S. 14-4.  
(1992 Code, G.S. 3-15)

Adopted this the 12<sup>th</sup> day of August, 2014.

Tommy Roberson  
Mayor  
Dan C. Dyer  
Clerk

## ORDINANCE NO. 2014-69

### AN ORDINANCE PROHIBITING FIREARMS AND OTHER WEAPONS ON TOWN PROPERTY

BE IT ORDAINED by the Board of Commissioners of the Town of Williamston that Section 130.01 of Chapter 130 of the Code of the Town of Williamston is hereby repealed and in its place and stead the following is enacted as Chapter 130 Section 130.01:

Sec. 130.1. Firearms and other weapons prohibited on Town Property.

- (a) Except as provided in subsection (g) below, all persons are prohibited from possessing any firearm (excluding a handgun carried under the authority of a lawful concealed handgun permit) in town-owned buildings and their appurtenant premises, as defined herein.
- (b) Except as provided in subsection (g) below, all persons are prohibited from possessing any firearm (excluding a concealed handgun carried under the authority of a lawful concealed handgun permit) at the following town athletic facilities (facilities used for athletic events, including but not limited to, a gymnasium) and athletic fields (any athletic fields, including any appurtenant facilities such as restrooms, during an organized athletic event if the field had been scheduled for use with the Parks and Recreation Department) in accordance with G.S. 14-415.23:
  - (1) Perry Park at Pine Street;
  - (2) Godwin Coppage Park at Tyner Road;
  - (3) The Tennis Courts at Edgewood Avenue;
- (c) Except as provided in subsection (g) below, all persons are prohibited from carrying concealed weapons, other than firearms, as defined in G.S. 14-269 in town-owned buildings, their appurtenant premises, and in town parks and recreational facilities, as defined herein. These weapons are defined as bowie knife, dirk, dagger, slung shot, loaded cane, metallic knuckles, razor, shurikin, stun gun, or other deadly weapon of any kind.
- (d) Except as provided in subsection (g) below, all persons are prohibited from displaying or carrying openly any firearm or weapon described in subsection (c) above on the streets, sidewalks, alleys or other public property in the Town of Williamston in the areas set aside for and during the periods of operation of festivals, concerts, amusement and entertainment events, and other public assemblies.
- (e) Nothing herein is intended to prohibit a person from storing a firearm within a motor vehicle while the vehicle is on the aforementioned properties in the town.
- (f) For the purposes of this section, "buildings" is defined as set forth in G.S. 14-54(c) as including any dwelling, dwelling house, uninhabited house, building under construction, building within the curtilage of a dwelling house, and any other structure designed to house or secure within it any activity or property.
- (g) This prohibition shall not apply to the following persons:
  - (1) Those persons identified in G.S. 14-269(b);
  - (2) Animal Control Officers acting in the scope of their employment; and
  - (3) Persons firing firearms without projectiles in organized educational, entertainment, instructional, or ceremonial events sponsored by the Town.
- (h) A conspicuous notice shall be posted at each entrance to any property or facility set forth in subsection (a) or (b) above, outlining the restrictions prescribed in this section.
- (i) Firearms and other weapons possessed in violation of this article are hereby declared to be contraband. The Chief of Police or his Designee shall dispose of such weapons pursuant to applicable State law.



Adopted this the 12<sup>th</sup> day of August, 2014.

Tommy Robinson  
Mayor

Debra A. Dyer  
Clerk

## Ordinance 2014-68

### An Ordinance Amending the Williamston Town Code of Ordinances, Sections 32.090 and 32.091

**Whereas** Martin Memorial Library now operates pursuant to an Inter-local Agreement with BHM Regional Library, Inc.

**Be it Ordained** that Sections 32.090 and 32.091 shall be repealed in their entirety and replaced with the following:

#### 32.090 PURPOSE/FUNCTION.

The Martin Memorial Library is the public library of the Town of Williamston operating in accordance with an Inter-local agreement between BHM Regional Library, Inc., the Town of Williamston and five other units of local government.

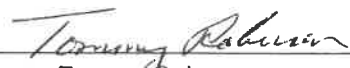
The Williamston Library Advisory Board, formerly referred to as trustees, serves as a liaison to Martin Memorial Library and BHM Library, Inc. and provides an avenue for citizen involvement with library issues.

#### 32.091 APPOINTMENT; TERMS.


The BHM Library, Inc. is a 501(c)(3) non-profit corporation, governed via their bi-laws and the inter-local agreement between the Town of Williamston and BHM Regional Library, Inc. Appointments to the BHM Board are in concurrence with the inter-local agreement.

The Williamston Library Advisory Board shall consist of nine members, who are appointed to a six-year terms by the Williamston Town Board and may be re-appointed to serve one additional term. The Williamston Library Advisory Board shall operate under the auspices of the Williamston Town Board in accordance with policies adopted from time-to-time by the Williamston Town Board.

Adopted this the 8<sup>th</sup> day of July, 2014 by the Board of Commissioners of the Town of Williamston.

  
Mayor Tommy Roberson

Attest:

  
Glinda Fox, Town Clerk

2014-67 VOID

ORDINANCE NO. 2014-65

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWN OF WILLIAMSTON ORDERING THE DIRECTOR OF PLANNING AND DEVELOPMENT TO CAUSE THE DEMOLITION AND REMOVAL OF THAT CERTAIN DWELLING UNIT KNOWN AS 220 ANDREWS STREET IN THE TOWN OF WILLIAMSTON OWNED BY CUTIS V. MORAN AND SPOUSE HELEN MORAN, RUBY MORAN EDWARDS (SINGLE), LESTER MORAN, JR., AND SPOUSE MRS. LESTER MORAN, JR., CARL MORAN AND SPOUSE MRS. CARL MORAN, SABRINA MORAN AND SPOUSE (IF MARRIED), CLINTON PATTERSON, JR., AND SPOUSE SARAH PATTERSON, ALL ASSIGNEES, HEIRS AT LAW AND DEVISEES OF HESTER MOURAN TOGETHER WITH ALL THEIR CREDITORS AND LIEN HOLDERS REGARDLESS OF HOW OR THROUGH WHOM THEY CLAIM AND ANY AND ALL PERSONS CLAIMING AN INTEREST IN THE ESTATE OF HESTER MOURAN.

WHEREAS PURSUANT TO Section 154.45 of Chapter 15 of the Code of the Town of Williamston, the Director of Planning and Development (Zoning Administrator) investigated the condition of that certain dwelling located at 220 Andrews Street in the Town of Williamston formerly owned by Hester Mouran and now owned by the above named heirs of Hester Mouran (said property being described in a deed to Irene L. Bryant, mother of Hester Mouran, in Book D-5 page 291, Martin County Registry);

WHEREAS a hearing was duly held by the said Director on the 14<sup>th</sup> day of April, 2014, at his office at the Town Hall at Williamston, NC, after due notice given; and the following heirs of Hester Mouran were in attendance: Ruby Moran Edwards and Cutis Moran, who were accompanied by Helen Moran (wife of Cutis Moran), Janet Eldridge and Nashti Mouran (daughter and granddaughter, respectively of Cutis Moran), Joann Mouran (daughter of Cutis Moran), and Janel Edwards (daughter of Ruby Moran Edwards);

WHEREAS at the hearing and based on the evidence presented, the investigation of the condition of the property and the acknowledgement of the condition of the property, the Director found that this house is dilapidated, unfit for human habitation and should be torn down because repair, alteration or improvement cannot be made at a reasonable cost in relation to the value of the dwelling; that the dwelling was attracting vermin by having being vacant and dilapidated for so long; and the Director ordered that it be demolished within 45 days of the date of the order;

AND WHEREAS more than 45 days has elapsed since the order and this dwelling has not been demolished and no appeal or further action has been taken by owners;

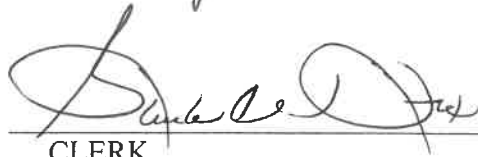
IT IS THEREFORE ORDAINED by the Board of Commissioners of the Town of Williamston that the Director of Planning and Development be and he is authorized and

directed to cause this dwelling to be vacated, removed and demolished and until then to cause to be posted on the dwelling a placard stating "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful";

BE IT FURTHER ORDAINED that this ordinance be recorded in the Office of the Martin County Register of Deeds and indexed in the name of the property owners in the grantor index pursuant to G.S. 160A-443(5); and that pursuant to G.S. 160A-443(6) the amount of the cost of the demolition and removal shall be a lien against the real property upon which the cost was incurred.

Adopted this the 2<sup>nd</sup> day of June, 2014.

  
MAYOR

  
CLERK

ORDINANCE 2014-65  
TOWN OF WILLIAMSTON  
FY 2014-2015 BUDGET ORDINANCE

BE IT ORDAINED by the Governing Board of the Town of Williamston, North Carolina:

Section 1: The following amounts are hereby appropriated in the General Fund for the operation of the Town Government and its activities for the fiscal year beginning July 1, 2014, and ending June 30, 2015, in accordance with the chart of accounts heretofore established for this Town:

Administration	\$ 116,328
Planning	190,425
Public Buildings	50,533
Police Department	1,492,819
Fire Department	704,338
Rescue/EMS Department	686,639
RRT Department	57,000
Street Department	586,427
Sanitation Department	351,975
Recreation Department	578,138
Cemetery	101,669
Garage	185,004
Cultural	114,182
Debt Retirement	351,111
Economic & Physical Development	<u>149,685</u>
	\$ 5,716,273

Section 2. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2014 and ending June 30, 2015:

Taxes and Licenses:

Current Year's Property Taxes	\$ 2,290,000
Other Advalorem Tax Revenue	599,500
Local Option Sales Tax	820,000
Powell Bill	170,000
Hold Harmless Reimbursements	240,000
Payment in Lieu of Taxes	5,000
Other Taxes and Licenses	439,875

User Charges and Fees:

Recreation Activities	26,900
Cemetery Sales and Fees	66,000
EMS Service Charges	410,000
EMS Medicare	40,000
Other Charges and Fees	15,344

Intergovernmental Payments:

Total Government and Local Grants	403,550
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Other Income:

Investment Earnings	1,400
Miscellaneous	15,970
Transfer from Other Funds	172,734



Fund Balance Appropriated:	
Future Economic Development	-0-
Undesignated Funds	-0-
Powell Bill Funds	<u>-0-</u>

\$ 5,716,273

Section 3. The following amounts are hereby appropriated in the Enterprise Fund for the operation of the water and sewer utilities for the fiscal year beginning July 1, 2014, and ending June 30, 2015, in accordance with the chart of accounts heretofore approved for the Town:

Water Operations	\$ 1,096,984
Sewer Operations	1,154,856
Capital Outlay	85,845
Debt Retirement	885,880
Reserve	20,000
Loans	-0-
Transfer from Other Funds	444,734
Contingencies	<u>50,330</u>

\$ 3,738,629

Section 4. It is estimated that the following revenues will be available in the Enterprise Fund for the fiscal year beginning July 1, 2014, and ending on June 30, 2015:

Water Charges	\$1,877,000
Sewer Charges	1,702,750
Interest on Investments	5,000
Other Charges and Fees	29,500
Miscellaneous	1,500
Transfer from General Fund	122,879
Undesignated Fund Balance	<u>-0-</u>

\$ 3,738,629

Section 5. There is hereby levied a tax at the rate of seventy-four cents (\$.74) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2014, for the purpose of raising revenue for the current year's budget. This rate is expected to raise \$2,290,000.00 which is listed as "Current Year's Property Taxes" in the General Fund in Section 2 of this ordinance.

Section 6. The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

- a. He may transfer amounts between line item expenditures within a department without limitation and without a report being required.
- b. The Budget Officer shall be authorized to re-allocate departmental appropriations among the various objects of expenditures as he believes necessary provided such transfers shall be reported to the Board of Commissioners at its next regular meeting and shall be entered into the minutes.
- c. He may not transfer any amounts between funds, except as approved by the Governing Board in the Budget Ordinance as amended.

Section 7. The Budget Officer may make cash advances between funds for periods not to exceed 60 days without reporting to the Governing Board. Any advances that extend beyond 60 days must be approved by the Board. All advances that will be outstanding at the end of the fiscal year must be approved by the Board.

Section 8. Copies of this Budget Ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Officer to be kept on file by them for their discretion in the disbursement of funds.

Adopted this 2<sup>nd</sup> day of June, 2014

Mayor: Tommy Robison

Clerk: Steve P. D. Fox

**TOWN OF WILLIAMSTON**  
**AN ORDINANCE TO REPEAL THE PERSONNEL ORDINANCE**  
**OF THE TOWN OF WILLIAMSTON**  
**ORDINANCE # 2014-64**

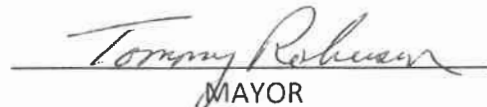
WHEREAS, the personnel policies of the Town of Williamston are being revised pursuant to a resolution to be adopted by the Board of Commissioners; and

WHEREAS, the personnel policies have heretofore been contained in our ordinance entitled "Personnel Policies of the Town of Williamston, NC" adopted August 4, 1997 and amended from time to time;

AND WHEREAS, the Town now desires to repeal the personnel policy ordinance because of the resolution establishing the revised personnel policies.

IT IS THEREFORE ORDAINED by the Board of Commissioners of the Town of Williamston that that certain personnel ordinance originally adopted August 4, 1997 and amended from time to time, be and it is hereby repealed. This repealing ordinance shall be effective upon the passage by the Boards of the aforesaid resolution.

Adopted this 5<sup>th</sup> day of May, 2014.

  
MAYOR

  
CLERK

(SEAL)

**TOWN OF WILLIAMSTON  
SANITARY SEWER REHABILITATION 2012  
CAPITAL PROJECT ORDINANCE  
REVISED  
ORDINANCE # 2014-63**

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the construction of the rehabilitation of certain sanitary sewer pipelines, manholes and service laterals along various existing public roads, streets and other rights-of-way within the corporate boundary of the Town of Williamston and the Williamston sewer system service area to be financed by proceeds from long-term financing.

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

Section 3. The following amounts are appropriated for the project:

<u>Expenditures</u>	
Construction	\$1,583,890
Closing Fee	\$ 41,667
Legal Fees	\$ 5,000
Technical Services	\$ 397,000
Contingency	\$ 97,399
 Total Expenditures	 \$2,124,956

Section 4. The following revenues are anticipated to be available to complete this project:

Long-Term Debt Financing	\$2,083,289
Sewer Enterprise Fund	41,667
 Total Revenues	 \$2,124,956


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

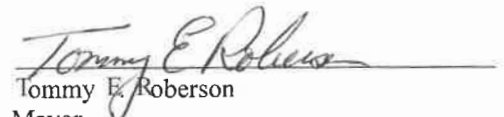
Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

Section 7. This Capital Project Ordinance replaces and supercedes a similarly titled Ordinance (#2013-56) adopted during a regularly convened meeting of the Board of Commissioners on October 7, 2013.

Section 8. Copies of this Capital Project Ordinance shall be furnished to the Finance Officer for direction in carrying out this project.

Adopted this 3rd day of February, 2014 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

  
Glinda Fox, Town Clerk  
(SEAL)

  
Tommy E. Roberson  
Mayor

**TOWN OF WILLIAMSTON  
CAPITAL PROJECT ORDINANCE  
WATER SYSTEM CONTROL IMPROVEMENTS PROJECT  
Ordinance # 2014-62**

BE IT ORDAINED by the governing Board of the Town of Williamston, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the construction of improvements to the Williamston public water system including an automated radio telemetry control system, and installation of altitude valves at several existing elevated water storage tanks, to be financed by proceeds from long-term financing.

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

Section 3. The following amounts are appropriated for the project:

<u>Expenditures</u>	
Construction	\$1,011,787
Closing Fee	\$ 26,181
Technical Services	\$ 220,500
Contingency	<u>\$ 50,589</u>
Total Expenditures	\$1,309,057

Section 4. The following revenues are anticipated to be available to complete this project:

Long-Term Debt Financing	<u>\$1,309,057</u>
Total Revenues	\$1,309,057

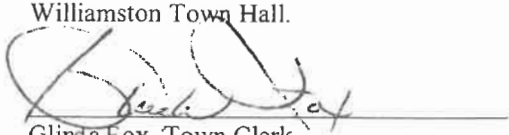
Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Local Government Commission.

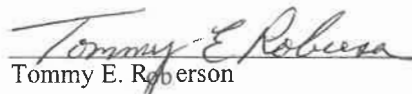
Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total revenues received.

Section 7. This Capital Project Ordinance replaces and supersedes a similarly titled Ordinance adopted during a regularly convened meeting of the Board of Commissioners on December 3, 2012.

Section 8. Copies of this Capital Project Ordinance shall be furnished to the Finance Officer for direction in carrying out this project.

Adopted this 6th day of January, 2014 during a regularly convened meeting of the Board of Commissioners held at the Williamston Town Hall.

  
Glinda Fox, Town Clerk  
(SEAL)

  
Tommy E. Roberson  
Mayor